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# ***Millard County General Plan***

County Goals, Objectives and Action Steps

Fall 1998

*Last Update October 2013*

Funding for this project has been provided by:  
Millard County,  
The Utah State Legislature  
and  
The Governor's Office of Planning and Budget

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# **Millard County Planning Project General Plan Update**

*Fall 1998*

*The Millard County Planning Project and General Plan Update was a partnership effort including Millard County, the Governor's Office of Planning and Budget and the Utah Association of Counties. Special thanks to the citizens and local officials of Millard County who participated in this project.*

*As part of this planning effort, it should be noted that Millard County recognizes and supports the rights, privileges and authorities given to individuals and local governments through the United States Constitution and the Bill of Rights. The 1998 Millard County General Plan, as adopted, is an effort by County officials to uphold these principles and promote a balance between private and public interests.*

*Millard County, as a political subdivision of the State of Utah, expressly acknowledges that numerous powers are reserved to the States as formalized in the Tenth Amendment and reiterated in several Supreme Court decisions.*

*Millard County Commissioners  
Lana Moon  
Tony Dearden  
John Henry*

# MILLARD COUNTY PLANNING PROJECT

1996-98

The Millard County Planning Project has been a partnership effort including Millard County, the Governor's Office of Planning and Budget and the Utah Association of Counties.

A special thanks goes to the citizens of Millard County and the local officials who served as members of the Citizen Plan Advisory Committee:

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## **MILLARD COUNTY GENERAL PLAN** ***1996-98 County Planning Project***

### **Introduction**

The 1996-98 Millard County Planning Project and the subsequent Millard County General Plan update are efforts by the County and its citizens to address the present and future needs of Millard County. This Plan addresses specific issues identified by County residents as County priorities and outlines a series of strategies designed to accomplish County goals and objectives.

Utah State statutes provide for the development of county-level plans under Title 17-27-301. Components which may be addressed within these plans include: land use, transportation, environmental issues, public services and facilities, rehabilitation and redevelopment, housing, economic development, recommendations for plan implementation, and "any other elements that the county considers appropriate." In its plan, Millard County has focused on issues identified by County residents during several public work sessions. These issues are addressed in the Plan through County "value/goal" statements. Issues identified as "County priorities" are further developed through "County Policy Statements" and "Action and Implementation Steps."

The purpose of the Millard County General Plan and the 1996-98 Planning Project is threefold. First, the County now possesses a single document that establishes the "guidelines" for other planning efforts within the County. It is anticipated that future County planning efforts will expand on the "values and objectives" identified in the County's General Plan. In respect to this purpose, County priorities and the issues facing the County will most likely change over time. For the document to function as a valuable decision-making tool, it should be reviewed and amended as necessary to address County issues and interests as they develop.

Second, under FLPMA (Federal Land Policy and Management Act) Title 43, U.S.C.A. Section 1712(c) (9), Federal land management agencies are required to recognize local plans and solicit participation. It is Millard County's position that County representatives should be properly notified and offered a seat at agency planning tables whenever changes affecting County interests are proposed, definitely before decisions are made and programs implemented. To improve cooperation between the County and Federal land management agencies and to ensure consistency between the County Plan and Federal planning documents, the County Planning Department, specifically the County Planner, will play an active role in all relevant Federal planning processes. In turn, the County Planner will inform and work closely with the Millard County Commissioners.

Third, the planning process itself has been a valuable learning experience for the citizens of Millard County. A diverse group of more than 175 County residents actively participated in all stages of plan development including: issue identification, issue

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prioritization, objective identification and implementation strategy development. Through this process, County citizens have "planned for Millard County's future." The County's General Plan is the result of their combined expertise and experience. This experience will be invaluable as the County adopts and begins to implement this Plan.

As part of this planning project, a separate document, The *Millard County Profile*, has been prepared. This document contains information, data, and maps covering County demographics, economics, land use, and public facilities and services. If consistently updated, this document will remain a valuable resource for Millard County officials, County residents, and individuals interested in general Millard County information. A copy of the *Millard County Profile* Table of Contents can be found in Appendix F.

### **General Plan Purpose and Process**

The Governor's Office of Planning and Budget and the Utah Association of Counties recognizes the need for adequate county-level land use planning. Under Utah State law, a general plan must address certain social, economic, and environmental issues. The law also requires a minimum level of public participation. The process to update the Millard County General Plan went beyond the required level of public participation and provided residents of the County with the opportunity to participate through a number of public meetings and as members of citizen committees and task-groups. Bear West, a consulting firm with expertise in county-level planning and Federal and State land use issues, assisted the County throughout plan development.

At the beginning of the project, a citizen Plan Advisory Committee was formed. This committee represented a cross-section of Millard County interests and included local elected officials and representatives from Federal and State land and resource management agencies. (A list of the PAC members may be found on the inside cover of the General Plan.) This committee's main responsibility was to work with the consultants throughout the plan development process.

The Millard County project formally began in October of 1996 with public workshops held in Delta and Fillmore. Over one-hundred County residents attended these meetings. These workshops served as the "scoping" meetings for the project and gave County residents their first opportunity to identify the issues, concerns, values, and opportunities that they felt should be addressed as part of the County's General Plan. Once issues were recorded, workshop participants had the opportunity to indicate which issues they felt were County priorities. Priorities identified during the meeting include: maintaining the County's "small town" character and lifestyle, encouraging responsible economic growth and community development, participating in Federal and State land/resource planning processes and improving human and community services. A summary of these issues was prepared and reviewed by the Plan Advisory Committee. These topics became the focus of the plan development process. A list of these issues and their prioritization, *Public Scoping Meeting Small Group Issue Identification and Prioritization*, is attached in Appendix B.

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Beginning in November 1996, the Plan Advisory Committee and consultants met monthly. During these work sessions, the Committee discussed each County "priority issue" in detail. The Committee worked to articulate County sentiments through "value/goal" statements, to refine County objectives, and to development policy "implementation strategies." Depending on the topic of discussion, members of the Committee or "topic experts" were invited to present background information and to assist the Committee in developing realistic and viable approaches. A compilation of workshop agendas can be found in Appendix C.

The Plan Advisory Committee's recommendations are formally presented to the citizens of Millard County through this *Draft Plan*. Each "priority issue" is presented in the following fashion: County Policy Statement, County Objectives, and Action/Implementation Strategies.

As outlined in State statutes, these recommendations are subject to Planning Commission and County Commission review through an open public hearing and adoption process.

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

It is intended that the updated General Plan will serve as a framework for Millard County as it considers future private and Federal and State land use decisions. The Plan is also designed to provide a policy foundation for human and community services and economic development activities.

To successfully implement specific portions of the General Plan, Millard County will need to take action beyond Plan adoption. Recommended actions are identified in the "Action/Implementation" or "strategy" sections following each County "Objective."

While this plan, upon adoption, reflects the thoughtful direction of Millard County in 1998, it is expected that the plan will be updated and revised as circumstances change and new challenges arise. The amendment process for the General Plan is defined by Utah statute, and follows the same requirements as the adoption process: hearings and action by the Planning Commission and County Commission with minimum 14 days' notice by each body. Any interested person can propose an amendment at any time by filing an application with the Planning Commission. A copy of the Utah State "general plan adoption and amendment process" statute can be found in Appendix D.

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## **Value/Goal Statements: A Framework for Action**

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### **Community Lifestyle and Character**

Millard County residents enjoy a lifestyle unique in today's society. The area's "rural character" and "small-town atmosphere" provide a "quality of life" vastly different from that found in larger urban areas. County residents also enjoy a solid moral climate, low crime rates, accessible government, quality human and community services, and a strong economic base. Maintaining these "quality-of-life" characteristics is a top County priority.

As growth in the State continues, Millard County will experience additional development pressure. County residents support continued economic and community growth and feel that if the County's development objectives are clearly articulated through County policies and plans, future growth will enhance rather than detract from the area's unique lifestyle and character.

### **Intra-County Relations**

County residents recognize and appreciate the diverse interests and independent nature of Millard County communities. Nevertheless, the County feels that each community, and the County as a whole, can benefit from better community-to-community and community-to-County communication, coordination, and cooperation. Improving east-west relations has been identified as a priority.

### **Land Use**

Existing land uses within the County provide residents with a variety of development options and a mix of urban and rural lifestyles.

The County will continue to support orderly residential, commercial, industrial and agricultural growth. Development will continue in a responsible manner and in locations that contribute to the economic and social well-being of County residents

In order to maintain its rural atmosphere, preserve prime agricultural land and provide adequate services to County residents, the County will encourage growth to take place within or adjacent to existing communities.

The County feels that land use plans and development standards should reflect citizen preferences and be amended to address relevant issues and challenges. Once adopted, regulations will be consistently enforced.

The County is also sensitive to private property right sentiments and will balance these rights with public interests.



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## **Recreation and Tourism**

Millard County possesses a variety of unique natural, cultural and historical resources. These resources provide residents and visitors with a number of diverse recreational opportunities. The County will continue to promote tourism activities that highlight the history, landscape and culture of the region.

Millard County recognizes the economic benefits that tourism-related activities bring to the area. The County will encourage and support private sector development of tourism facilities and venues and will participate in local, regional and State-level tourism promotion and planning efforts as deemed beneficial to the local industry. The County will also work with State and Federal land managers to promote responsible use of Federal and State recreation sites within the County.

When exploring future tourism development activities, the County will consider the following:

- impacts to County natural, cultural and historical resources;
- demands on County services and facilities (law enforcement, emergency services, water and waste management, search and rescue);
- impacts on the County's rural lifestyle; and
- impacts on traditional resource uses.

### **Recreation Facilities**

Millard County encourages the use of recreational facilities within the area. As requested, the County will work with individual communities to explore potential funding sources for community-level recreation projects and facilities.

The County encourages private sector development of recreational facilities and services and may offer development incentives as doing so becomes feasible. The County also supports cultivating recreation facility development and maintenance "partnerships" with other entities, agencies and special interest groups.

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

More than 87% of the land within Millard County is managed by Federal or State agencies. Due to the dependence of several County-based industries on these lands and the accompanying resources, decisions made by these management agencies directly impact the County and its residents.

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As provided through the Federal Land Policy and Management Act (FLPMA), the National Environmental Policy Act (NEPA) and the National Forest Management Act (NFMA), Millard County claims the powers, rights and authority given specifically to local governments to participate in Federal and State land management planning and decision-making processes.

The County will take full advantage of these opportunities to promote and protect County interests.

As part of their General Plan, the County has articulated their Federal and State land management priorities. Specific objectives include:

- actively participating in Federal and State land management planning processes,
- maintaining “multiple-use” management practices,
- supporting responsible Federal and State land resources use and development,
- participating in wildlife management decisions,
- encouraging Federal and State land consolidation/disposal,
- promoting Federal and State land recreation and tourism, and
- maintaining adequate Federal and State lands access.

## **Human and Community Services**

Millard County residents desire to maintain the current quality of human and community services available throughout the County. The County will continue to work with communities and private interests to improve service availability. Services identified as County priorities are listed below.

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

Millard County is a safe place to live and raise a family. Considering the County's demographic and economic profile, residents feel the existing County and community law enforcement, fire protection, emergency response, and search-and-rescue personnel and agencies are well prepared and trained. Maintaining an adequate level of agency staffing and personnel preparedness is viewed as a necessity.

The County is also dedicated to maintaining and expanding emergency services/law enforcement facilities according to County needs.

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It is the County position that local law enforcement personnel and agencies should be given preference in law enforcement matters on Federal and State lands. Money to perform such duties should be funneled from the Federal to local level.

### **Medical Facilities/Health Care**

Private health care providers within the County maintain excellent medical facilities and provide the finest health care in the region. County residents desire to maintain this level of excellence and support expanding services and facilities as doing so becomes economically feasible.

The County will continue to support the strategic planning, physician recruitment and marketing efforts of the existing health care system.

### **Senior Citizen Services**

Senior citizens are integral members of Millard County communities. The County is committed to providing recreational, educational, residential, and medical services and opportunities for this sector of the population.

### **Education**

Providing additional education opportunities for all County residents is a top priority. In this effort, the County will continue to support public and private efforts to provide quality educational facilities and instruction materials. The County also supports the development of additional in-County post-secondary education opportunities and the expansion of existing technical training programs.

### **Utilities**

County residents support the expansion of public utilities within existing communities or areas designated for future growth and development.

### **Housing**

Millard County is a wonderful place to live and raise a family. With increased interest and development in the area, providing adequate and affordable housing opportunities is a top County priority.

The County has identified the need to better understand area housing needs and will work with community leaders, developers and citizens to identify ways in which these issues can be politically and socially addressed.

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## **Communications**

Millard County supports upgrading existing telecommunication facilities and services to improve in-County communication links and increase County access to outside information sources.

## **Economic Development**

Millard County enjoys a diverse economic base and employment profile. The County will continue efforts to strengthen their existing position and will encourage economic growth that is compatible with the area's character and lifestyle. The county economic development objectives include: business retention and expansion, value-added marketing and business recruitment. The County will also pursue economic development activities that complement existing businesses and industries.

## **Natural Resources**

The abundance and availability of natural resources within the County provide a variety of economic development opportunities. Millard County will continue to support the responsible use and development of these resources and associated industries and businesses.

## **Agriculture**

Millard County also recognizes the economic contributions made by the area's agricultural industry and related businesses. The County will continue to encourage and support growth and expansion of this sector.

## **Infrastructure**

Maintaining adequate transportation and water/sewer systems within the County is a necessity. The County will continue to work with the State, individual communities and the appropriate special service districts to address these issues.

Millard County understands that future development is most likely to occur in areas where services are available. With this in mind, the County does not support extending services through or into areas that have not been identified for future development. It is the County's position that the majority of residential growth should take place within existing communities where services are readily available.

## **Water Resources**

Water quality and availability will determine the type, level and location of future growth. Millard County encourages the efficient management and use of water resources. The

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County also supports the development, adoption and implementation of water collection, storage, distribution and conservation plans by local municipalities, the Conservancy District and water companies. The County also encourages continued cooperation among these entities as water-management decisions are made.

The County will take an active role in all relevant Federal and State water-resource management plans and decisions impacting the County and/or the interests of its residents.

### **Transportation**

Maintaining an adequate and safe transportation system throughout the County is a necessity. Residents depend on the existing network of roads and highways to access human and community services, recreational areas, natural resources, and regional and interstate markets.

The County realizes that adequate access to and across Federal and State lands is necessary for efficient natural resource use and development. The County encourages continued cooperation among Federal and State land management agencies, private interests and Millard County to address access, right-of-way and road maintenance issues.

Millard County recognizes the Delta City and Fillmore City airports as important regional transportation facilities. The County encourages these entities to maintain their respective facilities and services as viable transportation alternatives.

### **Millard County General Plan Elements**

- Planning Coordination
- County Growth and Development
- Land Use
- Housing
- Human and Community Services
- Economic Development
- Tourism
- Transportation
- Utilities
- Federal and State Lands

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**Millard County General Plan  
Planning Coordination Element  
County Goals, Objectives and Implementation Strategies**

\*This section addresses planning coordination between the County and local communities. Coordination between the County and Federal and State land managers is covered in the Federal and State Lands Element.

**County and Community Planning Coordination**

Millard County feels that planning throughout the County should be coordinated.

**County Objective:** *Coordinate all County and community planning efforts.*

**Implementation Strategies:**

- Continue the quarterly Commission/Mayor coordination and planning meetings.
- Standardize County and municipal building application forms and procedures.
- Develop a comprehensive notification and review procedure for relevant planning issues. Notified interests will include: affected communities, utility companies, police, fire, and health and human service departments.
- Continue to work with municipal planning commissions to address mutual planning issues. Coordinating meetings will be held as necessary.

**County Objective:** *Encourage community and County cooperation and coordination to more adequately and appropriately address issues created by community growth, e.g., utility expansions, compatible land uses, urban versus rural needs and fringe area development.*

**Implementation Strategies:**

- Develop County/community agreements addressing annexations and the extension or expansion of utility lines or services.
- Coordinate county and community capital improvement projects through the Council of Governments.
- Coordinate long-range capital facility plans identifying the anticipated needs and capital expenditure priorities of the County. These documents will also identify the fiscal options available to the County to meet those needs.
- Continue to provide technical planning assistance to communities as requested.

**County Objective:** *Continue to involve citizens in the development of County planning goals and policies.*

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**Implementation Strategies:**

- Increase public awareness and understanding of planning issues through public meetings and the media.
- Involve citizens in policy development discussions through public hearings, neighborhood meetings and/or surveys.
- Organize citizen advisory boards to provide input on specific land uses. For example, an agricultural land use committee made up of agricultural land owners and associated organizations and interests may be organized to discuss agricultural land preservation strategies.

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**Millard County General Plan  
County Growth and Development  
County Goals, Objectives and Implementation Strategies**

**County Growth and Development**

Millard County feels that planned, orderly growth is a positive value. Positive growth is the result of creative, sound planning and enhances opportunities for economic development, diversity in land uses, and the continuation and enhancement of community values.

The County will pursue its growth and development goals through the following objectives and strategies:

**Goal: County growth will occur in a planned and orderly fashion.**

**County Objective:** *Encourage development within or adjacent to existing communities.*

**Implementation Strategies:**

- Encourage growth in areas that can be economically served with public utilities and community services. Factors to consider include: culinary water, waste water treatment, utilities and roads.
- Encourage the development of vacant lots within communities before expanding municipal boundaries.
- Identify community annexation boundaries. Discourage extending city service lines beyond these limits.

**County Objective:** *Realign community boundaries to encourage the economical delivery of services.*

**Implementation Strategies:**

- Municipal boundaries (and annexation areas) should be determined by, and consistent with, utility-service and capital improvement plans.
- Community annexation declarations and capital improvements plans should be reviewed annually and updated as necessary.

**County Objective:** *Development should be in harmony with the County's character.*

**Implementation Strategies:**



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- Encourage new development that promotes and maintains neighborhood identity and pride.
  - Require new development to meet adopted standards for streets, landscaping, and utilities.
  - Foster the preservation of significant historic sites and buildings.
  
  - Prevent blight through proper subdivision location and design and sound building construction.
  - Encourage the repair, rehabilitation or removal of deteriorated buildings.
  - Develop programs to enhance the County's visual quality.
  - Promote the integration of new development and residents into the community structure.

**County Objective:** *Encourage the best and most efficient use of land.*

**Implementation Strategies:**

- Reconcile the County's land use and zoning maps.
- Consider reclassification of areas incompatible with adjacent zones/uses
- Base zoning decisions firmly upon the policies and intent of the General Plan.
- Employ the utility service plan (capital facilities plan) as a guide when considering zoning changes.
- Reconcile County zoning ordinances that allow incompatible uses within the same zone.
- Use the conditional use permitting process to allow normally incompatible uses adjacent to one another if impact mitigating conditions are met.

**County Objective:** *All development will comply with the County's adopted building codes.*

**Implementation Strategies:**

- Consistently enforce the County's building, fire, electrical, mechanical and plumbing codes.

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**Millard County General Plan  
Land Use Element  
County Goals, Objectives and Implementation Strategies**

**Land Use**

Millard County residents enjoy the “quality of life” available within the area. Existing land use ordinances allow a variety of development options and a mix of urban and rural lifestyles. Larger communities within the County provide residents with excellent medical, recreational and educational services; smaller communities maintain a “rural atmosphere and lifestyle”. Millard County also enjoys a diverse economic profile that includes a mix of commercial, industrial and agricultural land uses.

Millard County encourages orderly residential, commercial, industrial, agricultural and recreational growth and development and will continue to identify areas within the County appropriate for these uses. Development will be allowed to continue in a responsible manner and in locations that contribute to the economic and social well-being of County residents. Millard County planning personnel will work with communities, as necessary, to coordinate planning activities and address land uses along jurisdictional boundaries. In order to maintain its rural atmosphere and ensure that adequate services can be provided to County residents, the County will encourage growth to take place within or adjacent to existing communities.

As development in rural Utah continues, Millard County will receive additional pressure. To ensure that future growth enhances rather than detracts from the County’s character, it is important that County land use priorities and objectives are clearly identified. In this effort, the County will maintain a county-wide land use plan and zoning ordinance. These plans and ordinances will reflect resident preferences and be revised as necessary, in a timely manner, to address emerging issues and challenges. All adopted regulations will be consistently enforced.

The Millard County Commission, Planning Commission and planning staff will make land use and development decisions according to the following objectives:

- maintaining the current quantity and quality of public services and facilities through balancing growth and development with facility/service capacity e.g. water, sewer, waste disposal, transportation and roads, law enforcement, emergency services;
- protecting rural, agricultural, mineral, wildlife and other County interests; and
- balancing private property rights with community interests.

Under the direction of the County Commission, the Millard County Planning Commission and planning staff will address these issues and propose the appropriate revisions and amendments to the existing County land-use ordinances.

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## **Administrative Review Procedure for Takings Claims**

The County acknowledges that private property rights may be affected by County land use and development objectives. It is in the County's interest to address these situations in a cooperative manner through a formal administrative review process. The procedure will require that any person seeking a takings claim must submit the claim to the County before seeking judicial relief. The claim shall include such information as a description of the property, the price paid for the property, the current value and uses allowed on the property, the investments made by the current property owner on the property and other relevant information as requested by the County. The County Commission shall be the appellate body. They may appoint a hearing officer to collect information and make recommendations.

## **County Land Use Recommendations**

Specific recommendations for residential, commercial, industrial and agricultural land uses follow.

### **Residential Land Uses**

Citizens feel that County land use regulations should allow residents to live in the type of setting they desire. The County's urban centers, communities and unincorporated areas provide a variety of densities and services. Residents feel that residential development should be located in areas that complement other County interests. Examples include developing on marginal, rather than prime agricultural ground and locating development away from sensitive areas. Due to its limited ability to provide municipal services, the County encourages development to take place within or adjacent to existing communities.

### **Commercial Land Uses**

The County recognizes the tax-base benefits that come from commercial development and will support additional development along major thoroughfares and in unincorporated communities as long as adequate services can be provided.

Millard County recognizes that most commercial development in the unincorporated areas occurs along major thoroughfares and adjacent to existing communities. In some cases, this commercial development acts as the "gateway" to these communities. In these situations, the County will work with the relevant municipality to ensure that the commercial development complements community aesthetics and design standards.

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## Industrial Land Uses

Millard County supports the expansion of industrial land uses under the existing land use regulations. These regulations are designed to allow industrial uses along major transportation corridors and in close proximity to natural resources in a manner sensitive to the environment and adjacent land uses. Currently, hazardous waste storage facilities are not permitted within the County.

The County will also encourage the expansion of existing industries through “value-added” programs. This activity may include revising existing land use ordinances to allow related and compatible businesses to locate adjacent to each other, e.g., locating processing and packing plants adjacent to rail lines and agricultural land.

## Agricultural Land Uses

County residents indicate that the open, agricultural landscape contributes to the County’s quality of life and sense of place. They enjoy the small-town atmosphere and lifestyle associated with this type of land use. As the County continues to grow and develop, citizens feel that agricultural land and the associated uses should be protected.

Millard County will pursue this goal with three objectives in mind:

- protecting prime agricultural land,
- maintaining the County’s rural character and lifestyle and
- protecting private property rights.

The County acknowledges that preserving prime agricultural land solely from a land use perspective ignores economic realities of agriculture profitability and product marketability. Agricultural land protection measures will be combined with agriculture-related economic development efforts. This section of the Millard County General Plan addresses preserving “the land”: The Economic Development chapter of the Plan addresses maintaining “the market”.

### Why is agricultural land important to Millard County?

**Quality of Life** - Millard County residents identify “quality of life” and “rural atmosphere” as the primary reasons they enjoy living in the area. Many associate the small-town “sense of place” and lifestyle with the surrounding agricultural environment. As Millard County

continues to grow, it will become increasingly difficult to maintain the existing rural character unless measures are taken to preserve agricultural areas.

**State and Local Economic Contributions** - Millard County has a State-wide reputation for the quality and quantity of its agricultural products. Compared to other Utah counties, Millard ranks first in alfalfa hay production, third in total grain production

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(wheat, barley, oats and corn), fourth in livestock inventory (cattle), fifth in total acres planted, and fifth in total cash receipts.

On the county-level, agriculture remains a steady economic contributor. Over the past several decades, the agricultural sector has been a stabilizing force as other industries have come and gone. In 1997, agriculture and related industries accounted for over 15% of County's employment shares.

**Wildlife Habitat** - Agricultural areas and the associated uses also benefit area wildlife. A significant amount of habitat is located on or adjacent to agricultural fields, waterways and rangelands.

### **Challenges to preserving agricultural land and the associated uses.**

Agricultural areas adjacent to communities or municipal services come under tremendous development pressure. Land prices (followed by higher appraisals and taxes) in these areas often escalate to the point where it is no longer feasible to continue farming and the property is subdivided for development. In these situations, the land is not only pulled from agricultural use but, depending on development density and design, may also lose its "open space" or "rural" qualities.

Incompatible uses within or adjacent to agricultural areas also create problems for agricultural operators. As development encroaches into agricultural areas, new residents often file nuisance complaints about odors, dust, and noise. These conflicts increase as density rises. Problems identified include trespass, vandalism, and traffic congestion (moving equipment and livestock) and a general intolerance and misunderstanding of agricultural land use practices.

**Goal: Millard County will implement land use policies that allow growth to occur without compromising the area's rural atmosphere or the ability of agricultural land to remain under production.**

More specifically, the County's agricultural land use regulations will:

- encourage the preservation of prime agricultural areas,
- separate agricultural and non-agricultural uses,
- encourage residential development to take place within or adjacent to existing communities,
- establish lot-size standards that are based on maintaining parcels of adequate size for the intended agricultural use,
- protect the right to use accepted agricultural management practices within agricultural zones,
- encourage agriculture-related economic development, and
- balance the private property rights of agricultural and non-agricultural interests.

**Objective:** *Identify and inventory all agricultural land within the County.*

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**Implementation Strategies:**

- In partnership with USU Extension and the local Farm Bureau, Millard County will identify and inventory all agricultural land within the area. Once this information is complete, the County may develop a priority list on which to base formal agricultural protection measures.

Criteria used to evaluate land for “prime” agricultural land designation may include:

- distance to developing areas,
- compatibility with adjacent land uses,
- soil type and quality,
- crop type,
- irrigated/non-irrigated,
- regionally/locally significant,
- regionally/locally “unique”,
- rangeland significance, and
- consistency with County and City master plans.

**Objective:** *Review (and amend as necessary), the existing County zoning ordinance and zoning map to reduce conflicts between agricultural and non-agricultural land uses.*

**Implementation Strategies:**

- Review existing zoning ordinance for incompatible zone types and incompatible permitted and conditional uses within agricultural zones.
- Revisions to existing ordinances will include:
  - Non-agricultural uses will not be “permitted” uses in agricultural zones.
  - Limited agricultural-related development will be allowed as “conditional uses”.
  - The existing Millard County Dairy Confinement Ordinance will be modified to include all livestock operations of significant size.

**Objective:** *Balance private property rights of agricultural and non-agricultural interests*

**Implementation Strategies:**

- Review existing zoning ordinance and zone designations for incompatible zone types and incompatible permitted and conditional uses within agricultural zones.
- Revisions to existing ordinances may include:
  - Non-agricultural uses will not be “permitted” uses in agricultural zones.
  - Limited agricultural-related development will be allowed as “conditional uses”.

**Objective:** *Establish zoning (unit/area) densities within agricultural zones at ratios adequate for the associated land use.*

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**Objective:** *Require “conditional” use permits for all residential, commercial and industrial development within designated agriculture areas.* Commercial and industrial land uses may be allowed within agricultural zones on a conditional basis provided that they are “agricultural based” and determined “compatible” with the adjacent agricultural land uses. “Non-agricultural” development will be encouraged to locate in more appropriate zones.

**Implementation Strategies:**

- Maintain the existing County policy that designates commercial and industrial development within agricultural zones as a “conditional” use.
- Identify industrial uses compatible and related to agricultural land uses.
- Develop “prime” and “marginal” agricultural ground criteria. Determine development siting on a case-by-case basis.

**Objective:** *Encourage cluster-type development based on unit/acre densities.*

**Implementation Strategies:**

- Develop “prime” and “marginal” agricultural ground criteria. Prepare maps indicating same. Determine development siting on a case-by-case basis.
- Review existing planned unit development (PUD) ordinance to ensure maximum design flexibility.

**Objective:** *Encourage residential development to take place within or adjacent to existing communities.*

**Implementation Strategies:**

- Zone areas outside incorporated areas at lower densities.
- Maintain the existing County policy that designates residential development within agricultural zones as a “conditional” use. Development conditions include a written statement acknowledging that the proposed building site is located in an agricultural zone and that occupants are willing to accept the sights, sounds, smells and work hours associated with agricultural land uses.
- Require adequate services be available.
- Coordinate annexation and incorporation activities with unincorporated communities as necessary.

**Objective:** *Continue to support owner designated “agriculture protection areas”.*

**Implementation Strategies:**

- Continue to support property owner-initiated “agriculture protection areas” as outlined in the Utah Code.

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**Objective:** *Support the right to use accepted agricultural management practices within agricultural zones and agricultural protection areas (APA's).*

**Implementation Strategies:**

- Encourage property owner-initiated agricultural protection areas (APA's) as outlined in the Utah Code.
- Maintain the existing County policy that designates residential development within agricultural zones as a “conditional” use. Development conditions include a written statement acknowledging that the proposed building site is located in an agricultural zone and that occupants are willing to accept the sights, sounds, smells and work hours associated with agricultural land uses.

**Objective:** *Encourage agriculture-related economic development*

**Implementation Strategies:**

- Coordinate efforts with the Economic Development Department to explore additional “value-added” markets.
- Allow ag-related commercial and industrial development to occur in agricultural zones as “conditional” uses.



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**Millard County General Plan  
Housing Element  
County Goals, Objectives and Implementation Strategies  
Housing**

Millard County is being discovered as a great place to live and raise a family. With increased interest and development in the area, providing adequate and affordable housing opportunities is emerging as a County issue.

The County has identified the need to better understand area housing needs and will work with community leaders, developers and citizens to identify ways in which this issue can be politically and socially addressed.

The County will pursue its housing goals through the following objectives and strategies:

**Goal: Provide adequate, affordable and safe housing opportunities for all residents.**

**Objective:** *Residential development will occur in a manner that is consistent with the County's cultural values and rural lifestyle.*

**Implementation Strategies:**

- Encourage residential development to occur within developed areas in order to prevent unnecessary sprawl.
- Encourage residential growth and design that complements the County's "small town" atmosphere.
- Encourage neighborhood design that provides safe traffic circulation, attractive landscaping and quality physical improvements.
- Develop housing consistent with community and county standards and goals.
- Enforce adopted building codes and subdivision regulations on a consistent basis.
- Promote good design and a pleasant and healthy environment in mobile home parks.
- Develop housing strategies for development in the unincorporated areas of the County.

**Objective:** Encourage a County housing profile that accommodates a diverse range of needs and financial situations

**Implementation Strategies:**

- Promote County zoning ordinances and development regulations that encourage infill development, planned unit development (PUD) planning and compatible, mixed-use zoning.
- Encourage the development of housing targeted for specific groups of the population, i.e., the elderly or low-income residents.

**Objective:** Address the County's housing needs on a community level.

**Implementation Strategies:**

- Initiate a County-wide education campaign addressing area housing issues. Incorporated communities and industry will be initial contacts.

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- Develop partnerships with incorporated towns and cities to address the diverse housing needs of each area.
  - Encourage additional training seminars on planning, zoning and community development.
  - Consider County and community housing issues and objectives as part of all relevant County planning efforts and decisions.

**Objective:** Work with industry to assess the need for temporary and permanent employee housing.

**Implementation Strategies:**

- Clarify the expectations and roles of industry, government and the private sector with regards to accommodating and/or providing temporary employee housing.
- Require that all temporary housing units be located in well-planned areas compatible and in conformance with County and municipal master plans. Temporary housing complexes and the associated infrastructure should be designed in a manner that encourages beneficial reuse of the site following construction.

**Objective:** Develop and maintain a County-level housing plan as required by Utah Code Annotated 17-27-403.

**Implementation Strategies:**

- The County will work with the Six-County AOG and local communities to complete a County Housing Plan. The County's housing element will be adopted as part of the County's General Plan.
  - The County's housing element will be reviewed every five years and updated as necessary.
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## Affordable Housing Moderate Income Housing Plan

The State of Utah recognizes that the availability of moderate-income housing is a statewide concern that requires municipalities and counties to propose a plan for moderate-income housing as part of their *General Plan* (UCA 10-9a-103 and 17-27a-403).

"Affordable housing" means housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income of the applicable municipal or county statistical area for households of the same size."  
(UCA 11-38-102)

This Moderate Income Housing Plan, included as an element of the Millard County General Plan, is formulated and adopted as required by Utah State Law 17-27a-401 et seq., UCA 1953 as amended. The spirit of the statute is to ensure that households who desire to live in Millard County should not be excluded from living in the county simply because they are moderate or low income households. The statute states that the Planning Commission shall consider the Legislature's determination that counties should facilitate a reasonable opportunity for a variety of housing, including moderate income housing to meet the needs of people desiring to live there . . . and to fully participate in all aspects of neighborhood and community life . . . to allow persons with moderate incomes to benefit from and fully participate in all aspects of neighborhood and community life."<sup>1</sup>

*The Millard County General Plan* states under **Implementation Strategies**: "Encourage residential development to occur within developed areas in order to prevent unnecessary sprawl. (**Objective**: *Encourage a County housing profile that accommodates a diverse range of needs and financial situations.*)

In Millard County the median income for a household of four is \$ 44,948 in 2009 (Source: U.S. Bureau of Economic Analysis, U.S. Census Bureau, and Utah Department of Workforce Services 2009). Moderate income housing is therefore defined as housing that is affordable (housing and utility costs do not exceed 30 percent of household income) for a household with an income of \$31,463.

The housing analysis below complies with the statute which requires an estimate of the "existing supply of moderate income housing" and the "need for moderate income housing...for the next five years." As required by the statute a survey of residential zoning was conducted to determine if "existing zoning densities affect opportunities for moderate income housing." In addition to the requirements of the statute, the study relies on the Utah Affordable Housing Manual, published by the Department of Community and Economic Development to identify data needs and provide an analytical framework.

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<sup>1</sup> (UCA 17-27a-403)

**PROFILE OF MILLARD COUNTY - Housing Availability:**

**a) MILLARD COUNTY POPULATION:**

**Table 1  
Millard County Population**

<b>Year</b>	<b>TOTAL POPULATION</b>	<b>UNINCORPORATED</b>
<b>2000</b>	12,082	<b>3,815</b>
<b>2005</b>	13,305	<b>4,155</b>
<b>2010</b>	14,199	<b>4,435</b>
<b>2020</b>	18,386	<b>5,742</b>
<b>2030</b>	22,439	<b>7,008</b>

Source: State of Utah Governor's Office of Planning and Budget retrieved at <http://www.governor.utah.gov/dea/projections/05BaselineCityProj.xls>

- Table 1 identifies the unincorporated 2000 population and population projections for the period 2010 – 2030 of Millard County.
- Millard County anticipates an unincorporated area population increase of 3,193 residents for the period 2010 to 2030.
- County totals for 2005 through 2030 are from 2005 Baseline Long Term Demographic and Economic Projection Series.
- The 2000 U.S. Census Bureau identifies the number of residents per household in the County is 3.19. With an anticipated population increase of 3,193 persons from 2010 to 2030 or approximately 50 additional household units per year Millard County anticipates providing an additional 1,000 household units in the unincorporated areas of the County to accommodate the anticipated population increase. (This assumes that the number of residents per household will remain constant for the period 2010 to 2030).<sup>2</sup>

**b) INCOME AND HOUSING SUPPLY**

**Table 2  
Millard County Household Income**

<b>Income and Wages</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008p</b>
<b>Total Personal Income (\$Millions)</b>	271.8	278.9	280.3	314.1	NA
<b>Per Capita Income</b>	2,646	2,492	2,372	2,397	NA
<b>Median Household Income Estimates</b>	40,469	40,555	42,760	44,948	NA
<b>Average Monthly Nonfarm Wage</b>	2,451	2,455	2,558	2,668	2,855

Source: U.S. Bureau of Economic Analysis, U.S. Census Bureau, Utah Department of Workforce Services.  
<http://www.bea.gov/bea/regional/reis/http://www.census.gov/hhes/www/saige/http://jobs.utah.gov/jsp/wi/utalmis/gotolIndustry.do>

Table 2 identifies the median household income in 2007 at \$44,948. As required by law (UCA 17-27a-403), and using the most recent Millard County Median Household Income, the

<sup>2</sup> Source: The Utah Department of Workforce Services 2009 Facts  
<http://jobs.utah.gov/opencms/wi/regions/western/millard/millardfs.pdf>

Moderate Income Housing for Millard County is identified as housing that is available to those residents with a household income of \$35,510.

**Table 3**  
**Millard County Household Income 1999**  
 Household Income, 2000 (1999 Income)

<b>Income</b>	<b>Households</b>	<b>Percent</b>
<b>Total Households</b>	<b>3,855</b>	<b>100.00%</b>
Less than \$9,999	292	7.57%
\$10,000 - \$14,999	294	7.63%
\$15,000 - \$24,999	695	18.03%
\$25,000 - \$34,999	581	15.07%
\$35,000 - \$49,999	727	18.86%
\$50,000 - \$74,999	827	21.45%
\$75,000 - \$99,999	306	7.94%
\$100,000 - \$149,999	80	2.08%
\$150,000 - \$199,999	17	0.44%
\$200,000 and above	36	0.93%

Source: Census 2000

- Table 3 identifies that approximately 3,855 households had a household income equal to or less than eighty percent (80%) of the median gross income for Millard County.<sup>3</sup>
- With the anticipated additional 3,193 residents located in the unincorporated area of Millard County for the period 2010 to 2030, it is anticipated that 1,309 of the new households will be occupied by households with an income equal to or less than the Millard gross income.<sup>4</sup>

**Table 4**  
**Millard County Sales and Building**

<b>Sales and Building</b>					
	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>
<b>Gross Taxable Sales (\$000s)</b>	135,399	137,483	152,390	119,796	148,470
<b>Permit Authorized Construction (\$000)</b>	9,103	16,342	10,439	12,686	11,087
<b>New Residential Building Permits</b>	46	55	50	36	33
<b>Residential Build Permits Value (\$000)</b>	5,394	6,712	7,011	5,577	5,371

Source: Utah Tax Commission and University of Utah Bureau of Economic and Business Research.  
<http://tax.utah.gov/esu/income> <http://www.business.utah.edu/bebr/>

**Table 5**  
**Subsidized “Affordable” Rental Projects in Millard County**

<b>Project / Location</b>	<b>Sponsoring Agency</b>	<b>Type of Project</b>	<b>Units</b>	<b>Year Built</b>
<b>Fillmore</b>				
Mt. Catherine Manor	Millard County Housing Authority Rural Development	Elderly / Handicapped	22	
Crown at Fillmore	Six County AOG Crown Homes	Affordable	3	2008
<b>Delta</b>				

<sup>3</sup> Source: Census 2000 analyzed by the Social Science Data Analysis Network (SSDAN).

<sup>4</sup> Source: State of Utah Governor’s Office of Planning and Budget retrieved at <http://www.governor.utah.gov/dea/projections/05BaselineCityProj.xls>

Delta Sands			33	1986
Delta Manor	Community Housing Services	Affordable	45	1983
Crown at Delta	Six County AOG Crown Homes	Affordable	3	2009

Housing availability for special needs populations (handicapped and seniors) has remained steady with the Millard County Housing Authority complexes in Delta (Delta Sands) and Fillmore (Mt Catherine Manor). Although the Pleasant Acres for the Elderly facility closed its doors in 2009, the Diamond D Inn Assisted Living facility has remained open as an alternative to long term care at the Millard County Care and Rehabilitation nursing home in Delta and the swing beds for long term care at the Fillmore Community Medical Center. Both facilities are dedicated, in part, to mentally and physically handicapped individuals.

Millard County has a population of approximately 13,550 people and an estimated 4,513 households. With a growth rate of only 1 percent, Millard County exhibited one of the slower-growing populations in Utah during 2008. Currently, estimates place the county's population at roughly 13,600. According to U.S. Census Bureau estimates, almost all of the county's townships have actually lost population since 2000—suggesting growth is occurring in the unincorporated areas. Three out of four of these households - nearly 3,384 - own their own homes (includes modular and mobile homes) and the remaining 1,174 households live in rental units.

The number of single-family homes vacant is estimated to be about 61. This number is not unusual for Millard County over the past two decades. While the construction of new homes has dropped dramatically nationally with the depressed economy in 2009, Millard County has remained steady. The vacancy rate for rental units is estimated to be 5 percent or about 4 to 10 units. A vacancy rate was determined by discussions with municipal planners, providers of housing and review of classified ads.

From 2004 to 2008 the number of new single-family housing units added to the housing inventory has remained steady at an average of 44 per year. In 1990 the total inventory was 242, hence in the past ten-years the inventory of single family units has decreased by an average of 9%. During the same periods new construction of rental units has been virtually nonexistent. This disparity between types of new residential construction is explained, in large part, by the lack of economic development and a depressed job market. Home owners who would benefit from lower cost housing in Millard County are unwilling to commute 60 to 120 minutes to employment in Utah, Tooele or Salt Lake Counties. The same economic incentives have not been present for renters. Rental rates in the aforementioned counties have not increased much in the past few years as vacancy rates rose to over 7 percent, thus providing reasonably priced rental housing to the north. These conditions left little incentive for renters to move to Millard County for lower priced rental housing.

Approved subdivisions in the municipalities as well as the unincorporated areas of Millard County are selling very few lots for new construction due to the current recession.

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The special needs population in Millard County is estimated to be 654 elderly handicapped, 965 nonelderly handicapped and 320 senior households that rent. Approximately 265 of the handicapped individuals are in households with incomes at or below 80% of the Area Median Income (AMI). Sixty handicapped individuals are in households with incomes at 50% of the AMI. The number of senior households that must rent and have incomes at or below 60 percent of AMI is 55. For these two special needs populations housing availability is adequate. There are 45 rental units in one apartment complex in Delta that offers deep rental subsidies for low-income renters.

### **Adequacy of Physical Condition of Housing Stock:**

The physical condition of the housing stock in Millard County is fair. The median age of owner occupied units is 20 years and for renter occupied units is 32 years. Nearly 40 percent of all owner occupied units have been built since 1983 and 13.5 percent of renter units have been built since 1980.

### **Housing Affordability:**

In general, the housing stock of Millard County provides sufficient affordable housing choices for moderate to low income households. The estimated number of home owners in 1999 with incomes at or below 80 percent of AMI was 900. The maximum price of a single-family home for a four-person household with income at or below 80 percent AMI is \$95,800. According to the Millard County Assessor's Office **1,548** homes or **34%** percent of all single-family detached homes in Millard County have a market value of less than **\$95,000**.

The affordability of housing in Millard County is demonstrated by data from the Wasatch Front Regional Listing Service. Sales data show that the average price for a home in Millard County in 2007 was \$113,046, which is lower than in any of the neighboring counties. The average price of homes sold in Tooele County for the same period was \$160,903, or 70 percent higher than Millard County.

Although housing choices for low income households (50% to 80% of AMI) are relatively good, the housing choices for very low income households (less than 50% of AMI) are less satisfactory. There are an estimated 1,360 home owners with income at or below 50% AMI. These household can qualify for homes valued at \$58,100 or less. The Assessor's records show that only 409 homes in the county are valued at or below \$58,100.

The number of renters in Millard County in 1999 with incomes at or below 80% of AMI is 442. The maximum rental rate affordable for these households is \$470 and \$81 for utilities. The low income, four-person renter household would be able to afford, without much difficulty, a three-bedroom apartment in Millard County. The situation changes drastically, however, for renters at or below 50% of AMI. There are 172 renters in the county with very low incomes. These households cannot afford more than \$350 for

rent. For these households, only older, smaller two-bedroom rental units would be affordable.

In Millard County, low income households are not excluded from affordable housing because of transportation, discrimination or attitudinal barriers. Zoning ordinances do not prevent the development of affordable housing. The county is characterized by zoning ordinances that encourage the full range of single-family development. There is no evidence of exclusionary zoning of low to moderately priced single-family homes.

Source: 2000 Census

The following questions were asked of planners in each incorporated city and the county:

1. Do you have enough land zoned residential to accommodate next five years of growth?	<b>Yes</b>
2. For most new subdivisions developed last year was rezoning required?	<b>No</b>
3. Were many subdivisions that needed rezone turned down last year?	<b>No</b>
4. Of land zoned residential, what percent is for high density housing; condos and apartments?	<b>0 to 75%</b>
5. Can developers have higher density if building low and moderate income housing?	<b>No</b>
6. Any other incentives for low income housing?	<b>*No</b>
7. Are there any procedural or permitting exceptions for affordable housing?	<b>No</b>
8. Does zoning ordinance encourage zero-Lot-line, clustering PUD etc., clustering etc.	<b>*No</b>
9. Does high density use require special use permit or conditional use permit?	<b>Yes</b>

\*Fillmore City purchased five lots to promote affordable housing funded through the RDA.

\*Fillmore City - For clustering and PUD - Yes. Zero lot line – No.

(a) The private sector, including nonprofit entities, shall be the primary source of developing and providing affordable housing with state and local incentives to encourage housing development. 9-4-1202-4(a)

### **Summary and Conclusion**

Millard County and the ten incorporated municipalities within the County can be separated in two distinct groups:

- 1) those communities that share moderate growth in population and housing – unincorporated Millard County, Fillmore City and Delta City;
- 2) those small generally agricultural communities that have had little increase in housing activity in the 1990s --- Scipio, Holden, Meadow, Kanosh, Hinckley, Oak City, Leamington and Lynndyl.

The median age for homes countywide is 20 years. Communities to the north in Juab and southern Utah Counties have experienced rapid growth due to urban sprawl resulting from the economic growth of northern Utah County and Salt Lake County. The



Salt Lake economy drove land and housing costs up precipitously in the 1990s. Consequently southern Utah County and Juab County, with an abundance of “developable” land at relatively low cost, prospered from the high cost of housing in Salt Lake County. That process has not trickled down to Millard County because of the added distance involved in commuting to the cities

Home buyers are attracted to Millard County because of lower prices and the small town quality of life. However, limited employment opportunities limit economic growth.

This study provides statistical data that demonstrates the affordability of housing in Millard County. The study provides relevant housing information in an organized and useful format for Millard County and the jurisdictions within the county. Throughout the study each housing market is evaluated regarding housing availability, adequacy, affordability and accessibility.

**Accessibility of Housing:**

The zoning ordinances throughout the cities in Millard County generally encourage affordable *single family* homes. There is no evidence of exclusionary zoning for single-family homes in unincorporated Millard County, Fillmore and Delta. In all three areas subdivisions have been approved that have a significant number of lots for development.

**Table 6  
Millard County Housing Profile 2008**

<b>Category</b>	<b>Number</b>	<b>Comments</b>
Land area	6,589.13 sq. mi.	
Water area	238.9	
County population	13,550	(25% urban, 75% rural)
Population density – persons per square mile	2 per sq. mile	(very low)
2008 cost of living index in Millard County	80.1	low, U.S. average is 100
<b>Dwelling Units</b>		
Housing Units in Structures	<b>4,490</b>	
One, detached	3,596	
One, attached	57	
Two	68	
3 or 4	89	
5 to 9	37	
10 to 19	57	
20 or more	63	
Mobile homes	523	
Housing Units with a Mortgage	1,343	58.2% with mortgage
Units with Second Mortgage	101	
Units with Home Equity Loan	153	
Units with Second Mortgage & Home Equity Loan	8	
Houses without a mortgage	963	
County owner-occupied houses and condos	3,057	

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Renter-occupied apartments:	783	
County % of population - renters	20%	

Source: [http://www.city-data.com/county/Millard\\_County-UT.html](http://www.city-data.com/county/Millard_County-UT.html)

Read more: [http://www.city-data.com/county/Millard\\_County-UT.html#ixzz0ZEt2Rdwr](http://www.city-data.com/county/Millard_County-UT.html#ixzz0ZEt2Rdwr)  
 Millard County has a history of working cooperatively with state and local agencies to actively participate to provide moderate income housing. Millard County will continue to monitor the demands for moderate income housing occurring in the county as well as the incorporated and unincorporated cities and towns in an effort to provide moderate income housing to all residents of the county.

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**Millard County General Plan  
Human and Community Services Element  
County Goals, Objectives and Implementation Strategies**

Maintaining adequate human and community services throughout the County is a necessity. County residents feel that the current level and availability of services is adequate for most needs and encourage County and community governments to continue existing services and expand programs as necessary to meet demand. Millard County officials will continue to work with communities and private interests to improve service quality and availability.

**Goal: Provide adequate human and community services to all sectors of the County's population.**

**Objective:** *Encourage County and community cooperation and coordination.*

**Implementation Strategies:**

- Continue regular meetings between city and county officials.
- Place a County Commissioner on the Local Interagency Committee (LIC).

**Objective:** *Evaluate existing and proposed programs to determine need and avoid duplication.*

**Implementation Strategies:**

- Conduct regular internal audits of existing programs and services to determine need and value.

**Objective:** *Support the development and expansion of activities and opportunities for the youth of the community.*

**Implementation Strategies:**

- Encourage youth-oriented programs providing: job counseling, alcohol and substance abuse counseling, community involvement and crisis counseling.
- Recruit and encourage industry to locate in Millard County to provide good employment opportunities.

**Objective:** *Provide expanded services for senior citizens and opportunities for them to participate in the community.*

**Implementation Strategies:**

- Encourage all service elements of local government to maintain open dialogue and contact with the senior citizen population of the County.

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Specific human and community services are addressed below.

### **Public Safety/Emergency Services**

Millard County is a safe place to live and raise a family. Considering the County's demographic and economic profile, residents feel the existing County and community law enforcement, fire protection, emergency response, and search-and-rescue personnel and agencies are well-prepared and trained. Maintaining an adequate level of agency staffing and personnel preparedness is viewed as a necessity.

County government is also dedicated to maintaining and expanding emergency services/law enforcement facilities according to County needs.

It is the County position that local law enforcement personnel and agencies should be given preference in public land law enforcement issues and the enforcement of local and State laws on public lands. Money to perform such duties should be funneled from the Federal to local level.

**Goal: Provide a coordinated public safety program to improve services in all areas.**

**County Objective:** *Provide a coordinated public safety program that includes police, fire, EMT, CERT, HazMat, and Search and Rescue organizations and personnel.*

**Implementation Strategies:**

- Establish regular meetings including law enforcement officers and emergency services personnel to coordinate agency activities.
- Maintain open communication with the public to discuss the type of emergency services available and the level of those services.

**County Objective:** Maintain well-trained and well-equipped law enforcement and emergency services departments.

**Implementation Strategies:**

- Provide adequate equipment, personnel and training.
- Require compliance with OSHA and other safety requirements.

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## Medical Facilities/Health Care

Private health care providers within the County maintain excellent medical facilities and provide the finest health care in the region. County residents desire to maintain this level of excellence and support expanding services and facilities as doing so becomes economically feasible.

The County will continue to support the strategic planning, physician recruitment and marketing efforts of the existing health care system.

**Goal: Provide local, comprehensive primary health care services.**

**County Objective:** *Maintain existing level of health care; expand services and facilities as financially feasible.*

### Implementation Strategies:

- Promote community awareness and support for existing services and facilities.
- Assist in coordinating hospital staff and emergency response personnel training and medical care procedures.

## Education

Providing additional education opportunities for all County residents is a top priority. In this effort, the County will continue to support public and private efforts to provide quality educational facilities and instruction materials. The County also supports the development of additional in-County post-secondary education opportunities and the expansion of existing technical training programs.

**Goal: Support the expansion and maintenance of educational opportunities for all ages and interest groups within the County.**

**County Objective:** *Support existing and encourage additional secondary education opportunities.*

### Implementation Strategies:

- Continued support for the Tech Center and USU Education Center.

## Recreation

Millard County encourages the use of recreational facilities within the area. As requested, the County will work with individual communities to explore potential funding sources for community-level recreation projects and facilities.

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The County encourages private sector development of recreational facilities and services and may offer development incentives as doing so becomes feasible. The County also supports cultivating recreation facility development and maintenance "partnerships" with other entities, agencies and special interest groups.

**Goal: Maintain public park and recreational areas and facilities to meet the growing needs of the citizens and tourists who use them.**

**County Objective:** *Provide diversified park and recreation opportunities.*

**Implementation Strategies:**

- Encourage parks as an integral part of all residential areas.
- Encourage park development adjacent to or in connection with all school sites.
- Encourage the provision of privately financed parks and recreational activities and activities to supplement public facilities.
- Provide adequate water, camping and picnicking facilities, and maintenance and sanitation of restrooms.
- Maintain adequate programs and facilities for the County's senior and youth populations.
- Provide adequate maintenance of existing public swimming facilities and the construction of additional facilities as population demands and financing is available.

## **Communications**

Millard County supports upgrading existing tele-communication facilities and services to improve County communication links and increase County access to outside information sources.

**Goal: Provide a communication infrastructure adequate for County educational and industrial needs**

**County Objective:** *Improve/update existing facilities and services as feasible.*

**Implementation Strategies:**

- Work with communication industries to complete a needs analysis identifying marginal service areas. Conduct subsequent feasibility studies to identify costs associated with improving services to these areas.
- Develop partnerships with local businesses to identify and address mutual communication needs.

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## **Millard County General Plan Economic Development County Goals, Objectives and Implementation Strategies**

Millard County enjoys a diverse economic base and employment profile. The County will continue efforts to strengthen their existing position and will encourage economic growth that is compatible with the County's character and lifestyle. The County will also pursue economic development activities that complement existing businesses and industries.

County economic development priorities addressed in the following sections include:

- economic development and planning coordination
- business expansion and retention
- business recruitment
- value-added marketing for agricultural products
- education
- capital access

### **County Economic Development and Planning Coordination**

**Goal:** Coordinate economic development planning with the County's General Plan.

**Objective:** Active Economic Development Office participation in General Plan implementation.  
Encourage revisions to the Plan as necessary.

#### **Implementation Strategies:**

Annually, the County's Economic Development Office will:

- solicit comments and input from County citizens and the County's Economic Development Board to review County economic development goals and objectives,
- review the County General Plan for consistency and compatibility with County Economic Development Department economic goals and objectives, and
- provide feedback to the County Planning Commission and County Planner as to how the General Plan may be modified to more clearly articulate the County's economic development direction.

### **Business Expansion & Retention**

Millard County recognizes that job creation in rural communities is attained primarily through growth of local businesses. To support this growth, the Millard County Economic Development Office will make the support of its new and existing businesses its highest economic development priority.

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**Goal:** Create an economic environment favorable to the expansion and retention of existing businesses.

**Objective:** Develop and implement locally-based new and existing business support programs through the County Economic Development Office and local Chamber(s) of Commerce in cooperation with local, state, and federal resource personnel.

**Implementation Strategies:**

- Millard County will work with local communities and Chamber(s) of Commerce to assess and prioritize local business needs and challenges.
- Millard County will assist local businesses in identifying their specific business needs through implementation of Business Expansion & Retention (BEAR) visits, and will make a referral to resources available to address those needs through BEAR software.

**Objective:** Utilize Federal, State and local resources.

**Implementation Strategies:**

- Actively participate in training programs offered by the Governor's Office of Economic Development (GOED), Utah Alliance for Economic Development, Small Business Development Center (SBDC at Snow College), Six County Association of Governments (Six County AOG), and the Economic Development Corporation of Utah (EDCU), etc.
- Actively work with GOED, Governor's Rural Partnership Board (GRPB), SBDC at Snow College, Six County AOG and other partners interested and able to support rural business expansion and retention.
- Millard County will work with local communities and business interests to compile a list of local, regional, and State-level business-assistance organizations and specialists covering topics such as business plans, financing, legal expertise and technology. This "resource list" will be updated annually.

**Objective:** Increase awareness and usage of business resources.

**Implementation Strategy:** The Millard County Economic Development Office will distribute the resource list information through various methods, such as:



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- Business Expansion & Retention (BEAR) visits
  - Presentations at local chambers and other business groups
  - Newspaper ads or articles
  - Availability of resource material at the Millard County Economic Development Office
  - Information provided on the Economic Development page of the official Millard County website, [www.millardcounty.org](http://www.millardcounty.org)
  - Other

## **Business Recruitment**

Millard County offers an abundance of natural resources including minerals, agricultural products, energy components and wide open spaces. I-15, I-70 and Highway 50&6, as well as available rail and rail spurs provide access to markets across the Intermountain West. Millard County also offers varied recreational opportunities, a business friendly atmosphere and an exceptional quality of life.

**Goal:** Actively recruit businesses that contribute to and positively impact our communities.

**Objective:** Focus recruitment efforts on businesses that complement existing economic activities and support the existing economy.

### **Implementation Strategies:**

- Millard County will continually evaluate and identify businesses that would complement existing industries.)
- County recruitment efforts will consider impacts to existing businesses. As identified in the Business Expansion and Retention section, Millard County will give priority to local enterprise for business development.

Objective: Target recruiting efforts on those businesses that complement the County's economic objective to diversify the economy in a manner consistent with the County's lifestyle and character.

### **Implementation Strategies:**

- Continue efforts to attract and recruit compatible businesses to the County.
- Maintain contacts with the Governor's Office of Economic Development (GOED, the Economic Development Corporation of Utah (EDCU), and other national, State and local resources on potential new businesses.
- Develop and provide quality recruitment information.

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- Screen prospective new businesses for compatibility with the County's General Plan and economic development objectives.
  - Develop a systematic process to track and follow-up on potential business leads.

**Objective:** Maintain County land use ordinances and zoning regulations that are conducive to business recruitment and relocation efforts.

**Implementation Strategies:**

- Evaluate existing County ordinances to determine if they provide the flexibility necessary to attract desired industries and the specificity to deter others. Compatibility between zones and uses within each zone should also be evaluated.
- Evaluate existing County and community identified industrial zones and industrial parks in relation to available (and anticipated) services and desired community growth patterns.
- Complete a County land use analysis identifying the location of existing businesses and the desired location of future economic growth.

**Objective:** Develop and implement a hosting assistance team.

**Implementation Strategies:**

- Identify and recruit/appoint host team members
- Provide/continue training
- Update County information packet annually.

**Objective:** Provide assistance to local communities as they identify, attract and recruit businesses.

**Implementation Strategies:**

- Facilitate the development of local recruitment plans that target missing sectors of the local economy.
- Cooperate with local Chambers of Commerce and other entities to collect and track baseline economic data. The County Economic Development Office will act as a clearinghouse for this information.
- Support training for local communities on recruitment planning and marketing.

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## Value-added Agriculture

Millard County recognizes the economic contributions made by the area's agriculture industry and related businesses. The County will continue to encourage and support growth and expansion of this sector.

**Goal:** Preserve and strengthen the County's agricultural sector.

**Objective:** Increase awareness of the role that agriculture plays in the County's economy.

### Implementation Strategies:

- Develop an inventory of existing agribusinesses and collect baseline statistics.
- Continue to provide information on farmland preservation.
- Sponsor education and awareness programs and materials.

**Goal:** Protect the County's agricultural land base.

**Objective:** Maintain County-level land use ordinances that protect prime agricultural land and accommodate the accompanying uses.

### Implementation Strategies:

- Maintain unit/acreage densities within prime agricultural areas that are appropriate for maintaining agricultural uses and practices.
- Amend County land use ordinances as appropriate to address conflicts between incompatible agriculture and non-agricultural land uses.
- Continued support for owner-initiated "agricultural protection areas" (APA's).

**Goal:** Promote value-added agricultural products.

**Objective:** Increase demand for local feed, livestock and dairy products.

### Implementation Strategies:

- Support the growth and business viability of existing farms, dairies and feedlots
- Encourage and support best practices in farming, animal husbandry and marketing.

**Objective:** Increase value-added livestock products through consumer ready products

### Implementation Strategies:

- Develop support industries for existing and new agricultural businesses
- Support and enhance established processing plants
- Develop strategies to identify and develop business opportunities addressing regional agribusiness processing gaps.

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## Education

Millard County views education and training as key components in fostering continued economic growth within the area. The County supports public and private efforts to provide educational and vocational training opportunities for County residents and business owners.

**Goal:** Increase awareness and utilization of business education and training opportunities for county residents and businesses.

**Objective:** Identify local business education needs.

**Implementation Strategy:** Request and maintain records of business education needs when interacting with local businesses.

**Implementation Strategy:** Request follow-up data from businesses who participate in classes or workshops to identify additional business education needs.

**Objective:** Identify available educational resources within the county and region.

**Implementation Strategy:** Maintain communication between known business-related educational resource providers, such as:

- Small Business Development Centers at Snow College
- Utah State University Distance Education, Delta Technical Center
- High school & adult technical classes, Delta Technical Center
- Utah State University Extension classes
- Custom Fit employee training program, Snow College
- Other

**Objective:** Utilize available educational resources within the county and region.

**Implementation Strategies:**

- Invite educational resource providers to offer business-related education which has been identified as needed by Millard County businesses.
- Educate local businesses concerning the resources and courses available.
- Encourage training session attendance.

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## Capital Access

In order for the County's economy to grow from within, adequate capital must be available to local businesses. The County's Economic Development Office does not currently administer small business funding programs. The Office may assist local businesses in the identification of available funding sources and provide materials to assist in the preparation of funding applications.

**Goal:** Increase the awareness and accessibility of capital available to local business interests.

**Objective:** Identify available primary funding sources.

**Implementation Strategy:** Regularly update primary funding source information and reduce information to a one or two page fact sheet with contacts which may include but not be limited to:

- Banks
- Credit Unions
- Other

**Objective:** Identify available secondary funding sources.

**Implementation Strategy:** Regularly update secondary funding source information and reduce information to a one or two page fact sheet with contacts for lending institutions or incentive programs which may include but not be limited to:

- Revolving loan fund (Six-county AOG)
- Targeted Business Assistance Fund (Six-county AOG)
- Fast Track grant program (GOED)
- Other

**Objective:** Support businesses through loan preparation process.

**Implementation Strategy:** Provide business plan and financial plan forms at the county Economic Development Office.

*Millard County General Plan  
Economic Development Element  
Ord. No 11-08-02 6*

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**Millard County General Plan  
Tourism Element  
County Goals, Objectives and Implementation Strategies**

**Tourism**

Millard County possesses a variety of unique natural, cultural and historical resources. These resources provide residents and visitors with a number of diverse recreational opportunities. The County will continue to promote tourism activities that highlight the area's history, landscape and culture.

Millard County recognizes the economic benefits that tourism-related activities bring to the region. The County will encourage and support private sector development of tourism facilities and venues and will participate in local, regional and State-level tourism promotion and planning efforts as deemed beneficial to the local industry. The County will also work with State and Federal public land managers to promote responsible use of public lands and recreation sites within the County.

When exploring future tourism development activities, the County will consider the following:

- impacts to County natural, cultural and historical resources;
- demands on County services and facilities (law enforcement, emergency services, water and waste management, search and rescue);
- impacts on the County's rural lifestyle; and
- impacts on traditional resource uses.

The County's Tourism Goals, Objectives and Implementation Strategies as identified by the County Tourism Council are as follows:

**Goal: Refine the County's future direction with respect to tourism issues**

**Objective:** *Develop a County Vision through community involvement*

**Implementation Strategies:**

- Develop a County "vision" for future tourism activities through active citizen and community participation. This vision will reflect County-wide, as well as east/west-side objectives. It will also reflect the unique diversity from community to community. Each community will have access to any and all tourism information compiled by the central committee and be entitled to input to said committee.
- The Millard County Tourism Council will act as the coordinating body for County tourism activities. County citizens, communities and tourism-related businesses will be involved in developing County tourism objectives and marketing strategies. Both

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east and west sides of the County will have equal representation on the council and will assist in developing tourism promotion strategies for the entire County.

**Objective:** *Develop a marketing plan and strategy*

**Implementation Strategies:**

- Identify what we have, what we would like to promote and who we want to target.
  - Review State and local tourism studies and surveys. Obtain information and input from tourism-related businesses and government agencies.
  - Assess effectiveness of current marketing strategies and how to improve product and distribution.
- Identify specific attributes, sites and activities for additional promotion. These include the following:
  - Geology, scenic, historical: state house, museums, Cove Fort, ATV riding, rock-hounding, Indian lore.
  - Organize and support community and civic sports/cultural events (ball fields and rodeo grounds)
- Continue “visitor-targeted” promotions (placemats for restaurants, brochures in motel/hotels, etc.)

**Goal: Develop a County-wide Tourism Master Plan**

**Objective:** *Encourage cooperation and broad input from both east- and west-side County Tourism Board members. Improve coordination of County-wide tourism promotion projects.*

**Implementation Strategies:**

- Organize east- and west-side council boards. Develop a training program for the entire board.
- Create a “mission statement” that reflects the vision of tourism within Millard County.
- Assign and train a County Commissioner for each board committee and setup a regular meeting schedule.
- Develop a “theme or motto” reflecting the County’s central focus. Examples include: “Millard County - Land of History” or “Millard County - Utah’s Best Kept Secret”, etc.
- Develop a County-level tourism master plan including short, medium and long-range goals.
- Search out every possible tourism-type site or function and work towards a year-round tourism destination area.

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**Goal: Promote additional citizen education and training**

**Objective:** *Better inform County residents concerning local attractions; encourage “local-to-visitor” tourism promotion*

**Implementation Strategies:**

- Publish “special interest” articles aimed to inform residents about local attractions and services.
- Implement “super-host” training for local services industries or “latter-type” programs developed for quicker and more focused training.

**Goal: Provide convenient and quality visitor services**

**Objective:** *Provide visitors with accessible and accurate local and State tourism information*

**Implementation Strategies:**

- Open visitor/information facilities on both sides of the County. Facilities should be open year-round with extended days and hours during the peak season. As funding permits and as appropriate, these facilities will be located in conjunction with existing tourism sites, e.g., the Territorial State House or Cove Fort.
- Distribute additional information through tourism-related businesses (placemats for restaurants, brochures in motel/hotels, etc.).

**Objective:** *Provide professional and friendly service*

**Implementation Strategies:**

- Implement “super-host” training for local tourism-related business employees (motels, service stations, restaurants, shops)

**Goal: Promote and expand tourism as a viable economic industry.**

**Objective:** *Promote the use of area businesses and economic development opportunities*

**Implementation Strategies:**

- Coordinate tourism efforts with local chamber of commerce and cities
- Develop partnerships among related tourism interests, e.g., Forest Service, BLM, State Parks, citizens and city government. Share marketing advertising ideas - i.e. postcards, brochures, resources
- Marketing plan should include a section on economic development

**Objective:** *Improve economic returns to the local tourism industry.*



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**Implementation Strategies/Action Steps:**

- Increase the number of private tourism-related industries within the County
- Hold training/entrepreneur sessions for private tourism interests
- Promote/develop local products for sale at sites (partnership with local Chambers of Commerce and Millard County Economic Development Department)

**Goal: Preserve the quality of recreational sites and facilities**

**Objective:** *Preserve natural and cultural resources, community character*

**Implementation Strategies:**

- Encourage downtown development  
Create practical criteria for:
  - Downtown improvements (beautification committees)
  - Preserve and promote historical buildings (natural attractions)
- Provide funding (as available) to maintain and create new facilities
  - Partnerships with private interests, State and Federal agencies
- Encourage and support community efforts to preserve historical sites and structures.

**Goal: Develop additional destination sites**

**Objective:** *Expand/promote the existing public-private enterprise; promote community events and sites*

**Implementation Strategies:**

- Encourage and support community-level festivals and activities
- Identify and develop additional “interest sites” highlighting the cultural and history of the County. Examples include: pioneer camps, Indian dwellings and historically significant sites such as Topaz.
- Broader distribution of marketing materials

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**Millard County General Plan  
Transportation Element  
County Goals, Objectives and Implementation Strategies**

**Transportation**

Maintaining an adequate and safe transportation system throughout the County is a necessity. Residents depend on the existing network of roads and highways to access human and community services, recreational areas, natural resources, and regional and interstate markets.

The County also realizes that adequate access to and across public lands is necessary for efficient natural resource use and development. The County encourages continued cooperation among public land agencies, private interests and Millard County to address access, right-of-way and road maintenance issues.

Millard County recognizes the Delta City and Fillmore City airports as important regional transportation facilities. The County encourages these entities to maintain their respective facilities and services as viable transportation alternatives.

The County will pursue its transportation goals through the following objectives and strategies:

**Goal:** Provide for a safe, attractive, efficient and balanced circulation system which results in improved traffic movement, cost efficiency and minimum impacts on adjacent land uses.

**County Objectives:**

The County Road and Planning Departments will continue to:

- Encourage County-to-community and community-to-community transportation cooperation and coordination.
- Encourage the improvement and maintenance of existing roads.
- Design road capacity to accommodate current and anticipated future needs.
- Encourage the development of roads which reduce transportation and/or adjacent land use conflicts.
- Maximize access to major highways and collector roads.

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- Encourage sufficient parking in residential and commercial areas.
  - Maintain the uniform naming, numbering and signing of roads within the populated areas of the County.
  - Limit signs within transportation corridors to directional and regulatory signs only. In the unincorporated areas of the County, billboards will not be allowed outside of the CH (commercial highway) zone.
  - Encourage, as appropriate and feasible, that major thoroughfares and community “gateways” be landscaped.
  - Encourage the maintenance of existing rail lines and spurs. This includes the extension or realignment of existing corridors to expand services or reduce present land use conflicts.
  - Encourage Fillmore and Delta City to maintain and improve their existing airport facilities.

Encourage the development and maintenance of ATV and other recreational trails in the County where appropriate and feasible.

*Transportation  
Element  
Updated September 2006*

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## **Millard County General Plan – Utilities Element County Goals, Objectives and Implementation Strategies**

### **Utilities**

County residents support the expansion of public utilities within existing communities or into areas designated for future growth and development.

**Objective:** *Encourage the coordinated planning and delivery of public utilities.*

### **Implementation Strategies:**

- Develop a County capital facilities plan identifying a priority of services needed and where.
- Establish specific utility service areas, based upon the location of existing development and service lines.
- Identify areas where new development will most likely occur due to the availability of existing services or the ease of extending existing service lines. To avoid development "sprawl", services should be provided only to areas as scheduled.
- Provide opportunities for utility providers to meet with county planners to coordinate service extension areas.
- On request, provide developers and utility providers with maps and plans of future growth sites.
- Encourage underground installation of all new construction and conversions to underground where feasible.

**Objective:** *Coordinate with all Federal and State Agencies and all utility providers the County's preferred locations for all utility facilities and utility transmission corridors.*

### **Implementation Strategies:**

- Require that all new major utility facilities and transmission corridors, with an interstate or intrastate purpose be located within the "West-wide Energy Corridor," as identified by Millard County's Official Map, and determined by Millard County, when at all feasible, and in compliance with all County Land Use Ordinances.
- If location within the West-wide Energy Corridor is determined to be unfeasible by Millard County, require the location of all new major and minor utility facilities and transmission corridors, to be located immediately adjacent to existing utility facilities and transmission corridors.
- Coordinate with neighboring Counties, including Juab, Sevier, and Beaver Counties on the location of all interstate and intrastate utility facilities and transmission corridors.
- The location of utility facilities and transmission corridors with an interstate or federal purpose should be located so as to avoid impacts and locations on privately owned lands located within Millard County.

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- For the purposes of land use planning and land use application review and approval procedures provide a definition for “major and “minor” utilities and transmission facilities in the Millard County Code.
  - Make all necessary revisions and amendments to the Land Use Ordinances of the County to provide for, and facilitate, the establishment of the “West-wide Energy Corridor” in the County’s preferred location, as identified by Millard County’s Official Map.

**Objective:** *Continue to ensure the utility needs of the County are met concurrent with County growth and development while mitigating any impacts to residents, businesses and property owners.*

- Minimize as much as practicable, all negative impacts and disruptions to existing uses, including farmlands and prime agricultural lands that may be created by utility facilities and transmission corridors.
- Make all necessary revisions and amendments to the County’s Land Use Ordinances to provide for major and minor utilities consistent with the requirements of Federal and State laws, as applicable.
- Monitor the changing technologies of the utility industry for changes that may affect the County.
- Make necessary proactive revisions and update amendments to the County’s Land Use Ordinances necessary to provide appropriate responses to changes occurring in the utilities industry.

**Objective:** *Continue to support the development of existing energy sources and support the development and use of “green” renewable energy sources.*

**Implementation Strategies:**

- Provide within the zoning structure of the County requirements that address both large-scale commercial and private small scale energy systems including systems that may provide electrical power by utilizing fossil fuels, water, wind, solar and geothermal energy sources.
- Include provisions within the Land Use, and other Ordinances of the County that address and provide reasonable opportunities for the installation of various types and sizes of renewable energy systems.

*Millard County General Plan  
Utilities Element  
Ord. No 11-02-15*

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**Millard County General Plan  
Federal and State Lands Element  
County Goals, Objectives and Implementation Strategies**

**Federal and State Agency Managed Lands**

Over 87% of the land within Millard County is Federal or State land managed by government agencies. Approximately 78% is managed by Federal agencies including the Bureau of Land Management, BLM, (69.18%) and the United States Forest Service, USFS, (8.27%). The remaining ten percent is managed by State of Utah divisions and departments; specifically, the School and Institutional Trust Lands Administration, SITLA, (9.18%) and the Division of Wildlife Resources, DWR, (.81%). Tribal lands within the County account for 0.02%. The above totals leave slightly more than twelve percent of the County's total land area as privately owned (12.5%).

Millard County claims the powers, rights and authority given specifically to local governments and individuals to actively participate in Federal and State land management planning and decision-making processes. In order to more adequately and accurately articulate the County's Federal and State land management priorities and objectives, the County has prepared this section as part of their General Plan.

Specific elements addressed in this section include:  
County participation in Federal and State land management planning processes,  
multiple-use,  
Federal and State land resource use and development,  
wildlife management,  
water resources,  
Federal and State lands consolidation,  
Federal and State lands recreation, and  
Federal and State lands access.

Millard County officials and relevant Federal and State land management agencies will become familiar with this section of the General Plan and work cooperatively to implement the policies and objectives as adopted.

**Overview - County Position**

In general, Millard County supports "multiple-use" management of Federal and State lands and will work with the appropriate agencies to maintain an appropriate balance among uses and users. Maintaining adequate public access to Federal and State lands and the accompanying resources is also a County priority.

Due to the high percentage of Federal and State land within Millard County, County interests are directly affected by Federal and State land management decisions. In order to adequately protect these interests, the County must be included in all relevant

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Federal and State land management planning and decision-making processes. It is also the County's position that local concerns and interests must be acknowledged and addressed by Federal and State land management agencies before decisions are made and plans implemented. Individuals and communities most likely to be affected by these decisions must also be included. The County maintains that local input should have a greater influence on Federal and State land management decisions than opinions or positions expressed by individuals or organizations living outside the area.

In order for Millard County to more fully participate in Federal and State land use planning processes, the County must be adequately notified and invited to participate. It is the responsibility of the Millard County Planner to ensure that the County Commissioners and County Planning/Building Department(s) are on the mailing lists of all relevant Federal and State land and resource management agencies. Currently, this list includes, but is not limited to, the following agencies:

The United States Forest Service (USFS)

The Bureau of Land Management (BLM)

Bureau of Reclamation (BOR)

United States Fish and Wildlife (FWS)

Natural Resource Conservation Service (NRCS)

State School and Institutional and Trust Lands Administration (SITLA)

Sovereign Lands and Forestry (SLF)

Utah Division of Wildlife Resources (DWR)

Utah Division of Water Resources

Utah Division of Oil, Gas, and Mining (DOGMA)

Utah Division of Parks and Recreation (DPR)

Federal and State land management, planning and decision-making processes of which the County will be notified, including but are not limited to, the following:

Resource Area Management Plans,

Forest Management Plans,

Environmental Assessments,

Environmental Impact Statements,

    Grazing Allotments,

Timber Sales,

Land Sales and Leases,

Wildlife Habitat Plans, and

Biological Surveys.

As necessary, the County will request periodic "working document" reviews and project briefings. Following these sessions, the County may prepare and submit to the appropriate agencies formal responses listing specific areas of support or concern.

Several County industries such as livestock, agriculture, mining, and tourism depend on the continued access to and availability of Federal and State lands and their accompanying resources. It is the County's position that agency decisions which alter existing Federal and State land uses must be supported by accurate and adequate

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data. Agency-sponsored studies must identify and address the impacts to the local economy, traditional Federal and State-land uses and the environment. This information must also include social impacts to the area and identify possible mitigation measures. Millard County will work with Federal and State land management agencies to identify and interpret relevant information.

Currently, the County maintains informal, yet effective, working relationships with Federal and State land managers in the region. These relationships have developed over several years and are due to the willingness of County officials and agency personnel to cooperate. The County will continue to work with local-level Federal and State land managers to improve these relationships and increase "citizen" awareness of Federal and State land issues.

### **Local Government Role in Federal and State Lands Planning**

The United States Constitution has delegated and the United States Congress has bestowed considerable power and authority to local governments relevant to Federal and State land management and decision-making processes. Major laws relevant to the County include:

- The Federal Land Policy and Management Act (FLPMA)
- The National Environmental Policy Act (NEPA)
- The National Forest Management Act (NFMA)
- The Wild and Scenic Rivers Act (WSRA)

### **Federal Land Policy and Management Act (FLPMA)**

Under FLPMA, Federal land management agencies are required to acknowledge local plans and participation. Title 43, U.S.C.A. §1712(c)(9) states:

“[The Secretary shall] to the extent consistent with the laws governing the administration of the public [Federal] lands, coordinate the land use inventory, planning, and management activities of or for such lands with the land use planning and management programs of other Federal departments and agencies and of the States and local governments within which the lands are located.... In implementing this directive, the Secretary shall, to the extent he finds practical, keep apprised of State, local and tribal land use plans; assure that consideration is given to those State, local and tribal plans that are germane to the development of land use plans for public [Federal] lands, assist in resolving to the extent practical, inconsistencies between Federal and non-Federal Government plans, and shall provide for meaningful public involvement of State and local government officials...in the development of land use programs, land use regulations, and land use decisions for public [Federal] lands.... Land use plans of the Secretary under this section shall be consistent with the State and local plans to the maximum extent he finds consistent with Federal law and the purposes of this Act.”



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## **National Environmental Policy Act (NEPA)**

The Supreme Court has described the National Environmental Policy Act (NEPA) as having two major objectives. The first purpose is to place “upon an agency the obligation to consider every significant aspect of the environmental impact of a proposed action.” The second aim is to ensure “that the agency will inform the public that it has considered environmental concerns in its decision making process.” In respect to land use planning, agency-prepared NEPA documents must identify and discuss “possible conflicts between the proposed action and the objectives of Federal, regional, State and local plans, policies and controls for the area concerned.” 40 CFR 1502.16(c). This discussion shall include “any inconsistencies between the proposed action and any approved State or local plans or laws.... Where inconsistencies exist, documents should describe the extent to which the agency will reconcile its proposed action with the plan or law.” 40 CFR 1506.2(d). The Act also directs agencies to “cooperate to the fullest extent possible” with State and local agencies to reduce duplication between NEPA and State and local requirements. This “cooperation” includes: joint planning processes, joint environmental research/studies, joint public hearings, and joint environmental assessments. 40 CFR 1506.2(b)(1-4).

## **National Forest Management Act (NFMA)**

Principal provisions of the National Forest Management Act (NFMA) include implementing “multiple-use and sustained yield” management practices, long-term (50 year) renewable resource programs, land and resource management plans for forest units (every 15 years) and forest management practices “in accordance with” plans. 16 U.S.C.A. §1061(d)(1)); “plans and permits, contracts and other instruments for the use and occupancy of National Forest System lands consistent with land management plans.” 16 U.S.C.A. §1604(l). In respect to local governments, Forest Service plans shall be “coordinated with the land and resource planning processes of State and local governments....” 16 U.S.C.A. §1604(a).

## **Wild and Scenic Rivers Act (WSRA)**

Federal regulatory agencies are also obligated by the Wild and Scenic Rivers Act (WSRA) to consider historic, cultural or other similar values when completing “wild and scenic” river plans. These issues include existing rights, grazing leases and permits. Federal agencies must also formally recognize local planning efforts to protect river corridor resources and consult with local governments during wild and scenic river plan development processes.

## **Overview - Federal Land Management Agencies**

### **Bureau of Land Management (BLM)**

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The Bureau of Land Management (BLM) manages Federal lands and resources under the Federal Land Policy and Management Act (FLPMA). Resource Management Plans (RMP's) are the primary mechanism for implementing the “multiple-use/sustainable yield” stipulation and other guidelines outlined in FLPMA. Consistent with Federal laws and regulations, RMP's establish the management direction for designated planning areas and are kept in place as long as they remain pertinent to the issues of that area. RMP's also contain the standards and criteria used to govern subsequent decisions.

FLPMA requires the BLM to coordinate its land use plans with local (County) plans and take all practical measures to resolve inconsistencies between documents. BLM plans must be consistent with local plans to the extent that the latter does not contradict Federal laws and regulations. Prior to final RMP approval, the BLM is also required to submit a list of known inconsistencies to the Governor for review and comment. The BLM is exempt from these requirements if the local government fails to notify the agency of an adopted plan and subsequent revisions.

### **United States Forest Service (USFS)**

Unlike the BLM, the Forest Service does not have a local plan “consistency” requirement. However, Forest Service regulations do call for “coordination”. This has been interpreted to include: participating in local planning efforts, developing and evaluating Forest Management Plan alternatives in light of potential conflicts with local plans, briefing local leaders prior to selecting the preferred alternative, displaying local plan reviews as part of agency Environmental Impact Statements (EIS) and monitoring how Forest Service actions affect nearby communities.

### **United States Fish and Wildlife Service (FWS)**

The United States Fish and Wildlife Service (FWS) is required to give a 90 day notice to local governments of any intent to list additional species or identify additional critical habitat. Proposed listings must be based on the best scientific and commercial data available. Species and habitat recovery plans must take into account county efforts to protect the identified species and assure that the proposed recovery plans will provide conservation of the species. The FWS must also take into account economic impacts to the area before making critical habitat designations (areas may be excluded unless failure to designate would result in extinction of a species). Local governments are given the opportunity to formally comment on all listings or habitat designations.

## **County Participation in Federal and State Land Management Planning Processes**

Objective: Maintain active County participation in Federal and State land/resource planning processes....

Currently, Millard County maintains informal, yet effective, working relationships with Federal and State land managers in the region. These relationships have developed

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over several years and are due to the willingness of County officials and agency personnel to cooperate. The Millard County Commission and County Planner actively participate in most Federal and State land management decision-making processes. As necessary, citizen committees are organized by the Commission to address major issues.

Existing County and Federal/State agency relationships are successful in addressing Federal and State land use issues on a county-agency level. County citizens also desire to become better informed and more active participants in Federal and State land planning processes. As a result, the County will implement outreach efforts designed to share additional Federal and State land use information with County residents.

Implementation Strategies:

### **Federal and State Land Issues Calendar**

To better inform County residents concerning Federal and State land management issues, the County planner will maintain a quarterly schedule and summary of relevant Federal and State land/resource planning processes and issues. This information may include agency planning summaries, anticipated process time lines and meeting dates. Schedules will be posted at the County Courthouse (Fillmore) and County Offices (Delta) and identify specific opportunities for the County, communities and the public to participate as they see fit.

At a minimum, documents and resources reviewed by the County planner will include the State Resource Development Coordinating Committee packet (bi-monthly), BLM Resource Area Management Plan and subsequent updates, the Environmental Notification Bulletin Board (ENB) and Forest Service quarterly planning schedule(s).

### **County-level Citizen Federal and State Lands Committee**

Currently, Millard County Commissioners organize citizen committees to address significant County issues on an “as need” basis. Relative to Federal and State land use issues, the Millard County Commission will formally organize a standing county-level State and Federal lands committee. As requested by the Commission, this committee will act as an advisory board to the County planning staff and may be used to distribute relevant Federal and State land use information to the public.

Committee meetings will provide an opportunity to discuss natural resource/Federal and State land use issues in an open, positive manner. Where applicable and appropriate, this forum will be used to clarify issues and address Federal and State land management concerns at the local level. Through increased committee/agency interaction, County responses to agency-proposed plans and actions will be well developed and better prepared.

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## Committee Structure -

Formal committee structure will include a Commission-appointed chairperson. This individual will work closely with the County planning staff to review, prioritize, and summarize for committee discussion, Federal and State land use information received or solicited by the County. The committee will also include or have access to competent legal assistance. This person will have a firm understanding of Federal and State land issues.

Millard County has residents who are interested in and directly impacted by Federal and State land use decisions. These individuals have knowledge of Federal and State planning processes and have established working relationships with Federal and State land managers. The Commission can utilize this expertise by appointing these individuals to the Federal and State Land Use Committee.

Federal and State agency personnel can also provide this committee with planning expertise, information/data and “agency” insight to Federal and State land use issues. Agency representatives will be invited to participate in Committee discussions as deemed necessary by the County and/or Committee membership.

The Millard County Federal and State Lands Committee will include representatives from all geographical areas of the County. Membership shall include, but not be limited to, the following areas of expertise or interest:

general County populace	recreation interests
agriculture and ranching	economic development
County/local officials	water interests
energy interests	minerals/mining interests
sportsmen and wildlife	conservation interests
utilities	tourism/recreational business interests
special interest groups	USU Extension

Agencies and interests that may be asked to participate include, but are not limited to, the following:

- U.S. Bureau of Land Management (BLM)
- U.S. Forest Service (USFS)
- Bureau of Reclamation (BOR)
- Natural Resource Conservation Service (NRCS)
- State of Utah Geological Service
- State School and Institutional and Trust Lands Administration (SITLA)
- Sovereign Lands and Forestry (SLF)
- Utah Division of Wildlife Resources (DWR)
- Utah Division of Water Resources
- universities and educational resources

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### **Committee Agenda -**

While it is the intent to have issues discussed by the entire committee, smaller task groups may be formed and "outside" specialists invited as needed. This process may include assigning individual committee members to study specific materials, gather additional data, and report to the committee with preliminary recommendations. Relevant information will also be made available to the general public for their review and comments. Recommendations from the County's Federal and State Lands Committee will be forwarded to the County Commissioners and County Planning Department for consideration as the County's official position.

The committee will refer to the Millard County General Plan and other local ordinances and policies as they discuss issues and make recommendations. It is anticipated that the County's Federal and State land use positions will be consistent with the County's Plan and resident interests.

As directed by the Commissioners, the committee may coordinate efforts with the Utah Association of Counties, the Six-County Association of Governments, the State of Utah Resource Development Coordinating Committee, Rural Development Council and other State and local Federal offices. The committee may also assist in preparing Federal and State-related grant applications and proposing revisions or additions to the County's General Plan Federal and State land use element.

### **County Position - Multiple-use**

Maintaining multiple-use management practices on Federal and State land is a top County priority. Lands administered by the BLM and Forest Service must be managed under the principles of "multiple-use and sustained yield" as outlined in Federal policy. The County will work with these agencies in support of these objectives.

The County acknowledges that the terms "multiple-use" and "sustained yield" may be interpreted many different ways. For purposes of this Plan and the County's future interaction with Federal and State land management agencies, the County defines "sustained yield" as the management of resources in a manner that will support a consistent level of use on a year-to-year or season-to-season basis. The County defines "multiple-use" as the consumptive and non-consumptive uses historically and traditionally allowed to occur on Federal and State lands within the County. These uses include, but are not limited to, the following: livestock grazing, mining and mineral exploration and extraction, rock hounding, recreation, wildlife habitat, telecommunications, water resource use and development, and timber/woodland products (Christmas trees, firewood, pinenuts, posts, etc.).

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Millard County maintains that the above uses are compatible in most situations and that true “multiple use management” creates opportunities for the land and resources to be used for “multiple purposes” simultaneously.

Millard County does not define “multiple-use” as allowing “all uses, in all areas, all the time”. The County encourages “responsible” use of Federal and State resources and will support and participate in exercises designed to identify appropriate uses and locations.

The County does not support land use designations, such as wilderness, that permanently designate an area for a particular use and restrict other viable and compatible options. As part of a State-wide effort, Millard County completed a project designed to identify and evaluate potential wilderness areas within the County. Millard County opposes the “wilderness” management concept and will support wilderness designations only as outlined in the County’s adopted 1995 Wilderness Study/Plan.

The County acknowledges that some areas, due to their location or resources, may possess unique potential for a particular use. Under these circumstances, it may be economically beneficial to the County and in the public’s best interest to identify and temporarily designate these areas for specific, “priority uses”. For example, the County may support temporarily limiting recreation access through an area to allow mineral exploration and development. The County would pursue re-establishing “multiple uses” within these areas as doing so becomes feasible.

Millard County anticipates that conflicts among uses and users will arise. In these situations, the County will support uses consistent with maintaining the County’s rural lifestyle and character and/or uses providing a livelihood for County residents. For example, it is the County’s position that traditional Federal and State land uses, such as grazing, mining, and mineral development, are a higher priority than recreation. The County will not support placing these uses in jeopardy in order to expand recreational opportunities.

As the County clarifies its “multiple-use” position and preferences through the Millard County General Plan, Federal and State land management agencies will know in advance whether an agency-proposed action is consistent with County policy. Additional information beneficial to Federal and State land management agencies includes:

- identifying areas where specific uses or a combination of uses will be permitted, and
- identifying areas where specific uses and/or land classifications (wilderness, Area of Critical Environmental Concern (ACEC), etc.) will not be considered.

Millard County is actively working with the Bureau of Land Management (BLM) and the United States Forest Service (USFS) to develop additional memorandums of understanding (MOU). These agreements will identify opportunities for the County and Federal and State land management agencies to work together on mutual interests and

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objectives and will identify specific opportunities for the County to participate in agency planning processes.

The County will continue to actively participate in agency decision-making processes on a consistent basis to ensure that County multiple-use concerns and interests are heard and adequately addressed.

Objective: County support of "multiple-use" Federal and State land management practices.

Implementation Strategies:

Under direction of the County Commission, the County planning staff and members of the County-level Federal and State Lands Committee may be invited to:

- advise the Commission concerning county-impacting multiple-use issues. The County Commissioners will submit the County's formal responses to the appropriate local and State-level offices of Federal and State land management agencies and organizations, e.g. copies of recommendations/comments will be sent to local and State offices of the Bureau of Land Management, United States Forest Service, United States Fish and Wildlife, National Park Service, State School and Institutional Trust Lands Administration, and Division of Wildlife Resources. Copies may also be forwarded to the Utah Association of Counties, the Six-County Association of Governments, the State Resource Development Coordinating Committee, the Director of Utah Department of Natural Resources, and the Governor's Office of Planning and Budget.
- assist local-level Federal and State land managers in gathering and preparing valid data and information as needed to adequately and accurately represent impacts on County interests if multiple-use land management practices are modified.
- participate in Federal and State resource planning processes during the scoping/issue identification and draft plan review/comment periods.
- notify interested County residents of current or proposed activities and solicit their input when formulating County comments/responses.
- review Federal and State resource management plans in respect to "multiple-use" management. This includes proposed alternatives or modifications to existing practices and resource allocations.

#### County Position - Resource Use and Development

Millard County enjoys an abundance of natural resources including: minerals, rangeland, timber, wildlife, quality water, clean air and unique geological and educational features. Continued use and accessibility of these resources is necessary for the County to reap the associated economic benefits. It is in the County's best interest to actively participate in Federal and State resource allocation and use

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discussions to ensure that management plans continue to allow existing and future resource development and related industry expansion.

It is Millard County's position that Federal and State land resources should be utilized in a responsible manner. The County supports the continued use of renewable resources and the use of non-renewable resources as long as the latter can be developed in a manner consistent with the County plan and without adverse permanent impacts to the environment or water and air quality.

The County also encourages the use of additional natural resources as they become available or as new technologies are developed.

Under direction of the Commission and through partnerships with private industry and Federal and State land managers, the County's State and Federal Lands Committee and County planning staff may develop a "resource data base" identifying and inventorying natural resources within the County. This information will be used to evaluate development potential of currently untapped resources and the feasibility of continuing existing operations. This resource base will also identify areas of existing economic dependence. This information will be used to assist the County in identifying "preferred" land uses and development scenarios. Once gathered and analyzed, this information and subsequent recommendations will be added to the County's General Plan.

As part of this planning effort, four resource issues emerged as priorities: mineral development, range management, wildlife and water resources. These issues and the subsequent County objectives are addressed following the general Action and Implementation Steps below.

Objective: Responsible use and development of Federal and State land resources.

Implementation Strategies:

Under direction of the County Commission, the County planning staff and members of the County-level Federal and State Lands Committee may be invited to:

- coordinate efforts with private industry, Federal and State land management agencies and the County's economic development department to identify and inventory natural resources within the County. Subsequent exercises may include identifying specific areas and/or resources to be targeted for future use. Efforts will include a consideration of consumptive and non-consumptive uses.

- review agency and industry resource development data and reports. Understanding this information will assist the County in identifying and prioritizing its natural resource development objectives.



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- advise the County Commissioners concerning County-impacting resource use and development issues. The County Commissioners will submit the County's formal responses to the appropriate local and State-level Federal and State land management agencies and organizations, e.g., copies of recommendations/comments will be sent to local offices of the Bureau of Land Management, the Forest Service, State School and Institutional Trust Lands Administration, and the Division of Wildlife Resources. Copies may also be forwarded to the State Resource Development Coordinating Committee, the Director of Utah Department of Natural Resources, and the Governor's Office.
  - review Federal and State resource management plans in respect to resource stewardship and use. This includes ensuring that County resource availability and accessibility interests are preserved and maintained.

### **Mineral Development**

As identified during the County's wilderness study, significant mineral resources can be found within the County. Currently, several private interests are developing these resources and contribute significantly to the County's economy. In order to maintain the viability of these industries and protect their economic contribution to the County, it is critical that Federal and State lands and the accompanying resources remain accessible and open to rock hounding, mineral exploration and development.

Objective: County support for mineral development activities.

### **Vegetation/Forage Management**

Several County industries depend on open range grazing opportunities. Therefore, the County supports responsible rangeland management. The County encourages private and Federal/State agency partnerships organized to improve range conditions. Methods supported by the County include prescribed burns, reseeding and reclamation. The County is particularly interested in wildfire management and post-burn rehabilitation efforts. The County also supports vegetation manipulation programs designed to re-establish traditional uses and use levels. The County will continue, and expand as financially feasible, current noxious weed management programs.

In order to adequately protect the land and accompanying resources, management decisions must be made in a timely manner and programs implemented quickly. Millard County will actively participate in these processes.

Objective: Active County participation in rangeland management activities.

### **Wildlife Management**

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Millard County residents enjoy a diverse and abundant game and non-game wildlife population. This resource continues to provide a variety of recreational opportunities for residents and visitors alike and makes a significant contribution to the County's "quality of life".

Millard County views wildlife as a resource that can be further promoted. Efforts in this area, however, must be appropriately balanced with other County interests. The County will support Division of Wildlife Resource (DWR) and private efforts to promote wildlife related activities and improve/protect critical habitat as long as doing so does not adversely impact or jeopardize other types of resource use and development including, but not limited to, farming, ranching, mining and off-road recreation.

It is Millard County's position that local government leaders and interested citizens must be advised of wildlife management issues and invited to provide input to the process before decisions are made and plans implemented. With this in mind, the County will work to improve communications between DWR and County residents through the local Land Owners/Wildlife Committee, the Regional Wildlife Advisory Council and State Wildlife Board. As opportunities allow, it is in the County's interest to recommend a County representative to serve on these committees, councils and boards.

The County is particularly interested in decisions surrounding sensitive, threatened, and endangered species. In respect to this issue, the County must be notified and have opportunities to participate in the listing and de-listing processes, NEPA compliance reviews, critical habitat designations and recovery plan development exercises.

A significant amount of wildlife habitat is located on private land throughout the County. It is the County's position that landowners must be compensated for property damage attributable to wildlife and that private property rights must be protected from hunter/wildlife recreationist trespass.

In respect to specific Millard County preferences, it was determined that County residents support improving the condition of existing wildlife species over the introduction (or reintroduction) of additional species and protecting game animals over predators. It is also the County's position that agency-determined increases in wildlife numbers and/or expanded habitat areas (including re-introduction areas) must not come as a result of decreases in livestock numbers and/or grazing allotments.

As allowed by State statute, the County will submit formal comments to the Governor regarding proposed DWR property acquisitions.

Objective: Active County participation in wildlife management decisions and issues.

Implementation Strategies:

Under direction of the County Commission, the County will actively participate in the State's management of big game, fisheries, upland game and other wildlife issues

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through the County-level Federal and State Lands Committee. On request, committee members may:

- advise the County Commissioners concerning County-impacting wildlife issues. The Commissioners will submit the County's formal responses to the appropriate local and State-level Federal and State land management agencies and organizations e.g. copies of recommendations/comments will be sent to the Regional Wildlife Advisory Council and the local offices of the Division of Wildlife Resources, the Bureau of Land Management, and the Forest Service. Copies may also be forwarded to the State Resource Development Coordinating Committee, the Director of Utah Department of Natural Resources, the Utah Wildlife Board, and the Governor's Office.
- actively promote County representatives on the Regional Wildlife Advisory Council and Utah Wildlife Board.
- prepare briefings for the Regional Wildlife Advisory Council and Utah Wildlife Board.
- notify interested County residents and in-County wildlife interest groups of current or proposed activities and solicit their input when formulating County comments.
- participate in Federal and State wildlife and wildlife/fish habitat planning processes during the scoping/issues identification and draft plan review/comment periods.
- attend local, regional, and State-wide Utah Wildlife Board public meetings as needed.
- review Federal and State resource management plans in respect to wildlife management. This would include assessing wildlife types, numbers, and location.

### Water Resources

Water is considered the "lifeblood" of Millard County. Current and future residential, industrial, recreational, and agricultural development is determined by water quality, availability and allocation. It is in the County's interest to protect this limited resource by promoting the efficient use and management of its water resources. Relative to this agenda, the County will take an active role in all relevant State, regional, and local water-resource management plans and decision-making processes.

The County maintains that private water rights located on Federal and State lands must be protected. This position is further expanded to include the identification and adequate protection of community watersheds and groundwater recharge areas located on Federal and State lands.

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Millard County desires to protect and enhance the quality and quantity of useable water by promoting and expanding the efficient management of water resources. The County supports the development, adoption, and implementation of water storage and distribution plans by individuals, irrigation companies, industrial users, and municipalities.

Millard County also benefits from the vast water knowledge and expertise of its residents. Many are directly involved in water management, allocation, and use within the region. The County encourages increased cooperation among irrigation companies, special service districts, municipalities, and water user associations as these entities address water management issues and make county-impacting decisions.

Objective: The County encourages and supports the development of water management plans and facilities.

Objective: County support and participation in responsible Federal and State land water resource management activities.

### **Sevier River Resource Management Plan**

Currently, the County is working with the State of Utah to develop a resource management plan for the Sevier River. This planning process will explore the various uses along the river corridor and the effects of adjacent land uses. Specific County interests related to this project include protecting the water rights of existing users and maintaining/protecting the water resource and use provisions as identified in the Cox Decree. Depending on the management plan's final objectives and recommendations, Millard County may adopt the document as part of their General Plan.

### **County Position - Federal and State Land Consolidation, Federal/State and Private Land Exchanges**

Millard County supports efforts to consolidate and/or exchange Federal and State lands within the County if doing so improves management of these areas, benefits County residents and addresses challenges associated with the existing "checker board" ownership. More specifically, the County will work to identify and consolidate areas and resources that promote economic growth, allow additional resource development, protect sensitive resources (e.g. watersheds), reduce access problems, and/or improve land/resource management.

The County will actively participate in all relevant consolidation or exchange discussions through the Millard County Commission. Based on the magnitude and merits of each consolidation/exchange proposal, the County may prepare a formal "County position" indicating support or the lack thereof for the proposed action.

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As the Millard County Commission reviews proposals recommending private-to-public and public-to-private land transfers, they will consider the following issues:

- impacts/benefits to the County in terms of private/public land ratios and the resulting tax revenue,
- impacts to adjacent land owners, and
- potential economic impacts/benefits.

County Position(s) - No net loss of private land, Support for increasing private land holdings within the County

Less than thirteen percent of the land area within Millard County is privately owned. It is the County's position that Federal and State land consolidation efforts and private-to-public sector land transfers should not further erode the County's private land base.

As private-to-public land transfers occur, Millard County will work with Federal and State land management agencies to identify and make available for private purchase an equivalent amount (in terms of acreage and value) of public land. In addition, the County will support the direct disposal of Federal and State lands to private interests if such interests are consistent with other County objectives. When possible, subject lands and the accompanying surface and subsurface resources will be transferred to private ownership without use restrictions.

Objective: County support for consolidating Federal and State lands within the County.

Objective: County support for increasing private land holdings within the County.

Implementation Strategies:

- The County will request to be placed on all agency mailing lists relevant to private/public/nonprofit organization Federal and State land or resource transactions.
- The County will review all proposed Federal, State and private land consolidation or transfer proposals. This includes all private land acquisitions by special-interest groups or non-profit organizations if subject properties are to be turned over to government agencies following the initial acquisition.
- Millard County will solicit Utah Association of Counties, Six-County AOG and State support for County recommendations on a case-by-case basis. The County's position will be forwarded to Federal and State agencies as necessary.

This effort may also include:

- gathering/preparing valid data identifying impacts to the County if transfer are made, e.g., loss of tax base, etc.,

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- reviewing Federal and State private land acquisition and/or Federal and State land disposal proposals in respect to County interests (This includes considering affected resources uses and access.), and
  - identifying and prioritizing Federal and State lands or resources for future "exchange" or "disposal".

### **County Position - Public Land Recreation and Tourism**

Millard County offers a variety of recreational opportunities for residents and visitors alike. Although the majority of these recreational facilities and resources are found on public lands, visitors to these areas directly impact the County by drawing on County-provided infrastructure, law enforcement, emergency-medical and waste disposal services.

The County supports increased recreational activity on public lands, but feels that Federal and State agencies should acknowledge, and more adequately address, the impacts associated with these activities. The County feels that Federal and State agencies have an obligation to assist the County in addressing these issues and that any efforts to increase recreational opportunities on public land should include an agency-provided evaluation of impacts on county-provided services and benefits to the local economy.

When evaluating potential recreational objectives and alternatives, the County will consider the following issues:

- the County's ability to provide essential services (law enforcement, emergency services, water and waste management, search and rescue);
- impacts on traditional resource uses;
- facility development and maintenance "partnerships" with agencies, concessionaires, and special interest groups; and
- anticipated economic returns and allocation of revenues received.

Objective: The County will evaluate existing and anticipated tourism related infrastructure and service demands.

Objective: Millard County will actively participate in the recreational planning exercises of relevant Federal and State agencies.

### **County Position - Federal and State Lands Access**

Millard County has strong opinions concerning public access to and across Federal and State lands. The County depends on the use of these lands and the development of the accompanying resources for several County-based industries including mining and

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mineral development, grazing and recreation. Adequate Federal and State lands access is necessary for these activities to continue.

Millard County claims all roads and trails constructed on and traversing over Federal and State lands prior to the passage of FLPMA (1976) as public access routes. Furthermore, it is the County's position that the 1866 Mining Act transferred the ownership of all then-existing roads and rights-of-ways to the State of Utah. At that time, these thoroughfares crossed unreserved Federal and State lands and were open to the traveling public. The majority of these roads were constructed by either equipment or passage of vehicles and have been maintained by such activities since that time.

Millard County feels that the proposed RS2477 regulations are unjust, illegal and place an unfair burden of proof on western rural counties with regards to validating existing rights-of-ways. It is the County's position that closing these thoroughfares is a "takings".

The County has worked to develop a comprehensive RS2477 rights-of-way map and supporting documentation. Associated activities include identification and mapping of RS2477 rights-of-ways in the County (approximately 1841 roads). The location, distance and length of all County-claimed roads have been recorded through the use of Global Positioning Units (GPUs) and mapped accordingly by the Utah Geological Survey. Copies of the final map are on file with the Fillmore BLM Office and the Governor's Office of Planning and Budget.

The County claims access to all RS 2477 and all other County roads on the B and D systems.

The County also supports general public access through private lands to public lands as historically provided and allowed. The County will work with individual land owners as necessary to maintain these traditional thoroughfares and protect private property rights.

To ensure that the County's "access" questions and concerns are accurately identified and adequately addressed, the County will continue to participate in all relevant Federal and State land/road management decisions.

Objective: County support for maintaining/preserving adequate public land access.

Implementation Strategies:

Maintaining public land access efforts will include:

- working with the Bureau of Land Management to identify and establish ownership and "rights-of-way" agreements for all Class B and D roads within the County,

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- gathering/preparing data identifying impacts on the County if public-land access is altered,
    - notifying interested County residents of current or proposed activities and soliciting their input when formulating County comments/responses,
  
  - continuing to work with Federal and State agencies to mutually address access issues (Relevant issues include proposed road closures, realignments, and/or "type of use" designations), and
  
  - reviewing Federal and State resource management plans in respect to public land access. Again, relevant issues include proposed road closures, realignments, and/or "type of use" designations. This action includes reviewing the current Forest Service Travel Plan.



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## Millard County, Utah Resource Management Plan

### I. Scope and Authority

Millard County asserts planning authority over all lands and natural resources within its geographical boundaries even though the United States owns the vast majority (78%) of those lands and resources. Like any other landowner in the County, the United States is subject to Millard County's land and natural resource plans and policies to the maximum extent, provided such plans and policies of Millard County are consistent with federal law. This is so for the following reasons:

1. The United States Constitution at Article I Section 8 Clause 17 grants Congress the power of exclusive legislation only over the District of Columbia and other places purchased by the consent of State Legislatures for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings. The Utah Legislature reinforced this principle at Utah Code 63L-1-201, by ceding jurisdiction to the United States only over those lands used for the purposes spelled out in the U.S. Constitution Article I Section 8 Clause 17. No such lands are located in Millard County. Therefore, there is no constitutional basis for the Federal Government to assert exclusive jurisdiction over any federal land in Millard County. As the Tenth Amendments to the United States Constitution states:

“The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”

2. Utah Code § 17-27a-401(4) allows Millard County to “define the county's local customs, local culture, and the components necessary for the county's economic stability.” (Emphasis added.) Subsection (5) of that statute gives the County sole discretion, subject to certain restrictions not relevant here (see 17-27a-403(2)), to “determine the comprehensiveness, extent, and format of the general plan.” In other words, Millard County has the legal right to make its General Plan broad and comprehensive to address all land use issues on federally owned ground in Millard County. Under Utah Code § 17-27a-401(2), Millard County's general plan may provide for:

- (a) the health, general welfare, safety, energy conservation, transportation, prosperity, civic activities, aesthetics, and recreational, educational, and cultural opportunities;
- (b) the reduction of the waste of physical, financial, or human resources that result from either excessive congestion or excessive scattering of population;
- (c) the efficient and economical use, conservation, and production of the supply of:
  - (i) food and water; and

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- (ii) drainage, sanitary, and other facilities and resources;
  - (d) the use of energy conservation and solar and renewable energy resources;
  - (e) the protection of urban development;
  - (f) the protection or promotion of moderate income housing;
  - (g) the protection and promotion of air quality;
  - (h) historic preservation;
  - (i) identifying future uses of land that are likely to require an expansion or significant modification of services or facilities provided by each affected entity; and
  - (j) an official map.

3. County ordinance powers do carry the weight or force of law, but county ordinance making authority does not extend to federally owned lands. Utah Code 17-27a-304. County plans are advisory and do not of themselves carry the weight or force of law, like a county ordinance does. Utah Code § 17-27a-405. But County planning authority is broad enough to cover federally owned lands. See the code provisions in the foregoing section.

4. It is federal law that gives county plans their legal clout. Not only does the Constitution at Article I, Section 8 Cl. 17 and the Ninth and Tenth Amendments leave the federal government powerless to assert exclusive jurisdiction over federal lands in Millard County, let alone own them in perpetuity, but federal statutes and regulations require that federal land use plans shall be consistent and done in coordination with state and local government plans for Forest and BLM lands. The following federal statutes and related regulations require federal agencies to honor, respect and give due consideration to Millard County's *General Plan*:

National Environmental Policy Act, 42 U.S.C. §§ 4321, *et seq*, and related regulations:

- 42 U.S.C. § 4331(a): Continuing policy of the Federal Government to work in cooperation with State and local governments to carry out policies of NEPA.
- 40 C.F.R. § 1501.2(d) (2) Federal agencies to consult early in the EIS process with state and local agencies.
- 40 C.F.R. § 1501.7(a) (1) Federal agencies to involve state and local agencies in the EIS scoping process.
- 40 C.F.R. § 1502.16(c) EIS to discuss possible conflicts between proposed action and state and local land use plans.
- 40 C.F.R. § 1503.1(a) (2) (i) Federal agencies developing EIS have duty to invite comments from state and local agencies authorized to develop and enforce environmental standards.

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40 C.F.R. § 1504.4(a) Federal agencies must assess and consider such comments and respond thereto. Possible responses include modifying alternatives including the proposed action, developing alternatives not already considered, and improve and modify their analyses.

Federal Land Policy Management Act, 43 U.S.C. §§ 1701, *et seq.*, and related regulations:

43 U.S.C. § 1712(c)(9) BLM shall (1) coordinate land use planning and management activities with land use planning and management programs of state and local governments, (2) assure consideration is given to germane state and local plans, (3) assist in resolving, to the extent practical, any inconsistencies between federal plans and state and local plans, (4) provide for meaningful involvement of state and local governmental officials in developing land use programs and land use decisions, and (5) receive advice from state and local governmental officials on the development and revision of land use plans and guidelines. (6) BLM's plans shall be consistent with state and local plans to the maximum extent consistent with federal law and FLPMA's purposes.

Similar regulatory requirements concerning the duty to coordinate with state and local governments and be consistent with state and local government land use plans are found in 40 C.F.R. §§ 1601.0-2, 1601.0-8, 1610.3-1, 1610.3-2, 1610.4-1, 1610.4-2, 1610.4-4, 1610.4-7, and 1610.4-9.

5. Millard County is a political subdivision of a state whose policy it is "to claim and preserve by lawful means the rights of the state and its citizens to determine and affect the disposition and use of federal lands within the state as those rights are granted by the United States Constitution, the Utah Enabling Act, and other applicable law." Utah Code 63C-4-105(1).

6. Whenever the Governor's state planning coordinator gets involved in federal land use planning in Millard County, he is required by law to incorporate the plans, policies, programs, processes, and desired outcomes of Millard County, to the maximum extent consistent with state and federal law without infringing upon the authority of the governor. Utah Code 63J-4-401(3) (a).

7. On March 2, 1999, the Board of Millard County Commissioners organized the Millard County Wilderness Organizational Steering Committee which was later

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named the Millard County Public Lands Steering Committee for Responsible Use of Public Lands “MCSRUPL.”

Serving on the Committee were:

G. LaVar Cox, Commissioner	Stephen B. Draper, Commissioner
Tony Dearden, Commissioner	Leon Smith, Millard County Planner
Sheryl Dekker, Commission Assistant	Bob Robison, Chairman / Geologist
John Nielson, Cattleman	Rex Rowley, BLM
Forrest Taylor, Retired County Road	Rex Stanworth, Hunter/Wildlife
Gale Bennett, Retired BLM	Verl Tolbert, Cattleman
Robert Wetzel, Rock Hounder	Paul Clark, Recreationist
Brent Olson, School Board	Val Kofoed, Civil Engineer
Rand Crafts, IPSC /Chairman (Feb 2001)	Clyde Yates, Brush Resources
Kraig Stumph, Recreationist	Ed Purcell, Recreationist
Dick Willoughby, Senior/ADA	Ross Melville, Senior/ADA

Many other members of the community attended these meetings regularly.

From March 1999 to until September 2001, regular monthly meetings were held to discuss Millard County’s strategies and plans to oppose wilderness designation in Millard County. Minutes of these meetings are available at the Millard County Offices in Delta, Utah.

On November 16, 2004, the Millard County Comprehensive Land Use Planning Committee held its first meeting at Fillmore, Utah. The purpose of organizing this committee was to create a land use bill for Millard County similar to that done by Washington County, Utah and Clark County, Nevada.

Serving on this committee were:

Randy Johnson, Public Lands Advisor	Daron P. Smith, Commissioner
John C. Cooper, Commissioner	Craig P. Greathouse, Commissioner
Lee Monroe, Farmer & Cattleman	Rand Crafts, IPSC & Recreationist
Joyce Barney, P&Z	Rick Archibald, Zion’s Bank
Russell Greathouse, Farmer & Cattleman	Fred Tolbert, Cattle & Grazing
Maria Nye, Dairy & Agriculture	David Sturlin, Eskdale & P&Z
Gayle Bunker, Delta City Mayor	Gordon Chatland, State Parks & P&Z
Ted Dearden, Recreationist/Retail Sales	Sam Starley, Mayor of Fillmore
Bryan Thiriot, Senator Bennett’s Ofc.	Peggy Harrison, Congressman Canon’s Ofc.
Marreen Casper, Senator Hatch’s Ofc.	Russell Cowley, SCAOG
Leon Smith, County Planner	Lisa Reid, BLM
John Harja, Dept of Natural Resources	Derk Beckstrand, USA All
Sherry K. Hirst, BLM	Terry McIntyre, Graymont
Jamie Gillmor, Wool Growers Assn.	John Keeler, Farm Bureau
Ken Martin, Fillmore City Council	Kathy Walker, Commissioner
Jody Gale, USU Extension - Richfield	Abner B. Johnson, Fillmore Resident

Monthly meetings were held through September 13, 2005. Minutes of those meetings are available at the Millard County Offices in Delta.

## **II. Utah Test and Training Range**

The Utah Test and Training Range (UTTR) is a military testing and training area located in Utah's West Desert and is currently the largest overland contiguous block of supersonic authorized restricted airspace in the continental United States. The range has a footprint of 2,675 square miles of ground space and over 19,000 square miles of air space, and covers much of the western portions of Box Elder, Tooele, Juab, Millard and Beaver counties.

The Mission Statement for the UTTR is to “Provide war fighters with a realistic training environment and conduct operational test and evaluation including tactical development and evaluation supporting large footprint weapon systems to enhance combat readiness, superiority, and sustainability.”

The general mission is to provide responsive open-air training and test services that support day-to-day training, large force training exercises, and large footprint weapons testing, thus guaranteeing superiority for American's war fighters and their weapons systems. It provides key functions and capabilities required for range support of Air Force operational test and training programs. This includes range infrastructure systems, equipment, software, targets, facilities, data processing and display, land and airspace, security, and safety.

UTTR not only provides strategic training opportunities for the United States but for most of the free world. It is also an integral part of Hill Air Force Base, which is a huge economic engine within the state of Utah.

Therefore, in the interests of national security and the economic well-being of Millard County and the State of Utah, management of lands affecting the UTTR should absolutely guarantee the following.

1. Insure that the provisions of Public Law 106–65 SEC. 2815 are met before changing plans for use of lands that would affect the UTTR.
2. Absolutely protect the irreplaceable opportunities for training and testing the UTTR provides.
  - Maintain the current level of opportunity to provide the required training necessary to provide for the continued readiness of the United States Military.
  - Maintain the current level of opportunity to provide the required training necessary to military partners of the United States.

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- Guard that land management decisions carefully consider potential negative impacts or impairments to the UTTR.
3. Protect economic benefit that the UTTR provides to all of the citizens of Utah.
    - Consider the climate and culture of the citizens including economic considerations.
  4. Provide for the sale, exchange, or lease of such BLM lands for the economic benefit of Millard County and private land owners.
    - Give credence to private land owners to resolve the issue of private property versus BLM land. BLM should give consideration to private land owners to purchase, exchange, or lease BLM land when it interferes with or negatively impacts private property owners in their land use operations adjacent to federally owned land.
    - Such sale should not impact military training, testing, or operational readiness in UTTR flight zones.

### **III. Resource Management Plan**

#### **1. Multiple Use Management.**

Multiple use and sustained-yield management principles shall be applied in public land use and natural resource planning and management in Millard County. This is how the citizens of Millard County are best served. Multiple-use and sustained-yield management means that land owners and land management agencies should develop and implement management plans and make other resource-use decisions that:

(A) achieve and maintain in perpetuity a high-level annual or regular periodic output of agricultural, mineral and various other resources from public lands in Millard County,

(B) support valid existing transportation, mineral, and grazing privileges in Millard County at the highest reasonably sustainable levels;

(C) are designed to produce and provide the desired vegetation for the watersheds, timber, food, fiber, livestock forage, and wildlife forage, and minerals that are necessary to meet present needs and future economic growth and community expansion in Millard County without permanent impairment of the productivity of the land;

(D) meet the recreational needs and the personal and business-related transportation needs of the citizens of Millard County by providing access throughout the county;

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(E) meet the needs of wildlife, provided wildlife populations are kept at a reasonable minimum so as to not interfere with originally permitted AUM levels under the Taylor Grazing Act;

(F) protect against direct and substantial impacts to nationally recognized cultural resources, both historical and archaeological;

(G) meet the needs of economic development;

(H) meet the needs of community development; and

(I) provide for the protection of water rights and reasonable development of additional water rights;

2. "Wilderness Characteristics" management.

(A) No public lands in Millard County, other than Congressionally designated wilderness areas and FLPMA Section 603 designated wilderness study areas (WSA's) should be managed for so-called "wilderness characteristics." No public lands in Millard County, other than Congressionally designated wilderness areas and FLPMA Section 603 designated wilderness study areas (WSAs) should be managed as if they are or may become wilderness. Such management of non-wilderness and non WSA public lands, circumvents the statutory wilderness process and is inconsistent with the multiple-use and sustained-yield management standard that applies to all such lands.

#### **IV. Subject Lands**

##### **A. Wilderness Study Areas**

This plan clarification applies to those certain areas of land in Millard County which the United States Bureau of Land Management ("BLM") in its 1991 Wilderness Re-Inventory Study Report purported to label as follows:

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## SWASEY MOUNTAIN

Located in - T15S, R13W - T15S, R14W  
- T16S, R12W - T16S, R13W  
- T16S, R14W - T17S, R12W  
- T17S, R13W

BLM WSA 52,139 acres  
BLM recommended 34,376 acres  
**Millard County Position 35,784 acres**

**Elevation:** 9,669 feet

**Location:** northwestern Millard County 35 miles west of Delta

**Air Quality Standard:** PSD Class II



Millard County's study of the Swasey Mountain WSA has resulted in the position that there are 35,784 acres that meet the criteria of the *1964 Wilderness Act* with the following characteristics:

- (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;
  - Most areas are in a natural condition with little evidence of human presence.
  - BLM's proposal has surface disturbances created by camping, historical developments, a buried waterline, corrals and commercial mining of fossils.
  - Boundaries are better defined in Millard County's plan as the highest elevations which are the areas that meet the wilderness criteria. The boundary is established at the end of each road because the evidences of man beyond those points are diminished.
- (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation;
  - Remoteness
  - Rugged terrain
  - Opportunities for a variety of primitive and unconfined types of recreation, including hiking, climbing, hunting, camping, and sightseeing, with interesting scenery, geology, caves, and wildlife
- (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and
  - Millard County proposes 35,784 acres of contiguous acres for wilderness designation
- (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.
  - The road to Sinbad was improved by the CCC's (Civilian Conservation Corps. 1937-1940) and has had ongoing maintenance to the end of the cliff since that time. Millard County asserts a 4,000 foot right of way in this area to facilitate ongoing camping, pine nut hunting, group gatherings, recreation, grazing, and hunting.
  - Sawmill Basin and Robber's Roost are currently accessed by horseback and foot. Both have high evidence of intrusion of man. However, Millard County's plan is that they should be included as wilderness to preserve them as heritage areas. Motorized vehicles should be restricted with a staging area for parking.
  - Swasey Springs will carry a right of way for motorized vehicles because of maintenance of water lines. Any right of way that has a road of any description is claimed by Millard County as a road.





## HOWELL PEAK

Located in - T17S, R13W - T17S, R14W- T18S, R14W

BLM WSA 27,359 acres

BLM Recommended 14,800 acres

**Millard County Position 11,094 acres**

**Elevation:** 8,348 feet

**Location:** northwestern Millard County 45 miles west of Delta

**Air Quality Standard:** PSD Class II

Millard County's study of the Howell Peak WSA has resulted in the position that there are 11,094 acres that meet the criteria of the *1964 Wilderness Act* with the following characteristics:

- (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;
  - Most areas are in a natural condition with little evidence of human presence.
  - A central portion of the area is pristine.
  - BLM's proposal has surface disturbances created by mineral exploration camping, seven miles of road, on the periphery, and historical mining developments.
  - Millard County's boundaries are established at the end of each road because the evidences of man beyond those points are diminished.
  - There are no springs, streams or ground water aquifers in Millard County's plan.
- (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation;
  - Rugged terrain, steep cliffs, and pinyon junipers contribute to the solitude in the central portion.
  - The Howell Peak WSA is in the U.S. Air Force (USAF), Utah Test and Training Range (UTTR) with from 100 to 150 daily flights which deters opportunities for solitude.
  - Land uses include sheep grazing, caving, hunting, camping, hiking, and other primitive forms of recreation.
- (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and
  - Millard County proposes 11,094 acres of contiguous acres for wilderness designation
- (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.
  - Council Cave, near Antelope Peak, has the largest entrance of any cave in Utah and is visible for 50 miles. Other caves are also located in the plan.
  - Major features are Antelope Peak, numerous caves and trilobite fossil beds.



## CONGER MOUNTAIN

Located in - T17S, R16W - T18S, R 16W  
 - T16S, R17W

BLM WSA 21,680 acres

BLM Recommended 0 acres

**Millard County Position 12,409 acres**

**Elevation:** 8,070 feet

**Location:** western Millard County 50 miles west of Delta

**Air Quality Standard:** PSD Class II

Millard County's study of the Conger Mountain WSA has resulted in the position that there are 12,409 acres that meet the criteria of the 1964 *Wilderness Act* with the following

characteristics:

(1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;

- Most areas are in a natural condition with little evidence of human presence.
- Willow Springs is the only water source within BLM's WSA. In the area proposed by Millard County, the Willow Springs is excluded.
- Foothills are generally absent and there is only a moderate contrast between the mountains and valleys.
- Boundaries are better defined in Millard County's plan as the highest elevations which are the areas that meet the wilderness criteria. The boundary is established at the end of each road because the evidences of man beyond those points are diminished.

(2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation;

- Opportunities for primitive recreation are not outstanding and the area is not particularly scenic.
- Rugged terrain
- The Conger Mountain range has the most concentrated effects from low flying aircraft on the U.S. Air Force (USAF), Utah Test and Training Range (UTTR) with from 100 to 150 daily flights which deters opportunities for solitude.<sup>2</sup>

(3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and

- Millard County proposes 12,409 acres of contiguous acres for wilderness designation

(4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

- A herd of approximately sixty horses roams the proposed area.
- A spring development, sheep pen, and a sheep corral are present
- Sparse, low-growing vegetation and relatively flat topography
- Conger Mountain contains a one-day ATV Trail established by Utah Interagency OHV Partners



## NOTCH PEAK

Located in: - T18S, R13W - T18S, R14W  
 - T19S, R13W - T19S, R14W  
 - T20S, R13W - T20S, R14W

BLM WSA 55,609 acres

BLM recommended 28,000 acres

**Millard County Position 20,353 acres**

**Elevation:** 9,655 feet

**Location:** northwestern Millard County 45 miles west of Delta

**Air Quality Standard:** PSD Class II



Millard County's study of the Notch Peak WSA has resulted in the position that there are 20,353 acres that meet the criteria of the *1964 Wilderness Act* with the following characteristics:

(1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;

- Most areas are in a natural condition with little evidence of human presence.
- BLM's proposal has surface disturbances created by camping, historical developments, a buried waterline, corrals and commercial mining of fossils.
- Boundaries are better defined in Millard County's plan as the highest, central and most mountainous elevations which are the areas that meet the wilderness criteria. The boundary is established at the end of each road because the evidences of man beyond those points are diminished.
- Notch Peak rises vertically nearly 3,000 feet and is one of America's highest cliffs which is visible from more than 70 miles away.
- A 9,000 acre area of critical environmental concern is identified to be nominated as a National Natural Landmark by the Department of Interior.

(2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation;

- The Notch Peak WSA is in the U.S. Air Force (USAF), Utah Test and Training Range (UTTR) with from 100 to 150 daily flights which deters opportunities for solitude.
- Sights and sounds on U.S. Highway 6 & 50, vehicular traffic on roads, and mining activity in Amasa Valley detract from solitude in this area.
- In the higher parts of the area including Notch Peak, opportunities for hiking are outstanding due to challenging terrain and spectacular views.
- Tall stands of trees and the narrow, deep canyon bottom offer outstanding opportunities for solitude

(3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and

- Millard County proposes 20,353 acres of contiguous acres for wilderness designation

(4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.



## King Top

Located in: - T20S, R14W - T20S,  
R15W

- T21S, R15W - T22S,

R14W

BLM WSA 91,431 acres

BLM Recommended 0 acres

**Millard County Position 21,187 acres**

**Elevation:** 8,070 feet

**Location:** southwestern Millard County

Millard County's study of the King Top WSA has resulted in the position that there are 21,187 acres that meet the criteria of the *1964 Wilderness Act* with the following characteristics:

- (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;
  - Most areas are in a natural condition with little evidence of human presence.
  - BLM's proposal has surface disturbances created by mineral exploration and excavation.
  - The microwave tower in the northern part of the WSA is a major station for telecommunications.
  - The boundary is established at the end of each road because the evidences of man beyond those points are diminished.
- (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation;
  - The King Top WSA is in the U.S. Air Force (USAF), Utah Test and Training Range (UTTR) with from 100 to 150 daily flights which deters opportunities for solitude.
  - Sights and sounds on U.S. Highway 6 & 50, vehicular traffic on roads detract from solitude in this area.
- (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and
  - Millard County proposes 21,187 acres of contiguous acres for wilderness designation
- (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.
  - The King Top area is highly mineralized and has hundreds of active and inactive mineral claims. (See attached map. Indicates mining claims. The excluded areas should be released for exploration)
  - Fossil Mountain located at the edge of the southeastern portion of the WSA has been identified as an ACEC for lower Ordovician fossils.
  - A herd of 45 wild horses roams the WSA.
  - Cat Canyon and Bird Canyon roads should remain open for multiple uses.



## **NORTHERN WAH WAH MOUNTAINS**

Located in - T23S, R15W

BLM WSA 45,342 acres

BLM recommended 36,382 acres

**Millard County Position 37,779 acres**

**Elevation:** 8,980 feet

**Location:** southwestern Millard County and northwestern Beaver County, about 30 miles west of Milford.

**Air Quality Standard:** PSD Class II

**\*\*This plan does not include the 7,140 acres of WSA located in Beaver County**

Millard County's study of the Wah Wah Mountains WSA has resulted in the position that there are 37,779 acres in Millard County that meet the criteria of the *1964 Wilderness Act* with the following characteristics:

- (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;
  - Most areas are in a natural condition with little evidence of human presence.
  - The Wah Wah Mountains are one of the most remote and untouched mountain ranges in the west desert.
  - The boundary is established at the end of each road because the evidences of man beyond those points are diminished.
  - Crystal Peak is visible for more than 50 miles as a white mountain of tuff remaining as a result of an ancient volcano.
- (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation;
  - Impressive views from the central ridge line of mountains give a sense of the region's vastness and of the desert's profound solitude.
  - Opportunities for a variety of primitive and unconfined types of recreation, including fossil collecting, geological sightseeing, and biological sightseeing. The major primitive recreational use is hiking in conjunction with sightseeing.
  - The Wah Wah Mountains WSA is in the U.S. Air Force (USAF), Utah Test and Training Range (UTTR) with from 100 to 150 daily flights which deters opportunities for solitude.
- (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and
  - Millard County proposes 37,779 acres of contiguous acres for wilderness designation
  - Millard County's plan includes added acres that meet wilderness criteria, but excludes existing roads where evidence of man is well established.
- (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.
  - Crystal Peak, a mountain of white volcanic tuff, is visible for 50 miles and offers opportunities for geological sightseeing along with the sheer limestone cliffs located in this mountain range.

\*See Attachment A

This plan clarification also applies to all other areas of land located in Millard County, including but not limited to sections which an organization by the name of the Utah Wilderness Coalition (“UWC”) has purported to include in its so-called “Citizen’s Proposal for Wilderness in Utah”, for their so-called Great Basin, Central Region, according to the map thereof set forth in the UWC internet web site, address <http://www.protectwildutah.org/proposal/index.html> as it existed on January 10, 2010, listing the following areas in Millard County.

**B. Non-Wilderness Study Areas**

- Kern Mountains – located in Millard and Juab Counties
  - T15S, R19W
- Wild Horse Pass – located in Millard and Juab Counties
  - T15S, R19W                      - T15S, R18W                      - T15S, R17W
  - T16S, R18W                      - T16S, R19W
- Disappointment Hills – located in Millard and Juab Counties
  - T15S, R17W
- Granite Mountain – located in Millard and Juab Counties
  - T15S, R16W
- Middle Mountains – located in Millard and Juab Counties
  - T15S, R15W                      - T15S, R16W
- Tule Valley – located in Millard and Juab Counties
  - T15S, R14W                      - T15S, R15W                      - T15S, R16W
  - T16S, R14W                      - T16S, R15W                      - T16S, R16W
  - T17S, R14W                      - T17S, R15W                      - T17S, R16W
- Drum Mountains – located in Millard and Juab Counties
  - T15S, R9W                      - T15S, R10W
  - Crater Bench – located in Millard and Juab Counties
    - T15S, R8W                      - T15S, R9W
- Coyote Knoll - located entirely in Millard County
  - T15S, R15W                      - T15S, R16W
  - T16S, R15W                      - T16S, R16W
- Little Drum Mountains North – located entirely in Millard County
  - T15S, R10W                      - T15S, R11W                      - T15S, R12W
  - T16S, R10W                      - T16S, R11W
- Little Drum Mountains South – located entirely in Millard County
  - T16S, R10W                      - T16S, R11W                      - T15S, R10W
- Swasey Mountains – located in Millard and Juab Counties
  - T15S, R13W                      - T15S, R14W                      - T16S, R12W
  - T16S, R13W                      - T16S, R14W                      - T17S, R12W
  - T17S, R13W                      - T17S, R14W
- Snake Valley - located entirely in Millard County
  - T16S, R18W                      - T16S, R19W                      - T17S, R17W
  - T17S, R18W                      - T17S, R19W                      - T18S, R18W
  - T18S, R19W
- Ledger Canyon - located entirely in Millard County
  - T17S, R16W                      - T18S, R15W                      - T18S, R16W
  - T19S, R16W
- Chalk Knolls - located entirely in Millard County
  - T17S, R15W                      - T18S, R14W                      - T18S, R15W

- Tule Valley South – located entirely in Millard County
  - T17S, R14W - T17S, R15W - T18S, R14W
  - T18S, R15W
- Conger Mountain – located entirely in Millard County
  - T17S, R16W - T17S, R17W - T18S, R16W
  - T18S, R17W
- Howell Peak - located entirely in Millard County
  - T17S, R13W - T17S, R14W - T18S, R13W
  - T18S, R14W
- Notch Peak - located entirely in Millard County
  - T18S, R13W - T18S, R14W - T19S, R13W
  - T19S, R14W - T19S, R15W - T20S, R13W
  - T20S, R14W
- Notch View - located entirely in Millard County
  - T18S, R15W - T19S, R15W
- Orr Ridge - located entirely in Millard County
  - T18S, R13W - T19S, R13W
- Bull Grass Knoll - located entirely in Millard County
  - T19S, R15W - T19S, R16W - T20S, R15W - T20S, R16W
- Burbank Pass – located entirely in Millard County
  - T21S, R18W - T21S, R19W
- Middle Burbank Hills - located entirely in Millard County
  - T22S, R18W - T22S, R19W - T23S, R18W - T23S, R19W
- Burbank Hills - located entirely in Millard County
  - T22S, R18W - T23S, R18W - T23S, R19W - T24S, R18W
  - T24S, 19W
- Barn Hills - located entirely in Millard County
  - T21S, R14W - T22S, R14W
- Red Tops - located entirely in Millard County
  - T20S, R13W - T21S, R13W - T21S, R14W - T22S, R13W
  - T22S, R14W - T23S, R13W - T23S, R14W
- Black Hills - located entirely in Millard County
  - T22S, R13W - T23S, R13W
- King Top - located entirely in Millard County
  - T20S, R14W - T20S, R15W - T20S, R16W - T20S, R17W
  - T21S, R14W - T21S, R15W - T21S, R16W - T22S, R14W
  - T22S, R15W - T22S, R16W
- Juniper - located entirely in Millard County
  - T22S, R17W - T23S, R17W - T23S, R18W - T24S, R18W
- Tunnel Springs - located entirely in Millard County
  - T22S, R17W - T23S, R17W - T23S, R18W - T24S, R17W
  - T24S, R18W
- Painted Rock Mountain - located entirely in Millard County
  - T22S, R15W - T22S, R16W - T23S, R15W - T23S, R16W
- Tweedy Wash - located entirely in Millard County
  - T24S, R19W - T24S, R20W
- Mountain Home Range North - located entirely in Millard County
  - T24S, R19W - T25S, R18W - T25S, R19W - T25S, R20W
  - T26S, R18W - T26S, R19W - T26S, R20W
- Cricket Mountains - located entirely in Millard County

- T20S, R9W - T20S, R10W - T21S, R9W - T21S, R10W
- T22S, R10W
- Red Canyon - located entirely in Millard County
  - T21S, R10W - T21S, R11W - T22S, R10W - T22S, R11W
  - T23S, R10W - T23S, R11W
- Little Sage Valley - located entirely in Millard County
  - T22S, R9W - T22S, R10W - T23S, R9W - T23S, R10W
- Headlight Mountain - located entirely in Millard County
  - T23S, R10W - T23S, R11W
- Cat Canyon - located entirely in Millard County
  - T22S, R10W - T23S, R10W - T24S, R10W
- Sand Ridge - located entirely in Millard County
  - T20S, R6W - T20S, R7W - T20S, R8W - T21S, R6W
  - T21S, R7W - T21S, R8W, - T22S, R7W - T22S, R8W
  - T22S, R9W - T23S, R8W - T22S, R9W
- Mountain Home Range South - located in Millard County and Beaver Counties
  - T24SR19W - T25S, R18W - T25S, R19W - T25S, R20W
- Jackson Wash - located in Millard County and Beaver Counties
  - T25S, R18W - T25S, R19W
- North Wah Wah Mountains - located in Millard County and Beaver Counties
  - T23S, R15W - T23S, R16W - T24S, R15W - T24S, R16W
  - T25S, R14W - T25S, R15W - T25S, R16W
- San Francisco Mountains - located in Millard County and Beaver Counties
  - T25S, R12W - T25S, R13W

For purposes of this plan clarification, all of the above-described Non Wilderness Study Areas lands are collectively referred to herein as the Non-WSA Proposed Wilderness Regions, or “Regions,” and are illustrated more fully in the map attached hereto.<sup>5</sup> Any reference hereafter to the term “Non-WSA Millard County Region” shall refer to any and all of the above-described land areas.

\*See Attachment B

#### DISCLAIMER

These Non-WSA Proposed Wilderness Regions have always been managed for multiple uses. They have never been managed as de facto wilderness nor managed for any alleged wilderness characteristics (there are none) nor for so-called Wild Lands (they are not). The current BLM Resource Management Plan for the Fillmore Planning Area (Fillmore RMP) has never treated these Non-WSA Proposed Wilderness Regions as anything other than regular multiple use areas, and nowhere in the current Fillmore RMP is there any mention or recognition whatsoever of any proposal that these areas be treated as wilderness or managed for alleged wilderness characteristics, much less that they possess any wilderness values. Moreover, because part of

<sup>5</sup> There are six FLPMA Section 603 Wilderness Study Areas (“WSAs”) in this general area within the borders of Millard County: North Wah Wah Mountains WSA, Swasey Mountain WSA, King Top WSA, Howell Peak WSA, and Conger Mountain WSA. The fact that Section V below addresses only areas outside those WSAs does not imply that Millard County necessarily concedes that all of those WSA’s are suitable for wilderness designation or de facto wilderness management restrictions. To the contrary, Millard County has formally set forth a written Wilderness Proposal, developed in 2003, which calls for wilderness designation only in certain acres that are contained in those six WSAs. Millard County’s position about how to treat these WSA’s is summarized in the discussion in Section IV A. above regarding the Swasey Mountain, Howell Peak, Conger Mountain, Notch Peak, King Top and Northern Wah Wah Mountains WSA’s.



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the Fillmore Planning Area is within the fly space relevant to the Utah Test and Training Range (UTTR), a Congressional moratorium is in place which bars any revision to the Fillmore RMP within the foreseeable future. Thus, it is impossible for the BLM to justify de facto wilderness management of the Non-WSA Proposed Wilderness Regions under the guise of an RMP amendment.

Therefore, the fact that Millard County is clarifying its general plan to re-affirm its long-standing pro-multiple use and minimal-wilderness policy and position with respect to any of these Non-WSA Proposed Wilderness Regions, does not imply that Millard County recognizes any validity, seriousness or merit to any of the pro-wilderness proposals made by private groups for any of the subject areas; nor does Millard County concede or imply in any way that any of these regions possess any wilderness quality lands or resources. They do not.

Accordingly, this plan clarification is a cautionary action by Millard County to guard against any illegal attempt by the BLM to use the illegal December 23, 2010 Order 3310 of the Secretary of the Interior to assert de-facto wilderness management over of the Non-WSA Proposed Wilderness Regions. Millard County expects full compliance by the BLM with the consistency requirements of FLPMA and that the BLM honor these policies of Millard County when considering how to manage the Non-WSA Proposed Wilderness Regions.

#### **V. Clarification of Ongoing Plan for the Non-WSA Proposed Wilderness Regions**

##### **1. Achieve and Maintain a Continuing Yield of Energy and Mineral Resources in the Regions at The Highest Levels**

- Development of the solid, fluid and gaseous mineral resources in the Regions is an important part of the economy of Millard County.
- Millard County recognizes that it is technically feasible to access mineral and energy resources while preserving or, as necessary, restoring non-mineral and non-energy resources.
- All available solid, fluid and gaseous mineral resources in the Regions should be seriously considered for their contribution or potential contribution to the Millard County economy.
- Lands shown to have reasonable mineral potential in the Regions should be open to oil and gas leasing with reasonable stipulations and conditions that will protect the lands against unreasonable and irreparable damage to other significant resource values. This should include reasonable and effective mitigation and reclamation measures, and bonding for such, where necessary.
- The waste of fluid and gaseous minerals within developed areas, except for those necessary for production, such as flaring, should be prohibited.

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- Any prior existing lease restrictions in the Regions that are no longer necessary or effective should be modified, waived or removed.
  - Restrictions against surface occupancy should be modified, waived or, if necessary, removed where it is shown that directional drilling is not ecologically necessary, not feasible from an economic or engineering standpoint, or where it is shown that directional drilling will, in effect, sterilize the mineral and energy resources beneath the area.
  - Applications for permission to drill that meet standard qualifications, including reasonable and effective mitigation and reclamation requirements, should be expeditiously processed and granted.
  - Any moratorium that may exist against the issuance of additional mining patents and oil and gas leases in the Regions should be carefully evaluated for removal.

2. Achieve and Maintain Livestock Grazing In the Regions at the Highest Reasonably Sustainable Levels.

- Domestic livestock forage in the Regions, expressed in animal unit months, for permitted active use, as well as the wildlife forage included in that amount, should be no less than the maximum number of animal unit months sustainable by range conditions in grazing districts and allotments in the Regions, based on an on-the-ground and scientific analysis.
- Where once-available grazing forage in the Regions has succeeded to pinyon, juniper and other woody vegetation and associated biomass, or where rangeland health in the Regions has suffered for any other reason, a vigorous program of mechanical treatments such as chaining, logging, seeding, lopping, thinning and burning and other mechanical treatments should be applied to remove this woody vegetation and biomass and stimulate the return of the grazing forage to its historic levels for the mutual benefit of livestock, wildlife and other agricultural industries in the Regions.
- Millard County regards the land which comprises the grazing districts and allotments in the Region as still more valuable for grazing than for any other use which might exclude livestock grazing. Such other uses include but are not limited to conversion of AUM's to wildlife or wilderness uses. Accordingly, it is Millard County's plan that animal unit months in the Regions not be relinquished or retired in favor of conservation, wildlife or other uses.
- Millard County recognizes that from time to time a bona fide livestock permittee in the Regions, acting in good faith and not to circumvent the intent of the BLM's grazing regulations, may temporarily cease grazing operations without

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losing his or her permitted AUM's. However, BLM-imposed suspensions of use or other reductions in domestic livestock animal unit months in the Non-WSA Proposed Wilderness Regions should be temporary and scientifically based on rangeland conditions.

- The transfer of grazing animal unit months ("AUM's") to wildlife for supposed reasons of rangeland health is opposed by Millard County as illogical. There is already imputed in each AUM a reasonable amount of forage for the wildlife component.

- Any grazing animal unit months that may have been reduced in the Regions due to rangeland health concerns should be restored to livestock when rangeland conditions improve. They should not be converted to wildlife use.

3. Manage the Watershed in the Regions to Achieve and Maintain Water Resources at the Highest Reasonably Sustainable Levels.

- All water resources that derive in the Regions are the property of the State of Utah. They are owned exclusively by the State in trust for its citizens.

- As a political subdivision of the State, Millard County has a legitimate interest in seeing that all reasonable steps are taken to preserve, maintain and, where reasonable, as determined by Millard County, develop those water resources.

- With increased demands on water resources it is more important now than ever that management practices be employed in the Regions to restore, maintain and maximize water resources there. Where water resources in the Regions have diminished because once-existing grasses have succeeded to pinyon, juniper and other woody vegetation and associated biomass, a vigorous program of mechanical treatments should be applied to promptly remove this woody vegetation and biomass, stimulate the return of the grasses to historic levels, and thereby provide a watershed that maximizes water yield and water quality for livestock, wildlife, and human uses.

- Millard County's strategy and plan for protecting the Regions watershed is to deter unauthorized cross-country OHV use in the Regions. The best way to achieve this is to give OHV users a reasonable system of roads and trails in the Regions on which to legitimately operate their OHV's. Closing the Regions to all OHV use will only spur increased unauthorized cross-country OHV use to the detriment of the Regions' watershed.

- Accordingly, all roads and trails in the Regions which historically have been open to OHV use, as identified on the County Road Map, should remain open.

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4. Achieve and Maintain Traditional Access to Outdoor Recreational Opportunities Available in the Regions.

- Traditionally, citizens of Millard County and visitors have enjoyed many forms of outdoor recreation in the Regions, such as hunting, fishing, hiking, family and group parties, family and group campouts and campfires, rock hounding, OHV travel, geological exploring, pioneering, parking their RV, or just plain touring in their personal vehicles. Such activities are important to Millard County's character.
- Public land outdoor recreational access in the Regions should not discriminate in favor of one particular mode of recreation to the exclusion of others. Traditionally, outdoor recreational opportunities in the Regions have been open and accessible to working class families, to families with small children, to the sick and persons with disabilities, to the middle aged and elderly, to persons of different cultures for whom a "primitive solitary hike" may not be the preferred form of recreating, and to the economically disadvantaged and underprivileged who lack the money and ability to take the time off work necessary to get outfitted for a multi-day "primitive hike" to reach those destinations. All of society should not be forced to participate in a "solitude experience" or a "primitive experience" as the one and only, or primary, mode of outdoor recreation in the Regions. Any segment of society, for that matter, that wants to recreate in the Regions, should have motorized access to that recreation if they desire it, as well as all other traditional forms of outdoor recreation they so desire, if such historical uses existed in the past. They should not have to hike into the outdoor recreational destinations in the Regions if they do not want to or are unable or cannot afford such an activity.
- Hence Millard County's plan calls for continued historical public motorized or mechanized access to all traditional outdoor recreational destinations in all areas of the Regions for all such segments of the public. Millard County specifically opposes restricting outdoor recreation in the Regions to just one form available for those who have enough time, money and athletic ability to hike into the destinations of the Regions for a so-called "solitude wilderness experience", or the like.
- Accordingly, all roads in the Regions that are part of Millard County's duly adopted transportation plan shall remain open to motorized travel. None of them should be closed other than by action of Millard County. Millard County should have the continued ability to maintain and repair those roads, and where reasonably necessary, make improvements thereon. All trails in the Regions that have been open to OHV use shall continue to remain open. Traditional levels of wildlife hunting and fishing should continue, consistent with sustainability of the resource at verified historical levels. Traditional levels of group camping, group day use and all other traditional forms of outdoor recreation, motorized and non-motorized, should continue.

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5. Maintain and Keep Open all Roads in the Regions That Appear on Millard County's 2007 Transportation Map, and Provide for Such Additional Roads and Trails as may be Necessary from Time to Time. Millard County's transportation plan includes an official county-wide transportation map. The map is available to the public for viewing and copying, showing all public roads and trails maintained by the County.
- That portion of Millard County's official transportation map which shows all public roads and trails in the Regions is considered to be part of Millard County's land use plan. This map is attached to and made part of this plan by this reference.
  - Millard County plans to keep all such roads in the Regions open and reasonably maintained and in good repair. Millard County will consult with the BLM about any required improvements to such roads, reserving the right to request court intervention and relief in the event Millard County and BLM cannot reach an agreement on such proposed improvements after reasonable efforts at consultation.
  - Furthermore, additional roads and trails may be needed in the Regions from time to time to facilitate reasonable access to a broad range of resources and opportunities throughout the Regions, including livestock operations and improvements, solid, fluid and gaseous mineral operations, recreational opportunities and operations, search and rescue needs, other public safety needs, access to public lands for people with disabilities and the elderly, and access to Utah School and Institutional Trust Lands for the accomplishment of the purposes of those lands.
6. Manage the Regions So As to Protect Prehistoric Rock Art, Three Dimensional Structures and Other Artifacts and Sites Recognized as Culturally Important and Significant By the State Historic Preservation Officer.
- Reasonable mineral development in the Regions can occur while at the same time protecting prehistoric rock art, three dimensional structures and other artifacts, and sites recognized as culturally important and significant by the state historic preservation officer.
  - Reasonable and effective stipulations and conditions to protect against damage to the above-described cultural resources should accompany decisions to issue mineral leases, permit drilling or permit seismic activities in the Regions. Such drilling and seismic activities should not be disallowed merely because they are in the immediate vicinity of the above-described cultural resources if it is shown that such activities will not irreparably damage those resources.

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7. Manage the Regions So As to Not Interfere With The Property Rights of Private Landowners Located in The Regions.
    - There are parcels of private fee land, including School and Institutional Trust Land, located in the Regions.
    - Land management policies and standards on BLM land in the Regions should not interfere with the property rights of private landowners in the region to enjoy and engage in traditional uses and activities on their private property, consistent with controlling County zoning and land use laws.
    - Nor should those landowners and their guests or clients be denied the right of motorized access to their private property consistent with past uses of those private land parcels.
  8. Manage the Regions so as to not Interfere With The Fiduciary Responsibility of the State School and Institutional Trust Lands Administration (“SITLA”) with Respect to Trust Lands Located in those Regions.
    - Scattered throughout the Region are sections of school and institutional trust land owned by the State of Utah and administered by SITLA in trust for the benefit of public schools and other institutions (“school trust lands”), as mandated in Utah’s Enabling Act and State Constitution.
    - As trustee, SITLA has a fiduciary responsibility to manage those school trust lands to generate maximum revenue there from, by making them available for sale and private development, and for other multiple and consumptive use activities such as mineral development, grazing, recreation, timber, agriculture and the like, all for the financial benefit of Utah’s public schools and other institutional beneficiaries.
    - Land management policies and standards on BLM land in the Regions should not interfere with SITLA’s ability to carry out its fiduciary responsibilities.
    - Nor should SITLA be denied the right of motorized access to those school trust sections to enable SITLA to put those sections to use in order to carry out its fiduciary responsibilities.
  9. Managing Part or the entire Regions for “wilderness” characteristics would violate FLPMA, Contradict the State’s Public Land Policy and Contradict the Foregoing Plans of Millard County for Managing the Non-WSA Millard County Regions.
    - As Utah Code § 63-38d-401(6)(b) indicates, managing the Regions under a “wilderness characteristics” management standard is not the State of Utah’s policy for multiple use-sustained yield management on public lands that are not wilderness or wilderness study areas. Nor is it Millard County’s. A so-called

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“wilderness characteristics” management standard for the Regions is de facto wilderness management, now just by another name. It is incompatible with and would therefore frustrate and defeat the foregoing plans of Millard County for managing the Regions. Millard County has formally taken a position that only 138,606 acres of BLM land in Millard County should be designated as wilderness. Those acres are situated within current WSA’s, not within the Non-WSA Millard County Regions.

- A “wilderness characteristics” management standard for the Regions also violates FLPMA and the 2003 Settlement Agreement between Utah and Department of Interior.
- Managing Post-603 Lands<sup>6</sup> pursuant to the Interim Management Policy of 1979 (“IMP”) is inconsistent with BLM authority. Agreement p. 6 & 13.a;
- Managing Post-603 Lands to preserve their alleged wilderness character strays from the multiple use mandates in a manner inconsistent with FLPMA § Section 603 limited delegation of authority. Agreement p. 9 & 17;
- The 1999 Utah Wilderness Reinventory shall not be used to manage public lands “as if” they are or may become WSA’s. Agreement p. 13 & 4;
- DOI/BLM will not establish, manage “*or otherwise treat*” Post-603 Lands as WSA’s or as wilderness pursuant to the Section 202 process absent congressional authorization. Agreement p. 14 & 7;

10. Imposing Any of The Area of Critical Environmental Concern (“ACEC”) Designation Alternatives in Millard County Would Contradict Millard County’s Plan for Managing the Regions.

- It is Millard County’s policy that no part of the Regions should be designated an (“ACEC”) unless it is clearly demonstrated that the proposed ACEC satisfies all the definitional requirements of the Federal Land Policy and Management Act of 1976, 43 U.S.C. § 1702(a).
- The proposed ACEC is limited in geographic size and that the proposed management prescriptions are limited in scope to the minimum necessary to specifically protect and prevent *irreparable* damage to values that are objectively shown to be relevant and important, or to protect human life or safety from natural hazards.
- The proposed ACEC is limited only to areas that are already developed or used, or to areas where no development is required.

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<sup>6</sup> As that term is defined in the *Utah v. Norton* settlement agreement of April 11, 2003.

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- The proposed ACEC designation and protection is necessary to protect not just a temporary change in ground conditions or visual resources that can be reclaimed or reversed eventually, (like reclaiming a natural gas well site after pumping operations are complete). Rather, the damage must be shown in all respects to be truly *irreparable* and justified on short term and long term horizons.
  - The proposed ACEC designation and protection will not be applied redundantly over existing protections available under FLPMA directed multiple use sustained yield management.
  - The proposed ACEC designation is not a substitute for a wilderness suitability determination, nor is it offered as a means to manage a non WSA for so-called “wilderness characteristics”.
  - The foregoing summarizes the ACEC criteria of the State of Utah as well as Millard County. See Utah Code § 63-38d-401(8) (c). And the foregoing summarizes the criteria of FLPMA.

11. Including any River Segment in the Regions in the National Wild and Scenic River System Would Violate the National Wild and Scenic Rivers Act and Related Regulations, Contradict the State’s Public Land Policy, and Contradict the Foregoing Plans of Millard County for Managing the Regions.

It is Millard County’s policy that no river segment in Millard County should be included in the National Wild and Scenic River System unless:

- Water is present and flowing at all times.
- The water-related value is considered outstandingly remarkable within a region of comparison consisting of one of three physiographic provinces of the state, and that the rationale and justification for the conclusion are disclosed.
- BLM fully disclaims in writing any interest in water rights with respect to the subject segment.
- It is clearly demonstrated that including a segment in the NWSR system will not prevent, reduce, impair, or otherwise interfere with the state and its citizen’s enjoyment of complete and exclusive water rights in and to rivers of the state as determined by the laws of the state, nor interfere with or impair local, state, regional, or interstate water compacts to which the State or Millard County may be a party.
- The rationale and justification for the proposed addition, including a comparison with protections offered by other management tools, is clearly analyzed within the multiple-use mandate, and the results disclosed.



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- It is clearly demonstrated that BLM does not intend to use such a designation to improperly impose Class I or II Visual Resource Management prescriptions.

- It is clearly demonstrated that the proposed addition will not adversely impact the local economy, agricultural and industrial operations, outdoor recreation, water rights, water quality, water resource planning, and access to and across river corridors in both upstream and downstream directions from the proposed river segment.

The foregoing also summarizes the wild and scenic river criteria of the State of Utah, Utah Code § 63-38d-401(8) (a), as well as the criteria of Millard County.

- There is no part of the Sevier River or any other waterways in the Regions that meets the above criteria. Hence, no river segment in the Regions should be included in the National Wild and Scenic River system.

- Nothing said herein or elsewhere by Millard County or its representatives is to be taken or intended as acknowledging or otherwise accepting that the WSR is a legitimate act pursuant to the authority of Congress as delegated by the States under the U.S. Constitution.

12. A Visual Resource Management Class I or II Rating for Any Part of the Regions Would Contradict the State's Public Land Policy and Contradict Millard County's Plan for Managing the Non-WSA Millard County Regions.

- The objective of BLM Class I Visual Resource Management is not compatible with, and would therefore frustrate and interfere with Millard County's foregoing plan clarification for the Regions.

- The objective of BLM Class II Visual Resource Management is generally not compatible with, and would therefore frustrate and interfere with Millard County's foregoing plan clarification for the Regions. There are certain limited exceptions where a Class II objective would be compatible with Millard County's foregoing plan clarification. Such exceptions will be considered by Millard County on a case-by-case basis.

- Millard County's foregoing plan clarification for the Regions is generally consistent with either Class III or Class IV, depending on the precise area.

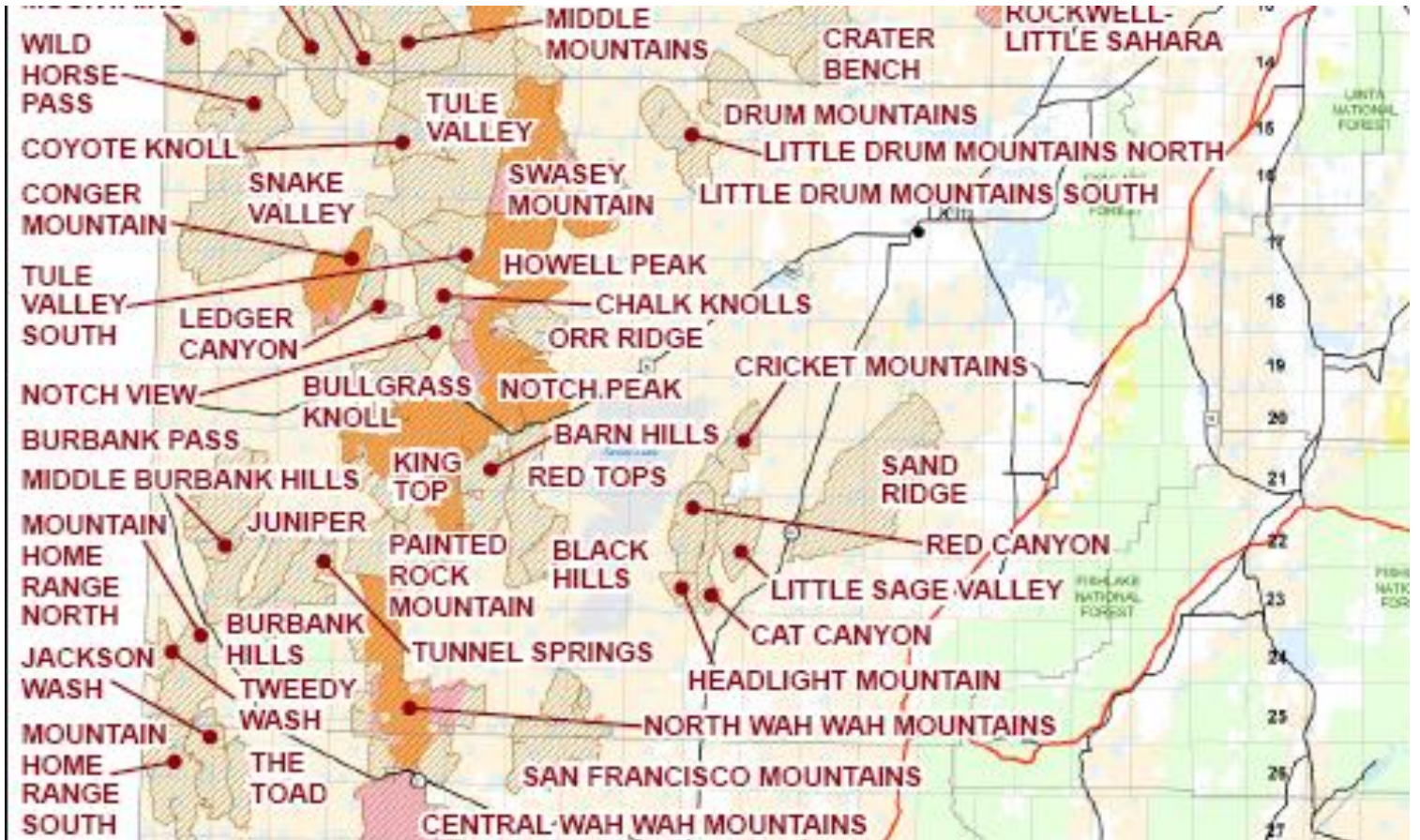
13. The Nomination and or Designation of Public and Private Lands in the Regions, Selected for Specific Uses, May have Permanent and Unintended Consequences on the Subject Lands and Surrounding Lands, and should be reviewed by the Board of Millard County Commissioners.

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- Lands within Millard County considered for any special designation and the impacts of the National Historic Preservation Act are an issue of concern for Millard County.
  - Millard County’s plan for balanced multiple use also incorporates the need to focus special attention and concern toward any impacts that proposed designations could have on private property use, the financial impacts to our citizens, and the potential loss of historic and traditional uses and lifestyles by layering multiple designations upon the land.
  - Not only are the direct effects of the special designation a matter of concern to Millard County, but the fact that federal management guidelines allow buffer zones or “special management zones” or their equivalent around the sites, which could negatively impact nearby oil and gas development, is also a matter of concern to Millard County.
14. Federal Acquisition of Private Lands is Contrary to Policies and Plans of Millard County and the *Millard County General Plan*.
- Millard County wishes to be fully involved as an affected entity in any process to consider the disposal of public lands or the acquisition of private lands to become public within the county’s jurisdiction.
  - The County recognizes that some tracts of public and private land are isolated, and since the County is the subject matter expert regarding the impacts to our economy, culture and customs from the transfer of ownership of these lands that are or may be identified for sale or purchase, County participation and local public input are essential.

*Millard County General Plan  
Resource Management Plan  
Ord. No. 11-02-15*



Attachment B



Citizens Proposal for Wilderness in Millard County  
Source: <http://www.protectwildutah.org/proposal/index.html>

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## Appendix A

### List of Project Participants List of Project Participants –

The following individuals participated in the Millard County Planning project as members of the Citizen Plan Advisory Committee, County Officials/staff, resource specialists and/or interested citizens.

John L. Adams	Ivan J. Christensen	John Henrie
Darcie Allan	Jon Christensen	Michael Hill
David Allan	Paula Christensen	Neno Hoelzle
Dean S. Anderson	Sandra Christensen	Brian Holley
Tony Anderson	Gary Church	Ladd Holman
Ken Ashby	Wally Church	Rey Huber
Dan Barkdell	Gerald Coats	M. Hudson
Scott P. Bassett	Randy Coats	Mark Huntsman
Nolean Bean	David Copeland	Lorraine Iverson
Justin Beck	Vince Crawford	Mark Iverson
Harry L. Bell	Curt Crosby	Lon Jackson
Connie Best	Clay Cummings	Reed Jeffery
Cal Bishop	Sheila Curtis	Marilyn Jensen
Gloria Bishop	Don Dafoe	Abe Johnson
Brent Blake	Cloyd C. Day	Beth R. Johnson
Chris Blake	Tony Dearden	J. Howard Johnson
Jerry Blanch	Sheryl Dekker	Jacki Johnson
Norm Bowden	Nancy DeMille	Keith Johnson
Joe Brokke	Dallon Dennison	Stewart Johnson
David Brown	Alan Dewsnup	Venez Ann Johnson
Ed Brown	Darlene Dewsnup	Andrea Jones
Louis Brown	Jim DeWyze	Rulon Jones
Sylvia Brown	Ron Draper	Brian Kershnik
Clyde Bunker	Dian Durrant	Suzanne Kershnik
Gayle Bunker	R. Merrill Dutson	Dennis Killian
Marian J. Bunker	Michael Engstrom	Monte Kimball
Nan Bunker	Sara Farmer	Don Knight
Donald Burt	Lynn T. Fergus	Austin Lovell
Sam Bushman	Jack Finlinson	Carl Lyman
John Bushnell	Joyce Frampton	Colleen Lyman
Wanda Bushnell	Jody Gale	Louise Lyman
Carl Camp	Kevin Goertz	Marshall S. Lyman
DeLyle Carling	Robert Guichard	Pam Lyman
Tim Carling	Roger Haglund	Shirley Lyman
Richard Cary	David Hatton	Virginia Lyman
Thomas E. Chandler	Ilene Hatton	Evan Madsen
Gale Chapman	Lewis Hatton	E. Martinez
Gordon Chatland	J. Hawkes	Evan Maxfield
Don Christensen	John Heath	Joanne Maxfield

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Paul J. McCollaum  
Don McMillian  
Kim Melville  
Michael Melville  
Lee Monroe  
G. Moody  
Lana Moon  
Kim Morse

D. Scott Nickle  
Clark Nielson  
John Nye  
Mike O'Camb  
Hal Peterson  
LaWanna Peterson  
Warren Peterson  
Wes Peterson  
Derin Phelps  
Ed Phillips  
Mark Pixton  
Rachel Pope  
Theodore Pope  
Elzo Porter  
Ken Porter  
Belva Pratt

Ben Pratt  
Lori Pratt  
Steve Pratt  
Jerry Reagan  
Douglas Reid  
David Remkes  
Bob Robison  
Jaren Robison  
James D. Robson  
Forrest Roper  
John Rowlette  
Larry C. Ryan  
Robert Sanderson  
Jeanette Skeem  
Kenneth Skeem  
Allen Smith  
Curtis Smith  
Daren Smith  
Leon Smith  
Richard Smith  
Robin Smith  
Wayne Spencer  
Dan Sperry  
Rex Stanworth  
Roger Stanworth

V.B. Starley  
David Steele  
Tom Stephenson  
Bryant Stevens  
Vern Stewart  
Mike Styler  
Glen Swalberg  
Garth Swallow  
Fred Talbert  
Verl Talbert  
Becky Thomas  
Adam Tolman  
Elise Tolman  
Tony Trezza  
Bill Tuttle  
Lynn Wall  
Lynn Whitaker  
Dave Williams  
Jan Williams  
Mervin G. Williams  
Scott Williams  
Dean Wood  
Bill Wright  
Craig Young  
Lynn Zubeck

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**Appendix B  
Public Scoping Meeting(s) Results**

**October 8, 1996 Delta, Utah  
October 15, 1996 Fillmore, Utah**

**Millard County Planning Project  
Public Scoping Meeting(s)  
October 8, 1996 Delta, Utah  
October 15, 1996 Fillmore, Utah**

**Participant List**

John L. Adams	R. Merrill Dutson	Mark Pixton
Dean S. Anderson	Michael Engstrom	Elzo Porter
Tony Anderson	Lynn T. Fergus	Ken Porter
Ken Ashby	Jack Finlinson	Belva Pratt
Scott P. Bassett	Joyce Frampton	Steve Pratt
Nolean Bean	Jody Gale	Jerry Reagan
Harry L. Bell	Kevin Goertz	Douglas Reid
Connie Best	David Hatton	Bob Robison
Brent Blake	Michael Hill	Jaren Robison
Chris Blake	Lorraine Iverson	Forrest Roper
Jerry Blanch	Marilyn Jensen	Larry C. Ryan
Clyde Bunker	Abe Johnson	Curtis Smith
Marian J. Bunker	Beth R. Johnson	Daren Smith
Nan Bunker	Keith Johnson	Leon Smith
Donald Burt	Stewart Johnson	Richard Smith
Tim Carling	Andrea Jones	Robin Smith
~ Gordon Chatland	Brian Kershishnik	Dan Sperry
Don Christensen	Suzanne Kershishnik	Rex Stanworth
Ivan J. Christensen	Dennis Killian	David Steele
Jon Christensen	Monte Kimball	Tom Stephenson
Paula Christensen	Carl Lyman	Bryant Stevens
Gary Church	Marshall S. Lyman	Vern Stewart
Wally Church	Shirley Lyman	Glen Swalberg
Randy Coats	Evan Maxfield	Garth Swallow
David Copeland	Joanne Maxfield	Fred Talbert
Vince Crawford	Michael Melville	Veri Talbert
Sheila Curtis	Lee Monroe	Bill Tuttle
Cloyd C. Day	D. Scott Nickle	Dave Williams
Tony Dearden	LaWanna Peterson	Jan Williams
Sheryl Dekker	Warren Peterson	Mervin G. Williams
Nancy DeMille	Wes Peterson	Scott Williams
Jim DeWyze	Ed Phillips	Craig Young
Ron Draper		

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## Millard County General Planning Project

### Public Scoping Meeting(s) Summary

October 8 & 15, 1996 Public Scoping Meeting(s)

#### Small Group Issue Identification and Prioritization

County residents identified 383 issues during the public scoping meetings held last month. The number within each ( ) represents the number of resident "votes" for that particular issue. In preparation for our Plan Advisory Committee discussion, we have combined similar subjects under eight major headings. Further clarification on several issues will be necessary as the County develops its policies for the General Plan.

*(Number of votes) (Value or issue)*

#### Community Lifestyle and Character

##### **Maintaining our quality of life** (1 63 votes total)

(38) No big city bureaucracy or traffic; don't have to drive 1-15; slower pace than the Wasatch Front; small town atmosphere; limited government control; lower crime; peace and quiet; clean; well-cared for

(32) "Neighborly" atmosphere - look out for each other; great people: friendly, caring, supportive, trustworthy; people are independent; a lot of ethnic diversity, yet no segregation between groups; several generations living together, young families, family heritage; thankful for city folks who don't live here

(26) Agricultural based economy and lifestyle

(20) Open space--freedom to enjoy surrounding lands; can see a long way, space "-....-/" between neighbors; opportunities to live in town if you want services, outside if you don't; only need five acres to build outside of existing towns

(17) Solid economic base provides good services/facilities; unemployment rate near state average; household income near state average; good schools and medical facilities; progressive attitude in respect to economic development and education

(16) County/Community atmosphere - small, farming communities; united, yet separate; important to encourage county-wide (east-west) cooperation yet maintain community identities

(9) Natural/geographical diversity; enjoy sunsets, available natural resources and recreation opportunities; variety of terrain

(5) Clean air/water

#### Recreation and Tourism

##### **Promote in-county activities and tourist attractions** (44 total votes)

(17) Hunting/fishing--quality has decreased--better management is needed; too many

outside people coming in; promote additional non-resident hunters; more local residents consideration in licensing-hunting decisions; improve waterfowl

(10) Advertise the national monument and west desert; rock hounding



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- (9) Historical sites: museum, Cove Fort
  - (4) Limit the use of Gunnison Bend, too many outside visitors
  - (2) Explore feasibility of dairy tourism
  - (2) Improved management of ATV trails, keep ATV off private roads
- Appendix B Page 2*
- Recreation and Tourism promotion (30 total votes)**
- (18) Identify what we have and want to promote; the County offers a variety of attractions
  - (5) Develop a marketing strategy, east side doing a good job; determine area-specific interest
  - (4) Use tourism dollars to hire an events coordinator
  - (1) Maintain working relationship with industry with respect to tourism
  - (1) Cooperate with surrounding counties
  - (1) Don't put a cap on recreation

**Existing County recreation facilities (26 total votes)**

- (7) Make better use of existing recreational facilities: pools, ballfields,
- (6) Better promote and advertise existing recreation opportunities
- (4) Too much in our County already, should be based on population
- (4) We need additional recreation for residents, identify needs
- (3) Excellent facilities on west side, east side facilities need improvement; suggestions include a golf course
- (2) Too many taxes are going to facilities upkeep facilities; funding is an issue

**Future recreation and tourism facilities (25 total votes)**

- (8) develop a natural recreation facility
- (7) organize sports/cultural events (ball fields and rodeo grounds)
- (4) improve the Delta airport for recreational use (transportation and hobby)
- (4) rodeo grounds
- (2) develop a tourist loop off 1-15

**Recreation and Tourism development criteria (18 total votes)**

- (14) Recreation and tourism development should be secondary to substantial economic uses; promote tourism growth--but not at expense of long-term resource development
- (3) service provision costs should be evaluated
- (1) should be sensitive to local events

**Public lands recreation**

- (2) Tied to use/designation of public lands; necessary to maintain adequate access

**Land Use Issues**

**Land use planning and community development (65 total votes)**

- (16) In-fill development within cities; preserve agriculture/open spaces by concentrating growth in towns. This will increase tax base and use existing services more efficiently; may be more difficult to purchase lots in town.
- (15) Millard County has diverse land uses - plan should continue this; manage all aspects

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of land/cultural, economic, recreational, agricultural; opportunities from government to promote county values; beautify the county

(11) Plan ahead; people need to know what uses are allowed e.g. housing, dairy, farming  
(9) Land use should be based on the relevant resources (e.g. farm land) (Delta City's annexation of land is good example)

(4) Enforce land use ordinances; once regulations and zones are set, do not change

*Appendix B Page 3*

(3) "Service provision costs" should determine land uses

(2) Each community should determine future annexation plans; small communities need better planning, preparation for growth, annexation

(2) Tighter requirements for subdivision development--water, sewer, etc.

(2) Bedroom communities lead to higher land prices

(1) Provide adequate parks and open space in urban areas

### **Agricultural land and open space preservation (63 total votes)**

(21) Land use planning must be consistent with continued agricultural land uses; agricultural land preservation strategies should include identifying prime agricultural land and encouraging development on marginal agricultural lands and within existing communities

(18) Preserve agricultural rights; animal rights for large property owners  
continue agriculture plan

(18) Land uses should be sensitive to agriculture uses; address conflicts between agricultural and residential land uses; in urban areas-homeowner takes priority, in agricultural areas-agriculture takes priority

(4) Needs immediate attention: Sutherland area--dairies or no dairies? Why not designate certain areas for dairies through zoning?

(2) Lots of usable land set aside by Feds - people being paid not to grow

### **Protect private property rights (61 total votes)**

(49) Protect private property rights. Additional regulations are needed to protect people's rights

(8) Private property rights vs community values

(2) Zoning to provide individual lifestyle not to infringe

(2) Zoning ordinance is violation of 14th amendment

### **Miscellaneous**

(1) Post property properly (hunting seasons)

### **Public Lands**

#### **Multiple use**

(49) Support multiple use management concept; maintain traditional uses on public lands: grazing, mining, recreation, etc.

### **County participation in public land decisions (25 votes total)**

(26) Public land management is a top-down issue--explore how we can get involved in public land decision;. County needs more local involvement and input in management decisions

(2) Wildlife management--counties needs more input; wild horses, geese

(2) Understand our legal rights and responsibilities for Laws written with one meaning may cut out other meaning/option; create policy awareness.

(1) It is important for the County to maintain good relationships with public land managers

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(1) Millard County should require feds to obey law of the land

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### **Access**

(23) Access; who owns the roads?: which are public, which are private; settle RS2477 debate; maintain access to public lands for traditional uses; maintain access across private land to public lands

### **Public land resource development/management (15 total votes)**

(10) Maintain air quality standards so industry can continue  
(3) Responsible use of resources; promote additional resource development  
(2) Healthy - prescribed natural fire

### **Wilderness**

(5) Wilderness is coming whether we want it or not - need to address. General Plan should include information from the wilderness hearings in Millard County. There are some areas good for wilderness. Where we live (the west desert) is not appropriate--because of distance. How will wilderness affect our development?

### **Water**

(5) Address public land water rights

### **Proposed County positions**

(3) Do not waste county money on issues we cannot win  
(2) Transfer ownership from feds to state; reduce quantity, privatize  
(1) Teach people importance of public lands; understand relationship between public lands and private lands

### **Infrastructure**

#### **Transportation/Roads (27 total votes)**

(15) Streets and roads - right of way, maintenance; roads should be widened in smaller towns  
(5) Business--should be responsible for damaged roads (bonding)  
(5) 1-15 is an important corridor; railroad and 1-70  
(2) Need street signs, numbers

#### **Overall condition and availability (26 total votes)**

(12) Maintenance; good infrastructure overall  
(7) Need County-wide capital facilities plan  
(7) Identify existing carrying capacity and excess capacity; encourage development in incorporated areas

#### **Water/sewer (18 total votes)**

(13) Protection, use, conservation, quality; improve and make better use of rivers/reservoirs  
(2) Explore feasibility of special interest district  
(2) Credit for water and sewer plans - maintain  
(1) Outlying communities need sewer systems (state will soon prohibit septic)  
(1) Nice water system in Hinckley

*Appendix B Page 5*

### **Electricity**

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(1) Electricity deregulation (research-state government)

**Natural Gas**

(1) Natural gas is currently available to some parts of county--should expand to others

**Community Services**

(10) Excellent medical, education, law enforcement, transportation, utilities, recreation, and emergency services; should be maintained

(7) Coordinated city/county efforts are necessary; coordinate services offered with tax income

**Service Funding** (35 total votes)

(10) Encourage volunteerism/not expect County to pay for everything; citizen-run programs are more successful; too much dependence on LDS church for support services

(8) The more community services that are funded by outside dollars, the less control we have. People come/stay here for sense of independence. Community services make us more attached; don't want to be cradled through every aspect of our lives

(5) Services provided to non-county residents--funding not there. User fees for services

(5) Need to privatize services. Less taxes with better services if private owned; explore possibility of privatizing

(4) Community services operate better when independent.

(2) Disagree with redistribution of tax dollars; don't like the use of county (rural) taxes for city projects

(1) Funding mechanisms make it more costly to provide care in rural areas. Need vehicle for equal distribution of funding for community services.

**Education**

(24) Encourage additional secondary education opportunities; continued support for the technical school

**Law Enforcement**

(13) Law enforcement - need new jail; our "wannabe" gang problem will get worse; law enforcement: examine ways to improve, equal coverage of law enforcement

**Communications** (8 total votes)

(5) Communication with outside world--telecom; Internet access--technology should be expanded; additional local radio stations; improved cellular coverage

(3) Pressure phone company to give local service throughout Millard County

**Emergency services** (7 total votes)

(4) Fire protection: Sutherland, Abraham, Sugarville, needs improvement

(3) Additional emergency education is needed - C.E.R.T., EMS; ambulance response is slow (police, too); need additional participation in the 911 services

**Medical Services**

(6) Medical services should be coordinated; tie into regional services; for good positive health care vs injuries (non-treatable) treated by local facility

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**Social Programs** (6 total votes)

(3) Social services - strengthened - chemical, family related

(2) We have too many youth community services

(1) Youth and elderly programs--for those not in LDS church. Concern about services to minority groups--address issues at interaction with community.

**Affordable Housing** (1)

**Protect County from noxious weeds** (3)

**Natural Resources**

**Resource Use and Development-County Participation** (102 total votes)

(47) County will participate in determining adequate uses and adequate levels of use; promote natural resource development; protect traditional uses: mining, grazing, promote multiple use; determine those areas to be preserved vs developed

(23) Identify/inventory county resources: land, water, sun, wind, renewable and non-renewable

(13) Maintain our diverse natural resource base: mining, forest, water (not enough), agricultural land

(9) Uses are determined by P/L designation--find out what we can do about it.

(5) Some areas need to be preserved (responsible local management)e.g.: Notch Peak, wildlife management; ORV/ATV use; recreation/tourism

(5) Sustainable resource base - don't exceed carrying capacity

**Unique County Resources** (21 votes total)

(10) Vast lands - wilderness - keep roads open; important to resource development

(7) Unique scenic areas: Notch Peak, Crystal Peak, King's Canyon, Crystal Caves, Harp Pans and Dry Lake Bed, volcanoes

(2) Diversified interest of local county residents

(2) Youth - labor force potential

**Water**

(7) Address water issues; water is a great concern with additional growth; increased cooperation with the Millard County Water Conservancy District

**Mining, Oil & Gas** (4 votes total)

(2) Mining - protect industry

(2) Development of natural gas resources

**Economic Development**

**General Comments** (56 votes total)

(1 2) Continuing campaign for economic development; use central location to attract additional professionals (doctors, businesses); communities(public) should be more involved in economic development discussions and decisions

(7) Growth can come from existing natural and provided resources. Identify our resources--natural and man-made. Growth based upon resource - mineral, soil, water, open space

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- (6) For Millard County to stay rural we should attract much smaller employers (and sole proprietors), not big ones.
  - (6) Moderate, controlled growth; what is our desired population? Do we want to be a bedroom community or do we want our kids to have jobs here?; Prepare for growth coming in from Provo/Utah Counties--commuters
  - (6) Define types of industry we want
  - (5) Not realistic to stop growth - make sure it's well managed.
  - (4) Too much development/growth will destroy local lifestyle; need growth to keep communities alive; community is aging.
  - (4) Make sure development does not compromise natural resources (water, clean air, etc.)
  - (3) Identify our strengths
  - (3) Provide incentives to attract economic development

**Employment opportunities** (31 total votes)

- (18) Need family supporting jobs; provide career opportunities for children; attract more permanent economic employers; balance with recreation
- (8) Improve pay scale without increasing population
- (5) Industry (above minimum wage--with training and education, scientific, hi-tech)--to keep young people here; new observatory in County with job potential

**Future economic development criteria** (25 total votes)

- (11) Compatible with lifestyle
- (8) Ensure that adequate services exist: water, sewer, emergency services, etc.
- (3) Well placed development - zoning
- (2) Compatible with adjacent land uses
- (1) Environmental impacts; pollution control - limited, rules, (studied)

**Support/expand existing businesses** (25 total votes)

- (10) Maintain air quality standard so industry can continue
- (5) Explore value added processing
- (4) Support local business; incentives to get people to shop local (local campaign); better service, convenience
- (3) Turn more dollars into community—associated industries
- (2) Retain current businesses
- (1) Attract support industries for existing businesses

**Agriculture** (24 total votes)

- (15) Address agricultural issues--mainstay of Millard County--continued support of agricultural promotion projects--maintain or increase? If increase--where do we get water?
- (5) Promote agricultural based industries to keep youth in town
- (4) Can't make a living at agricultural job

**IPP** (11 total votes)

- (5) Is there going to be a change in operation of IPP? Offices have been moved out of the County. Will there be a loss of jobs/tax base as IPP is being devalued?
- (3) More diversity is needed to maintain;
- (2) Maintain tax base that PIP initially invested in.

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(1) Plant employees 400 locals

**Maintain/pursue economic diversity (9 total votes)**

(5) Encourage more technological advances (cell phones, digital services, etc.)

(5) Explore value added processing

(2) Attract businesses that are self-supporting--avoid welfare

(1) Hazardous waste issues

(1) Need to decide in advance if we want to promote a retirement community

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## **Appendix C**

### **Citizen Plan Advisory Committee Meeting Summaries**

Millard County Planning Project  
1996-98

#### Meeting Agenda Summaries -----

**May 3, 1996** Meeting with County Commissioners and GOPB  
Discussion Items - Review County Documents, Project purpose and process

- Review County planning documents
  
- Discussion of project process and timeline

**June 27, 1996** Meeting with County Commissioners (Delta)  
Discussion Items - Project purpose and process

- Discussion of project process and timeline
  
- Tailor process to fit County needs
  
- Organize citizen Plan Advisory Committee

**October 8, 1996** Plan Advisory Committee Orientation (Delta)  
Discussion Items - Orientation and Process

- Discussion of project and process
  
- Roles and Responsibility of Plan Advisory Committee members

**October 8, 1996** Public Scoping Meeting - (Delta)  
Discussion Item - County Issues

- Discussion of project and process
  
- Identifying County resident issues, concerns, priorities and goals.

**October 15, 1996** Plan Advisory Committee Orientation (Fillmore)  
Discussion Items - Orientation and Process

- Discussion of project and process
  
- Roles and Responsibility of Plan Advisory Committee members

**October 15, 1996** Public Scoping Meeting - (Fillmore)  
Discussion Item - County Issues

- Discussion of project and process
  
- Identifying County resident issues, concerns, priorities and goals.

**November 7, 1996** Plan Advisory Committee Work session (Delta)  
Discussion Items - Citizen Issues and Priorities, County Profile



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- Process review - "Where do we go from here?"
  - Review Public Scoping Meeting results
  - Issue grouping, clarification and prioritization
  - Task-group or plan advisory committee approach and prioritization
  - GOPB presentation and committee discussion - *Millard County Economic/Demographic Profile*

**December 5, 1996 Plan Advisory Committee Work session (Fillmore)**

Discussion Item - Public Lands

- Review "Public Lands" scoping issues
- County public lands profile and maps
- Consultant presentation and committee discussion - *The relationship between the County and public land management agencies.*

**January 9, 1997 Plan Advisory Committee Work session (Delta)**

Discussion Item - Public Lands and Resources (continue)

- Clarifications or comments concerning federal and state public-land planning processes
- Public lands issue review and prioritization

preliminary issues include:

- public lands access
- multiple-use management, public land resource use and development
- County and private property rights
- County participation in public-land management decisions
- public land recreation and tourism
- wildlife management
- Discussion and development of County policy and action steps for each issue.

**January 21, 1997 Meeting with County Commissioners and GOPB (Delta)**

Discussion Items - Project purpose and process

- Review County contact list
- Discussion of project process and timeline

**January 23, 1997 Plan Advisory Committee Work session (Fillmore)**

Discussion Item - Public Lands and Resources (continue)

- Clarifications or comments concerning federal and state public-land planning processes
- Review *draft* "public lands committee" write-up
- Review *draft* "multiple-use" write-up
- Public lands issue review and prioritization

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preliminary issues include:

- public lands access
- County and private property rights
- public land resource use and development
- public land recreation and tourism
- wildlife management
- Discussion and development of County policy and action steps for each issue.

**February 6, 1997 Plan Advisory Committee Work session (Delta)**

Discussion Item - Public Lands and Resources (continue)

- Clarifications or comments concerning federal and state public-land planning processes
  
- Public lands issue review and prioritization

preliminary issues include:

- public lands access
- public land resource use and development
- public land recreation and tourism
- wildlife management
- Discussion and development of County policy and action steps for each issue.

**February 20, 1997 Plan Advisory Committee Work session (Fillmore)**

Discussion Item - Recreation and Tourism

- Committee Presentation and Discussion -  
Brenda Wadsworth - *state tourism profile/Millard County comparison*  
Glenn Swalberg - *Millard County Tourism Director*  
Becky Thomas - *Fillmore City business owners (mote/)*

- Issue review and prioritization
  
- Discussion and development of County policy and action steps for each issue.

**March 6, 1997 Plan Advisory Committee Work session (Delta)**

Discussion Topic - Economic Development

- Committee Presentations and Discussion: County Economic Development Objectives and Action-steps Discussion; Current Programs, County Objectives, and Future Direction
  
- Presentations
  
- Brenda Wadsworth - County economic profile
  - Discussion - Review existing economic development objectives and discuss additional considerations.

**April 7, 1997 Meeting with County Planning Commission (Delta)**

Discussion Items - County General Plan

- Project Update
  
- Identification of land use issues

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**April 17, 1997** Plan Advisory Committee Work session (Fillmore)

Discussion Item - Land Use

- Review Public Scoping Meeting land use issues
- Review existing land use policies
- Discuss issue grouping, clarification and prioritization
- County Profile (population trends and projections) - GOPB
- Develop *draft* County policies, objectives and action steps for residential, commercial and industrial land uses.

**May 1, 1997** Plan Advisory Committee Work session (Delta)

Discussion Item - Land Use

- Continue issue identification and prioritization
- Review "community design" summary
- Review *draft* County policies, objectives and action steps for residential, commercial and industrial land uses.
- Develop agricultural land use objectives

**June 5, 1997** Plan Advisory Committee Work session (Delta)

Discussion Item - Land Use

- Committee Review and Comment on *Draft* Land Use Policies and agricultural land use objectives
  - Discussion
- Agricultural land and "use" preservation strategies, Agricultural Protection Areas
  - Open Space preservation - develop County criteria
  - Sensitive Lands - Review existing County criteria, discuss additional considerations

**July 8, 1997** Plan Advisory Committee Work session (Fillmore)

Discussion Items - Public Lands Resources

- Review *draft* County policies, objectives and action steps developed at last public lands

meeting (2/6/97):

- County participation in public-land management decisions
- Multiple-use management
- Public land resource use and development
- Wildlife management
- Water Resources

**August 12, 1997** Plan Advisory Committee Work session (Delta)

Discussion Items - Public Lands Resources (continued)

- Review *draft* County policies, objectives and action steps revised at last meeting(July)
- County participation in public-land management decisions
- Multiple-use management
- Public land resource use and development

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- Wildlife management
  - Water Resources
  - Review *draft* County policies, objectives and action steps
  - Public land access
  - Land consolidation
  - Recreation and tourism

**September 9, 1997** Plan Advisory Committee Work session (Fillmore)

Discussion Items - Human and Community Services

- Review public scoping meeting issues and existing County policies
- Issue review and prioritization
- Discussion and development of County policy and action steps for each issue.

**October 14, 1997** Plan Advisory Committee Work session (Delta)

Discussion Items - Agricultural Land Policies

- Review *draft* County policies, objectives and action steps developed for agricultural lands
- Discuss *draft* County Plan public review and adoption process

**January 5, 1998** County Planning Commission (Delta)

Discussion Items - Agricultural Land Policies

- Review *draft* County policies, objectives and action steps developed for agricultural lands
- Discuss *draft* County Plan public review and adoption process

**April 6, 1998** County Planning Commission (Delta)

Discussion Items - Agricultural Land Policies

- Review *draft* County policies, objectives and action steps for public lands
- *Draft* County Plan briefing and planning commission work session scheduling

**April 21, 1998** County Planning Commission (Delta)

Discussion Items - *Draft* Plan

- *Draft* County Plan briefing and planning commission work session scheduling

September 14, 1998 Planning Commission Public Hearing (Delta)

Meeting Agenda -

- Solicit public comments on the *Draft* Plan
- Discuss proposed revisions

**October 5, 1998** Planning Commission Work session (Delta)

Meeting Agenda -

- Discuss proposed revisions and prepare *draft* for County Commission review

**November 23, 1998** County Commission Public Hearing (Fillmore)

Meeting Agenda -

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- Solicit public comments on the *Draft Plan*
  - Discuss proposed revisions and prepare *draft* for formal adoption and final printing

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## Appendix D

### General Plan Adoption and Amendment Process

#### State Code Plan Adoption and Amendment Process

17-27-303

- (1) (a) After completing a proposed general plan for all or part of the area within the county, the planning commission shall schedule and hold a public hearing on the proposed plan.
- (b) The planning commission shall provide reasonable notice of the public hearing at least 14 days before the date of the hearing.
- (c) After the public hearing, the planning commission may make changes to the proposed general plan.
- (2) The planning commission shall then forward the proposed plan to the legislative body.
- (3) (a) The legislative body shall hold a public hearing on the proposed general plan recommended to it by the planning commission.
- (b) The legislative body shall provide reasonable notice of the public hearing at least 14 days before the date of the hearing.
- (4) After the public hearing, the legislative body may make any modifications to the proposed general plan that it considers appropriate.
- (5) The legislative body may:
- (a) adopt the proposed general plan without amendment;
  - (b) amend the proposed general plan and adopt or reject it as amended; or
  - (c) reject the proposed general plan.
- (6) (a) The general plan is an advisory guide for land use decisions.
- (b) The legislative body may adopt an ordinance mandating compliance with the general plan.

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## Appendix E

### Federal Planning Processes

#### The Role of Local Government in Federal and State Lands Planning

The United States Constitution has delegated and the United States Congress bestowed considerable power and authority to local governments relevant to Federal and State land management and decision-making processes. Federal acts relevant to the County include:

The Federal Land Policy and Management Act (FLPMA)  
The National Environmental Policy Act (NEPA)  
The National Forest Management Act (NFMA)  
The Wild and Scenic Rivers Act (WSRA)

#### Federal Land Policy and Management Act (FLPMA)

Under FLPMA, Federal land management agencies are required to acknowledge local plans and participation. Title 43, U.S.C.A. § 1712(c)(9) states:

"[The Secretary of Agriculture shall] to the extent consistent with the laws governing the administration of the public lands, coordinate the land use inventory, planning, and management activities of or for such lands with the land use planning and management programs of other Federal departments and agencies and of the States and local governments within which the lands are located .... In implementing this directive, the Secretary shall, to the extent he finds practical, keep apprised of State, local and tribal land use plans; assure that consideration is given to those State, local and tribal plans that are germane to the development of land use plans for public lands, assist in resolving to the extent practical, inconsistencies between Federal and non-Federal Government plans, and shall provide for meaningful public involvement of State and local government officials ... in the development of land use programs, land use regulations, and land use decisions for public lands.... Land use plans of the Secretary under this section shall be consistent with the State and local plans to the maximum extent he finds consistent with Federal law and the purposes of this Act."

#### National Environmental Policy Act (NEPA)

The Supreme Court has described the National Environmental Policy Act (NEPA) as having two major objectives. The first purpose is to place "upon an agency the obligation to consider every significant aspect of the environmental impact of a proposed action." The second aim is to ensure "that the agency will inform the public that it has considered environmental concerns in its decision making process." In respect to land use planning, agency-prepared NEPA documents must identify and discuss "possible conflicts between the proposed action and the objectives of Federal, regional, State and local plans, policies and controls for the area concerned." 40 CFR 1502.16(c). This discussion shall include "any inconsistencies between the proposed action and any approved State or local plans or laws.... Where inconsistencies exist, documents should describe the extent to which the

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agency will reconcile its proposed action with the plan or law." 40 CFR 1506.2(d). The Act also directs agencies to "cooperate to the fullest extent possible" with State and local agencies to reduce duplication between NEPA and State and local requirements. This "cooperation" includes: joint planning processes, joint environmental research/studies, and joint public hearings, and joint environmental assessments. 40 CFR 1506.2(b)(1-4).

### **National Forest Management Act (NFMA)**

Principal provisions of the National Forest Management Act (NFMA) include implementing "multiple-use and sustained yield" management practices, long-term (50 year) renewable resource programs, land and resource management plans for forest units (every 15 years) and forest management practices "in accordance with" plans 16 U.S.C.A. § 1061 (d)(1); "plans and permits, contracts and other instruments for the use and occupancy of National Forest System lands consistent with land management plans." 16 U.S.C.A. § 1604(1). In respect to local governments, Forest Service plans shall be "coordinated with the land and resource planning processes of State and local governments ...." 16 U.S.C.A. § 1604(a)

### **Wild and Scenic Rivers Act (WSRA)**

Federal regulatory agencies are also obligated by the Wild and Scenic Rivers Act (WSRA) to consider historic, cultural or other similar values when completing "wild and scenic" river plans. These issues include existing rights, grazing leases and permits. Federal agencies must also formally recognize local planning efforts to protect river corridor resources and consult with local governments during wild and scenic river plan development processes.

### **Overview - Millard County Relevant Federal and State Land Management Agencies**

#### **Bureau of Land Management (BLM)**

The Bureau of Land Management (BLM) manages Federal lands and resources under the Federal Land Policy and Management Act (FLPMA). Resource Management Plans (RMP's) are the primary mechanism for implementing the "multiple-use/sustainable yield" stipulation and other guidelines outlined in FLPMA. Consistent with Federal laws and regulations, RMP's establish the management direction for designated planning areas and are kept in place as long as they remain pertinent to the issues of that area. RMP's also contain the standards and criteria used to govern subsequent decisions.

FLPMA requires the BLM to coordinate its land use plans with local (County) plans and take



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all practical measures to resolve inconsistencies between documents. BLM plans must be consistent with local plans to the extent that the latter does not contradict Federal laws and regulations. Prior to final RMP approval, the BLM is also required to submit a list of known inconsistencies to the Governor for review and comment. The BLM is exempt from these requirements if the local government fails to notify the agency of an adopted plan and subsequent revisions.

#### United States Forest Service (USFS)

Unlike the BLM, the Forest Service does not have a local plan "consistency" requirement. However, Forest Service regulations do call for "coordination". This has been interpreted to include: participating in local planning efforts, developing and evaluating Forest Management Plan alternatives in light of potential conflicts with local plans, briefing local leaders prior to selecting the preferred alternative, displaying local plan reviews as part of agency Environmental Impact Statements (EIS) and monitoring how Forest Service actions affect nearby communities.

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**Appendix F**

**Millard County Transportation Map**

*See Attachment*



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**Appendix G**  
**Millard County Major Utilities Corridor Preferred Map**

*See Attachment*

