



## NEWS ADVISORY

Aug. 20, 2024

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### **Utah files landmark lawsuit challenging federal control over most BLM land**

*Utah's lawsuit seeks to end unconstitutional federal control over 18.5 million acres of BLM-held land*

SALT LAKE CITY (Aug. 20, 2024) – Today, after decades of legal analysis, Utah filed a landmark public lands [lawsuit](#) asking the U.S. Supreme Court to address whether the federal government can simply hold unappropriated lands within a State indefinitely. The “unappropriated” land in question is approximately 18.5 million acres in Utah controlled by the Bureau of Land Management (BLM) under the Federal Land Policy and Management Act (FLPMA). This lawsuit will NOT impact the millions of “appropriated” acres already designated as national parks, national monuments, wilderness areas, national forests, Tribal lands, or military properties. ([see map](#)).

The federal government currently controls nearly 70 percent of the land in Utah. In comparison, the federal government owns less than one percent of the land in Connecticut, New York, and Rhode Island, and less than three percent of the land in Delaware, Maine, Massachusetts, Ohio, and Pennsylvania ([see map](#)).

“It is not a secret that we live in the most beautiful state in the nation. But, when the federal government controls two-thirds of Utah, we are extremely limited in what we can do to actively manage and protect our natural resources,” said Governor Spencer Cox. “We are committed to ensuring that Utahns of all ages and abilities have access to public lands. The BLM has increasingly failed to keep these lands accessible and appears to be pursuing a course of active closure and restriction. It is time for all Utahns to stand for our land.”

National parks, forests and other congressionally designated areas add to the beauty and economy of Utah while promoting many forms of recreation and the overall well-being of residents and visitors. But, they also represent only half of all federally controlled land in Utah. The other half, about 34 percent of the total state territory, is unappropriated land that the U.S. government is simply holding, without formally reserving it for any designated purpose. As a result, Utah is deprived of a significant measure of sovereignty compared to other states. The federal government has a formal policy, enshrined in FLPMA, of indefinitely retaining these lands, regardless of whether it needs them for any governmental purpose or how doing so impacts the interests of the state and its citizens.

“Today, we filed a historic lawsuit asking the U.S. Supreme Court to address whether the federal government can simply hold unappropriated lands within a state indefinitely. Nothing in the text of the Constitution authorizes such an inequitable practice. In fact, the Framers of the Constitution carefully limited federal power to hold land within states. Current federal land policy violates state sovereignty and offends the original and most fundamental notions of federalism,” said Attorney General Sean D. Reyes.

For more information on Utah’s historic public lands lawsuit, please visit [standforourland.utah.gov](http://standforourland.utah.gov).

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