

Testimony of Jake Garfield
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Before the Public Lands, Forests & Mining Subcommittee
Senate Energy & Natural Resources Committee
Legislative Hearing - June 7, 2022
3:00 PM

Chair Cortez Masto, Ranking Member Lee, and Members of the Subcommittee, I appreciate the opportunity to participate in the hearing today.

My name is Jake Garfield, I am the Deputy Director for the State of Utah's Public Lands Policy Coordinating Office. The role of our agency is to coordinate interactions with the Federal land management agencies and work with our partners on practical solutions to the challenges facing our public lands.

We strongly support S. 4062 and believe that its passage could significantly improve the affordable housing situation in Utah. Like many other states in the country, Utah is facing a severe housing shortage and housing affordability crisis. But the situation in Utah is particularly acute due to the lack of available private land. Approximately 63% of Utah's land area is owned by the Federal government and is thus off limits to any residential development.

Utah is second only to our neighbors in Nevada in the percentage of land within the state owned by the Federal government. It is for this reason that although Utah has a relatively low population density, our lack of available land has turned Utah into one of American's most urban states, with over 9 in 10 Utahns living in urban areas. And though there are many different causes of Utah's high cost of housing, the scarcity of undeveloped private land is certainly one of the key drivers behind Utah's affordability crisis.

Housing affordability is one of the key challenges facing Utah's economic growth, as Utahns see larger portions of their paychecks go to rent or mortgage payments, and rural communities struggle to house their workforce as more and more properties are used as second homes or vacation rentals. This is certainly a problem nationwide, but it's especially acute in Utah. We were the fastest growing state in the country before the pandemic, and the pandemic put that trend on steroids, as Americans who were suddenly freed to work remotely left larger cities and moved to places like Utah. In Utah housing prices grew 27% in 2021 over 2020 prices. And for renters, monthly prices increased by 21%.

Governor Cox and our legislature are working on a variety of ways to handle this growth and increase the housing supply, but we need the Federal government to consider what it is doing to hinder.... or help, these efforts. Opening certain BLM lands for affordable housing is a practical solution we would urge this Subcommittee to consider.

Utah is proud to be a public lands state – we cherish our public lands and want to see our public lands kept in public hands. But if even a tiny fraction of the 22.8 million acres that the BLM manages in Utah were made available for affordable housing, it could significantly increase Utah's housing stock without negatively impacting public land resources or recreational access.

The reality is that many communities in Utah are ringed by BLM lands that do not benefit either the Federal government or the public – lands with little value to recreationists, wildlife, domestic livestock or critical mineral production, but, due to their proximity to existing utilities and infrastructure, could provide excellent opportunities for new affordable housing. Indeed, many of these BLM lands are within city limits or even Federal inholdings surrounded by private land on all sides. Affordable housing development on such under-utilized Federal lands would be a true win-win scenario that reduces housing costs in Utah communities while minimizing the management burden on BLM land managers. Use of these lands for new housing could also relieve development pressure on Utah’s privately-owned farmlands, which are rapidly disappearing in many parts of Utah due to new housing developments.

To be clear – we understand that housing development on certain BLM lands will not solely solve Utah’s housing crisis – there is little, if any BLM land in densely populated northern Utah that would qualify for these affordable housing applications under this bill. But Utah’s housing affordability crisis is a statewide crisis, and there are many communities surrounded by BLM lands that would benefit from some BLM lands being made available, from the booming St. George and Cedar City metro areas to rural communities throughout southern, central, and eastern Utah which lack available private land and have seen tremendous increases in home values since the COVID-19 pandemic began.

Our fellow public lands states in the west are experiencing similar challenges, including our neighbors in Nevada. And yet housing in Nevada is still somewhat more affordable than it is in Utah, and we think it is likely that Nevada’s greater housing affordability could in part be attributed to the foresight of Senator Harry Reid and his passage of the Southern Nevada Public Land Management Act which opened certain BLM lands to development for Nevada’s residents. We respectfully request that this Subcommittee help pave the way for other western states such as Utah to similarly address the housing affordability crisis.

Thank you for giving Utah the opportunity to express our support for this bill.