



Society of Vertebrate Paleontology

SVP Headquarters • 7918 Jones Branch Drive, Suite 300
McLean, VA 22102, USA
Phone: +1 (301) 634-7024 • Fax: +1 (703) 506-3266
Email: svp@vertpaleo.org • Web: www.vertpaleo.org
FEIN: 06-0906643

February 22, 2023

The Office of Gov. Spencer J. Cox
350 N. State Street, Suite 200
P.O. Box 142220
Salt Lake City, UT 84114-2220

Subject: Comments on Utah H.B. 396

Dear Governor Cox,

We are writing you today to comment on Utah's proposed legislation H.B. 396. We represent the Society of Vertebrate Paleontology (SVP), a non-profit international scientific organization with about 2,000 researchers, educators, students, and enthusiasts—including members in Utah—to advance the science of vertebrate paleontology and to support and encourage the discovery, preservation, and protection of vertebrate fossils, fossil sites, and their geological and paleontological contexts.

SVP is concerned that the proposed bill H.B. 396 will place at risk Utah's unique and irreplaceable fossil heritage. The current Utah code that this legislation seeks to modify ensures that critical paleontological resources from Utah state lands and its subdivisions are collected, stored, researched, and displayed in ways that meet professional museum standards. These statutes and their resulting rules ensure that the world-class fossils found on Utah state lands stay in the public trust and are permanently cared for in museum institutions with appropriate professional staffing, security, and curation facilities. This ensures these fossils to be available for research, education, and display for all citizens of Utah. In contrast, H.B. 396 would remove oversight for city institutions wishing to curate fossils from city and state lands, which puts these irreplaceable resources at risk because there would be no guarantee that they would be permanently curated in an institution that meets accepted museum standards for professional staffing, physical facilities, security, and collections management guidelines. Specifically, the definition of a city paleontology museum having a "detailed plan to become an approved repository" provides no guarantee or oversight to ensure said institution meets repository standards in a timely manner. In addition, the federal regulations cited (43 CFR section 49.5) provide no detail as to the curation standards that must be met to be an "approved repository."

We emphasize that SVP is wholeheartedly support of paleontological resources being cared for, displayed, and used for educational purposes at local and regional museums in close proximity to where these fossils were discovered. Current Utah state law (code 53B-17-603-3) provides an explicit process for this through the issuing of an alternate repository agreement by the Utah Museum of Natural History (UMNH) to local institutions, and specifically requires UMNH to consider "the proximity of the ... repository to the point of origin of the collection" (code 53B-17-603-4-iii-c) when issuing such agreements. As such, the current statutes ensure permanent preservation and care of critical paleontological resources from the state of Utah, while at the same time allowing these fossils to be permanently curated and displayed at museums close to where the fossils were discovered. In contrast, proposed bill H.B. 396 puts this priceless Utah fossil heritage at risk because it removes

language from existing statutes that ensure permanent care of fossils in the public trust that meet accepted museum standards.

Comments and questions concerning our letter can be addressed to any one of us or SVP's Government Affairs Committee (c/o Dr. Kenshu Shimada) at svp@vertpaleo.org. Also, if you would like to receive our professional guidance on this matter, please do not hesitate to reach out to us. Thank you.

Yours sincerely,

Margaret E. Lewis, Ph.D.

Stuart S. Sumida, Ph.D.

Jessica M. Theodor, Ph.D.



SVP President

SVP Vice President

Past SVP President