

## Explanation of Legislative Changes in 8/2/18 Draft of CWNCRA

The Central Wasatch Commission announced that it would pursue another effort for Congressional legislation to implement Mountain Accord. Public comment has been received at public meetings beginning on June 20, through comment periods, and through informal meetings with a wide array of interests. Comments received by the Commission have been summarized and responses to those comments have been drafted and made available to the public. New Draft legislation addressing comments has been presented to the public (7/17/18), and additional comments have been received. Another, new draft of the legislation has been prepared and made available for additional public comment. The culmination of the work has been reflected in a 8/2/18 Draft and in comment summaries.

Following is a narrative describing some of the issues addressed in the 8/2/18 Draft and under consideration for further changes. New maps are being prepared that would also reflect changes that are described below.

### Bonneville Shoreline Trail

Mountain biking is precluded in wilderness areas. So as part of the Mountain Accord, an agreement was made to make limited adjustments (removals) to the existing wilderness boundaries adjacent to the Bonneville Shoreline Trail (BST) for completion of the trail as a multiple-use trail. Adjustments to wilderness were made based on the Forest Service's 2010 EA BST alignment totaling approximately 136 acres. Concerns have since been raised about the constructability of the 2010 alignment. Earlier this summer, the National Park Service Trails Assistance Program, in cooperation with the Forest Service, Trails Utah, Save Our Canyons, BST Committee, and the Sierra Club, conducted ground truthing to determine a revised alignment. The Forest Service has preliminary GIS data and will refine this alignment. Parties are working together to arrive at agreed-upon adjustments, but the work has not been completed.

### Mount Olympus Wilderness Addition

Recently, the Forest Service acquired approximately 400 acres in Millcreek Canyon from the Boy Scouts of America. It has been proposed to add this land to the Mount Olympus Wilderness Area. It's eligibility for wilderness is not known at this time. The Forest Service will check title to the property and if there were any encumbrances on the land as a condition of transfer to the Forest Service.

### Grandeur Peak – Mount Aire Wilderness Area and Fire

Concerns have been raised about fire treatment work on Forest Service lands in the proposed Grandeur Peak-Mount Aire Wilderness Area. The Commission will analyze possible solutions for the proposed wilderness area. Included in the consideration is a calculated adjustment to the new area boundary to allow for staging treatment operations and buffer from adjacent private property.

### Alta Ski Lifts

In 2015 and 2016, a part of the Mountain Accord agreement and legislation included a land exchange with the U.S. Forest Service and ancillary terms for Alta Ski Lifts that was accepted and signed by all parties. Alta Ski Lifts has informed the Central Wasatch Commission and other parties that it does not want to move ahead with the land exchange. With consideration of new legislation in 2018, efforts have been made to find a new agreement without success thus far. Town of Alta Mayor Sondak has requested an opportunity to keep exploring options, and it appears parties are agreeable and follow-up meetings are being contemplated for the end of August.

It also appears that the other parties to Mountain Accord and the legislation are prepared to support and move forward with a Bill that excludes Alta Ski Lifts. Therefore, it is recommended that Alta Ski Lifts be removed from the Bill in the permit boundary adjustment section and the land exchange, but the permit area remain in the boundaries of the CWNCRA. Alta Ski Lifts' current permits would not be impacted by passage of the legislation and it could pursue its development proposals with the Forest Service and local governments on its private lands in Grizzly Gulch. Essentially Alta Ski Lifts would retain the status quo of its present rights if they are removed from the legislation. While discussions have been amicable, a resolution isn't foreseeable at this time. However, if a new agreement is made with Alta Ski Lifts, this can be incorporated into the bill.

### Transportation Solutions in the Canyons

Concerns have been raised about congestion and increased vehicle use in the canyons during Mountain Accord and throughout consideration of Congressional legislation. Recent actions by the State of Utah through appropriations for improvements to the Little Cottonwood Canyon road and a Little Cottonwood Canyon EIS are underway to help address these needs. Provisions in the current bill address issues related to transportation corridors and forest service lands. We are working to ensure that the language in the bill would not preclude UDOT or the Forest Service from addressing these issues after the bill's enactment with a range of options now and in the future. Provisions will be considered and further vetted through the legislative process.

### Private Land and Water Rights

The language of HR 5718 contained language recognizing and protecting private property and water rights. Many public comments focused on concerns that the designations within the bill could impact private property or water rights and that the legislative provisions were not adequate or specific enough. To address these concerns, language has been added throughout to the bill to further clarify that:

- Non-federal lands within the boundary of the NCRA are excluded from the NCRA
- Management of National Forest System lands does not apply to non-federal lands within or outside of the NCRA boundary
- The Act does not affect water rights and use of water
- Water systems are included under existing water infrastructure

### Forest Service Funding

Funding is a significant barrier to addressing the wide-ranging issues within the Central Wasatch. There may be an opportunity to authorize funds for the Forest Service to implement the legislation. Language has been added to the bill for this appropriation.

### Going Forward

It is anticipated that the work of the Central Wasatch Commission will be ongoing on draft CWNCRAs legislation to assist the Utah Congressional delegation in their consideration of moving forward with and passage of legislation. Public comment will continue to be received throughout consideration of legislation for a CWNCRAs.