

Summary of Proposed Changes and Issues CWNCRA 8/19/2019 Draft Legislation

Almost 400 comments were received on the Public Review 8/19/2019 Draft of Congressional legislation to implement Mountain Accord – the fourth draft after three prior public review drafts.

Background

The Mountain Accord agreement culminated a two-year intensive collaborative effort in 2015. It was signed by the Governor, State Legislative Leadership, all local governments in and around the Central Wasatch Mountains, and major stakeholders including all the ski areas and conservation groups. Among its central objectives was pursuit and adoption of Congressional legislation to implement the Accord. A parallel, complementary objective was to accomplish transportation solutions to unacceptable traffic congestion outlined in the Accord. Both objectives were to be pursued immediately.

Congressman Chaffetz, representing the Central Wasatch Mountains, introduced legislation in 2016, late in the Congress. After he left office, the Bill languished without a sponsor. After the establishment of the Central Wasatch Commission (also sought in Mountain Accord), the pursuit of Congressional legislation was again taken up.

Issues Addressed by Proposed Amendments

The 8/19/2019 Draft legislation is organized by Section: 2, Definitions; 3, Central Wasatch National Conservation and Recreation Area; 4, Wilderness; 5, White Pine Watershed Protection Area; 6, General Provisions; 7, Land Exchanges; 8, Authorization. Proposed changes are in Track-Change form in a 11/1/2019 Draft. Draft Map changes have also been made, reflected on a map dated 10/30/2019. The following is a narrative explaining the suggested changes.

Definitions (Section 2)

FACILITY (a)(3). Added a definition to clarify that facility includes systems for water resources, flood control, electric energy, pipelines, and recreation. [Note: there is a section on facilities in the Bill: Sec. 3(m) provides for existing and new facilities.]

MOUNTAIN TRANSPORTATION SYSTEM (a)(7). Changes definition to clarify that a mountain transportation system is intended to move people between “developed” destinations. [Note: a separate definition exists for ski lifts; sections authorizing transportation improvements and management occur throughout the Draft Bill.]

SKI LIFT (a)(10). The definition has been modified to clarify that ski lifts would occur in a permitted ski area and includes use by all recreational users.

Central Wasatch National Conservation and Recreation Area. (Section 3)

PURPOSES (b)(1). Changed “wildlife” to “biological” to broaden the definition.

INCORPORATION OF PLANS (d)(4). Added reference to the Forest Service Travel Management Plan. Deleted “Cottonwood Canyons Transportation Action Plan” because that effort has been terminated by UDOT.

INCORPORATION OF ACQUIRED LANDS (g)(2). Added language to indicate that inholdings and adjacent lands acquired after the designation would become part of the Area. Needed because in map changes the Forest Service boundary has been removed to clarify the lands included in the Area are only Forest Service lands.

SKI LIFTS. (i)(3). Changed language to reinforce policy that ski lifts would only be allowed within permitted ski areas, consistent with the definition.

White Pine Watershed Management Area (Section 5)

ADMINISTRATION AND ENFORCEMENT IN WHITE PINE (5)(f). This section was added to clarify that Forest Service closures apply to White Pine, not just the Central Wasatch National Conservation and Recreation Area.

General Provisions (Section 6)

FEES (d). Added authorization for the Forest Service to apply fees to Wilderness Areas and White Pine Watershed Management Area.

Land Exchanges (Section 7)

ALTA LAND EXCHANGE (a)(2)(D). Added Section To Be Drafted to allow a placeholder for a land exchange involving Alta Ski Lifts.

MAP MODIFICATION (b) Added provisions to clarify that lands could be added to the exchange by the ski areas with a priority on inholdings and adjacent lands to the Central Wasatch National Conservation and Recreation Area, then within the WCU National Forest.

Other Land Exchange changes to the legislation will be considered that broadly address questions about land exchange proposals.

Mapping Changes.

Numerous comments identified corrections and changes that needed to be considered to the 8/19/2019 Draft Bill. Several changes have been made to correct mistakes, and to insert information relevant to the legislation.

These changes include:

- Adding boundary for the newly formed Town of Brighton
- Showing Forest Service land recently acquired in Millcreek Canyon in their appropriate designation (wilderness or Central Wasatch National Conservation and Recreation Area)
- Ski area permit boundary corrections for Solitude and Brighton
- Showing Hidden Canyon boundary addition to clearly provide a return area to the Great Western lift

Other Issues

Other issues were raised that are included in the Summary of Comments and Responses. It is anticipated that the Central Wasatch Commission will discuss those topics for additional changes to the Draft Central Wasatch National Conservation and Recreation Area legislation.

The Draft legislation has continued to receive comments that will be considered and addressed as the Central Wasatch Commission further evaluates a Bill for their action. (This legislation will continue to evolve based on ongoing comments received.)