**Suggested Specific Changes From Public Comment to**

* + 1. **Draft CWNCRA Bill**

**+ *Draft Responses***

**Ralph Becker (draft subject to changes)**

White Pine

Comment: While I am willing to accept the loss of the White Pine Watershed Protection Area to mountain bikers to ensure that wilderness adjustments are made for the Bonneville Shoreline Trail, I am troubled by two issues. One problematic issue is that the name ‘Watershed Protection Area’, which was made solely for the exclusion of mountain bikers, implies that mountain bikes are detrimental and incompatible with watershed areas. That is false and sets a bad precedent; a different name should be given. The second problematic issue, as I am told, is that this sets a precedent for having a second Federal designation that prohibits mountain bikes, in addition to the Wilderness Area designation. This should be verified and discussed with the International Mountain Bike Association.

Comment: Remove the term “and mechanical” from line number 425 in the draft legislation. the use of motor vehicles and mechanical transport, except for— Alternatively, language can instead be added under the exceptions clause that states: except for— ( ) Bicycling on designated trails.

*Response: From the first Central Wasatch National Conservation and Recreation Area Bill, introduced by Rep. Chaffetz in 2016 a negotiation between mountain biker trail advocates and the conservation advocates achieved an agreement that in return for excluding existing wilderness for a corridor for the Bonneville Shoreline Trail the White Pine access road/trail to the White Pine Dam would be exclude mountain bikers. The Central Wasatch Commission has respected that agreement in past versions of a Draft Bill. Should that provision be changed?*

*Response: The White Pine Watershed Protection Area also provides for continuation of the existing helicopter skiing permit; it is not only different from wilderness for mountain biking.*

Comment: The name ‘Watershed Protection Area’, which was made solely for the exclusion of mountain bikers, implies that mountain bikes are detrimental and incompatible with watershed areas. That is false and sets a bad precedent; a different name should be given in the Bill.

*Response: The name “Watershed Protection Area” was used to show the primary emphasis in this area is to protect this watershed as a source of drinking water that serves the Salt Lake Valley.*

Comment: Removal of helicopters in White Pine, either/or allowance for both helicopters and mountain bikes in White Pine.

*Response: The White Pine Watershed Management Area, consistent with other provisions in the Central Wasatch National Conservation and Recreation Area Bill, recognizes existing permits.*

Comment: Include White Pine drainage in the Lone Peak Wilderness.

*Response: The White Pine drainage includes existing permitted activities (helicopter skiing and a road and dam that requires maintenance) that is not allowed in wilderness. To add White Pine Watershed Protection Area to wilderness, these existing permits would be negated or become nonconforming uses.*

Grizzly Gulch Area

Comment: Forest Service land within Alta Ski Area avalanche protection zone permit area should also be included in the Central Wasatch National Conservation and Recreation Area.

*Response: The Central Wasatch Commission determined in prior drafts of the Bill that it would maintain the status quo for the Alta Ski Lifts Avalanche Protection Zone, permitted by the Forest Service.*

Comment: Provide permanent protection of Mt. Wolverine and Grizzly Gulch in the Bill. Provide language in the Bill that protects Grizzly Gulch, Patsey Marley, Wolverine Cirque, Lake Mary and the Twin Lake area.

*Response: The Central Wasatch Commission determined in prior drafts of the Bill that it would maintain the status quo for the Alta Ski Lifts Avalanche Protection Zone, permitted by the Forest Service, and private property between Alta and Brighton.*

Trails

Comment: Provide protection of Little Cottonwood Canyon Trail in the Bill.

*The existing Bill provides a corridor for the Little Cottonwood Canyon Trail in the bottom of Little Cottonwood Canyon.*

Comment: Provide formal language in the bill around more trail development in the Tri Canyons,

*Response: The Bill, in requiring a new Plan for the new designations in the Bill, would include a review of trails in the Central Wasatch National Conservation and Recreation Area.*

Bonneville Shoreline Trail

Comment: The legislation should have a sentence specifying legislative intent of the BST wilderness boundary adjustments – “Sec. 4 (a) The boundaries of the Mount Olympus, Twin Peaks, and Lone Peak Wilderness Areas shall be adjusted for the purpose of making the existing and future Bonneville Shoreline Trail alignment located outside of the designated wilderness so that the trail can be legally used by mountain bikes.”

Comment: Adjust bill language to mirror that found in the Bonneville Shoreline Trail Advancement Act (S. 4215/H.R. 7626). Additionally, we support the addition of bill language to make clear that the purpose of the adjustment is to facilitate construction of the trail and use by mountain bikers, among other user groups.

Comment: The boundaries of the Mount Olympus, Twin Peaks, and Lone Peak Wilderness Areas should be adjusted for the purpose of ensuring the existing and future Bonneville Shoreline Trail is aligned outside of the designated wilderness so that it can be constructed efficiently and legally utilized by mountain bikes in its entirety. The CWNCRA proposal uses as minimal adjustments necessary to achieve this intent. The current acreage reduction described and/or map depictions of the adjustments in the legislative maps and language is a carry over from earlier premature analysis and therefore is incomplete and/or inaccurate at this time. We recommend the CWNCRA mirror the most accurate and up-to-date language found in the H.R.7626 Bonneville Shoreline Trail Advancement Act.

*Response: In past drafts of the Central Wasatch National Conservation and Recreation Area Bill, the Central Wasatch Commission, working with Congressional representatives and drafters, has relied on the map showing the areas excluded form Wilderness Areas. That exclusion would allow for mountain biking in the corridor for the Bonneville Shoreline Trail. Having specific language that specifies intended uses is not normally part of the Bill provisions, but is often included in Committee Report language where intent is expressed.*

*The provisions of S. 4215 and H.R. 7626 (same bill for the U.S. Senate and U.S. House), identify the lands and acreages to be removed from existing Wilderness Areas (Sec. 3(b), Sec. 3(c) and Sec. 3(d)) are consistent with the approach in the draft Central Wasatch National Conservation and Recreation Area Bill; they only identify the lands to be removed from Wilderness Areas. The Central Wasatch Commission will continue to update language to reflect the drafting standards for Congress.*

Transportation

Comment: Provide language in the bill ensuring transit access at trailheads.

*Response: Nothing in the existing Draft Central Wasatch National Conservation and Recreation Area Bill would prevent access to trailheads for transit.*

Funding/Fees

Comment: I support creating the CWNCRA in that it can be a mechanism to establish an entry fee area.

Revenues generated can fund operations, maintenance, improvements to infrastructure, complete environmental restoration, transportation projects, and purchase of private in-holdings from willing sellers.

*Response: Section 6(d) of the draft Central Wasatch National Conservation and Recreation Area Bill includes to provision for the Forest Service to collect fees.*

Mapping

Comment: The map provided with the legislation continues to have inadequate detail. We need a GIS map that can be magnified in sufficient resolution to see details. This is important for issues such as the Bonneville Shoreline Trail wilderness adjustments and the alignment of the White Pine Watershed Protection Area.

Need for a GIS map that can be magnified in sufficient resolution to see details.

*Response: For purposes of providing an intelligible map for public review, the map accompanying the draft Central Wasatch National Conservation and Recreation Area Bill has been made to fit on standard-size pages. If anyone wants a more detailed map, it can be made available upon request. (Staff has provided the more detailed map information in response to requests.)*

Ski Resort Support

Comment: Provide language in the Bill that illustrates full support of four ski resorts.

*Response: Legislation deals with the substance of law, not the support or opposition of interested parties.*

Specific Recreation Uses – rock climbing use

Comment: Provide language in the Bill specifying intent of the BST wilderness boundary adjustments – “Sec. 4 (a) The boundaries of the Mount Olympus, Twin Peaks, and Lone Peak Wilderness Areas shall be adjusted for the purpose of making the existing and future Bonneville Shoreline Trail alignment located outside of the designated wilderness so that the trail can be legally used by mountain bikes.”

To line 157, to state: “(D) promote public safety, including through avalanche control and maintenance of fixed anchors for climbing.”

To line 278, adding a new subsection stating:

(m) FIXED ANCHOR MAINTENANCE. —The Secretary shall allow the maintenance (including replacement) of fixed anchors for climbing within the Conservation and Recreation Area to protect public health and property in accordance with the management plan and applicable law (including regulations); and

· Prefatory language specifically calling out climbing, alongside other sustainable recreational uses like mountain biking, backcountry skiing, and hiking, as recreational activities the bill aims to protect and enhance.

*Response: The draft Central Wasatch National Conservation and Recreation Area Bill does not generally specify specific uses beyond general categories, e.g., recreation. A definition could be added to the Bill to indicate the types of recreation that are generally recognized. It would need to include language that does not limit recreation uses to those specifically listed in the Bill.*

*Regarding Fixed Anchors: Nothing in the Bill and definitions would prohibit fixed anchors within the Central Wasatch National Conservation and Recreation Area. Bill drafters can check with Congressional drafting about adding language. In general, the Central Wasatch National Conservation and Recreation Area would not prohibit activities like fixed anchor maintenance. This issue could also be addressed in Congressional Committee reports where intent language is often found.*

Interconnect Exclusion

Comment: Add language to the Bill that blocks ski interconnect

Add language to the Bill precluding a canyon-to-canyon connection between BCC and Little Cottonwood Canyon.

*Response: The current draft Central Wasatch National Conservation and Recreation Area does not address the potential to have transportation solutions, including connecting Little Cottonwood Canyon and Big Cottonwood Canyon. It is the intent in the draft Bill to leave open a corridor and options for connecting areas within the Central Wasatch Mountains while excluding certain sensitive areas from potential connections. That is reflected in the boundaries for the Central Wasatch National Conservation and Recreation Area that would exclude development in those areas so designated.*

Purpose Language Addition – Balancing Recreation Uses

Comment: Provide language in the bill that confirms the need to preserve those lands and the existing balance of resort and backcountry terrain in the Central Wasatch.

*Response: The draft Central Wasatch National Conservation and Recreation Area Bill has several ways to balance existing development and businesses with land preservation. The Bill recognizes existing rights and permits (Secs 3, 4, 5, and 6), and creates new designations where new development would not be permitted (wilderness, Central Wasatch National Conservation and Recreation Area, and White Pine Watershed Protection Area) and dispersed recreation uses would predominate.*