

Effective 5/13/2014

63J-8-105.1 State of Utah Transportation Plan for the Cedar City, Powell, Escalante, and Fremont ranger districts of the Dixie National Forest.

- (1)
 - (a) The state of Utah designates this state of Utah transportation plan for the Cedar City, Powell, Escalante, and Fremont ranger districts of the Dixie National Forest.
 - (b) The plan was established pursuant to:
 - (i) the requirement in the United States Forest Service's Multiple-Use Sustained-Yield Act of 1960, 16 U.S.C. Sec. 528, that lands within the national forests be managed according to the principles of multiple use; and
 - (ii) the right which FLPMA, the National Environmental Policy Act, 42 U.S.C. Sec. 4321 et seq., and the Federal Advisory Committee Act, 5 U.S.C. Appendix 2, give to state and local governments to participate in all BLM and United States Forest Service efforts to plan for the responsible use of BLM and United States Forest Service lands and the requirement that BLM and the United States Forest Service coordinate planning efforts with those of state and local governments.
 - (c) This section is a statement of the state of Utah's policy and plan for a desired transportation system for the Cedar City, Powell, Escalante, and Fremont ranger districts of the Dixie National Forest.
 - (d) This section does not mandate compliance with this policy by the United States Forest Service nor does it override or usurp the United States Forest Service's authority within this area.
 - (e) This section is a statement of state policy for use by the United States Forest Service and other interested stakeholders as required by federal law in making planning decisions and project management decisions within the Cedar City, Powell, Escalante, and Fremont ranger districts of the Dixie National Forest.
- (2) There is established and designated a state of Utah transportation plan for the Cedar City, Powell, Escalante, and Fremont ranger districts of the Dixie National Forest in Garfield, Iron, Kane, and Wayne counties, Utah for the purpose of:
 - (a) preserving and protecting against threats to the longstanding transportation networks that have served the public for decades within these ranger districts;
 - (b) preserving and protecting against threats to the longstanding traditional recreation resource values that have served the public for decades within these ranger districts;
 - (c) preserving and protecting against threats to the longstanding public road access that is vital to the agricultural livestock and forest products industries within these ranger districts;
 - (d) preserving and protecting against threats to the significant history, culture, customs, and economic values in these ranger districts, and in the various communities situated near these ranger districts;
 - (e) preserving and protecting against threats to the civil rights of the disabled, the elderly, and the economically disadvantaged to have access to the great outdoor resource and values existing in these ranger districts;
 - (f) preserving and protecting against threats to road networks vital to restoring, reclaiming, preserving, protecting, enhancing, and developing the state's water resources on the watersheds existing within these ranger districts;
 - (g) protecting, preserving, and enhancing affected natural, historical, and cultural activities within these ranger districts from ongoing threats; and
 - (h) preserving and protecting the longstanding network of publicly accessible roads within these ranger districts, in order to protect:

- (i) the health, safety, and welfare of citizens who live near these ranger districts, and persons who visit and recreate therein, from the threat of catastrophic fire and its resulting problems of watershed and habitat destruction, erosion, silt load, and flooding, which can only be managed, prevented, combatted, and mitigated through a proper transportation network throughout these ranger districts;
 - (ii) hunter access to manage wildlife populations; and
 - (iii) forage conditions for livestock grazing and wildlife habitat.
- (3) The state of Utah transportation plan for the Cedar City, Powell, Escalante, and Fremont ranger districts of the Dixie National Forest consists of all roads shown in the map jointly prepared by the Garfield, Iron, Kane, and Wayne County GIS departments in February 2014, entitled "State of Utah Transportation Plan for Dixie National Forest," printed copies of which will be maintained by the Utah Association of Counties and made available to the public upon request.
- (4)
 - (a)
 - (i) The map described in Subsection (3) also documents the move by Dixie National Forest to close and otherwise deny the public's longstanding access to many of the roads shown on the map in the Cedar City, Powell, Escalante, and Fremont ranger districts, by reason of the United States Forest Service's implementing a recent motorized travel plan for the Dixie National Forest.
 - (ii) These closures and other denials of public road access through the motorized travel plan of the Dixie National Forest constitute an ongoing direct threat to the resources and values referenced in Subsection (2).
 - (b) The state of Utah's transportation plan for these ranger districts conflicts with the United States Forest Service's recent motorized travel plan for the Dixie National Forest.
 - (c) The state of Utah's transportation plan for these ranger districts recognizes that all roads shown on the map referenced in Subsection (3) should be kept open to the public.
- (5) The state finds that keeping open to the public all roads shown on the map referenced in Subsection (3) is necessary and vital to preserve and protect the values cited in Subsection (2).
- (6) The state requests that the federal agencies that administer lands within the Cedar City, Powell, Escalante, and Fremont ranger districts of the Dixie National Forest:
 - (a) fully cooperate and coordinate with the state of Utah and the respective counties in which these ranger districts lie, to develop, amend, and implement United States Forest Service land and resource management plans and transportation plans, and implement management decisions pursuant to those plans, that are consistent with the purposes, goals, and policies described in this section to the maximum extent allowed under federal law;
 - (b) enter into agreements regarding the maintenance, upkeep, and improvement of roads in these ranger districts;
 - (c) refrain from any planning decisions and management actions that will undermine, restrict, or diminish the goals, purposes, and policies as stated in this section; and
 - (d) refrain from implementing a policy that is contrary to the goals and purposes described within this section.
- (7)
 - (a) The state recognizes the importance of longstanding road networks in all national forests in the state but establishes this transportation plan to provide special protection and preservation against the identified threats found to exist in the Cedar City, Powell, Escalante, and Fremont ranger districts of the Dixie National Forest.
 - (b) It is the intent of the state to designate additional forest transportation plans in future years as circumstances warrant their special protection and preservation.

- (8) The state calls upon applicable federal, state, and local agencies to coordinate with each other and establish applicable intergovernmental standing commissions, with membership consisting of representatives from the United States government, the state of Utah, and local governments, to coordinate and achieve consistency in planning decisions and management actions consistent with the goals and policies of this section for the Cedar City, Powell, Escalante, and Fremont ranger districts of the Dixie National Forest.

Enacted by Chapter 361, 2014 General Session