



UTAH STATE LEGISLATURE

FEDERALISM COMMISSION

Utah State Senate
Utah House of Representatives

At the September 19, 2019, Federalism Commission meeting, the commission discussed and heard public comment related to proposed federal legislation that creates a National Conservation and Recreation Area in the Central Wasatch Mountains. At the request of Representative Stratton, commission staff prepared a summary of the concerns voiced by stakeholders¹ at the September 19 meeting. Stakeholder concerns generally fell under three broad categories: transportation challenges, land exchanges, and land management.

Transportation Concerns

The Utah Department of Transportation (UDOT) is currently undertaking an environmental and public planning effort to develop transportation solutions for Little Cottonwood Canyon, Wasatch Boulevard, and Big Cottonwood Canyon. It is anticipated that a final proposal will be completed in early 2021 and will address mobility, parking, traffic congestion, transit, tolling, and avalanche mitigation.²

- **Stakeholder Concern #1: The proposed federal legislation may restrict or complicate efforts to provide transportation solutions.** *Transportation issues in the Cottonwood Canyons have not been resolved and having a new federal land designation overlay may restrict or complicate efforts to provide solutions.*
- **Stakeholder Concern #2: The proposed federal legislation does not allow for the evaluation of all types of transportation options.** *In 2012, the Utah State Legislature and Governor adopted S.C.R. 10, expressing support for low-impact interconnection between Summit County and Cottonwood Canyon ski areas, citing economic and environmental benefits. By including public lands adjacent to SR 190 and 210 and the public lands between the canyons within the boundary of the land designation area, the federal legislation may prevent non-vehicular solutions such as trams and gondolas. In addition, there is concern that the proposed federal legislation does not allow for any new roads.*
- **Stakeholder Concern #3: The proposed federal legislation includes state roads in the new federal land designation area.** *State roads should not be included in the proposed federal land designation area because their inclusion may impede the state's ability to improve transportation infrastructure or employ new transportation solutions.*
- **Stakeholder Concern #4: The proposed federal legislation does not address emergency egress in Little Cottonwood Canyon and Big Cottonwood Canyon.**
- **Stakeholder Concern #5: The proposed federal legislation is premature and should be delayed until UDOT's planning efforts are completed.**

¹ Stakeholders expressing concerns at the 9/19/19 Federalism Commission meeting included: Granite Community Council, Big Cottonwood Community Council, Alta Ski Area, Bill Clayton, and Robert Cameron.

² <https://www.udot.utah.gov/littlecottonwoodeis/>

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Land Exchange Concerns

The proposed federal legislation allows for land exchanges between the U.S. Forest Service and the ski areas in Big Cottonwood Canyon and Little Cottonwood Canyon.

- ***Stakeholder Concern #6: There is concern that the proposed land exchanges between the U.S. Forest Service and the ski areas are not viable due to land valuation differences and concerns over mining overburden contamination.***

Land Management Concerns

The National Forest Management Act (NFMA) requires the U.S. Forest Service to develop management plans for all national forests. The NFMA also directs the Secretary of Agriculture to develop regulations that set out the process for the development and revision of land management plans, guidelines, and standards. Under federal regulation 36 CFR § 219.4, the U.S. Forest Service is required to engage and coordinate with state and local governments in the land management planning process.³

- ***Stakeholder Concern #7: Any management plan developed for the Central Wasatch Mountains should be locally driven and approved by the Legislature.***
- ***Stakeholder Concern #8: There is no existing model of public lands that are managed as both a conservation area and a recreation area. This could lead to significant unpredictability in how the area will ultimately be managed.***
- ***Stakeholder Concern #9: The proposed federal legislation could limit the ability to maintain or replace utilities on non-federally owned lands. The Central Wasatch Commission should consult with utility providers and private landowners to ensure that the proposed legislation does not limit their ability to maintain or replace utility infrastructure in the future.***
- ***Stakeholder Concern #10: The maps included with the proposed federal legislation do not include the new Town of Brighton. It is unclear how much of the proposed federal land designation overlays the new Town of Brighton, which may limit the town's ability to maintain and manage infrastructure. The proposed legislation should not move forward until the Town of Brighton is incorporated in January 2020.***
- ***Stakeholder Concern #11: The ability to fight wildfires in wilderness areas is limited. There is concern that the additional wilderness proposed in the federal legislation may increase fire risk in the Cottonwood Canyons.***

³ [36 CFR § 219.4](#)

