



HB200 Outdoor Recreation Amendments *Representative Cutler*

Background

This bill does two things:

- 1) Changes a committee to which the Division of Outdoor Recreation submits a report (from Business, Economic Development, and Labor Appropriations Subcommittee to Natural Resources, Agriculture, and Environmental Quality Appropriations Subcommittee)
Lines 92-94 (UCA 79-8-203)
Why: This was an oversight when the Office of Outdoor Recreation (part of GOEO) was merged into the Division of Outdoor Recreation (part of DNR) in 2022.
- 2) Updates a section of code dealing with lands the State can prioritize to keep open in the case of a federal government shutdown. This change would allow the State to include lands managed by the U.S. Fish and Wildlife Service.
Lines 26-51 (UCA 79-7-602)
Why: If the federal government shuts down, UCA 79-9-602 gives the Governor authority to keep some federal lands open "if financially practicable." This statute also gives the Division of Outdoor Recreation the authority to establish, via administrative rule, the prioritization list of federal lands. Current code allows for: national parks, national monuments, national forests, and national recreation areas. This change would allow DOR to include lands managed by the U.S. Fish and Wildlife Service, areas like the Bear River Migratory Bird Refuge, to be added to the list of priority areas
The current list is in R650-103.

DIVISIONS



OFFICES



R650-103. Natural Resources, Outdoor Recreation.

R650-103. Fiscal Emergency Contingent Management of Federal Lands.

R650-103-1. Purpose.

The purpose of this rule is to address the variability of core natural assets that could be affected by a shut-down. The following list is the recommendations for prioritizing the opening of federal lands that would be affected. The priority list reflects minimizing the economic impact on Utah and the subsequent gateway communities.

R650-103-2. Authority.

In accordance with Subsections 79-4-1103(2) and (3), this rule establishes the priority for opening and maintaining national parks, national monuments, national forests, and national recreation areas in the state during a fiscal emergency.

R650-103-3. Definitions.

This rule adopts the definitions set forth in Section 79-4-1101.

R650-103-4. Priority List.

(1) This rule has no effect until the requirements of Section 79-4-1102 have been satisfied.

(2) The following federally managed natural assets constitute locations in Utah, to be known as Tier I priorities. These assets should be funded to remain open year-round because of their significant economic contributions to nearby communities:

- (a) Arches National Park;
- (b) Bryce National Park;
- (c) Canyonlands National Park;
- (d) Capitol Reef National Park;
- (e) Zion National Park;
- (f) Cedar Breaks National Monument; and
- (g) Glen Canyon National Recreation Area.

(3) The following constitute natural assets that generate significant seasonal value for local communities and will be known as Tier II priorities. These assets should remain open during the specified seasonal period once each Tier I location has been funded for opening during a fiscal emergency:

- (a) Bears Ears National Monument, April 1 through October 31;
- (b) Dinosaur National Monument, May 1 through October 31;
- (c) Golden Spike National Historic Park, May 1 through August 31;
- (d) Grand Staircase-Escalante National Monument, April 1 through October 31; and
- (i) the Monument would remain open to dispersed recreation; supplemental funding would be required to open the visitor centers and process guiding permits;
- (e) Hovenweep National Monument, April 1 through October 31;
- (f) Flaming Gorge National Recreation Area, May 15 through September 15; and
- (i) Flaming Gorge is the only natural asset being managed by the National Forest Service that would require a separate agreement with the Department of Agriculture; and
- (ii) the boat ramp and dispersed recreation would remain open to the public in the event of a fiscal emergency, supplemental funding would be required to allow the local concessionaires to remain open;
- (f) San Juan River Special Recreation Management Area, March 1 through November 30; and
- (i) supplemental funding would facilitate permit holders and concessionaires to continue to run the San Juan River;
- (g) Desolation Canyon Special Recreation Management Area, May 1 through October 31; and
- (i) supplemental funding would facilitate permit holders and concessionaires to continue to run the Green River;
- (h) Two Rivers Special Recreation Management Area, April 1 through October 31; and
- (i) supplemental funding would facilitate permit holders and concessionaires to continue to run the Westwater section of the Colorado River.

(j) Natural Bridges National Monument.

(4) The following locations, to be known as Tier III assets, require no supplemental funding in the event of a fiscal emergency. There is a general understanding with the Federal Public Land Managers that these assets should remain open to dispersed recreation as defined by the Federal Public Land Managers:

(a) Private concessionaires within the National Forest areas will be subject to the closure rules dictated by the Department of the Interior unless a Memorandum of Understanding with the regional Forest Service office can be negotiated; and

(b) the negotiation of the MOU will be initiated by the Executive Director of the Department of Natural Resources in consultation with the Director of the Office of Outdoor Recreation:

- (i) Ashley National Forest;
- (ii) Dixie National Forest;
- (iii) Fishlake National Forest;
- (iv) Manti-La Sal National Forest;
- (v) Uinta-Wasatch-Cache National Forest; and
- (vi) Any other BLM Special Recreation Management Areas not delineated in another section of this rule

(5) The following natural assets are not recommended to be opened and maintained during a fiscal emergency due to their minimal contribution to the local economies:

- (a) Hovenweep National Monument;
- (b) Timpanogos Cave National Monument; and
- (c) Little Sahara Special Recreation Management Area;
- (i) the gates would be closed, and public access would not be permitted during a fiscal emergency; and
- (d) Knolls Special Recreation Management Area.
- (i) the gates would be closed, and public access would not be permitted during a fiscal emergency.

(6) This section is designed in anticipation that a shut-down would likely occur in the fall and last for ten days or less.

The state funding considerations and the priorities may vary based on the time of year and the corresponding recreational assets that will be opened at that time.

KEY: federal lands, federal shutdown, fiscal emergency

Date of Last Change: December 23, 2024

Authorizing, and Implemented or Interpreted Law: 79-4-1103