

1 **CONCURRENT RESOLUTION - OLD SPANISH TRAIL**

2 **DESIGNATION**

3 2016 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Ralph Okerlund**

6 House Sponsor: Kay L. McIff

7

8 **LONG TITLE**

9 **General Description:**

10 This concurrent resolution of the Legislature and the Governor urges the National Park
11 Service to include the Fish Lake Cutoff in the official designation of the Old Spanish
12 Trail.

13 **Highlighted Provisions:**

14 This resolution:

15 ▶ urges the National Park Service to include the 72-mile trail known as the Fish Lake
16 Cutoff, which joins the main branch of the Old Spanish Trail at the confluence of
17 the East Fork of the Sevier and the Sevier River near Junction, Utah, in the official
18 designation of the Old Spanish Trail.

19 **Special Clauses:**

20 None

21

22 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

23 WHEREAS, the Old Spanish Trail was an early western trade route between Santa Fe,
24 New Mexico, and Los Angeles, California;

25 WHEREAS, the Old Spanish Trail was used by traders, trappers, emigrants, and
26 possibly prospectors;

27 WHEREAS, there are several shortcuts and detours on the Old Spanish Trail, but none



28 are better documented than the Fish Lake Cutoff in central Utah;

29 WHEREAS, the 72-mile long Fish Lake Cutoff, called the "Summer Branch," was
30 defined by Captain John W. Gunnison in 1853;

31 WHEREAS, the Fish Lake Cutoff split from the main branch of the Old Spanish Trail
32 two and a half miles south from Ivie Creek in Red Creek Canyon;

33 WHEREAS, the Fish Lake Cutoff rejoins the main branch of the Old Spanish Trail at
34 the confluence of the East Fork of the Sevier and the Sevier River near Junction, Utah;

35 WHEREAS, the Fish Lake Cutoff shaved only 21 miles from the journey of trail
36 travelers, but it led them to the lush grasses in Johnson Valley and Fish Lake, which teemed
37 with fish that provided much needed protein;

38 WHEREAS, the Fish Lake Cutoff enters the Fish Lake Basin from the banks of Lake
39 Creek on the north end of the lake;

40 WHEREAS, the trail passes within a hundred feet of the of the Moon Ridge fishing
41 village;

42 WHEREAS, this site was recorded in the early 1990s by Lincoln Land Community
43 College of Springfield, Illinois;

44 WHEREAS, in 1996, the site was excavated by a BYU archaeological field school,
45 which discovered a fishing village intermittently used from roughly 300 A.D. into the Late
46 Prehistoric period;

47 WHEREAS, historic trade goods were found in the upper levels of the site, including
48 metal arrow points, a moccasin awl, tinklers, and glass beads from approximately 1840;

49 WHEREAS, recent surveys by the Fishlake National Forest along the Fish Lake Cutoff
50 found conclusive proof that the trail was heavily used during the heyday of the Old Spanish
51 Trail;

52 WHEREAS, the tree ring studies document the use of both the Fish Lake Cutoff and the
53 Old Spanish Trail before 1829, suggesting that the Old Spanish Trail and Fish Lake Cutoff
54 travelers were following a well-established system of trails established by Spanish merchants
55 and perhaps prospectors 34 years before the previously estimated period of use;

56 WHEREAS, some of the trail travelers that used the Fish Lake Cutoff, or were nearby
57 at the junction of the main branch, include Kit Carson, Lieutenant George Brewerton, Jedediah
58 Smith, Orville Pratt, Benjamin Chouteau, Denis Julien, Lieutenant E. K. Beale, Lieutenant

59 E.G. Beckwith, Colonel W.W. Loring, the Elk Mountain Mission, and Wakara;

60 WHEREAS, beginning in 2009 the Fishlake National Forest began an intensive
61 archaeological survey of the multiple corridors of the Old Spanish Trail and the Fish Lake
62 Cutoff;

63 WHEREAS, the archaeological survey has employed a variety of methods to unlock the
64 keys to the story of Utah's sections of the Old Spanish Trail and the Fish Lake Cutoff, including
65 pedestrian survey, satellite imagery, computer image enhancement programs,
66 dendrochronology, protein residue analysis, historical research, herding strategies and stock
67 movement, communications with professional peers, and the involvement of the general
68 public;

69 WHEREAS, these efforts were awarded by the concurrence of the Utah State Historic
70 Preservation Officer that the Utah sections of the Old Spanish Trail and the Fish Lake Cutoff
71 were eligible for inclusion on the National Register of Historic Places;

72 WHEREAS, in 2013, the Utah sections of the Old Spanish Trail and the Fish Lake
73 Cutoff were listed by the Keeper of the National Register of Historic Places, or "Keeper of the
74 Register";

75 WHEREAS, due to the eligibility determination of both the Old Spanish Trail and the
76 Fish Lake Cutoff segments in the Fishlake National Forest, Utah is required by the National
77 Historic Preservation Act of 1966, as amended, to protect and preserve Utah's section of the
78 trails from internal and external impacting agents;

79 WHEREAS, a management plan is also being prepared to guide management practices
80 and allow the public to enjoy these historical wonders; and

81 WHEREAS, inclusion of the Fish Lake Cutoff in the official designation of the Old
82 Spanish Trail would be a fitting capstone to all of the efforts over many years to recognize the
83 complete expanse of this trail:

84 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
85 Governor concurring therein, urge the National Park Service to include the 72-mile trail known
86 as the Fish Lake Cutoff, which joins the main branch of the Old Spanish Trail at the confluence
87 of the East Fork of the Sevier and the Sevier River near Junction, Utah, in the official
88 designation of the Old Spanish Trail.

89 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the National

- 90 Park Service, the Lincoln Land Community College, the Brigham Young University
91 Department of Anthropology, the Fishlake National Forest Offices, the Utah State Historic
92 Preservation Officer, and the Keeper of the National Register of Historic Places.
-
-

Legislative Review Note
Office of Legislative Research and General Counsel