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Chapter Five

Public Lands

Introduction

Wasatch County is one of the smaller counties in the state with a total surface area of 1,207 square miles of which 68.24 percent consists of public lands managed by federal or state agencies. (See Table 21) These lands and their resources cannot be separated from the quality of life of Wasatch County by providing employment, forest products, open space, wildlife habitat, forage for livestock, recreation, and numerous other social and economic benefits. The agriculture, recreation and tourism, timber, minerals and oil and gas industries are vital to the economy of Wasatch County and require access to public lands.

The Utah Department of Workforce Services 1999 data indicate that lodging, recreation and restaurants provide 968 of the 6,227 nonagricultural jobs in Wasatch County. Service employment in Wasatch County is second only to trade employment with a total of 1,128 jobs (24.0 percent of workforce). With the tourist based economy of Wasatch County, restaurants are the largest employment area within the trade division and lodging is the leader in the service industry. Service and Trade industries generate over \$41.7 million annually to Wasatch County.

Access to and across public lands is vitally important for resource management and development. Wasatch County will exercise its right to participate in the planning and decision-making processes associated with public lands to the extent allowed by law. The County will seek to become a “cooperating agency” in the preparation of federal land and natural resource management plans and associated Environmental Impact Statements (EISs) that may affect the County by the outcome of the process.

Table 21
Land Ownership of Wasatch County, Utah

Land Owner	Acres	Percent of County
Forest Service	416,495	53.89
Bureau of Land Management	3,384	0.43
State Trust Lands	19,576	2.54
Ute Indians	2,206	0.28
Bureau of Reclamation	1,195	0.16
Water Bodies	22,598	2.93
State Parks	27,262	3.53
Division of Wildlife Resources	34,707	4.48
City and Towns	6,222	0.81
Private		
less than one acre	1,620	0.21
over one acre up to 5 acres	4,610	0.59
over 5 acres up to 10 acres	4,191	0.54
over 10 acres up to 20 acres	5,883	0.76
over 20 acres up to 40 acres	7,847	1.01
over 40 acres up to 160 acres	5,144	0.67
greater than 160 acres	209,995	27.17
TOTAL ACRES	772,835	100.00

Wasatch County supports the wise use, conservation and protection of public lands and their resources, including well-planned management prescriptions. It is the County's position that public lands be managed for multiple use, sustained yields, prevention of waste of natural resources, and to protect the health and welfare of the public. It is important to the County economy that public lands be properly managed to provide employment, quality of life, forest products, open space, habitat for fish and wildlife, livestock production, timber harvest, recreation, clean and reliable water production, energy production, mineral extraction and the preservation of natural scenic, scientific and historical values.

Multiple use and sustained yield management means that state and federal agencies shall develop and implement land and resource management plans and make other resource-use decisions which facilitate land and natural resources use allocations. These allocations must support the specific plans, programs, processes, and policies of state agencies and local governments. Such land and resource management plans shall be designed to produce and provide the watersheds, food, fiber, and minerals necessary to meet future economic growth needs and community expansion. Such plans shall meet the recreational needs of the citizens of Wasatch County and the state without permanent impairment of the productivity of the land.

In support of the national interest in energy independence and in consideration of the nation's increasing dependence on foreign oil, it is important that public lands remain open for oil and gas exploration and production.

The County recognizes that federal agencies are mandated to manage public lands according to federal laws, policies, and regulations established within the framework of the U. S. Constitution, including the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), the Federal Land Policy and Management Act (FLPMA), the National Forest Management Act (NFMA), the Wilderness Act, the Utah Wilderness Act and the Wild and Scenic Rivers Act.

Federal Agencies, under FLPMA, are required to ensure that federal land use plans are consistent with state and local plans to the maximum extent possible (provided the Secretary finds such plans to be consistent with federal law and the purposes of the act). Under NEPA, federal agencies are required to integrate environmental impact statements into state or local planning processes. Statements shall discuss any inconsistency of a proposed action with approved state or local plans or laws (whether or not federally sanctioned). Where an inconsistency exists, the statement should describe the extent to which the federal agency would reconcile its proposed action with the plan or law.

Under federal law, counties have the power to request a yearly list of activities that are scheduled to occur within the county from each federal management agency. Counties have the right to be involved in public lands planning before the general public has the opportunity to be involved and before a preferred alternative is selected. The Public Lands Committee will review state and federal proposed activities and will make recommendations to the county as directed by the county master plan. The county may request that monitoring occur to determine the effects that land and resource management plans have on the local economy. The county is allowed to define what constitutes "community or economic stability."

Utah Code 63-38d-401, as amended by House Bill 88 (2004 Utah Legislature) provides a mechanism for improved coordination between government at the local, state and federal levels with respect to federal land management and requires the state planning coordinator to make certain findings (set forth in the state code) before lending state support to a proposed federal action. The provisions of Utah Code 63-38d-401 are incorporated herein by reference.

Purpose

Law and regulation dictate public land management. Various laws and regulations require public land managers to involve local government in the planning and decision-making processes. Further, federal and state land managers are required to ensure that land use plans and management decisions are consistent with local government's approved plans, ordinances and policies to the fullest extent possible while maintaining consistency with federal law.

This amendment to the public lands portion of the Wasatch County General Plan clearly and concisely state County policy, issues and objectives, and will be used by federal and state public land management agencies during public land planning efforts and decision-making processes.

This policy document has been developed to protect the interests of Wasatch County, the State of Utah, and the Nation. It is designed to ensure the spirit and intent of the laws, regulations, and policies that govern and manage public lands. This policy document also provides the basis for federal and state consistency analysis.

This policy document and subsequent implementation plans are to be followed unless inconsistent with any statute or duly promulgated regulation. Should any part of this policy document or implementation plan be found inconsistent with such statute or regulation, or found by a court with competent jurisdiction to be void, unenforceable, or invalid, the remaining provision or parts shall nevertheless remain in full force and effect. For the purpose of this policy, all reference to analysis means NEPA analysis, unless otherwise specified.

Objectives

The following objectives will guide the development of implementation to be used under this section and are a guide for public land managers during consistency review, planning and management processes. If the provisions of this policy document are germane to a proposal involving public lands planning by a state or federal agency, such agency shall consider the contents of this policy document in the decision-making process along with advice offered by Wasatch County during the process.

The County's objectives are:

- a. To support the wise use, conservation and protection of public lands and resources, including well-planned management prescriptions.
- b. To ensure that public lands are managed for multiple use and sustained yield and to prevent waste and deterioration of natural resources. Further, these lands should be managed to prevent the loss of resources (and private property that may be located within or near public lands) from catastrophic events including, but not limited to, fire, flooding, and insect and disease outbreaks and to protect the safety and health of the public.
- c. All plans and management decisions must ensure that special designations do not influence the use of resources on lands not listed. Wasatch County opposes the use of a buffer zone management philosophy that dictates land use practices and influences decisions beyond the scope and boundaries of the designations. Wasatch County also opposes the imposition of Areas of Critical Environmental Concern (ACEC) classifications or Visual Resource Management (VRM) classifications as substitutes for former Wilderness Inventory Units or so-called Citizens' Proposed Wilderness Units, or as means to displace formerly valid surface occupying multiple use activities. It is the position of Wasatch County that the ACEC and VRM classifications are improper management tools unless narrowly drawn and tailored, both geographically and programmatically, to effect only those minimal restrictions which are actually necessary to prevent irreparable damage to valid and relevant resource values. Imposing ACEC classifications in the name of "protecting scenic values" is an improper use of the ACEC tool, which contradicts this County policy. Imposing VRM classifications that result in the prohibition of formerly valid surface occupying or surface disturbing activities is an improper use of the VRM tool, which contradicts Wasatch County policy.
- d. Restrictions placed on any resource must be based on trend analysis and only imposed after a complete analysis.
- e. Lands designated open for specific uses should be available on a timely basis. If such use is not covered in a resource management plan (RMP), then it will be analyzed in a separate document or by amendment to the RMP. Extended delays or no action will

not be used as methods to accomplish land management agency goals.

- f. To protect and preserve the historical sites for the benefit of future generations.

It is the position of Wasatch County that public land agencies must consult with Wasatch County on plans or actions as directed by cooperating agency status. State Agencies will consult with Wasatch County as required by state law or by mutual agreement with the county. Federal public land agencies shall:

- a. Grant the County Cooperating Agency Status on any proposed actions within the NEPA process. The County shall be notified regarding natural resource area management actions and participate accordingly.
- b. File a written report detailing how consistency was analyzed with respect to agency actions or plans. The report must identify where inconsistencies exist, why consistency is impossible, and any plausible way to correct the inconsistencies.
- c. Provide an opportunity for Wasatch County to have meaningful participation in the development, monitoring and analysis of any studies conducted on resources associated with public lands.
- d. Notify Wasatch County of any proposed action that will affect the County's culture and heritage values.
- e. Provide an economic and social analysis when requested, which includes cumulative impacts, of proposed agency actions on Wasatch County's tax base, economy and cultural and heritage values.
- f. Certify that applicable data used to develop agency proposals meet the requirements of the Environmental Quality Data Act.
- g. Compensate any individual or entity physically or financially harmed by federal and state actions, brought about by condemnation or "takings", including negative impacts on the County tax base.
- h. Analyze the ability of Wasatch County to provide emergency services, law enforcement, water and waste management, search and rescue and other essential services to support a proposed agency action.
- i. Analyze the impacts of proposed agency actions on traditional uses such as recreation, grazing, energy development, water resources, timber, fish, and wildlife.
- j. Make no decisions on agency plans and actions in a piece-meal fashion. The agency must analyze the present and future impact of the proposal, including but not limited

- to buffer zones, protection of prey species, viewscales, roadless area and wild & scenic river reviews, etc.
- k. Mitigate negative impacts to Wasatch County of any agency proposed action.
 - l. Provide public access and rights-of-way for utilities and/or transportation of product and provide such additional access when future need is demonstrated.
 - m. Agency actions shall be reasonable and shall not cause excessive cost, time delays, or undue hardship to applicants or the citizens of Wasatch County.
 - n. Ensure that guidelines, protocols, and other policies used to direct any activity on public lands do not contain restrictions or protections not provided by law or regulation. Any such actions must be developed and implemented with local government and public participation.
 - o. Keep Wasatch County fully informed of public land management action proposals and allow time for development of the County position as provided by the cooperating agency status.
 - p. In the event the public agency seeks consultation with the County, the request shall be in writing.

Multiple Use and Coordination with Federal and State Agencies

This plan provides a positive guide for Wasatch County Public Lands Committee and Wasatch County Council to COORDINATE their efforts with federal and state land management agencies in the development and implementation of land use plans and management actions which are compatible with the best interests of Wasatch County and its citizens. The Plan is designed to facilitate continued, revitalized and varied uses of federally and state managed lands within the County.

The Wasatch County Public Lands Committee, Wasatch County Council and the citizens of Wasatch County recognize that federal law mandates coordinated planning with local government of federally managed lands and they positively support varied uses of these lands as well as state managed lands. Such varied use necessarily include continued maintenance of the historic and traditional economic uses which have been made of federally managed and state managed lands within the County. It is therefore the policy of Wasatch County Public Lands Committee and Wasatch County Council work constantly to assure that federal and state agencies shall inform the County Council of all pending or proposed actions affecting local communities and citizens and coordinate with the County Council in the planning and implementation of these actions.

US FOREST SERVICE

16 U.S.C. Sections 1604(a)

The Secretary of Agriculture shall develop, maintain, and, as appropriate, revise land and resource management plans for units of the National Forest System, coordinated with the land and resource management planning processes of State and local governments and other Federal agencies.

Forest Service Regulations provide in part the following:

36 C.F.R. Sections 221.3(a) (1)

The Forest Service is obligated to consider and provide for “community stability” in its decision making processes.

36 C.F.R. Sections 219.7(a)

The Forest Service is obligated to coordinate with equivalent and related planning efforts of local governments.

36 C.F.R. Sections 219.7(d)

The Forest Service is obligated to meet with local governments, to establish process for

coordination. At a minimum, coordination and participation with local governments shall occur prior to Forest Service selection of the preferred management alternative.

(*Coordination is defined as “equal, of the same rank, order, degree of importance; not subordinate.” Black’s Law Dictionary 303 5th ed. 1979*)

36 C.F.R. Sections 219.7(c)

The Forest Service is obligated, after review of the county plan, to display the results of its review in an environmental impact statement. See also 40 C.F.R. Section 1502.16(c) and 1506.2

36 C.F.R. Sections 219.7(c) (4)

The Forest Service is obligated to consider alternatives to its proposed alternative if there are any conflicts with county land use plans.

36 C.F.R. Sections 219.7(f)

The Forest Service is required to implement monitoring programs to determine how the agency’s land use plans may impact communities adjacent to or near the national forest being planned.

COURT CASES UPHOLDING LOCAL LAND USE PLANNING

California Coastal Commission v. Granite Rock Co., 480 U.S. 572 (1987)

State land use planning is allowed on federal lands as long as such land use planning does not include zoning. Federal agencies cannot claim “Constitutional Supremacy” if the agency can comply with both federal law and the local land use plan.

Wisconsin public U.S. Intervener v. Mortier, 111 S. CT. 2475 (1991)

When considering preemption, the U.S. Supreme Court will not assume that the State’s historic powers are superseded by federal law unless that is the clear manifest purpose of Congress.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

The National Environmental Policy Act requires that all federal agencies consider the impacts of their actions on the environment and on the preservation of the culture, heritage and customs of local government.

16 U.S.C. Section 4331

“It is the continuing responsibility of the federal government to use all practicable means, consistent with other essential considerations of national policy, to... preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice.”

The term “culture” is defined as “customary beliefs, social forms, and material traits of a group; the integrated pattern of human behavior passed to succeeding generations.” *Webster’s New Collegiate Dictionary at 277 (1975)*. A custom is a usage or practice of the people, which, by common adoption and acquiescence, and by long and unvarying habit, has become compulsory and has acquired the force of law with respect to the place or subject-matter to which it relates. *Bowvier’s Law Dictionary, 417 (1st ed. 1867)*.

Thus, by definition, the National Environmental Policy Act requires federal agencies to consider the impact of their actions on the custom of the people as shown by their beliefs, social forms, and “material traits”. It is reasonable to read this provision of the National Environmental Policy Act as requiring that federal agencies consider the impact of their actions on rural resource dependent counties such as Wasatch County where, for generations, families have depended upon the “material traits” of ranching, farming, mining, timber production, wood products, recreation, hunting, fishing, water supply and other resources based lines of work for their economic livelihoods.

42 U.S.C. Section 4332(2) (c)

All federal agencies shall prepare an environmental impact statement (EIS) or an environmental assessment (EA) for “every recommendation or report on proposals for legislation and other major federal actions significantly affecting the quality of the human environment.”

42 U.S.C. Section 4332 (C) (iii)

Such EIS or EA shall include, among other things, alternatives to the proposed action.

42 U.S.C. Section 4332 (C)

Copies of comments by State or local governments must accompany the EIS or EA throughout the review process

40 C.F.R. Section 1502.16 (c)

Each NEPA document shall include a discussion of possible conflicts between the proposed action and the local land use plans.

40 C.F.R. Section 1506.2 (b)

Federal agencies shall “cooperate to the fullest extent possible” to reduce duplication with State and local requirements.

40 C.F.R. Section 1506.2 (d)

Environmental impact statements must discuss any “inconsistency of any proposed plan with any approved State or local plan and laws (whether or not federally sanctioned).” Where inconsistencies exist, the EIS should describe the extent to which the agency would reconcile proposed action to the plan or law.

40 C.F.R. Section 1508 20 (e)

Mitigation includes (a) avoiding the impact altogether, (b) limiting the degree of the impact, (c) repairing, rehabilitating or restoring the effected environment, (d) reducing the impact by preservation opportunities, or (e) compensating for the impact by replacing or providing substitute resource or environments.

Douglas County v. Lujan 810 F. Supp. 1470 (1992)

A local government, because of a concern for its environment, wildlife, social-economic impacts and tax base, has standing to sue federal agencies and seek relief for violations of NEPA.

County Resource Management Plan (CRMP)

Purpose

Utah State Statute provides for the development of county-level plans under Title 17-27a-401. Under Utah state law, a general plan addresses certain social, economic, and environmental issues. House Bill 323 passed in the 2015 Utah Legislative Session and House Bill 219 (2016 Utah Legislative Session), requires that County general plans contain a resource management plan for public lands. There are 28 required categories that need to be addressed as requirements of the State Legislation. This CRMP has combined mining, energy and minerals together. There is an appendix at the end of this CRMP where additional information and technical data can be found.

The purpose of the Wasatch County Resource Management Plan is two-fold. First, to establish goals and policies for the identified resources in the State statute (and in this plan) that are in accord with the goals of the public, appointed and elected officials. The goals and policies are intended to be used to work with public agencies as they consider proposals or actions on public lands. The goals and policies would let agencies know of the positions of the County and how the County Resource Management plan is to establish, in writing, the cooperative nature of the counties relationship with agencies that manage public lands and the intent to strengthen that relationship and work together to better the public lands for the stated purpose.

Following are the resources identified by the legislature in the above mentioned bills and how the County feels these various resources should be managed.

Vital Interests of Wasatch County

Water

(Ditches and Canals, Water Quality and Hydrology, Water Rights and Water Resources, River Terraces and Floodplains, Wild and Scenic Rivers, Wetlands, and Riparian Areas)

Ditches and Canals

Findings:

To sustain the influx of pioneer settlers, canals and ditches were constructed throughout Utah, making agriculture possible despite the dry climate. Subsequent development of agriculture brought further expansion of ditches and canals. Often, the term “conveyance” is used to describe the movement of water from source to application. Ditches, canals, and pipelines are used to convey diverted water from the source to the location where beneficial use is taken. Open channels are not suitable for many uses, so piping must sometimes be used for water that must be safe to drink or supplied via a pressurized network. Traditionally, irrigation water has been distributed via a network of canals and ditches from rivers and streams; but with time and circumstances dictating, many have been converted to pipelines. Additionally, because of the extensive conversion of agricultural lands into more urban uses, some irrigation water is now distributed through secondary irrigation supply lines that often parallel the municipal culinary water supply allowing people to irrigate using water previously allotted to farmland.

Additional information regarding ditches and canals can be found in the appendix.

Goals and Objectives:

Potential reservoir sites and delivery system corridors should be identified in land use plans and protected from actions that would prohibit or restrict future use for those purposes and maintenance of the delivery of water to the downstream users. Said plans should include provisions for adding or deleting potential reservoir sites and delivery system corridors when deemed appropriate.

Policies:

- a. Agency actions should recognize all legal canal, lateral, and ditch easements and rights-of-way.
- b. The County supports the efforts of the State Engineer to ensure that such water conveyances are operated and maintained in a safe manner.
- c. Wasatch County supports efforts of ditch and canal operators to map their systems and provide such mapping to the county for use in making land use decisions.

Water Quality and Hydrology**Water Quality****Findings:**

In Utah, water quality is regulated by the state based on the source of pollutants entering waterways, defined as either “point source” or “non-point source” pollution. Point sources (PS) discharge pollutants directly into a waterbody, usually through pipes or ditches originating from industries or waste treatment plants. Non-point sources (NPS) are pollution sources that do not originate from distinct locations and tend to vary in time and space. Non-point source pollution occurs when runoff from rainfall or snowmelt pick up pollutants from the human and natural landscape and transport them indirectly to a waterbody.

This is of special concern in Wasatch County where there are a number of water bodies that provide drinking water to County residents as well as drinking water for the Wasatch Front.

Point Source (PS) Pollution:

National Pollutant Discharge Elimination System (NPDES) permits are required for the following operations and activities:

- Animal feeding operations
- Industrial wastewater
- Municipal wastewater
- Pesticide applications
- Stormwater
 - Construction activities
 - Industrial activities
 - Municipal and transportation sources
- Forest roads (pending)

Non-Point Source (NPS) Pollution:

The State of Utah uses a watershed approach to manage NPS pollution. The approach allows local watershed groups to develop watershed implementation plans that identify problem areas and help determine the Best Management Practices that are most effective to the local issues.

Common NPS pollutants and sources include the following:

- Fertilizers, herbicides, and insecticides from residential and agricultural areas
- Oil, grease, and other toxic chemicals from roadways and parking lots
- Sediment from construction areas and roadways
- Salts from the roadways and agricultural areas
- Acid drainage from abandoned mines
- Bacteria and nutrients from septic systems, pet waste, and livestock

Wasatch County has overall good water quality in the Jordanelle Reservoir, however, the Strawberry Reservoir, Deer Creek Reservoir and the Mill Hollow Reservoir have impaired water, which means the water quality exceeds the state's standards (UAC R317.2), especially for phosphorous and dissolved oxygen. Deer Creek Reservoir in particular suffers from streambank erosion in Main Creek which flows into the reservoir. There are 22,598.50 acres of waterbodies in Wasatch County and nine watersheds that include, Jordan, Provo, Spanish Fork, Utah Lake, Lower and Upper Weber, Price, Strawberry and Duchesne.

Healthy Watersheds are important because they provide:

- Clean drinking water
- Irrigation for farms and ranches
- Clear streams and reservoirs for fishing
- Healthier rangeland that supports both livestock and wildlife
- Reduced risk of Endangered Species Act listings
- More hiring of local contractors, which helps rural economies
- Improved air quality
- Decreased fire frequency, intensity and suppression costs

Hydrology

Findings:

One of the units used to quantify and analyze water its effects at a specific location is the watershed. A watershed, or drainage basin, is an area of land in which all water within drains to the same outlet. The three MAG (Mountainland Association of Governments) counties made up of Utah, Summit and Wasatch Counties are split between two major watershed regions, the Great Basin Region terminating in the Great Salt Lake and Upper Colorado Region terminating in the Pacific Ocean.

A consideration with regard to water in the MAG region is the Central Utah Project (CUP), which is a complex system of water development projects utilizing a portion of Utah's Colorado River water appropriation. The CUP's 'Bonneville Unit' collects water from streams on the southern slope of the Uinta Mountains and delivers the water to the Wasatch Front using a series of canals, pipelines, tunnels, pumping stations, and reservoirs. The CUP is managed by the US Bureau of Reclamation, and includes several major components, one of which is the transfer of water from the Uinta Basin to the Bonneville Basin (Wasatch Front).

As surface water enters and moves through a watershed, some portion of the water infiltrates into the ground and recharges the aquifers. Groundwater enters aquifers through primary and secondary infiltration zones and naturally exits at discharge zones. Groundwater discharge at seeps and springs supports aquatic habitat and provides important stream input during dry months. Summer base flows are very important for aquatic species and support habitat for a wide variety of common and rare wildlife. Groundwater pumped from aquifers is also a critical resource for culinary and agricultural water supplies.

Land use change and river channelization are two more components of hydrology pertinent to resource management plans. The landscape within the region is changing from rural to urban

because of population growth and human development. As agricultural land use transitions to urban, the total area of impervious surface increases. As farms and wildlands are converted into houses, roads, and impervious surfaces, water is prevented from infiltrating into the ground. This hardening of the landscape results in more water flowing overland during storm events and “flashier” stream responses, with higher peak flows and shorter durations. To facilitate these flood events, natural riverways are often channelized and hardened. This results in changes to the natural river channel that affect riparian vegetation, wildlife habitat, and aquatic habitat.

Additional information regarding water quality can be found in the appendix.

Goals and Objectives:

1. Wasatch County desires to protect and conserve water rights, ground water, stream flows, and water quality for protection of the health and well-being of county residents, as well as downstream users, and increase the desirability of the County as a place to visit and recreate. Lands management agencies should protect water resources flowing through them and eventually to downstream users.

Policies:

- a. Any proposed action must include an analysis of the effects on water quality, stream flow, the amount of water yields, and the timing of those yields. Any proposed action or non-action that results in a decrease in water quality, quantity, flow, or changes the timing of flows in a way that negatively affects water rights, should be opposed.
- b. Any proposed agency action must be analyzed for impacts on water resource and management facilities such as dams, reservoirs, delivery systems, culinary water supplies, and monitoring facilities, etc., located on or downstream from land covered by the proposal.
- c. Apply scientifically effective practices to maintain and improve the quality and quantity of desirable plant cover to protect watersheds, timber, and rangelands from soil erosion.
- d. Livestock grazing and other multiple uses that are compatible with watershed management, should be included in any analysis of projects proposed.
- e. The management of the watershed should allow for continued multiple use where applicable. It should preserve the quality and quantity of water as well as environmental values and allow the watershed to support existing as well as future uses.

Water Rights and Water Resources**Findings:**

The infrastructure and communities of Wasatch County are primarily located on 239,290 acres of privately owned land. The utility of these lands is dependent on water that flows to them from watersheds located on public lands. The rivers and streams flowing from these watersheds supply water for municipal, industrial, livestock, irrigation, and recreation use. As set forth in Utah Code 63-38d-401 (5) (c), “The waters of the state are the property of the citizens of the state, subject to appropriation for beneficial use, and are essential to the future prosperity of the state and the quality of life within the state.”

Water is a renewable but finite natural resource, and because annual supplies of water vary,

its availability is subject to competition between stakeholders. The demand to supply water to Utah's various interests is expected to always be a complex issue for stakeholders to coordinate. The network of flowing water, both above and below the earth's surface, extends beyond obvious topographic or political boundaries. As a result, management and use of water supplies requires coordination between the various jurisdictions of local, state, and federal entities. Wasatch County is part of the Provo River Water Users Association, which is tasked with maintaining and operating the Bureau of Reclamation's Deer Creek Division of the Provo River Project.

Appropriation, Beneficial Use, and Transfers

Typically Utah's arable lands require significantly more water than is supplied by Utah's arid climate. The disparity in the ration between available land and available water necessitated the establishment of legal framework where available water is allocated. The legal identification of who possesses the right to use available water, where it's taken from, where it's used, how much is used, in what priority, and for which specific purpose(s) is called an "appropriation." The appropriation of water from Utah rivers, lakes, and wells is regulated by the Utah Division of Water Rights (UDWR) and is subject to both state and federal laws.

By comparison Wasatch County possesses some of the best water availability in the state due to the advantageous locations high in their watersheds, and the network of reservoirs which enhance water supplies throughout the seasons. Wasatch County often finds water rights a contested issue as the snow packs of Upper Weber and Jordan River Basins share the burden of supporting much of the entire Wasatch Front's water supply.

Portions of each (MAG) county lie within the Upper Colorado River Basin (UCRB). Additionally, the Central Utah Project (CUP) made it possible to relocate some of Utah's allocation of UCRB water from the Uinta Basin to the Bonneville Basin (Wasatch Front) via a complex system of water development projects. The CUP was built by the Bureau of Reclamation in conjunction with the Central Utah Water Conservancy District (CUWCD) which manages the system. The CUP's 'Bonneville Unit' collects water from streams on the southern slope of the Uinta Mountains and delivers the water to the Wasatch Front using a series of canals, pipelines, tunnels, pumping stations, and reservoirs.

As a result, interstate laws governing the waters of the Colorado Basin are subject to the Colorado River Compact (1922) and the Upper Colorado River Basin Compact (1948) which define the relative volume of water for use in Utah and each surrounding state, and these compacts also define how much water should remain in the Colorado River as it leaves Utah's borders. Use of water from the Colorado River, and its tributaries, are subject to these compacts. Additionally, other legal settlements, rulings, and treaties play significant roles in determining how water is allocated to users. "The Law of the River," is known as the primary canon of legal basis for managing the flows of the Colorado River and its tributaries.

Many developers are seeking to obtain water rights allowing them to construct new development for which the land has inadequate water rights. Transferring water rights can involve substantial costs and may be a significant factor in determining whether a particular transfer can be profitably implemented. Additionally, geographic limitations may render such a transfer impractical.

Although some uses of water resources (such as recreation) are not tied to a specific water right, the scarcity of such water resources can have significant economic impacts on areas where businesses are largely dependent on the presence of water flowing in the river channels. Availability of adequate water resources is vital when attracting manufacturing businesses. If the water resources are not available, a business will look elsewhere. As of May 2011, harvesting rainwater in the state is legal. No water rights are required to harvest and use rainwater.

Various federal agencies may claim additional unresolved federally reserved water rights, which may have tremendous effect on natural resource management within relevant watersheds.

Additional information regarding water rights can be found in the appendix.

Goals and Objectives:

1. Historic water use should be protected.
2. Any proposed action on public lands should include an analysis of the effects on water quality, stream flow, the amount of water yields, and the timing of those yields.
3. Any proposed action or non-action that changes the timing of flows in a way that negatively affects water rights, or results in a decrease in water quality, quantity, or flow, should be opposed.

Policies:

- a. Coordinate with water resource management entities, especially water districts and canal companies, to ensure water supplies and water delivery infrastructure will meet growth needs.
- b. Implement watershed protections and vegetation management to maintain availability of water for beneficial uses and to protect water quality.
- c. Consider and help implement in-stream water flows for the benefit of aquatic habitats and sensitive species while recognizing existing water rights.
- d. Coordinate with public land management agencies to acquire and protect water rights for use on public land and maintain them with the State Water Engineer;
- e. Enact stormwater management policies for each jurisdiction and maintain robust stormwater mitigation infrastructure focusing on ecological stormwater treatment methods.

River Terraces and Floodplains**Findings:**

Rivers are dynamic systems. River channels can migrate laterally as a result of bank erosion and deposition, and vertically as a result of bed aggradation or degradation. Floodplains, terraces, and other features are formed by these processes, and are therefore essentially part of the river system.

Floods occur from excessive rain events or when a dam or water impoundment gives way and large amounts of water are released suddenly. For the most part, flooding is a natural process that supports channel maintenance, ecological processes, and riparian vegetation. Nevertheless, floods can cause severe human impacts and therefore should be among resource planning

considerations.

Within Wasatch County, flooding most often occurs from two distinct event types: (1) spring runoff from melting snowpack at high elevations, and (2) summer rainstorms. While either event can trigger flooding, the dynamics of each are different. Snowmelt is a relatively predictable occurrence, dependent on the amounts of winter snowpack and rising spring temperatures. Large accumulations of snowpack melting in spring contributes to some localized flooding of floodplains of stream and river channels. In contrast, summer cloudburst events, especially those driven by monsoonal moisture, cause sporadic and localized flooding events on otherwise dry washes and canyons. Thunderstorm-triggered floods are exacerbated in locations recently affected by wildlife fires where vegetation cover is absent and soils are more exposed to erosion and channeling water down slope.

Planning for major flooding events should occur at all levels of government. At the federal level, the Federal Emergency Management Agency (FEMA) provides flood data that classifies areas based on their different flood hazards through the National Flood Hazard Layer (NFHL) and National Flood Insurance Program (NFIP). This enables community officials, emergency responders, and the general public to be informed and plan accordingly to avoid or reduce impacts from floods, guide development, and reduce risk of floods by excluding areas shown as flood hazard areas. Within the MAG region, only Summit and Wasatch Counties are currently mapped by NFHL. Many of the remaining communities are covered by NFIP, which uses paper maps to assess floodplain locations. County and local planning efforts include the establishment of special zoning regulations in flood-prone areas. However, there are not commonly used in the region. Wasatch County does participate in the NFIP and has adopted ordinances in accordance with FEMA standards to reduce or eliminate flooding and damage to properties.

According to the FEMA's National Dam Safety Program Fact Sheet, the area downstream of a dam that would be impacted in the event of a failure or uncontrolled release of water is called the dam failure inundation zone. Before buying a home or business, it is the buyer's responsibility to determine whether it is in an inundation zone. The Jordanelle, Deer Creek, Soldier Creek, and Carrant Creek dams are major dams in Wasatch County with the potential to cause damage to homes and property in the event of failure.

Goals and Objectives:

1. Protect floodplain connectivity for wildlife and prevent constructions in floodplains to minimize impact on residents and allow for the unencumbered natural flow of rivers and streams. Enforce FEMA standards adopted in County code.

Policies:

- a. Support Utah Division of Water Rights Dam Safety Program that assesses existing dam condition to prevent dam failure or uncontrolled release of water.
- b. Restrict construction of habitable structures and non-essential infrastructure in floodplains.
- c. Manage flows from regulated streams and rivers when possible to periodically reestablish floodplain connectivity.
- d. Develop floodplain ordinances and overlays as appropriate in an effort to coordinate with FEMA on floodplain mapping.

Wild and Scenic Rivers

Findings:

The Wild and Scenic Rivers Act (Act) was passed by Congress in 1968. Congress declared that “certain selected rivers of the Nation, which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, should be preserved in free-flowing condition, and that they and their immediate environments should be protected for the benefit and enjoyment of present and future generations.” Congress also declared “that the established national policy of dam and other construction at appropriate sections of the rivers of the United States needs to be complemented by a policy that would preserve other selected rivers or sections thereof in their free-flowing conditions to protect the water quality of such rivers and to fulfill other vital national conservation purposes.” Section 5(d)(1) of the Act directs federal agencies to consider the potential for national wild, scenic, and recreational river areas in all planning for the use and development of water and related resources. The Act provides standards for determining whether certain rivers should be classified, designated and administered as wild, scenic or recreational rivers.

The Act is notable for safeguarding the special character of these rivers while also recognizing the potential for their appropriate use and development. It encourages river management that crosses political boundaries and promotes public participation in developing goals for river protection. The Act purposefully strives to balance dam and other construction at appropriate sections of rivers with permanent protection for some of the country’s most outstanding free-flowing rivers. To accomplish this, it prohibits federal support for actions such as the construction of dams or other instream activities that would harm the river’s free-flowing condition, water quality, or outstanding resource values. However, designation does not affect existing water rights or the existing jurisdiction of states and the federal government over waters as determined by established principles of law.

Additional information about the designation of wild and scenic rivers can be found in the appendix.

Goals and Objectives

1. Wasatch County will work with federal agencies to avoid designating rivers as wild and scenic if the designation would adversely affect the economic interests of the county, including enjoyment of private property rights, mineral extraction, tourism, recreation, timber harvest, agriculture, water rights, water storage, or water delivery if these can be done in a manner to reasonable protect water quality.

Policies:

- a. The county will be actively involved in all studies or plans that may consider or evaluate eligibility or may recommend inclusion of rivers in the National Wild and Scenic River System.
- b. The county will be actively involved in all legislation that could result in designation of wild or scenic rivers within the boundaries of the county.

- c. Potential reservoir sites should be protected from designation as wild and scenic rivers.
- d. Wild and scenic rivers should be identified based on their regional and national significance rather than on their local significance. These selections should be supported by data that clearly show such selection will not negatively impact the ability of agriculture and other industry to access the water it needs and the county to develop water supplies and other resources to meet future needs. Where such impacts are unavoidable, a plan to mitigate such impacts should be presented.
- e. Ensure that all eligible river segments in the resource planning area are completely and fully studied for suitability for inclusion in the National Wild and Scenic River System.

Wetlands

Findings:

According to the U.S. Army Corps of Engineers, a wetland is an area that is covered by shallow water or has waterlogged soils for long periods of time during the growing season in most years. Prolonged saturation with water leads to chemical changes in wetland soils, which in turn affect the kinds of plants that can grow in wetlands. Some wetlands are easy to recognize because the water sits on the land surface for much of the year. Other wetlands exist due to saturation of the soil by groundwater and can be difficult to identify, and drawdown to groundwater levels can affect conditions of local wetlands.

Wetlands vary widely because of regional and local differences in soils, topography, climate, hydrology, water chemistry, vegetation, and other factors, including human disturbance.

According to the National Wetlands Priority Conservation Plan (NWPCP) of the US Fish and Wildlife Service (FWS), (USFWS 1989), wetlands are considered to be lands in transition zones between aquatic and terrestrial systems where the land is covered by shallow water or the water table is usually near or at the ground surface. The NWPCP was required by Public Law 99-645 and is intended to assist public agencies and the private sector with identifying wetlands warranting priority consideration for protection.

Wetlands are critical components of healthy regional ecosystems and provide a multitude of ecological, economic and social benefits. They provide essential habitat for many species of fish and amphibians, as well as important resting places for migratory birds. Wetlands support many plant and animal species, including the Ute ladies'-tresses (*Spiranthes diluvialis*), which is on the threatened and endangered species list. Wetlands are nurseries for fish of recreational importance in the County and also provide opportunities for hunting, boating and wildlife viewing. They can also provide and store water, control floods and erosion, purify wastewater and recharge groundwater. Wetlands support downstream aquatic systems by producing food and organic material that is flushed out of wetlands and into streams during high flows.

Wetlands that consist of herbaceous vegetation are known as marches and include wet meadows, which are common in certain areas of Wasatch County. Wetlands come in other forms, such as ponds, lake fringes, vegetated playas, bogs, shrub-scrub wetlands, and forested wetlands. Riparian areas are not always wetlands.

Jurisdictional wetlands are federally recognized as special aquatic sites and are regulated as

waters of the U.S. under the Clean Water Act.

Additional information about wetlands can be found in the appendix.

Goals and Objectives:

1. Identify high-priority or ecologically sensitive wetland areas for conservation and preservation. Protect wetland functions and values to provide fish and wildlife habitats, natural water quality improvement, flood storage, shoreline erosion protection, and opportunities for recreation. These will in turn, protect the health and safety of the citizens of the County by reducing flood damage and preserving water quality.

Policies:

- a. It is the policy of Wasatch County to utilize information from the National Wetland Inventory to determine where potential wetland conditions exist. Where discrepancies exist, the County should consult with wetland specialists to appropriately identify wetlands.
- b. If wetland conditions exist in the vicinity, it is the policy of the County to require wetland delineations prior to development. Such delineations will determine whether such development will require a permit from the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act. Section 404 requires a permit from the Corps for the placement of fill or dredged material in a wetland, ditching activities, levee, dam or dike construction, mechanized land clearing, land leveling and road construction.
- c. Coordinate comments with other stakeholders regarding the Clean Water Act rule revisions.
- d. Participate in federal, tribal, state, and local wetland conservation planning processes.
- e. Identify opportunities for creation, restoration, and enhancement of wetlands to augment the ecosystem services these resources provide.
- f. Reasonably manage access by livestock, wild horses and burros, and native ungulates to wetlands to prevent overgrazing when appropriate, with the understanding that all have potential to negatively affect these resources when sensitive vegetation, soil, and hydrology conditions exist.
- g. Use scientific methodology, e.g., proper functioning condition, to guide management decisions regarding recreation and grazing exclusions in wetlands.
- h. It is recommended that road alignments be setback at least 300 feet from riparian areas and wetlands as practicable.

Riparian Areas

Findings:

According to a publication from Utah State University, the term “riparian” is defined as vegetation, habitats, or ecosystems that are associated with bodies of water or are dependent on the existence of perennial, intermittent, or ephemeral surface or subsurface water drainage.

Riparian areas occur in a wide range of climatic, hydrologic and ecological environments. Different latitudes and altitudes can support very different riparian communities. This is caused primarily by changes in precipitation and temperature. In Wasatch County, riparian areas can be found in most areas, from high elevation mountain forests to intermediate-elevation woodlands to

low-elevation shrub lands and desert grasslands.

Riparian areas are ecosystems. An ecosystem is a functional system that includes the biota, plants and animals, and an abiotic component which includes the physical aspects such as soil and topography.

Riparian areas are the transition zones, or ecotones, between aquatic (water-based) systems and terrestrial (land-based) systems, and usually have characteristics of both. These characteristics and location make it habitat for a large number of species of plants and animals.

Because riparian areas are at the margin between water and land, their soil was most likely deposited by water and could be washed away by water. Protecting soil, stream banks or water edges from excess erosion is an important function of riparian plants and properly functioning riparian areas absorb the water, nutrients, and energy from big events and use them to recover from disturbances while improving water quality. The toughness of riparian plants with dense, strong root systems, stems the flow of flood waters, and adds to riparian stability and habitat diversity.

For additional information about riparian areas and habitats, please see the appendix.

Goals and Objectives:

1. Conserve and protect riparian areas through application of best management practices and support the establishment of riparian buffer areas, which not only protect riparian plant and animal species, but also protect aquatic systems and resulting water quality.

Policies:

- a. It is the policy of Wasatch County to encourage private and public land owners to maintain the important functions of riparian areas under their jurisdiction.
- b. The County subdivision ordinance should require identification of riparian areas on subdivision plats so that measures can be taken to protect them.
- c. Avoid impacts to riparian areas from road development.
- d. Manage recreation (e.g., camping and OHV use) in riparian areas to conserve the resource while still providing access to streams and rivers.
- e. Support timber harvests in riparian areas only when those activities enhance other resources or services.
- f. Reasonable manage access of livestock, wild horses, and native ungulates to sensitive riparian areas using exclosures when appropriate with the understanding that all have potential to negatively affect these resources from overgrazing.
- g. Offset road alignments at least 300 feet from riparian areas and wetlands as practicable. Relocate or improve road crossings as practicable.
- h. Use guzzlers, reservoirs, wells, and springs to attract livestock and native wildlife away from riparian areas, which can help decrease soil disturbance and impacts to aquatic resources.
- i. Use bio-engineering methods that facilitate riparian vegetation growth for bank stabilization in lieu of hardened structures or surfaces.
- j. Use scientific methodology, e.g., proper functioning condition or multiple indicator monitoring, to guide management decisions in riparian areas.

- k. Use riparian overlays at local levels to guide protection of riparian zones.
- l. Support application of aquatic-approved herbicides to remove undesired vegetation.
- m. Conduct riparian vegetation treatments to restore characteristic vegetation and reduce uncharacteristic fuel types and loads.
- n. Modify grazing use to avoid overgrazing if appropriate.

Land**(Fire Management, Land Access and RS 2477 Roads, Wilderness, and Land Use)****Fire Management****Findings:**

Wildfire is the most prevalent natural disturbance in the State of Utah, and it affects biotic communities statewide. It is an integral component of forest, range, and desert lands and affects thousands of acres on an annual basis.

Response to fire incidents relies on proper oversight, guidance, and partnership among a variety of trained professional organizations. Establishing a fire management system is a critical step in protecting communities both urban and rural. Fire management refers to the principles and actions to control, extinguish, use, or influence fire for the protection or enhancement of resources as it pertains to wildlands. It involves a multiple-objective approach strategy including ecosystem restoration, community preparedness, and wildfire response.

Wildfires do not adhere to political boundaries, and cooperation among different agencies and jurisdictions covering federal, state, county, municipal, and rural/ volunteer fire departments is essential for successful fire management response. In Utah, the state legislature tasked the Utah Division of Forestry, Fire, and State Lands to devise a comprehensive statewide wildland fire prevention, preparedness, and suppression policy, which is now known as SB-56. Under this plan, a master cooperative wildland fire management and Stafford Act response agreement is signed each year between numerous federal land management agencies and the State of Utah for cooperation during wildland fire incidents that occur throughout the state.

Response to a wildland fire can involve a basic monitoring status placed on a remote wilderness fire, or involve multiple agencies overseen by an incident-management team encompassing hundreds of firefighters. When a fire is reported in the MAG area, it is forwarded to the Northern Utah Interagency Fire Center (NUIFC). This multi-agency organization is tasked with tracking wildland firefighting resources throughout northern Utah and coordinating the response of resources to wildland fire incidents.

Numerous personnel are trained to respond to wildfires throughout Utah and the services they provide are dependent upon the role of their organization as assigned during an incident. At a basic level, firefighting resources can be grouped into two broad categories: ground resources and air resources. Often, both types of resources are dispatched to a fire.

See Appendix for further information about firefighting methods and groups.

Goals and Objectives:

1. Sound fuel load management techniques should be used to minimize fire potential at the urban interface and throughout the public lands to prevent catastrophic events by applying

prescribed burns, allowing grazing where appropriate, allowing appropriate timber harvesting techniques, and following week management protocols.

Policies:

- a. Mutual aid agreements for fire protection should be maintained with each fire department to protect the lives and property of citizens.
- b. Participation and cooperation with the Utah Division of Forestry and Fire and State Lands and the Wasatch County Fire District to address wildfire issues in the unincorporated areas of the county, on private, federal, state and tribal lands.
- c. Provide and promote education of communities and property owners in the wildland-urban interface regarding fuels mitigation, creating defensible space and fuel breaks.
- d. Encourage active vegetation management on public lands, by the use of mechanized vegetation treatments, timber harvesting, grazing, prescribed fire and other treatments that will result in resilient landscapes.
- e. Support the efforts and findings of Utah’s Catastrophic Wildfire Reduction Strategy committee (of which Wasatch County is one of the six regional committee members) and encourage measures locally to reduce fuel loads, regulate development in the wildland urban interface and otherwise protect life, safety and property from the effects of wildfire.
- f. Support the efforts associated with House Bill 464 to reduce the potential for resource damage associated with wildfires on public lands.
- g. Work with federal and state agencies, the Ute Tribe and other organizations to address the barriers and challenges associated with fire and fuels management in the interest of wildlife habitat and species conservation.

Water Considerations**Findings:**

Proper and effective fire management should reduce the amount of land scarred by fire. Lands where destruction of vegetation has occurred are more subject to erosion and sedimentation of waterways. Fire management should take into account that healthy vegetation will reduce the changes for damaged water quality associated from erosion of soils in fire scarred areas. Fire-damaged areas should be re-vegetated with seeding or plantings as soon as possible after the fire event.

Land Access and RS 2477 Roads**Findings:**

In a study conducted by MAG in 2016 as part of the data compilation for this Resource Management Plan, Land Access was identified as one of the top five resource priorities for residents of Wasatch County. Roads are a vital part of the infrastructure of Wasatch County, providing access to public lands for development of natural resources, agriculture, recreation, tourism, and the preservation of the county’s culture and heritage resources. Access to land for recreational travelling, with a variety of vehicles (mountain bikes, motorcycles, 4-wheel drive, etc.), and without vehicles (hiking, climbing, etc.), is a major issue of land access in the area. County governments play a role in facilitating land access regardless of ownership. This is

accomplished by acquiring and maintaining right-of-ways (ROW) or easements across property. As an example, RS 2477 Roads are roads built prior to October 21, 1976, on ROWs across non-reserved federal lands granted in accordance with the Act of July 26, 1866. Counties also acquire and enforce access by participating in planning processes of federal and state agencies and via litigation. The location of a property's boundary is an important part of land access.

Gaining or maintaining access to lands is typically accomplished through ROA. The process for obtaining a ROW is different for each type of landowner as each has specific administrative procedures, management objectives, and historical context.

Common land access issues include:

- Private land surrounded by or accessed through federal lands
- Federal lands surrounded or accessed through private property
- Private lands within designated wilderness
- Utah School and Institutional Trust Lands Administration lands within federal lands

See Appendix for additional information

Goals and Objectives:

1. Maintain multi-use access into and through public and tribal lands, such as historic, hunting, recreational, and mining access on public lands where appropriate and approved by the managing agency.

Policies:

- a. Access to and across public lands, including RS 2477 Roads and rights-of-way should remain open and maintained to allow safe and reliable public access.
- b. All necessary action will be taken to protect access. The county will identify and inventory roads and participate with federal and state land management agencies in decision-making regarding site-specific management.
- c. Access and transportation needs should be considered, evaluated and analyzed in the land use planning process in order to accommodate and be consistent with other uses. No roads, trails, rights-of-way, easements or other traditional access for the transportation of people, products, recreation, energy or livestock may be closed, abandoned, withdrawn, or have a change of use without full public disclosure and analysis.
- d. Future access needs must be planned and analyzed to determine the disposition of the road at the completion of its intended life. This is to ensure that needed access is maintained of that such access is removed and resulting disturbances reclaimed.
- e. The County completed the Wasatch County Master Transportation Plan in 1998, to identify and plot the location of all Class B and Class D roads that are legitimately part of Wasatch County's transportation system. The County has prepared a map of its current transportation system in areas within the stewardship of the Federal and State Agencies, setting forth all roads claimed by the County as part of its transportation system. That map is expressly adopted and incorporated into this policy document by this reference as though fully set forth herein (Reference maps 19-20 Wasatch County General Plan and the Wasatch County RS 2477 Roads map). The maps include, but are not limited to, all roads claimed by

Wasatch County pursuant to RS 2477. It is expected that the Federal and State Agencies will conform to the transportation provisions of the Resource Management Plan to be consistent with the General Plan maps, as required by FLPMA Section 1712(c)(9). It is also expected that when such mapping is completed for areas under the stewardship of the United States Forest Service, the Forest Service will conform the transportation provisions of its forest plans to be consistent with such maps.

- f. Title V rights-of-way on public lands are granted in perpetuity and do not diminish any RS 2477 claim or right-of-way.
- g. Wasatch County objects to any effort to manage National Forest System Lands as de facto wilderness management regimen through additional roadless or unroaded area reviews. Utah Wilderness Act of 1984 (P.L. No. 98-24) mandates repeatedly that all Utah Forest Service Land not designated as wilderness, should be managed on the basis of Multiple Use Sustained Yield principles until such time, that Congress may designate additional wilderness. The Utah Wilderness Act places a moratorium forbidding the 2004 efforts for additional roadless area reviews.
- h. Access to public lands for mineral development should be maintained if the mineral development can be done in an environmentally sound basis to enhance the economic interest of county citizens and government.
- i. Access to water related facilities such as dams, reservoirs, delivery systems, monitoring facilities, communication sites, etc., should be maintained. This access should be economically feasible with respect to the method and timing of such access.
- j. Land access should be maintained in a manner, using sound engineering and mitigation practices, that does not degrade water quality.

Wilderness

Findings:

The Wilderness Act requires management of human-caused impacts and protection of the area's wilderness chapter to ensure that it is "unimpaired for the future use and enjoyment as wilderness" (16 USC 1131). To comply with this standard, wilderness areas generally do not allow motorized equipment, motor vehicles, mechanical transport, temporary roads, permanent structures, or installations. Motorized equipment and equipment used for mechanical transport may be allowed in certain circumstances such as search and rescue. This includes the use of motor vehicles, motorboats, motorized equipment, bicycles, hang gliders, wagons, carts, portage wheels, and the landing of aircraft, including helicopters, unless provided for in specific legislation. The Wilderness Act (Act) also prohibits permanent roads and commercial enterprises, except commercial services that may provide for recreational or other purposes of the Act. Livestock grazing is allowed in wilderness areas. Wilderness areas are to be primarily affected by the forces of nature, though the Act does acknowledge the need to provide for human health and safety, protect private property, control insect infestations, and fight fires.

The Act protects designated wilderness areas by law "for the permanent good of the whole people." With the Act, Congress seeks to secure "for the American people of present and future generations the benefits of an enduring resource of wilderness."

Through the Act, Congress recognized the intrinsic value of wild lands. Some of the tangible and intangible values mentioned in the Act include "solitude or a primitive and unconfined

type of recreation,” as well as “ecological, geological, or other features of scientific, educational, scenic, or historical value.” Wilderness areas provide habitat for wildlife and plants, including endangered and threatened species.

Wilderness protects open space, watersheds, natural soundscapes, diverse ecosystems and biodiversity. The literature of wilderness experience frequently cites the inspirational and spiritual values of wilderness, including opportunities to reflect on the community of life and the human place on Earth.

There are no designated wilderness areas in Wasatch County.

Additional information can be found in the appendix.

Goals and Objectives:

1. Wasatch County may collaborate with the National Forest Service in the management of lands as a de facto wilderness management regimen through additional roadless or unroaded area reviews.

Policies:

- a. Any proposed wilderness designations in the County forwarded to U.S. Congress for consideration must be based on a collaborative process in which support for the wilderness designation is unanimous among federal, state, and county officials.
- b. All wilderness management plans should provide for access for the elderly and physically disabled individuals to the fullest extent possible provided by law.
- c. Wilderness management should provide for continued and reasonable access to and development of valid, existing property rights within the area and provide for full use and enjoyment of these rights.
- d. BLM inventories for the presence of wilderness characteristics must be closely coordinated with inventories for those characteristics conducted by state and local governments, and they should reflect a consensus among those governmental agencies about the existence of wilderness characteristics.
- e. In accordance with Utah Code 63J-8-104 (b) and (c), it is the policy of the County that federal land management agencies should:
 - Not designate, establish, manage, or treat any of the subject lands as an area with management prescriptions that parallel, duplicate, or resemble the management prescriptions established for wilderness areas or WSAs, including the non-impairment standard applicable to WSAs or anything that parallels, duplicates, or resembles that non-impairment standard.
 - Recognize, follow, and apply the wilderness settlement agreement between the State of Utah and the U.S. Department of the Interior.
 - Revoke and revise BLM Manuals H 6310, 6320, and 6330.
 - Recognize that BLM lacks congressional authority to manage subject lands, other than WSAs, as if they are or may become wilderness.
 - Recognized that even if BLM were to properly inventory an area for the presence of wilderness characteristics, BLM still lacks authority to make or alter project level decisions to automatically avoid impairment of any wilderness characteristics

without express congressional authority to do so.

Water Considerations

Findings:

Wasatch County finds that there are positive and negative impacts on water from wilderness designations. Designating land for wilderness make it impossible to use motorized recreation or development natural resources, which would tend to improve water quality. However, designating land for wilderness also means that active land management does not take place and natural systems, such as wildland fire, are not suppressed. Failure to suppress wildfire results in barren areas subject to erosion during precipitation events. Such events can produce mudflows, landslides and sedimentation of streams to a degree that can easily rival or exceed that produced by multiple uses in undesignated areas. Failure to actively manage wilderness areas also reduces the potential water yield from that drainage basin, which means less water for agricultural, residential and business use.

Land Use

Findings:

The Mountainlands regions comprise more than 3.3 million acres of urban, rural, and mountainous lands in the heart of Utah. Nearly half of this land is owned and managed by the federal government, primarily by the US Forest Service (USFS) and US Bureau of Land Management (BLM). Approximately 44% of the land area is under private ownership. Of the remaining lands, approximately 9% is state lands, either as Sovereign Lands (Utah Lake), State Parks, or State Institutional Trust Lands (SITLA). A very small portion may be owned by the Utah Ouray Tribal Government.

Appropriate and allowable uses for lands are defined through planning processes specific to the agency or government which has jurisdiction over the lands. For most private, federal and state lands, land use decisions are made through systematic planning processes. The best land use decisions are made through planning processes which include open public participation and take into consideration potential impacts to the social, economic, and natural environment. Though the public planning process is not always done in the case of some federal and state properties which are managed for specific purposes, such as for lands owned or managed by Utah's State and Institutional Trust Lands, tribal governments, and military lands.

For additional information about land use, see the appendix.

Goals and Objectives:

1. Land use should be managed for multi-use due to the recreational and open space values of public lands, except in situations where development is ancillary to a recreational use or state park and promotes the multi-use intent of the public lands. This includes land for grazing, mining, timber harvest, beneficial exchange of federal or state properties, and development done in environmentally sensitive ways.

Policies:

- a. Promote preservation of ridge lines from development as viewed from any State Roads or County arterial or collector road by keeping the roof lines of structures below the ridge line and above ground utilities from paralleling ridgelines and transportation corridors. Options should be considered to allow transferring density away from ridgelines if appropriate.
- b. Every effort should be made to locate utility corridors on public lands below ridgelines. The use of private land should be avoided.
- c. Preserve the rural atmosphere by requiring development to have dark sky compliant lighting.
- d. Install structural measures to prevent soil erosion, as needed.
- e. Recognize the Natural Resource Conservation Service (NRCS) soil survey as the authority in matters of soil conservation.
- f. Base soil conservation activities on available survey drafts until a final survey is published. Any deviation from this material or soil data developed outside of the survey must be coordinated with the Wasatch County Soil Conservation District and Natural Resource Conservation service (NRCS).
- g. The County should be compensated for loss of private lands or tax revenues due to land exchanges.
- h. Private lands should not be converted to state or federal ownership in order to compensate for government activities outside Wasatch County unless a public process that includes the authorization of the County is performed.
- i. Any conversion from private property to public lands should result in no net loss of private property, and should be approved by Wasatch County prior to any such conversion. No net loss should be measured both in terms of acreage and fair market value. All proposed conversions will be reviewed by the Wasatch County Public Lands Committee to evaluate the impact of the proposal and advise the County Council of their recommendation.
- j. A private property owner has a right to dispose of or exchange property as he/she sees fit within applicable law.
- k. The objectives of special designations can be met by well-planned and managed development and use of natural resources.
- l. Special designations should not be proposed until the need has been determined and substantiated by verifiable scientific data available to the public. Furthermore, it must be demonstrated that protection cannot be provided by any other means and that the area in question is truly unique or essential compared to other area lands.

Agriculture

(Irrigation, Agriculture, Livestock Grazing/Forage Allocations, Noxious Weeds and Invasive Plant Species)

Irrigation

Findings:

Much of Utah's agriculture is dependent on irrigation. Utah's arid climate provides limited and frequently unreliable annual rainfalls. The use, upgrade, and maintenance of the Utah's network of canals, ditches, and dams continues today. Many Canals and ditches remain open, but many have also been lined or piped to improve operational efficiency.

Dams, canals, and pipelines are constructed to take advantage of the topography of each watershed and redistribute water from rivers and streams outward to lower elevation lands, which are more suitable for crop production.

Within each watershed, various entities or individuals have legal claims (i.e., water rights) to use the water for "beneficial use" and are permitted to divert waters from streams into storage dams, canals, and pipelines. The distribution of water is governed by state law and is based largely on geographic proximity, available supply, and ownership of the water rights.

Primary irrigation water sources for the MAG region are the Provo, Weber, and Spanish Fork River watersheds with storage in a number of reservoirs. Water is also provided to the region via the Central Utah Project (CUP).

Please see the appendix for additional information.

Goals and Objectives:

1. Historic irrigation water and conveyance facilities (canals and ditches) should continue to get delivered for agricultural uses to all downstream users.
2. Protect access to canals and pipelines for maintenance.

Policies:

- a. Potential reservoir sites and delivery system corridors should be identified in land use plans and protected from federal or state action that would prohibit or restrict future use for those purposes. Said plans would include provisions for adding or deleting potential reservoir sites and delivery system corridors when deemed appropriate.
- b. All federal agency actions should recognize legal canal, lateral, and ditch easements and rights-of-way.
- c. Many wetlands are created by fugitive water from irrigation systems. It is the policy of Wasatch County that when law requires mitigation of impacts from conservation and other projects, the creation of artificial wetlands should be considered only after all other mitigation possibilities have been exhausted. Creation or maintenance of an artificial

wetland is contrary to the intent of conservation.

- d. Irrigators should adhere to the Irrigation Water Management guidance set forth in the Natural Resource Conservation Service Conservation Practice Standards.

Agriculture

Findings:

The unprecedented movement of people from cities and towns into formerly rural areas has created many problems in sanitation, flood control, road and building construction, and farming. Summer home developments have already started in several parts of the Heber Valley Area. Many summer and year-round homes have been built in the mountains and foothills west and northwest of Midway. Expanding populations into Wasatch County will require additional public services and such facilities as schools, churches, and recreational areas.

Land values in this area have taken a sharp rise in recent years. The median house value in Wasatch County was \$317,900 in 2006 to 2010 and has grown by 71.56% since 2000, which is much higher than the state average rate of 48.67%. This is mainly due to summer home site developments and other speculative ventures. The result of this rise in home and land value has made it almost prohibitive to purchase land for farming.

As Wasatch County continues to grow and develop, planners and land managers will need to consider the role that productive farm lands and soils play in maintaining the economic viability of agriculture in the county. Land identified by state agencies as important for agricultural use, but not of national significance, can be designated as statewide important farmland. Prime farmland is a national designation for land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops, with minimum inputs of fuel, fertilizer, pesticides, labor, without intolerable soil erosion.

Crops such as fruits, vegetables, and grains are grown in Utah's soils, with feed crops intended for livestock make up much of the state's production. Additionally, many materials used for technological purposes are derived from crops, such as building materials and medical supplies.

Please see appendix for additional information.

Goals and Objectives:

1. Protect the rural agricultural economy of the County by establishing agricultural operations that may lease public lands or are adjacent to public lands as a priority use of the land, protecting existing and future agricultural operations, and encouraging farmers and ranchers to continue to farm the land.
2. Support multiple use public land policies to help in the continued maintenance of farm uses.

Policies:

- a. Attempt to assimilate new development with working agricultural uses.
- b. Protect the rural agricultural economy of the County by establishing agricultural operations as a priority use of the land, protect existing and future agricultural operations, and

encourage farmers and ranchers to stay on the land.

- c. Encourage land management agencies to allow grazing as part of their multiple use policies and maintenance of a healthy forest.

Livestock Grazing / Forage Allocations

The cultural heritage of Wasatch County is based on agriculture and livestock. These industries formed the historic basis of the local economy from the beginning days of settlement. Livestock grazing influenced lifestyles, left its imprints on the landscapes, and is one of the oldest enduring and economically important cultural heritage resources in the west. Although farms and ranches in the County were established on a private land base, during parts of the year, livestock is pastured on public rangeland. The combination of public rangeland and private farmland constitutes the economic base for many of the County's livestock operations. If either the grazing permit or the private land is lost or diminished, the economic viability of those operations can be jeopardized. Domestic livestock grazing of native vegetation will reduce fine fuel loading and thus reduce the risk of wildland fire hazards.

As an additional option to property owners the County encourages prescribed livestock grazing. Prescribed livestock grazing is the intentional use of livestock to achieve vegetation management goals. Many studies and established programs show that grazing weeds at a specific time, duration, and intensity can effectively reduce their abundance. While numerous studies and well-established programs clearly demonstrate the effective application of prescription grazing, it is an underutilized weed management tool. Information on how to accomplish prescription grazing for vegetation management is currently available. (Livestock Grazing Guidelines for Controlling Noxious Weeds in the Western United States by Davison, Smith, Wilson).

Livestock including cattle, sheep and goats are beneficial through various grazing systems to reduce invasive weeds. These systems such as targeted, intensive, high density–low frequency, and closed herding grazing for as short as a day or less in a given area could accomplish defined vegetative and/or landscape goals.

Fertilization, hoof action by trampling litter and grass seed into the soil may assist revegetation efforts. Placement of salt and supplements in stands of noxious weeds to attract livestock can also be effective. The land manager must have a clear vision of the desired plant community and the livestock manager must have the skill to aim livestock at the target to accomplish the desired goals. It should be considered as another tool in the kit for maintaining a desirable ecosystem.

The vast roadless extent of many grazing lands and available financing make it difficult to control noxious weeds or reestablish desirable vegetation and forage for animals. Livestock and their management are a readily available and under-exploited tool that is fast proving effective for vegetation management in many settings.

The most important skills for applying these suggestions are patience, commitment and intensive livestock management by owners and managers. A minimum of three years is usually required before noticeable differences in herbaceous weeds are apparent. Grazing prescriptions should cause significant damage to the target plant, limit damage to surrounding vegetation and be integrated with other control management tools. It must be viewed as a long term landscape

maintenance tool and part of the integrated strategy including to discourage new invasive species from being introduced.

The goal is to reduce seed production, vigor and size of noxious weeds and to control the continued spread of invasive species as well as encourage revegetation.

Federal grazing permits issued under the Taylor Grazing Act (BLM) or the Granger-Thye Act (USFS) allow permittees the privilege to use publicly owned forage.

A 2008 study on livestock grazing in Utah drew these conclusions:

- The livestock industry has changed over time from sheep to cattle.
- Relatively large reductions in the use of US Forest Service (USFS) and US Bureau of Land Management (BLM) lands for grazing have occurred over time.
- Livestock procedures with permits to graze public lands have larger operations than livestock producers without permits.
- Livestock operators with grazing permits generally have been owned by the same family for more than one generation, and they intend to keep this a family operation in the future.
- Livestock producers view legal proceedings as the biggest threat to the use of public lands by livestock.
- Most livestock producers believe that livestock grazing has a positive impact on the reduction of fires and basically neutral impact on other uses.
- The value of grazing permits varies widely within the state.
- Livestock production is a relatively important segment of the economy in some counties and regions of Utah. This is especially true in some of the most rural counties.

Additional information regarding livestock grazing can be found in the appendix.

Goals and Objectives:

1. The County recognizes the benefit of livestock grazing for maintaining a healthy forest and providing economic benefit to the citizens of the County.
2. Lands and forage resources should be managed to optimize animal unit months and provide for the continued viability of livestock operations and the livestock industry on Public Lands in accordance with the multiple-use provisions of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1701 et seq., the provisions of the Taylor Grazing Act of 1934, 43 U.S.C. 315 et seq., and the provisions of the Public Rangelands Improvement Act of 1978, 43 U.S.C. 1901 et seq.

Policies:

- a. Improve the sustainability of livestock grazing through science-based management principles.
- b. Work cooperatively with federal agencies and partners to promote efficient multiple-use management of public lands.
- c. Work with federal agencies and Congress to implement policies and procedures that allow

- maximum flexibility when addressing grazing and environmental issues.
- d. Curtail the decline of public lands grazing opportunity by using sustainable management practices.
 - e. Demonstrate the power of managed livestock grazing as an important tool for improving/maintaining rangeland resource health.
 - f. Plan and implement rangeland improvement projects that improve grazing management.
 - g. Provide technical expertise and educational opportunity for working ranches and the next generation of ranchers.
 - h. Improving grazing management on Wasatch County’s public lands should be viewed as a long term priority.
 - i. Wasatch County recognizes that 43 CFR part 4110.3 provides for changes in permitted use. Conversion of allocated forage from one grazing animal to another would require a NEPA process that conforms to land use plans.
 - j. Changes in season of use or forage allocation should not be made without full and meaningful consultation with permittee. The permittee should be first point of contact.

Energy Considerations

Findings:

Energy development can have impacts on livestock and grazing. Energy development within grazing allotments on federal land or on grazed private lands will disturb the surface and reduce the amount of forage available for livestock. Care should be taken during the planning of energy development projects to recognize the needs of the livestock industry.

Policy:

It is the policy of Wasatch County that the adverse impacts of energy development on the livestock industry should be mitigated or compensated for.

Water Considerations

Findings:

Livestock grazing, if not managed properly, can have negative impacts on water quality.

Policy:

It is the policy of Wasatch County that livestock grazing be managed on public and private lands in a manner that keeps water resources from being degraded below state or federal standards.

Noxious Weeds and Invasive Plant Species

Findings:

Noxious weeds and invasive plants are a significant problem in Wasatch County and have been the focus of considerable effort for many years. The invasion of noxious weeds and undesirable invasive plant species into Wasatch County should be reversed, their

presence eliminated, and their return prevented.

There are many species of exotic and invasive weeds in Utah. Some species, however, have more potential to be “*injurious to public health, crops, livestock, land, or other property*”. The Utah Noxious Weed Act of 2008 has defined 28 noxious weed species into three prioritization categories. In December 2015, the official State Noxious Weed list was updated to include 54 species and prioritization categories were modified.

Additional information about noxious weed information and treatment can be found in the appendix.

Goals and Objectives:

1. Land management agencies and governments should work together in a coordinated effort to control and manage noxious weeds in Wasatch County. These interests should develop common management goals, facilitate effective treatment, and coordinate efforts through the County’s “Coordinated Weed Management Area” program.

Policies:

- a. Noxious weeds should be controlled to prevent the loss of soil resources.
- b. Farmers, ranchers, land management agencies and governments should work together in a coordinated effort to control noxious weeds in Wasatch County. These interests should develop common management goals, utilize guidance from the Natural Resource Conservation Service, establish funding to facilitate effective treatment, and coordinate efforts along logical geographic boundaries.
- c. Efforts to implement weed monitoring and weed mapping programs should be supported.
- d. Land managers and property owners should comply with state, county, and federal rules, regulations, ordinances, and directives pertaining to noxious weeds and the application of herbicides to manage noxious weeds.
- e. An integrated weed management plan should be implemented for preventing, containing, or controlling undesirable plant species or groups of species using available strategies and techniques prescribed by the State Noxious Weed Act, including prevention, biological controls and mechanical controls. Such plan should include mapping of weed infestations. Such a plan should be developed to allow the County to obtain funding for weed control efforts.
- f. Continuing efforts should be made to inform and educate the public, land managers and property owners regarding the economic and environmental impacts of noxious weeds.

Energy Considerations

Findings:

Energy development can create surface disturbance that can lead to the spread of noxious weeds on public and private lands in the County.

Policy:

The County supports weed control and reclamation requirements associated with energy development. County policy requires energy development companies to work with the Wasatch County Weed Department to help prevent the spread of species listed on the county's list of noxious weeds.

Water Considerations**Findings:**

Wasatch County finds that there are water considerations associated with noxious weed management. First, herbicide applicators should comply with state and federal standards associated with the application of chemicals near regulated surface water. Second, uncontrolled noxious or invasive weed growth can use large amounts of water that would otherwise be available for more beneficial uses. According to the USGS Scientific Investigations Report 2009-5247 (*Salt cedar and Russian Olive Control Demonstration Act Science Assessment*), Salt cedar (known locally as Tamarisk) and Russian olive communities will consume just as much water as native cottonwood and willow communities. The report notes that most wildlife, including many birds, prefer native cottonwood or willow habitat to habitat dominated by Tamarisk or Russian olive. Other negative impacts of dense Tamarisk and Salt cedar include impeded access to waterways and recreational areas, increased fire hazard and clogging or irrigation ditches.

WILDLIFE**(Predator Control, Wildlife, Fisheries, Introduced, Sensitive, Threatened and Endangered Species)****Predator Control****Findings:**

Reducing predator numbers in Utah is done for two primary reasons; to protect domestic livestock and to promote deer and elk populations. From a statewide perspective, the primary focus of predator control in Utah is coyotes. Mountain lions and wolves are also increasingly problematic in the region. This is not to say other predators are not problematic, but coyotes are by far the largest concern in Utah. Coyotes have a major effect on the state's deer herds, and other sensitive species. In an attempt to increase deer populations, two predator-related bills were passed by the Utah State Legislature in 2012, which created the Mule Deer Protection Act (23-30-101) and the Predator Control Restricted Account. This legislation added a \$5 fee to big game hunting permits to fund the predator control programs. Money from this fund is used by the Utah Division of Wildlife Resources (UDWR) to reimburse hunters \$50 for each coyote lawfully removed. Participants should take an online training course and fill out a compensation form to receive reimbursements.

Livestock and domestic animal protection is another objective of predator control within the MAG region. In Utah the primary agents for predator control are the UDWR and U.S. Fish and Wildlife Services (USFWS), which manage predator populations through active control measures and predator hunting permits. The UDWR also offers reimbursement for livestock damaged by bears, mountain lions, wolves, and eagles through the Wildlife Damage Compensation Act.

Federal management of predators for livestock protection is run through the USDA Animal and Plant Health Inspection Service (APHIS) and Wildlife Services (WS). The WS assists livestock producers when predation problems arise, including investigating and documenting predation events. APHIS personnel conduct predator management using firearms, traps, and toxicants if the need arises. Predator control is also employed when necessary to protect threatened and endangered species. In these cases, the US Fish and Wildlife Services (USFWS) works in conjunction with APHIS. Locally, predator control is implemented through planning documents and statute. Wasatch County's General Plan supports predator control to protect livestock, deer populations, and other sensitive wildlife.

Additional information, including best management practices, can be found in the appendix.

Goals and Objectives:

1. Predator numbers should be managed and controlled to protect livestock and to prevent population decline in other wildlife species. Cooperative working relationships with agencies, to minimize impacts on farming and ranching operations, should continue.

Policies:

- a. Depleted native species whose populations require relief from native predators should receive assistance for as long as they need it, and no longer.
- b. Reasonable cooperation with the Utah Division of Wildlife Resources and U.S. Department of Agriculture Wildlife Services in managing predators will continue.
- c. Predator control activities will reasonable be conducted when necessary to prevent property loss, any risk to public safety, or significant impacts on the viability of native wildlife populations.

Wildlife

Wildlife has always been an important part of America's cultural lifestyle and is an important part of Wasatch County's tourism and recreation economy. Wildlife improves our quality of life, and provides a rich source of aesthetic enjoyment, inspiration, and outdoor recreation for many people. The Utah Division of Wildlife Resources (UDWR) is the wildlife authority for the state. It is the UDWR's responsibility to protect, propagate, manage, conserve, and distribute protected wildlife throughout the state (Utah Code, Title 23).

During the past fifty years there have been wide swings in deer and elk populations. In the 1950's, deer populations were extremely high, while no elk were present in the County. Following the 1950's, elk were re-introduced to the area and have increased to the present high levels, while deer populations have declined. On a seasonal basis, big game animals migrate among public, private and tribal lands. These movements create issues concerning damage to private property and game management.

Utah Code 23-21-2.5 (2) states "When changing any existing right to use the land, the division shall seek to make uses of division-owned land compatible with local government general plans and zoning and land use ordinances."

Additional information and data about wildlife, management, and the economic impacts can be found in the appendix.

Goals and Objectives:

1. Wildlife management agencies, public land management agencies and the County should work together to manage big game populations that are compatible with livestock grazing and are within the allocations set by the resource management plan.

Policies:

- a. Wasatch County will continue to encourage cooperation between County, state and federal agencies for management of wildlife.

Fisheries**Findings:**

The Utah Division of Wildlife Resources (DWR) manages the state's fisheries and fish habitats (the state's streams, rivers, lakes, ponds, and reservoirs) are managed by the underlying landowner, which can include state and federal agencies.

Important fisheries exist in Utah for a variety of sportfish species, usually grouped into (a) cold water species, which typically include the whitefish, trout, char, and salmon, and (b) warm water/cool water species which include bass, pike, walleye, perch, catfish, bluegill, crappie, and a number of others. Rare fish species and those subject to federal listing under the Endangered Species Act are referenced more fully in the "Threatened, Endangered, and Sensitive Species" section. For the most part, there is no fishery for imperiled species.

From high-mountain streams and lakes, to larger reservoirs, to small community ponds, Utah offers many places to fish. Recreational fishing provides a significant economic benefit to the Utah economy. Economic impacts or contributions have been estimated based on anglers' expenditures associated with the fishing trips. Estimates by the Department of Applied Economics at Utah State University indicate that in 2011, a typical angler spent \$90 per fishing trip to identified Blue Ribbon waters in Utah (Blue Ribbon waters in Wasatch County include Jordanelle Reservoir, the Middle Provo River, and the Lower Provo River). This resulted in \$184 million in direct expenditures made by anglers for Utah goods and services, which generated an additional \$143 million in economic output, resulting in a total economic output of nearly \$327 million. Approximately 3,976 jobs were associated with this expenditure related to Blue Ribbon waters. Non-blue ribbon waters were not counted but add additionally to money spent by anglers in Wasatch County. Tax revenue generated by this increased level of output, labor income and value added was estimated to Utahans is important, and it helps to sustain recreational activity in a number of state parks associated with reservoirs.

For additional information, please see the appendix.

Goals and Objectives:

1. Maintain, enhance, and expand sport fishing opportunities, while striving to prevent invasive species and maintain water quality.

Policies:

- a. Support and encourage public land management agencies to provide and

-
- maintain sufficient opportunities for fishing on public lands.
- b. Support DWR's efforts to work with landowners to voluntarily acquire fishing access through the Walk-in-Access program.
 - c. Support DWR's efforts to educate the recreating public about preventing the spread of aquatic invasive species and diseases.
 - d. Support efforts to protect water quality and the quality of the associated fisheries.
 - e. Support efforts to improve fish habitats while balancing the rights of adjacent landowners and holders of water rights.
 - f. Coordinate and communicate with DWR to ensure the public fishing opportunities are maintained and enhanced, including appropriate stocking levels.
 - g. Support tourism and associated businesses and commercial enterprises that are supported by local fisheries such as destination resorts and guide services.
 - h. Promote land uses that are compatible with maintaining healthy fisheries on lands adjacent to fish bearing streams, lakes and reservoirs.
 - i. Continue coordination between the County and federal land management agencies on treatments, such as rotenone.
 - j. Land management agencies should make every reasonable effort to provide additional opportunities for fishing on public lands in Wasatch County.

Water Considerations

Findings:

Healthy fisheries require good water quality and high quality fish habitat. The Utah Department of Environmental Quality, Water Quality Division, monitors water quality in Wasatch County. Fish habitat is managed by the landowner or the public land management agency. When contaminant levels are unsafe, Utah Public Health Officials issue fish consumption advisories. These advisories outline recommendations for limiting intake of specific locations. Fish advisories have been issued in Utah due to elevated levels of arsenic, mercury, selenium, and PCBs. Some of these contaminants occur naturally, whereas others are from anthropogenic sources. As of 2016 there are two advisories in Jordanelle Reservoir for the Brown Trout and the Small Mouth Bass.

Sensitive, Threatened and Endangered Species

Findings:

Sensitive, threatened and endangered species; recovery plans, experimental populations; and related guidelines and protocols are addressed in this section. The

County supports the Endangered Species Act (ESA) of 1973, which is administered by the United States Fish and Wildlife Service (USFWS), and recognizes that it is intended to prevent the extinction of threatened and endangered plant and animal species by preserving the ecosystems upon which these species depend. The County also realizes that various species play an important role in the natural environment and may have important future values that are presently unknown.

In the December 2008 report published by Utah State University, “Public Lands and Utah Communities: A Statewide Survey of Utah Residents,” it found that 55.1% of the respondents in the Morgan, Summit, Wasatch County areas wanted moderate (20.9%) or major (34.2%) increases in the extent to which protection of endangered species occurs on public lands in Utah.

When it has been determined that a species’ population has reached a critical low point, or their habitat is impacted significantly, listing the species as either threatened or endangered assures that a recovery plan is put in place. However, an ESA listing is a last attempt to prevent the ultimate loss of a particular population.

The Columbia spotted frog (*Rana luteiventris*) is found along the Wasatch Front and the West Desert in Utah, and due to habitat impacts, it is listed as a Utah Sensitive Species. A Conservation Agreement is in place between several governmental agencies to help recover the species. The life cycle of *R. luteiventris* includes breeding in the spring as the weather warms, in habitat where seeps and springs provide a constant water source. In the winter months, *R. luteiventris* burrows into the mud and enters a dormant period.

A better approach than regulation under ESA, however, would be to determine which species may be imperiled, and then take the necessary steps to reverse declines in populations or important habitats. Through management and conservation efforts, declining populations may recover enough to preclude listing through the ESA. The Utah Sensitive Species List falls under the Utah Division of Wildlife Resources’ Administrative Rule R657-48 and by this rule, any wildlife species that are federally listed, candidates for federal listing, or have a conservation agreement in place, automatically qualify for the list. The additional species on the Utah Sensitive Species List, “wildlife species of concern,” are those species for which there is credible scientific evidence to substantiate a threat to continued population viability. In 1997, the Utah Legislature created the Endangered Species Mitigation Fund (ESMF) as part of the state water tax, to expand the funding base for conservation of those wildlife species that are Utah Sensitive Species or listed under the ESA.

An example of successful management is the Greater Sage-grouse (*Centrocercus urophasianus*). As of 2015, the USFWS removed the Greater Sage-grouse from the candidate species list due to an abundant population that was obtained through extensive conservation efforts throughout its habitat. However, the Greater Sage-grouse still remains a Utah Sensitive Species as of October 2015. The federally listed threatened

Ute Ladies'-tresses (*Spiranthes diluvialis*), Yellow-billed Cuckoo and the Canada Lynx are known to have been found in Wasatch County. The threatened brown and grizzly bears are now extirpated from the County. Utah sensitive species include: The Great Sage-grouse (*Centrocercus urophasianus*), Bluehead Sucker (*Catostomus discobolus*), Bonneville Cutthroat Trout (*Oncorhynchus clarkia utah*), Colorado River Cutthroat Trout (*Oncorhynchus clarkia pleuriticus*), and Southern Leatherside Chub (*Lepidoneda aliciae*).

Goals and Objectives:

1. Agencies should work with the County prior to proposing the listing of threatened or endangered species so that conservation methods or measures can be implemented first.
2. Maintain, enhance and expand sensitive species to prevent listing under the ESA, unless the species poses a risk to public safety.

Policies:

- a. Actions to list any species as a threatened or endangered species under the ESA or actions to add any species to the State of Utah's sensitive species list should not occur until verifiable scientific data have been available to the public that demonstrate the need for the designation, that protections cannot be provided by other methods, and that the area in question is truly unique compared to other area lands.
- b. Designation or reintroduction plans, guidelines, and protocols should not be developed or implemented without full County involvement, authorization, and public disclosure.
- c. Recovery plans for species listed as threatened or endangered should clearly identify the parties responsible for collecting data to monitor species recovery and how that data will be collected. Funding adequate to collect the data required to monitor progress toward recovery should be appropriated by federal agencies at the time of listing.
- d. The Greater Sage-grouse should be managed in accordance with the 2013 State of Utah Conservation Plan for Great Sage Grouse in Utah and any subsequent amendments thereto. On private, local government and SITLA lands within the sage grouse management areas, compliance with this plan is strictly voluntary.
- e. Conservation efforts for species identified on the State of Utah's sensitive species list can include: Avoiding impacts to sensitive species and their habitats when possible and when avoidance is not possible, taking reasonable steps to minimize the effects of development on sensitive species and their habitats; when high levels of impact on sensitive species are unavoidable, long-term mitigation may be necessary. Long-term mitigation could include habitat conservation and/or restoration.

Energy Considerations**Findings:**

One of the economic stimuli for Wasatch County and the State of Utah is energy development, but this can create impacts to sensitive or listed species. These impacts can include habitat damage, reduction, fragmentation or complete loss, which can also create a reduction in water quality and the spread of invasive species on disturbed land. Impacts should be mitigated to restore the habitat or compensate for the habitat loss.

Water Considerations**Findings:**

Water is vital to life, but in the arid west, water can be in short supply. Water management becomes relevant in the conservation of listed or sensitive species whenever they depend on aquatic systems such as healthy streams, rivers, wetlands, or riparian habitats. Therefore, managing water resources is critical to preserving this resource. Loss of sufficient water from too much human consumption or contamination can generate a significant amount of strain on Utah's sensitive wildlife species and their habitats. There must be a balance between preserving traditional agricultural and consumptive uses and assuring there are sufficient water resources for a healthy landscape.

EXTRACTION**(Forest Management, Mining, Energy and Mineral Resources)****Forest Management (Timber Resources and Woodlands)****Findings:**

The timber resources and woodlands of Wasatch County are considerable and mostly located on public lands. These public lands provide the watersheds for much of Wasatch County. They are dynamic natural systems that not only provide water, forage and habitat for wildlife, livestock and humans, they also help clean our air and offer places to recreate and find solitude. They also contain renewable timber, energy and mineral resources, and are the headwaters of our food supply. In recent years, timber activity has been reduced because federal and state policies have restricted use. This restriction has caused a loss of this renewable resource and has negatively impacted the health of timber resources. The risk of timber loss to wildfire, insects, disease, and reduced yields from watersheds has increased because of these management policies. Economic opportunities have been lost as well. It is our policy that watersheds and ecosystems be managed to maintain properly functioning condition within the framework of multiple use and sustained yield principles.

Forest Types identified in Wasatch County include: Urban forests within cities, Pinyon-juniper forests low to mid-elevations, Douglas-fir and Ponderosa pine forests in mid-elevations, and Aspen forests in low to high elevations. Healthy forests and prudent forest management is critical for healthy watersheds in Wasatch County. Healthy watersheds provide optimum water quality and optimum water yields to support a wide variety of water uses important to both the citizens of the County and adjacent counties. Watershed management can affect water resources in several ways. The quantity, quality, and timing of runoff from watersheds are influenced by the condition of the watershed. Good vegetative cover holds back the runoff, controlling flooding and erosion and allows for deep percolation of the water. This percolation can improve the timing of the runoff, making it available later as base flow in the stream. Residential and commercial development, agricultural practices, resource and vegetative management may affect the quality and timing of runoff. Other factors such as dams and flow control structures can affect streamflow.

Goals and Objectives:

1. Maintain a healthy forest by reasonable following best management practices for reducing fire load, reducing forest disease, managing dead timber, and allowing reasonable limited grazing and timber harvesting.

Policies:

- a. All public forestlands should be managed for multiple use and sustained yield. Ensure realistic targets are established and outputs are sustainable over the long-term.
- b. Forest management plans should be written and effective management techniques

adopted to promote a stable forest economy and enhanced forest health, in accordance with the National Healthy Forest Initiative. (Act of 2003, P.L. 108-148) Efficient and effective use of National Environmental Policy Act Documentation for limited timber harvest will be encouraged. Use of Interim Directive (ID) 1909.15 – 2003-2 will be encouraged for timber harvest projects that do not require further analysis and may be categorically excluded as outlined in categories 12, 13 & 14 of said ID.

- c. Management strategies should protect timber and adverse impacts to other resources from the devastating effects of fire (in accordance with the National Fire Plan and the National Healthy Forest Initiative), insects, disease, wind throw, blow down, ice storms, or imminent rest of such epidemics because of conditions on adjacent land.
- d. Harvesting techniques should be employed that will prevent waste of forest products.
- e. Sound fuel load management techniques should be used to minimize fire potential at the urban interface and prevent catastrophic events.
- f. Management programs must provide reasonable opportunities for citizens to harvest forest products for personal needs, economic value and forest health.

Mining, Energy and Mineral Resources

Findings:

Energy

The oil and gas industry is a significant economic factor in Wasatch County, with a total economic value of direct, indirect and induced totaling \$6,279,063.00. Leasing in the Strawberry Valley is associated with other known oil and gas fields in the State. As a result, most of the Strawberry Valley has been leased. Some 109,381.58 acres are covered with 49 pending and active leases located in Wasatch County. The oil and gas industry provides employment and economic opportunity and has the prospect to accounts for a significant percentage of the County's tax base. Historically, much of this activity has taken place on private land. Trends since the late 1980's have emphasized development of oil and gas on public lands. Access to public lands is critical to the development of energy and mineral resources.

The table below shows energy generation by source:

Wasatch County Energy by Source

Source	MW=megawatts
Natural Gas	9.9
Hydroelectric	7.4
Wind	0

Minerals and Mining

Mineral resources are deposits or occurrences of inorganic materials with intrinsic economic value (such as ore, aggregate, oil, and gas) that may be extracted from the earth's crust. Mineral resources are regulated and managed based on type, and are grouped into three categories: locatable, leasable, and saleable. Mining of these resources was once an important industry in the region, most notable around Park City. These mineral resources were quickly exploited, however, and the region suffered from economic hardship for several decades afterwards. Current mining in

Wasatch County is focused primarily on saleable minerals, especially sand, aggregate, clay and stone production.

Goals and Objectives:

1. The County should ensure that public lands are managed for multiple use and sustained yield, and managed to prevent waste and deterioration of natural resources. Mining, Energy and mineral resources should not be pursued at the expense of water or air quality or to the detriment of recreational opportunities or scenic values. Further, these lands should be managed to prevent the loss of resources (and private property that may be located within or near public lands) from catastrophic events including, but not limited to, fire, flooding, insect and disease outbreaks and protection of the safety and health of the public.
2. The County will support the wise use, conservation and protection of public lands and resources, while allowing for energy development on a limited basis, including well-planned management prescriptions that are not detrimental to tourism and recreation, and the scenic values of the County.
3. The County will support the extraction of minerals if not detrimental to tourism and recreation, and water and air quality.

Policies:

- a. Access to public lands for mineral development must be maintained and increased in a reasonably environmentally sound basis to enhance the economic interest of county citizens and government.
- b. Mineral exploration and development are consistent with the multiple use philosophy for management of public lands. These activities constitute a temporary use of the land that will not impair its use for other purposes over the long term. Oil and mineral exploration activities should comply with appropriate laws and regulations and should be conducted in an environmentally sound process, including heli-drilling where appropriate. Encourage exploration of energy and minerals on public land to ensure that our future energy needs and resource management opportunities are considered. Agencies should plan, fund, and encourage by policy and management decisions relative to energy resources.
- c. All management plans must address and analyze the possibility for the development of minerals where there is a reasonable expectation of their occurrence.
- d. After environmental analysis, and as provided for in the governing resource management plan, all tracts will be available and offered for lease or opened to be claimed as provided by law. Wasatch County recognizes that, while all federally-administered land within the County is currently available for lease, decisions are made regarding oil and gas leases through the land use planning process. Alternatives identify areas where leasing may occur with standard lease terms, timing and controlled surface use stipulations or no surface occupancy. Additionally, some areas may be considered for no leasing in the future.
- e. All permits and applications should be processed on a timely basis, in accordance with Onshore Oil and Gas Order Number 1. Procedures and required contents of applications must be provided by the applicant at the time of application.
- f. Development of the solid, fluid, and gaseous mineral resources of the state should be encouraged. The waste of fluid and gaseous minerals within the developed areas should be prohibited. Requirements to mitigate or reclaim mineral development projects should be based on credible evidence of significant impacts to natural or cultural resources

- g. Decisions to permit energy development projects on federal lands should be consistent with applicable resource management plans and will likely require environmental impact evaluation under the National Environmental Policy Act (NEPA).
- h. Energy transmission lines and pipelines that may or may not cross county and state boundaries should comply with ridgeline policies and be done with as little impact to private lands and scenic values as possible. Promote preservation of ridge lines from energy development as viewed from any State Roads or County arterial or collector road by keeping the roof lines and structures below the ridge line. Above ground utilities should not be allowed to parallel ridgelines and/or transportation corridors. A transferable density credit of an additional unit should be allowed for each unit removed from a ridge line.
- i. Every effort should be made to locate utility corridors on public lands. The use of private land should be avoided.

Water Considerations

Goals & Objectives:

- 1. To support the wise use, conservation and protection of public lands and resources including well-planned management prescriptions.

Policies:

- a. All oil and mineral exploration activities should comply with appropriate laws and regulations and should be conducted in an environmentally sound process.

OTHER

(Law Enforcement, Economic Considerations, Recreation and Tourism, Land Exchanges, Acquisitions, and Sales, Soils, Air Quality, Land Exchanges, Acquisitions, and Sales, Special Designations, Cultural, Historical, Geological and Paleontological Resources)**Law Enforcement****Findings:**

Key law enforcement issues related to natural resources management and public lands, such as funding for search and rescue operations, are coordinated among jurisdictions of various law enforcement personnel. Cooperation between law enforcement agencies in the County is imperative due to the adjacent boundaries of County, State and federal properties and their heavy use for recreation which in turn requires emergency services and response from appropriate agencies.

An example of law enforcement coordination involving public lands is livestock theft. In close coordination with County sheriff's offices, the Livestock Inspection Bureau at the Utah Department of Agriculture and Food deals with cases of livestock theft, which are eventually prosecuted through the County attorney. Additionally, in situations of disease outbreak, the Livestock Inspection Bureau works with Sheriff's offices to help enforce livestock quarantines.

County and local law enforcement entities include:

- Municipal police departments
- County Sheriff's offices

State law enforcement includes:

- Utah Highway Patrol
- Utah Division of Wildlife Resources Conservation Officers
- Utah Department of Agriculture and Food, Livestock Inspection Bureau
- State Park Rangers

Federal and tribal law enforcement related to natural resources and special jurisdiction areas include:

- US Forest Service Officers and Special Agents
- BLM Law Enforcement Rangers and Special Agents
- Tribal Law Enforcement Agencies

The Law Enforcement data can be used to identify the law enforcement resources within a county. Related data for correctional facilities, fire stations, and public safety answering points can be used when assessing public safety and related issues in the County.

For additional information, please see the appendix.

Goals and Objectives:

1. Wasatch County law enforcement has enjoyed a long history of collaboration with state and federal law enforcement. Wasatch County should continue to work with state and federal enforcement agencies and provide support where necessary to maintain public health, safety and welfare.
2. Wasatch County recognizes that there are numerous recreational activities on public lands. On many weekends, law enforcement may be overwhelmed with responses to various law enforcement issues. Due to the County having three state parks and federal forests within its boundaries, the law enforcement jurisdictions should work together and communicate well.

Policies:

- a. Wasatch County will continue its' collaborative working relationship with other federal and state law enforcement agencies.
- b. Wasatch County law enforcement will use their best judgement for the health, safety and welfare of County residents.

Economic Considerations

Findings:

Wasatch County's 2016 population was approximately 30,528 (2016 US Census Bureau), with 12,203 housing units. The County encompasses 1.37 million acres (2,141 sq. miles) of which 68.24% is public lands (see table below). According to a Utah Division of Water Resources survey, 29,200 acres (3.8%) of Wasatch County is considered developed with 30,055 acres (3.9%) of irrigated or sub-irrigated farmland and 11,358 (1.5%) non-irrigated farmland.

Approximate Land Ownership of Wasatch County, Utah

Land Owner	Acres	Percent of County
Forest Service	416,495	53.89
Bureau of Land Management	3,384	0.43
State Trust Lands	19,576	2.54
Ute Native Americans	2,206	0.28
Bureau of Reclamation	1,195	0.16
Water Bodies	22,598	2.93
State Parks	27,262	3.53
Division of Wildlife Resources	34,707	4.48
Total	527,423	68.24

According to the 2012 Economic Census, retail trade was the largest sector of Wasatch County's economy with a total value of \$267 million, with an annual payroll of \$20 million. The next large sector is professional services at \$14 million. In addition,

agriculture plays a large role in Wasatch County's economy. According to the 2012 Agricultural Census, the market value of all agricultural products sold was \$12 million with \$3.1 million from crop sales and \$9 million from livestock sales.

For additional information, please see the appendix.

Goals and Objectives:

1. The County recognizes that resource use or development on private, public, or tribal lands should be sensitive to the County's rural lifestyle, quality of life, and scenic environment. We also understand that many of the visitors to this county come because of the public lands and the multi-use opportunities and scenic value. Specific County interests to protect, maintain, and expand natural resource use and development include:
 - Maintaining multiple-use management of public lands,
 - Identifying criteria for appropriate resource use and development of private and public lands, including the preservation of the county's scenic value
 - Preserving public access, and
 - Identifying existing and potential areas of development.

Policies:

- a. Wasatch County will maintain multiple-use management of public lands.
- b. Wasatch County will identify preferred practices for resource use and development on private or public lands including the encroachment of development and structures adjacent to and above high priority areas like transportation corridors and ridgelines.
- c. The County will preserve public access.
- d. The County should identify existing and potential areas of development.

Energy Considerations**Goals & Objectives:**

1. Due to the cyclical nature of the energy industry, it is the objective of Wasatch County to also recruit businesses that will enable the economy to become more diversified.

Policies:

- a. Wasatch County should promote economic development by recruiting businesses that complement the energy industry.

Recreation and Tourism**Findings:**

Wasatch County has identified the recreation and tourism industries as a major part of its economy and tax base. Results of the 1994 tourism and recreation survey showed overwhelming support for tourism and recreation as an investment in the communities and that the greatest return to the county is through improved recreation opportunities. These industries have a stabilizing effect on the economic cycles. Public lands are a critical component of tourism and recreation in Northeastern Utah. Wasatch County will continue to support private individuals and companies who hold permits on public lands related to recreation and tourism.

According to the U.S. Department of Commerce, industries supporting travel and tourism provided 28% all private employment for Wasatch County.

For additional information, please see the appendix.

Goals and Objectives:

1. The County will continue to work with federal and state agencies to identify mutually economic objectives to expand tourism opportunities as appropriate.
2. All land use agencies should work together to make public lands a true asset for residents and visitors. Expansion of trail systems both on public lands and on private lands that tie into trail systems on public lands should be enhanced and encouraged. Partnerships with these entities should be formed when applicable and feasible.
3. The County should work as much as possible with state and federal agencies to protect boundaries of state parks and federal facilities and only allow for compatible development that will have as minimal of an impact as possible to visitors and residents of the County.

Policies:

- a. Public land agencies should support the County in developing desirable recreation facilities including, but not limited to, hiking trails, camping opportunities, cross country skiing, snowmobiling, off-highway-vehicle (OHV) opportunities, biking and others as determined by the Wasatch Public Lands Committee.
- b. Assure that recreational activities are compatible with resource development through proper planning and management.
- c. Develop and incorporate a non-motorized trail system into the future and existing infrastructure of Wasatch County including state and federal lands as appropriate to provide safe transportation and recreation facilities that are compatible with the rural and mountainous environments of Wasatch County.
- d. Access to and through public lands is essential to healthy recreation and tourism within the County.
- e. Wasatch County encourages the joint development of Trail Corridors that create the maximum benefit to the recreation user.
- f. Off-highway vehicles should be used responsibly, and the management of off-highway

vehicles should be uniform across jurisdictional boundaries. Laws related to the use of off-highway vehicles should be uniformly applied across jurisdictions.

- g. Public land agencies should provide opportunities for off-highway vehicle trails, roads or areas specifically designated by the land management agency for that purpose.
- h. Existing public recreational facilities should be protected from development encroachments that would have an adverse impact on the recreational experience or its setting.
- i. Projects such as transmission corridors, should occur on public lands and should not encroach on county ridgelines, transportation corridors or recreational facilities. Every effort should be made to ensure that they do not degrade the scenic value of county recreational facilities.

Soils

Goals & Objectives:

- 1. It is the position of Wasatch County that land management agencies shall use management programs and initiatives which prevent soil erosion, improve watersheds and increase forage for the mutual benefit of the agricultural industry and wildlife species by utilizing proven techniques and tools.

Policies:

- a. Apply scientifically effective practices to maintain and improve the quality and quantity of desirable plant cover to protect watersheds, timber, and rangelands from soil erosion.
- b. Install structural measures to prevent soil erosion, as needed.
- c. Recognize the Natural Resource Conservation Service (NRCS) soil survey as the authority in matters of soil conservation.
- d. Base soil conservation activities on available survey drafts until a final survey is published. Any deviation from this material or soil data developed outside of the survey should be coordinated with the Wasatch County Soil Conservation District and Natural Resource Conservation Service (NRCS).
- e. Noxious weeds will be reasonably controlled to prevent the loss of soil resource.

Air Quality

Findings:

Air quality in Wasatch County presently meets the standards established by the Environmental Protection Agency (EPA) for all criteria pollutants. The health and well-being of the County's residents depends on improving or maintaining County air quality.

Air pollutants are those substances in ambient air that negatively affect human health and welfare, animal and plant life, property, and the enjoyment of life or use of property. Ambient pollutant concentrations result from the interaction between pollutant emissions and meteorology. Because meteorology can't be controlled, emissions should

be managed to control pollutant concentrations.

The Clean Air Act (CAA) of 1970 and its amendments set some laws and regulations regarding air quality, give some authority to the US Environmental Protection Agency (EPA) to set standards and rules, and delegate regulatory authority to individual states with EPA oversight, provided certain criteria are met. The purpose of air quality conformity regulations, enforced by the EPA and the Utah Division of Air Quality (DAQ) in Utah, is to protect public health and welfare by maintaining low pollutant concentrations where present and lowering concentrations in areas where levels exceed set standards through a reduction in emissions.

The CAA is an immense piece of legislation with many areas of focus. It addresses air pollution emission control from stationary (power plants, mines, refineries, etc.) and mobile (cars, trucks, trains, etc) sources, setting minimum concentrations of pollutants that are widespread and harmful to human health, limiting emissions of particularly harmful chemical compounds, improving air quality in areas with poor air quality, keeping the air clean in areas with good air quality, and delegating regulatory authority. While all of these have some effect on the counties in MAG, there are few that impact the MAG counties more than others.

Additional information can be found in the appendix.

Goals and Objectives:

1. Air quality should be maintained at its current high quality. Baseline standards should be established and maintained. Uses on public lands should maintain these levels. State and Federal guidelines and standards described in the Utah State Implementation Plan approved by the EPA, whose authority is the Clean Air Act of 1990 should be implemented.

Policies:

- a. Comply with federal, state, and local air quality rules, regulations, and directives.
- b. Cooperate with air regulatory authorities to prevent significant adverse effects from air pollution.
- c. Participate with regulatory authorities in determining air monitoring needs.
- d. Collect and disseminate information about low-emission technologies that could be used by industry, and encourage voluntary adoption of those technologies.
- e. Consider offering incentives to industry for the adoption of emission reduction technologies (e.g., awards, an unofficial certification program).
- f. Publish County requirements online for local burning. Encourage residents to follow the requirements (e.g., the clearing index), especially during winter inversions.
- g. Primarily only allow agricultural burning during times of low fire danger and when atmospheric conditions will disperse smoke efficiently.
- h. Assist local health departments in enforcing Utah Administrative Code R307-202 (Emission Standards: General Burning), which prohibits open burning at sites used for the disposal of community garbage and other waste, and prohibits a person from

- burning petroleum wastes, demolition or construction debris, residential rubbish, garbage, vegetation, wood, and other types of waste.
- i. Educate County communities about air quality issues and what they can do to help (e.g., reduce idling).
 - j. Consider implementing incentives to reduce the use of wood-burning stoves.
 - k. Work with natural gas providers and developers to encourage the wider availability of natural gas so that it can be used to replace more polluting fuels.
 - l. Work with the local health department to address fugitive dust issues. Implement measures to reduce fugitive dust from roads, gravel pits, etc. Such measures could include water applications, chemical applications such as magnesium chloride, and covering truck loads.

Air Quality and Energy

Findings:

In May 2016, EPA finalized the federal implementation plan to implement the Minor New Source Review Program for oil and gas production and processing segments (EPA 2016). Permit options include the general permit, permit-by-rule, and true minor source registration. The final rule also incorporates emission limits and other requirements from eight federal standards and applies limits for a range of equipment and processes used in oil and natural gas production and natural gas processing. NSPS subpart OOOO is the first set of federal air standards to limit VOC emissions at natural gas wells that are hydraulically fractured and to establish requirements for several other oil and gas industry sources of air pollution (e.g., storage tanks, pneumatic controllers, and glycol dehydrators) that were constructed, modified, or reconstructed after August 23, 2011. UDEQ finalized rules (Utah Administrative Code R307-504) in 2014 that established requirements to ensure that existing oil and gas equipment is maintained and operated as designed, that bottom filling or submerged filling is used when loading a product into tanker trucks, that high-bleed pneumatic controllers are replaced with low-bleed controllers, and that self-igniters are installed on flares. UDEQ also inspects, audits, and enforces actions to ensure facilities are meeting applicable regulatory requirements. In addition, UDEQ compares Utah Division of Oil, Gas and Mining production data with their air permits database to verify that oil and gas facilities have obtained the necessary air permits.

Land Exchanges, Acquisitions, and Sales

Findings:

Whereas more than sixty-eight-percent of Wasatch County consists of public lands managed by federal or state agencies, federal agencies should support government-to-government exchange of land with the state based on a fair process of valuation that meets the obligations of both the state and federal governments. State trust lands management, should assure that revenue authorized by federal statute to the state from mineral or timber production, present or future, is not diminished in any manner.

Goals and Objectives:

1. Prime agricultural lands should continue to produce food and fiber and the rural character and open landscape of Wasatch County should be preserved through a healthy agricultural industry consistent with private property rights.

Policies:

- a. The County should be compensated for loss of private lands or tax revenues due to land exchanges.
- b. Private lands should not be converted to state or federal ownership in order to compensate for government activities outside of Wasatch County.
- c. Any conversion from private property to public lands should be reviewed by the Wasatch County Public Lands Committee or County Council to evaluate the impact of the proposal and, if the County Public Lands Committee, advise the County Council of their recommendation.
- d. A private property owner has a right to dispose of or exchange property as he/she sees fit within applicable law.

Special Designations**Findings:**

Special designations include wilderness designations, wild and scenic rivers, Areas of Critical Environmental Concern (ACEC), critical habitat, primitive, semi-primitive and non-motorized travel areas, and other designations that may result in non-use, restricted use, or environmental impacts on public and private lands. Special designations dictate practices that restrict access or use of the land that impact other resources or their use. Such designations may result in resource waste, serious impacts to other important resources and actions, and are inconsistent with the principles of multiple use and sustained yield.

Goals and Objectives:

The objectives of special designations can be met by well-planned and managed development and use of natural resources.

Policies:

- a. Special designations should not be proposed until the need has been determined and substantiated by verifiable scientific data available to the public. Furthermore, it must be demonstrated that protection cannot be provided by any other means and that the area in question is truly unique or essential compared to other area lands. The Uinta National Forest final inventory of rivers considered for inclusion into the National Wild and Scenic Rivers System identifies Little Provo Deer Creek as potentially eligible. The segment of river identified has no outstanding or remarkable value other than Cascade Springs itself. Wasatch County opposes inclusion of this segment for consideration in the Wild and Scenic Rivers System.
- b. Special designations can be detrimental to the County's economy, life style, culture, and heritage. Therefore, special designations must be made in accordance with the spirit and direction of the laws and regulations that created them

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- c. Wasatch County's support for the addition of a river segment to the Wild and Scenic Rivers System shall be withheld until:
- i. It is clearly demonstrated that water is present and flowing at all times;
 - ii. It is clearly demonstrated that the required water-related value is considered outstandingly remarkable within a region of comparison consisting of one of the three physiographic provinces in the state. The rationale and justification for the conclusions shall be disclosed;
 - iii. The effects of the addition on the local and state economies, private property rights, agricultural and industrial operations and interests, tourism, water rights, water quality, water resource planning, and access to and across river corridors in both upstream and downstream directions from the proposed river segment have been evaluated in detail by the relevant federal agency;
 - iv. It is clearly demonstrated that the provisions and terms of the process for review of potential additions have been applied in a consistent manner by all federal agencies;
 - v. The rationale and justification for the proposed addition, including a comparison with protections offered by other management tools, is clearly analyzed within the multiple-use mandate, and the results disclosed. All valid existing rights, including grazing leases and permits should not be affected.
- d. Wasatch County's support for the designation of an Area of Critical Environmental Concern shall be withheld until:
- i. It is clearly demonstrated that the proposed area contains historic, cultural or scenic values, fish or wildlife resources, or natural processes, which are unique or substantially significant;
 - ii. The regional values, resources, processes, or hazards have been analyzed by the federal agency for impacts resulting from potential actions which are consistent with the multiple-use, sustained-yield principles, and that this analysis describes the rationale for any special management attention required to protect, or prevent irreparable damage to the values, resources, processes, or hazards;
 - iii. The difference between special management attention required for an ACEC and normal multiple-use management has been identified and justified, and that any determination of irreparable damage has been analyzed and justified for short and long-term horizons;
 - iv. It is clearly demonstrated that the proposed designation is not a substitute for a wilderness suitability recommendation.
 - v. The conclusions of all studies are submitted to the county for review, and the results, in support of or in opposition to, are included in all planning documents.
 - vi. Any impacts on private property rights are evaluated and mitigated.

Cultural, Historical, Geological and Paleontological Resources**Cultural and Historical Resources****Findings:**

It is important to protect and preserve cultural resources in Wasatch County because they are irreplaceable and sensitive to destruction from a variety of sources. According to the BLM (BLM Manual 8110), cultural resources are a “definite location of human activity, occupation, or use identifiable through field inventories (i.e., surveys), historical documentation, or oral evidence.”

The National Historic Preservation Act of 1966 (NHPA) declares that “the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people.” There are five recognized property types under the NHPA: districts, sites, buildings, structures, and objects. These property types are the basis for listings on the National Park Service’s National Register of Historic Places (NRHP).

There are a great many cultural resources within Wasatch County, dating from around 10,000 years BP to the present time, with the possibility of more yet to be identified. In the higher valleys, such as Heber Valley, prehistoric archaeological sites might include lithic scatters, habitation sites, rock art or quarry sites. Historic sites could also include cabins and other structures, foundations, mines, railroads, roads or trails, canals or pipelines.

Archaeological surveys and inventories are guided by various regulations, including Section 106 of the NHPA for projects with a federal funding aspect to them. Wasatch County has a total of 1,963 identified cultural resource properties according to the State Historic Preservation Office (SHPO) database, with 35 properties listed on the NRHP. Often times, cultural, historical, geological and paleontological resources have a connection to recreation and tourism. For instance, to assist people in exploring geological sites, the Utah Geological Survey created an interactive map online. Historic structures and districts can also give businesses a way to incorporate historical resources into their marketing efforts, thereby stimulating economic development.

When there are alterations to the landscape, consideration should be given to the possibility that there could be potential impacts to cultural resources, either those above ground or beneath the ground. A professional archaeologist should be consulted to determine whether a site or object is of significance. The Utah Public Policy Lands Coordination Office or the American Cultural Resources Association can assist with locating qualified professionals. The Utah SHPO can provide regulatory information and guidance for the state of Utah.

Geological and Paleontological Resources**Findings:**

Wasatch County is situated in two sections of the Rocky Mountains: the Uintas which lie in an east-west directions and the Wasatch Range which lies in a north-south direction. The mountains of Wasatch County were formed in the Paleozoic Era, from about 542 million years ago to 251

million years ago. The major valleys in the County, which include Heber, Strawberry and Round, were formed as the water level from ancient Lake Bonneville decreased.

Paleontological resources are fossilized remains of animals (vertebrates and invertebrates), plants, and traces or evidence of prehistoric animals. It is important to remember that there can be paleontological resources of various kinds within areas planned for development. This will occur in areas where there are geological formations which hold fossils or where Pleistocene Period deposits (the last 3 million years or so) occur, such as in some locations around the shores of Utah Lake. Deciding whether such resources may exist in a particular location is not easy. It requires an understanding of the geologic history of the Wasatch Front and mountains as well as where such formations and deposits may be exposed on the surface or by excavation. A good place to begin due diligence is the Utah Geological Survey website concerning paleontological resources. This website provides the following kinds of information; overview, existing condition concerning fossil resources, policy and position statements, goals and objectives, monitoring methods, and sources of assistance.

For additional information about paleontological resources, please see the appendix.

Goals and Objectives:

1. The County should work with agencies to protect, preserve, and document the historical sites for the benefit of future generations.
2. The County should work with agencies to manage cultural, historic, and paleontological resources to allow research and/or interpretive activities, when possible, while protecting significant attributes of units from natural or human-caused degradation.

Policies:

- a. When there is an alteration of land, waterways, roads, or other resources, the County should consider cultural, historical or paleontological impacts.
- b. Grant the County Cooperating Agency Status on any proposed actions in all management decisions regarding cultural, historical, and paleontological resources.
- c. File a written report detailing how consistency was analyzed with respect to agency actions or plans. The report should identify where inconsistencies exist, why consistency is impossible, and any plausible way to correct the inconsistencies.
- d. Provide an opportunity for Wasatch County to have meaningful participation in the development, monitoring and analysis of any studies conducted on resources associated with public lands.
- e. Notify Wasatch County of any proposed action that will affect the County's culture and heritage values.
- f. Provide an economic and social analysis when reasonable requested, which includes cumulative impacts, or proposed agency actions on Wasatch County's tax base, economy and cultural and heritage values.
- g. Where significant prehistoric and historic sites and scientifically important resources can be protected, consider developing them for education and tourism (where appropriate).
- h. If there are anticipated potential adverse effects to any significant and important cultural, historical, and paleontological resources, avoid the resources as much as is practicable before advancing to more extreme measure such as excavation, mitigation or removal.

- i. Under NHPA, any federal project that could have impacts to significant cultural resources would require an archaeological review and inventory before the project could be started. A qualified archaeologist would evaluate whether the historic or cultural sites inventoried are considered significant, in consultation with the state historic preservation officer (SHPO). Impacts may require mitigation.
- j. According to the Utah Code 9-8-401, “The Legislature determines and declares that the public has a vital interest in all antiquities, historic and prehistoric ruins, and historic sites, buildings, and objects which, when neglected, desecrated, destroyed or diminished in aesthetic value, result in an irreplaceable loss to the people of this state.” Therefore, and cultural or historical resources that have been determined to be significant would be covered under this code.
- k. Utah Code 63J-8-104 (i) states that federal lands should be managed “so as to protect prehistoric rock art, three-dimensional structures, and other artifacts and sites recognized as culturally important and significant by the state historic preservation officer or each respective county by imposing reasonable and effective stipulations and conditions reached by agreement between the federal agency and the state authorized officer pursuant to the authority granted by the National Historic Preservation Act, 16 USC 470 et seq.”
- l. Paleontological resources are protected under Utah Code 63-73-11 through 63-73-19, Utah Code 53B-17-603 and Utah Administrative Code R807-1 require important extracted fossils to be curated by an approved and qualified institution.
- m. Regulations state that vertebrate fossils can be collected from BLM-administered lands only under a permit issued to qualified individuals. Fossils should be placed in a repository such as a museum or university which is to be identified in the permit. If there are any scientifically significant fossils collected on Utah state lands, they should be curated with the Natural History Museum of Utah. Invertebrate and plant fossils can be collected and kept by recreational collectors for personal, non-commercial use. A permit is required, however, for the collection of vertebrate fossils or any associated trace fossils such as tracks or eggs. Any fossils collected on non-federal lands belong to the landowner.
- n. When choosing sites for public use, the physical location, historical value, or sense of place should be considered from a cultural, historical and paleontological aspect.

Energy Considerations

Findings:

In the development of energy resources, cultural, historical, geological and paleontological resources should be protected in accordance with state and federal laws. However, the presence of cultural, historical, geological and paleontological resources should not, by themselves, prevent the development of energy resources. Surface disturbance associated with energy development may expose cultural, historical, geological and paleontological resources that add to the body of scientific knowledge.

Wasatch County Public Lands Committee

Consistent with its responsibility to participate in the public land management process, the Wasatch County Council has accepted the responsibility by the establishment of the Wasatch County Public Lands Committee, and charged said committee to write and implement a new public lands policy document that should outline the County's policies as they relate to public land management agencies. The Public Lands Committee will consist of a Chairman selected from the committee members, three Wasatch County Councilmen as assigned by the County Council, County Planning Director, or his designee, from the Wasatch County Planning Department, the Wasatch County Public Lands Coordinator and others as may be designated from time to time by the County Council. Public Land Management Agencies will be encouraged to participate and provide their expertise at regularly scheduled meetings to assist in the development of recommendations that will be forwarded to the County Council.

The Public Lands Committee is assigned the following tasks:

- a. Study public land management planning, policies and decision-making processes.
- b. Develop an action-plan to provide a basis for the county's participation in public lands issues.
- c. Monitor the activities of public land management agencies.
- d. Engage the citizenry in dialogue relative to public land issues.
- e. Make recommendations to the Wasatch County Council with regard to public lands issues.
- f. At the direction of the Wasatch County Council, participate in the public lands management planning and decision-making processes on behalf of the county. Wasatch County Council will have the right to make the final decision on any issue related to the intent or direction of the Public Land Policy.
- g. Revise or amend the county public land use policies, as needed and directed by the County Council.

In order to accomplish these tasks, the Public Lands Committee should:

- a. Meet once a month or as necessary
- b. Select a chairman who shall:
 - i. Assign qualified committee members to attend specific meetings relative to public lands issues;
 - ii. Assign qualified committee members to review environmental and public land use documents;
 - iii. Assign qualified committee members to prepare reports for the Wasatch County Council; the reports should document compliance or noncompliance with the county public land use policies;
 - iv. Assign qualified committee members to prepare responses from the Wasatch County Council to the public land management agencies;
 - v. Report to the Wasatch County Council once per month or as necessary;
 - vi. Recommend the hiring of consultants with special expertise to review documents, perform surveys, write opinions, and perform other tasks as directed by the Wasatch County Council;
 - vii. Solicit public input at regularly scheduled meetings to assist in the development of recommendations to be made to the Wasatch County Council with regard to public land issues.