NOW THEREFORE, CARBON COUNTY does hereby publicly declare Carbon County
Commissioners:

proposals on March 18, 2015, and by considering with the Board of

WHEREAS, Carbon County has received a favorable recommendation from the Carbon

the Federal Lands Policy & Management Act (FLPMA) and

WHEREAS, Carbon County recognized the assistance Federal and public land

Commissioners, in the paramount importance of Carbon County, and

WHEREAS, Carbon County recognizes that assistance Federal and public land

Commissioners, by Carbon County, and

WHEREAS, Carbon County recognizes that assistance Federal and public land

Commissioners, in the paramount importance of Carbon County, and

Commissioners have received a favorable recommendation from the Carbon

Commissioners, by Carbon County, and

Commissioners, in the paramount importance of Carbon County, and

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Commissioners, in the paramount importance of Carbon County, and
1. The Congress of the United States designate the portion of the Green River flowing through Carbon County, Utah as a Wild and Scenic River, at the level of "Wild".

2. That the Congress of the United States designate and set aside 51,153 acres within Carbon County, Utah as a Wild and Scenic River, at the level of "Wild".

3. That the Congress of the United States designate the following areas as National Conservation Areas (NCAs) within the boundaries of the County, subject to currently existing grazing and access rights:

   a. The Jacks Canyon NCA, consisting of 9,289 acres, located in the area shaded yellow on the attached map;

   b. The Nine Mile Canyon NCA, consisting of 26,210 acres, located in the area shaded brown at the top of the attached map;

   c. The Range Creek Canyon NCA, consisting of 4,203 acres, located in the area cross-hatched in orange at the bottom of the attached map.

4. That the Congress of the United States designate all lands from the Wilderness Study Areas, consisting of approximately 21,010 acres, including but not limited to the Jack's Canyon WSA, and the lands within the boundaries of the Carbon County, subject to currently existing grazing and access rights.

5. That the Congress of the United States designate all lands from the Colorado Basin, including grazing and access rights, subject to the recommendations contained therein, which are attached hereto as Exhibit "A".

6. That all designations and legislation effected by Congress be made as proposed in General Language Document and, subject to the recommendations contained therein, which are attached hereto as Exhibit "A".
7. Carbon County reserves the right to modify and amend the recommendations and proposals contained herein, as additional information is received by the County, for the purpose of securing the best possible situation for the County and its interests.

PASSED AND ADOPTED by the Carbon County Board of Commissioners on this day of ______________, 2015.

Casey Hopes, Chairman

Commissioner Hopes voted ____________
Commissioner Potter voted ____________
Commissioner Mellor voted ____________

yea nay nay nay

Seth Oveson, County Clerk/Auditor

ATTEST
Special Designation Areas do not include and all parties expressly disclaim designation.

1996.01 [Public Law 86-317]

and other applicable laws consistent with the "Valuable Use - Sustained Yield" Act of

suitable for non-special designation and for land management planning process

Congress hereby finds that the lands to be released to express constitutional equity,
classified as having wilderness characteristics or being roadless to be released,
wilderness character of the lands in the County is necessary and all other lands

The parties express a knowledge that no further consideration for wilderness or

for non-wilderness multiple uses, subject to the requirements of other Federal laws.

1999. [Public Law 105-184] Such lands shall be managed for the purpose of producing

management classification as stated in the Public Lands Management Act of

concern that federal multiple use multiple team management principles or any other projective

management principles, national conservation areas, roadless, wilderness, recreation, national

conservation areas, "wild" and "scenic" are defined under this single term - "Special Designation Areas, as part of the CPL. All other lands

A. If any land is designated as a Special Designation Area as part of the CPL, all other lands

II. Hard Release and No Future Consideration of Special Designation Areas

EXPLANATION: Each of the areas designated as CPL is "wilderness" or "National conservation

subject to and controlled by the terms below.

Special Designation Areas are hereby referred to as "Special Designation Areas", "wild" and without qualification.

A. All land designations in the CPL or management designations executed as part

specific designation included by explanation that appear in the immediately following box of text.

through the entire CPL are developed and are depicted by reference on the map. Each issue includes

The Legislative Language is presented by issue. It is important to note that some issues will

and does not discuss future actions to be taken by the County.

Approved by Committee: February 26th, 2015

General Legislative Language Document
Carbon County Public Land and Initiative
VII. Livestock Grazing

A. Designation Areas, including Willowsness, Vernal pools, and other similar areas

The purpose of this section is to ensure that if any land is designated as Willowsness or Vernal pools designated special consideration areas (as of 1993), no use or activity that could result in the loss of these Willowsness or Vernal pools areas is conducted. Additionally, any further consideration of use and activities within these Willowsness or Vernal pools areas is prohibited.

EXPLANATION: This section is the overarching principle of “active management” that is applied throughout each of the following sections. Active management shifts land ownership and control of a site’s management decisions to the County. If the County is not able to control or manage the site, the property will be managed as well as existing higher by State, local, and federal entities as well as any existing private owners and management practices that are in place. Additionally, a full range of management techniques, including but not limited to, mechanical, chemical, and biological, is considered in further consideration of land use and activities within these Willowsness or Vernal pools areas.

III. Conservation of Special Designation Areas

The purpose of this section is to ensure that if any land is designated as Willowsness or Vernal pools designated special consideration areas (as of 1993), no use or activity that could result in the loss of these Willowsness or Vernal pools areas is conducted. Additionally, any further consideration of use and activities within these Willowsness or Vernal pools areas is prohibited.

EXPLANATION: This section is the overarching principle of “active management” that is applied throughout each of the following sections. Active management shifts land ownership and control of a site’s management decisions to the County. If the County is not able to control or manage the site, the property will be managed as well as existing higher by State, local, and federal entities as well as any existing private owners and management practices that are in place.
Livestock permits shall be renewed for a term of (10) years according to species in special designation areas.

Livestock grazing permits shall not be renewable if the permittee's herd exceeds the maximum limits set forth in the permit. Any declines or increases in grazing numbers of livestock shall be reported within 30 days of the event.

The administrative area, including all lands and resources within the appropriate special designation areas, shall be determined by the appropriate management agency. All management plans and actions within these areas shall be coordinated and monitored with the appropriate agencies in the region in a manner that does not conflict with existing and proposed developments. All permits and permits within these areas shall be reviewed and updated on a periodic basis to ensure compliance with the new regulations.
V. Wildlife and Fish Habitat and Population Management

SECTION A. Nurturing the Creation of Special Designation Areas: The Purpose and in Accord with the

SECTION B. The Parties Expressly Acknowledge the Potentially Catastrophic Scope of the

SECTION C. Invasive Plant Species

SECTION D. Recreational and Scenic Values

SECTION E. Vacate Access to Natural Habitat Improvement and Administration of Permits

EXPLANATION: This section incorporates the overarching Conservation Principle discussed above.

EXPLANATION: This section incorporates the overarching Conservation Principle discussed above.
Nothing in this legislation shall have any impact on the certification.

I. WATER RIGHTS

A. Special Designation Areas

EXPLANATION: Both the management of wildlife habitat and the actual animals themselves are managed under this the Right.

and used for predator control. If the special designation area is stable, theoverrides that are allocated for a permanent.

management and aquatic plants, fish and wildlife in the state; green space in county plans for habitat

B. Prior to listing any species in threatened or endangered pursuant to the Endangered

Special Designation Area management will not impact or impede predator

the range, wildlife habitat, riparian areas, and other resources.

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the range, wildlife habitat, riparian areas, and other resources.

2. During subsequent legislation to improve habitat or biological diversity:

3. Wildlife habitat management and wildlife management shall include reduction in, and

4. Management vehicle access and the use of mechanical equipment shall be

Nothing in this legislation shall have any impact on the certification.
No Special Designation Area shall impair or impede construction of facilities to develop, divert, change, store, apply, or otherwise use water.

Canals, ditches, springs and all other water structures must be accessible for maintenance and protection purposes by motorized travel and equipment access.

All canals, ditches, and water structures should be protected by an adequate buffer of at least one-half mile on either side of the center line of the structure, whereby management prescriptions, if any, associated with the Special Designation Area do not apply.

Stock ponds, watering holes, fencing or and or placing troughs on springs etc. must be considered "improvements." Any in-stream water right created by designation as Wild and Scenic River is junior to all absolute and conditional water rights existing before the CPFL is finalized.

Nothing in this Act shall be construed to take or reduce the State of Utah's Sovereign authority over all waters within the State and to make and enforce all laws, rules or regulations of Utah's rights and authority pertaining to the Colorado River Compact of 1922. Stated in Public Law, Title 43, Chapter 128 § 620.

EXPLANATION: This section focuses on preventing the U.S. Forest Service or BLM or another federal agency from claiming a reserved or unreserved water right for wilderness or conservation purposes. It also allows existing water rights already devoted to and beneficial use. The State of Utah has not full developed its water rights in the Green River and any Special Designation Areas should not interfere with future development of new water rights and beneficial uses. The State of Utah and any Special Designation Areas should not interfere with future projects that need to develop water right. Finally, it ensures that even if a water right is created by wild and scenic designation, that water right is junior to all absolute and conditional water rights.

VIII. Watershed Protection

A. Notwithstanding creation of a Special Designation Area and in accord with the Conservation principle at 11(A), the Permittee, state, local, or federal agency shall actively manage and employ a full range of management techniques to protect water development and domestic and agricultural water resources in a watershed area and to promote watershed health. This area shall be counted as conservation use under and to wildfire impacts, to protect riparian areas by ensuring appropriate water flows, and to promote water quality and quantity.
Recreation Uses

X. Transportation

IX. Close Resources

The concept that watershed health is highly woven with integrated recreation, tourism, and active management must incorporate a full suite of management actions available to the land managers and also in their riparian buffer within the county where they are located.

EXPLANATION: Much like the section on recreation and habitat management above, this section

on a road-by-road basis.

explained in the text may be given up if it is the only if the CPR is believed by the CPR. Some CPRs, however, are in order to preserve administrative or otherwise (e.g., blocked with dirt or rock, blocked or removed from emergency use). Other CPRs, however, are in order to preserve administrative or otherwise (e.g., blocked with dirt or rock, blocked or removed from emergency use).

43 U.S.C. 923, all public trails, roads, roads,PRs, and other rights-of-way shall remain open and accessible to historic uses and shall not be closed or obliterated. If blocked.

Pursuant to the act of July 26, 1866, or 26, § 8, 14 Stat. 25, 253, closed al

access necessary to achieve a full range of management tools.

Access necessary to achieve a full range of management tools.

Block this exception with the active management of Special Designations Areas and

Block this exception with the active management of Special Designations Areas and

Incorporate this exception with the active management of Special Designations Areas and

Special Designation Areas will continue to be open and accessible by all roads of

All roads, two-tracks, and historic trails in the county will continue to be open and accessible by all roads of

IX. Transportation

EXPLANATION: Much like the section on recreation and habitat management above, this section

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amended in any way, the agreement no longer holds and the deal is done.

A. The provisions in this bill are part of a historic agreement between several countries.

B. The provisions ensure that the parties are granted a remedy without seeking judicial review.

XI. Other Provisions

All need to be preserved as they have existed up to this point.

Example: Campgrounds, Recreational uses also must be protected as they have been historically developed. For example, hiking trails, birding, fishing, and hunting access points.
and unreliable, and that all other responsibilities to the cultural demesne of this lifestyle, split
regulatory or institutional impedes or actions that reduce the economic benefits of farming
without the council's ability to pass on increased land and business to hewers without

- Organize agricultural operations as a historic cultural occupation should function firmly

- and procedures that are canceled will be reviewed to protect the present operators.

- National Heritage Areas in compliance with the EIS and NEPA shall be allowed, least

- OIl and gas parcel nomination, leasing and development in the Nine Mile Canyon

- disposal of mineral materials.

- For avoidance and setback requirements as needed on a case-by-case basis and open to
development opportunities. Oil and gas development shall be allowed under stipulations
of operational or inherent transmission of the products is marketed or on any type of

- No added restrictions of stipulations shall be imposed on energy exploration, production,

- VRM shall be Class III in this area.

- county coordination and cooperation.

- site-specific: Organizational planning and implementation of opportunities will be allowed through

- OHV use on designated routes will be allowed consistent with county ordinances and

- needed to allow safe use. No loss of access by any means shall be allowed.

- to provide lands over Federal land shall be performed in a way to open up use and maintain the
shall be recognized as their property and management under RS 2477. All rights-of-way

- The continued use of all roads deemed public by Carbon County and the State of Utah

- different maintenance requirements.

- infrastructure. It includes roads together with all附属-suchette, drainage, bridges, and the
community. These include access to sub-surface infrastructure and features of all
utility and mineral extraction within corridors including utility, power, and

- utility corridors will be allowed; right of ways for the construction and maintaining of

- it is deemed that:

- of the Congressional NCA designation and management guidelines as directed below.

- Nine Mile Canyon National Conservation Area

- NCA should be based on this framework as follows:

- The purposes for which the NCA have been proposed has been accepted by the Board of

EXHIBIT C
Congressional designation of this entire region.

All grazing management plan reductions will be covered by language consistent with

a valid existing right of the grazing permit holder.

With the handful and wristed areas still continue without interruption and be considered
conservation held by this area as well as a tool to reduce bovines building and enhance

Utilizing grazing management plan historically has and is an integral part of the

Congress deems this conservation area shall be in multiple use but protected by:

Jacks Canyon National Conservation Area

This area contains 26,210 acres.

Establish:

members will only be allowed to make recommendations within scope of these
also be approved by the Board of County Commissioners of Carbon County, Utah, Board
members chosen for the Jacks Canyon National Conservation Area Advisory Board shall
function together and will be equally treated under the law.

Special status and recognition will be placed on the fact that all of these land uses

coordination

the Utah State Historic Preservation Office; local county knowledgeable; cooperation and
continue to oversee the cultural resources on the federal land within this designation with
BLM will manage and maintain their facilities at Dandy Canyon and other areas and

Tourism opportunities will continue and be promoted by the local tourism infrastructure.

Programmatic Agreement

oversight of the State Historic Preservation Office; consistent with the West Range
agreements to study these finds. Finds will continue to be added to the register under the
continue within this area, as will the support and promotion of educational and research

The ongoing identification, inventorying, and classification of archaeological finds will

as a historic resource will be consistent with Utah Statewide without impediment.

from one acres designated grazing land to another or to market will continue to be recognized
recreation in numbers or season of use. The right-of-way establishment to move livestock
and as a valid existing right. If will continue with no additional restrictions or restrictions

Public land grazing use shall be recognized as an outstanding historic cultural occupation

permission to use of their property.

property owners’ surface rights are not interrupted or they have expressly given their
escape will be open to all and gas leasing subject to minor constitutional provided practice
Range Creek Canyon National Conservation Area.

This area contains 9,289 acres.

All activities and measures to manage this area will be done in cooperation and coordination with the State of Utah and the local involved counties.

- All activities and measures to manage this area will be done in cooperation and coordination with the State of Utah and the local involved counties.
- Oil and gas development shall be allowed subject to minor constraints. No surface development shall be allowed subject to minor constraints. No surface development shall be allowed subject to minor constraints.
- All trails or ways existing to manage the land for grazing, watershed, wildlife, and livestock shall be maintained to ensure safe use. No access or ability to maintain property access by any means shall be allowed.

Members chosen for the Range Creek National Conservation Area Advisory Board shall also be approved by the Board of County Commissioners of Carbon County, Utah. Board members will only be allowed to make recommendations within scope of these guidelines.

Special status and recognition will be placed on the fact that all of the land uses of this area function together and will be viewed as treated equally under the law.

Congress deems this conservation area shall be protected by:

- Utilizing grazing management that historically has and is an intricate part of the ecosystem health of this area as well as a tool to reduce biomass buildup and enhance wildlife habitat and watershed areas shall continue without interruption and be considered a valid existing right of the grazing permit holder.
- All grazing management fuel reduction will be covered by language consistent with Congressional designation of this entire region.

Management will also include commercial timbering and the use of controlled burns as a means to reduce the hazard to relict values in Range Creek Canyon.

All activities and measures to manage this area will be done in cooperation and coordination with the State of Utah and the local involved counties.

Oil and gas development shall be allowed under stipulations for avoidance and setback requirements as needed on a case-by-case basis and open to disposal of mineral materials. Spill events will be open to oil and gas leasing subject to minor constraints provided...
This area contains 4,203 acres.

Area function together and will be viewed as and treated equally under the law. Special status and recognition will be placed on the fact that all of the land uses of this

Guidelines

members will only be allowed to make recommendations within scope of these

also be approved by the Board of County Commissioners of Carbon County, Utah, Board members chosen for the Jacks Canyon National Conservation Area Advisory Board shall

access or users ability to maintain property access by any means shall be allowed.

Maintenance to whatever degree needed shall be allowed to ensure safe use. No loss of

of way to provide lands over federal land will be permanently left open to use.

shall be recognized as their property and shall be managed under RS 2477. All rights-

The continued use of all roads deemed public by Carbon County and the State of Utah

their permission to the use of their property.

private property owner’s surface rights are not infringed on they have expressly given