

ORDINANCE 2009-05

AN ORDINANCE AMENDING THE TOOELE COUNTY TRAILS PLAN IN CHAPTER 13, TOOELE COUNTY TRANSPORTATION PLAN, AND CHAPTER 19, TOOELE COUNTY RESOURCE MANAGEMENT PLAN, OF THE TOOELE COUNTY GENERAL PLAN, ADDING THE TOOELE COUNTY ACCESS PLAN AND APPENDIX

WHEREAS, pursuant to Utah Code Section 17-27a-404, the Erda Township, Pine Canyon Township, and Tooele County Planning Commissions held public hearings on an application to amend the Tooele County Trails Plan in Chapter 13, Tooele County Transportation Plan, by making reference to the Tooele County Access Plan and to also amend Chapter 19, Tooele County Resource Management Plan, of the Tooele County General Plan to include the Tooele County Access Plan and appendix; and

WHEREAS, the planning commissions provided notice as required by Utah Code Section 17-27a-204 and heard arguments both for and against the amendments at the public hearings; and

WHEREAS, having heard public comment in the public hearings, the planning commissions recommended approval of the general plan amendments and forwarded the matter to the county commission; and

WHEREAS, the Tooele County Commission finds good cause for amending the general plan as requested.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOELE COUNTY, UTAH AS FOLLOWS:

SECTION I - GENERAL PLAN AMENDED. Chapter 13, Page 5 of the Tooele County General Plan is hereby amended to read as attached hereto, which attachment is, by this reference, made a part hereof.

SECTION II - GENERAL PLAN AMENDED. Chapter 19 of the Tooele County General Plan is hereby amended to include the Tooele County Access Plan and appendix, to read as attached hereto, which attachment is, by this reference, made a part hereof.

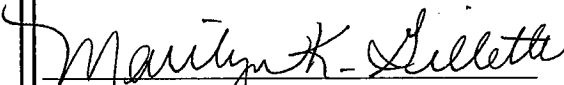
SECTION III - REPEALER. Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION IV - EFFECTIVE DATE. This ordinance shall become effective 15 days after its passage provided it has been published, or at such publication date, if more than 15 days after passage.

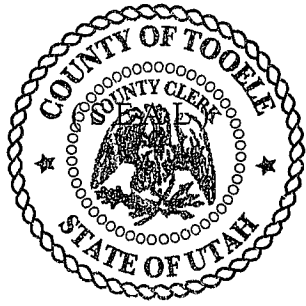
IN WITNESS WHEREOF the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 3rd day of February 2009.

ATTEST:

TOOELE COUNTY COMMISSION:



Marilyn K. Gillette, Clerk


Colleen S. Johnson, Chairman



Commissioner Johnson voted aye
Commissioner Clegg voted aye
Commissioner Hurst voted aye

APPROVED AS TO FORM:


Doug Hogan
Tooele County Attorney

Introduction, Purpose and Goals

Tooele County is a land of diverse landforms, climates, soils, flora, wildlife, and inhabitants. These diverse features, as well as vast expanses of open space, attract people to the county for recreational purposes of all kinds. The residents, the visitors, the wildlife, and the ecological and environmental processes can, have, and will vie for space and opportunity. The various human users often are in competition for trails and areas, both with each other and the natural resources. These conflicts necessitate the adoption of a recreation, trail, cultural and scenic resource plan that protects the rights and needs of all.

Tooele County's natural role in the regional recreation picture is that of a vast natural frontier within easy driving distance of over a million people. Concurrently, Tooele County itself, especially the Tooele Valley, is experiencing a period of tremendous population growth. Our residents seek recreational opportunities, including trails, which are easily accessible and convenient. Conversely, but not oppositional, as a relatively natural area, a less "finished" recreation experience is expected by many of the people who recreate in Tooele County. They expect to have a less controlled and regulated recreation experience than they will find in the more populous counties of the Wasatch Front. To some extent this less structured experience is and should be a draw for the county; but this should not be obtained to the detriment of the beauty, natural resources, and property rights of the county. A careful balance must be struck between the interests of the users and nature, especially given the relatively few law enforcement resources available in this rural county. Therefore, it is appropriate within this plan to call out the methods by which those areas deemed inappropriate for recreation or travel will be protected.

The Tooele County Recreation and Trails Plan *in conjunction with the Tooele County Access Plan* will define and identify areas for recreation and protection, address protection and enforcement issues, and determine existing and proposed infrastructure and the sources of funding.

Tooele County Trails Committee Goals for the Final

Product

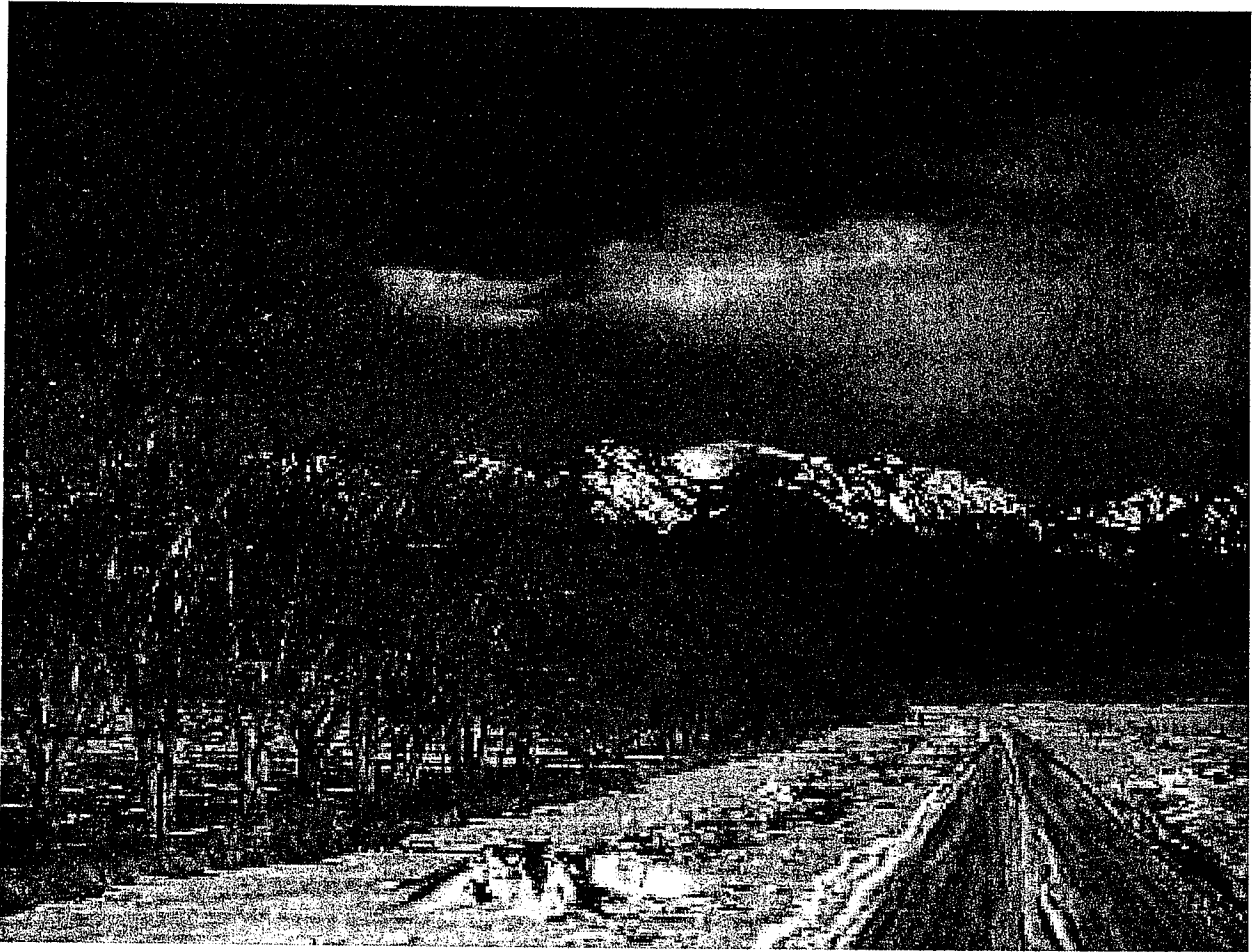
1. A 20-year, long-term plan for the future development of a trails system in Tooele County based on the Tooele County General Plan, Stakeholder/Landowner plans/vision, User Needs and Public Input.
2. A plan that addresses and plans for trails and recreational opportunities for all users. All recreational users should have an equal opportunity to recreate in a manner that suits them so long as the impact of the activity does not negatively impact health, safety, welfare or public interests such as natural beauty, resources, and public property rights.
3. A plan that places appropriate uses in appropriate locations. The locations where users recreate are of vital importance, certain uses do not mix with other uses and some locations are inappropriate for a certain use.
4. A plan that is environmentally, ecologically, and biologically sensitive. Trails and recreational opportunities should not unreasonably or unnecessarily burden or disrupt natural processes.
5. A plan that promotes economic development and tourism in Tooele County.

Phase 1 Strategies

Phase 1 strategies will develop the information base needed to identify needs, opportunities, challenges, priorities and long-term policies:

- A. Develop the trail inventory.
- B. Identify the most heavily used trails.
- C. Identify the most heavily abused trails.
- D. Gather public input regarding needs, desires, volunteer potential and other relevant data.
- E. Develop and implement a plan, in collaboration with Tooele City, ARCO, private land owners, BLM and other interested groups, the Oquirrh Bench Trail Corridor running from I-80 at the Salt Lake County line to Stockton. At this time, this Corridor is the one with the greatest positive impact on county citizens and resources.
- F. Continue the development of proposed Prospector OHV Complex. For motorized users this complex has the greatest positive near-term potential for county citizens and tourism.





Tooele County Access Plan – November 2008

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1.0 Legal Basis

In Utah, the authority for each county to make plans for the management of land use and access within its borders derives directly from State law. In addition to this authority, provisions of federal law allow counties to participate in and influence the natural resource and land management plans of federal agencies both through use of these duly adopted county plans and through cooperative participation in the planning efforts for the federal lands. This discussion is intended only as a broad outline of the parameters for influence, not as an exhaustive dissertation of all possibilities.

County Planning Authority

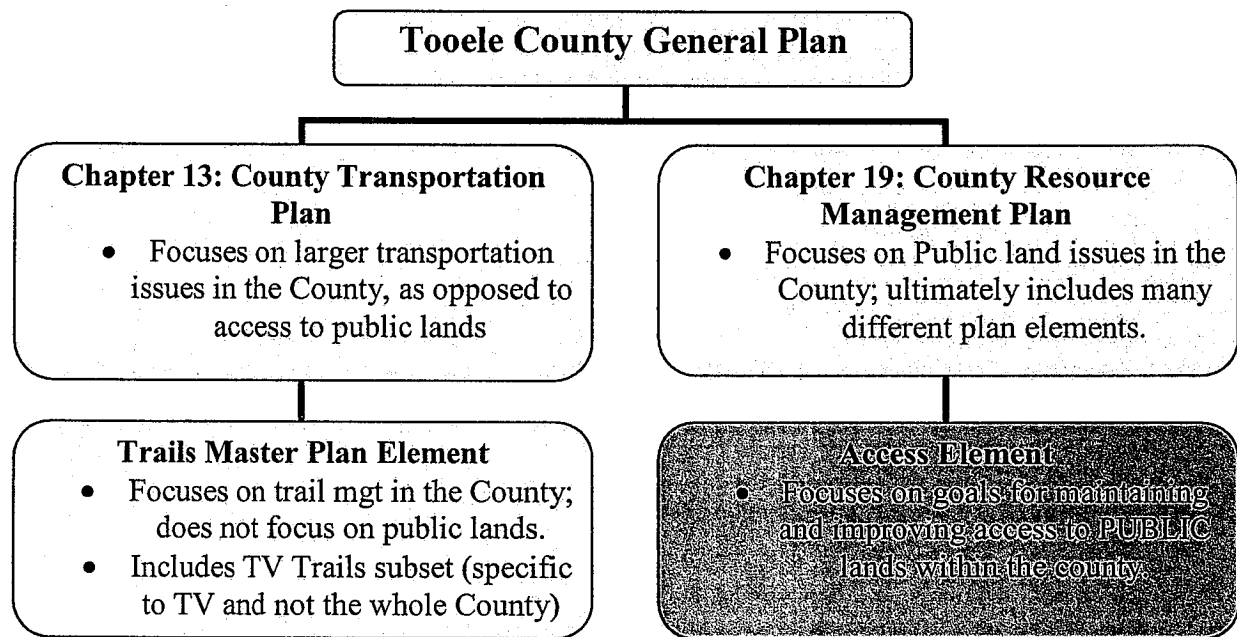
Section 17-27a-401 of the Utah Code provides that each county “shall prepare and adopt a comprehensive, long-range general plan” which provides for, among other things:

- (a) the health, general welfare, safety, energy conservation, transportation, prosperity, civic activities, aesthetics, and recreational, educational, and cultural opportunities; and

- (j) an official map.

Each county may determine the comprehensiveness, extent, and format of the general plan. (Utah Code §17-27a-401(5)) In addition, the law provides that the plan may define the local customs, local culture, and the components necessary for the county’s economic stability (Utah Code §17-27a-401(4)), and may get access to certain data gathered and held by state agencies which may be of assistance in the planning process. (Utah Code §17-27a-402) However, the authority to plan does not give the county any direct jurisdiction over lands owned by the state or federal governments (Utah Code §17-27a-304). The general plan contains several chapters, each addressing specific planning issues within Tooele County (County).

Within the general plan, two chapters deal with transportation and access issues in the County. The first, *Chapter 13: Transportation Plan*, deals with countywide transportation dynamics, and involves lands of all ownership and jurisdictional natures (i.e., private, federal, State, County). The second, *Chapter 19: County Resource Management Plan*, deals with planning issues linked to public lands within the County. This Access Plan is an element of the County Resource Management Plan (CRMP) found in Chapter 19 of the General Plan. It deals specifically with access to the County’s Public Lands. The relationship of this Access Plan to Tooele County’s related planning instruments is illustrated in the following diagram:



Federal Land and Natural Resource Planning

Two of the major federal landowners in Utah, the Bureau of Land Management (BLM) and the Forest Service, are required to engage in land and natural resource planning processes which can affect the use and development of natural resources. The Bureau of Land Management is required by Section 202 of the Federal Land Policy and Management Act of 1976 [FLPMA] to “develop, maintain and ... revise land use plans which provide by tracts or areas for the use of the [BLM] lands.” Similarly, the Forest Service is required to “develop, maintain, and ... revise land and resource management plans for units of the National Forest System.” (16 U.S.C. §1604(a))

Coordination and Consistency with State, Local and Tribal Government Plans

Both the BLM and the Forest Service are required to coordinate their land and natural resource planning efforts with those of state, local, and tribal jurisdictions. For example, the BLM is required to

- 1) become “apprised of State, local and tribal land use plans;
- 2) assure that consideration is given to those State, local and tribal plans that are germane to ... plans for public lands;
- 3) assist in resolving ... inconsistencies between Federal and non-Federal Government plans. (43 U.S.C. §1712(c)(9))

Specifically, state and local officials are “authorized to furnish advice to the [BLM] with respect to the development and revision of land use plans, ...guidelines, ... rules and ... regulations for the public lands.” (43 U.S.C. §1712 (c)(9)) This is significant because land use plans adopted by the BLM are required to “**be consistent with State and local plans to the maximum extent consistent with Federal law and the purposes of**

[FLPMA].” (43 U.S.C. §1712(c)(9)) The duly adopted regulations of the BLM further define this consistency requirement by requiring that the BLM’s resource management plans shall be “consistent with officially approved or adopted resource related plans, and the policies and programs contained therein, of ... State and local governments and Indian tribes, so long as the guidance and resource management plans are also consistent with the purposes, policies and programs of Federal laws and regulations applicable to public lands.” (43 C.F.R. §1610.3-2(a)) The term “consistent” is defined to mean that the duly adopted federal plans for the natural resources within the county “will adhere to the terms, conditions, and decisions of officially approved and adopted resource related plans” of local and state governments. (43 C.F.R. §1610.3-1)

The BLM regulations also provide that “in the absence of officially approved or adopted resource management plans of ... State and local governments ... [Federal] resource management plans shall, to the maximum extent practical, be consistent with officially approved and adopted resource related policies and programs of ... State and local governments.” However, as before, this consistency only applies to the extent the policies and programs are “consistent with the policies, programs and provisions of Federal laws and regulations applicable to public lands.” (43 C.F.R. §1610.3-2(b))

The Forest Service is required to coordinate “with the land and resource management planning processes of State and local governments.” (16 U.S.C. §1604(a)) Although there is no explicit parallel requirement for consistency of Forest Service plans with plans of state, local, and tribal governments as that contained within FLPMA for the BLM Resource Management Plans, the Forest Service is required to “discuss any inconsistency” between the proposed plans provision and “any approved State or local plan and laws.” Further, if any inconsistencies exist, the plan must “describe the extent to which the [Forest Service] would reconcile the proposed action with the plan or law.” (40 C.F.R. §1506.2(d))

2.0 Existing Management Setting

Public Land Recreation

Tooele County has a rich and diverse history and culture and offers a variety of outdoor recreational opportunities and experiences. Most of these activities occur on public lands and are enjoyed by County residents and visitors alike. Proximity to the Wasatch Front and the Salt Lake international airport makes these areas and activities convenient and attractive to tourists and visitors. The number of recreationists using public lands in the County will continue to rise as the population in the region increases, combined with an expansion of recreation opportunities and improved facilities.

The current situation also provides an array of private and public economic development opportunities. Tooele County will continue to encourage and promote these recreational and economic development activities on public lands. Several federal, state, County and community governmental entities, as well as private interest groups and organizations, are implementing a variety of recreation and tourism programs highlighting Tooele County public land recreation opportunities.

Recreational use is considered to be a high priority. This is especially true in the mountain areas surrounding Tooele Valley, along the Great Salt Lake, and in the more desert areas of Skull Valley, Ibapah, Gold Hill, Danger cave, and Simpson Springs. The Bonneville Salt Flats have also provided an attraction for speed races of various types. In addition, the open spaces of the County are a recreational attraction for bicyclists, horsemen, and off-road vehicle users.

County residents expressed support for promoting in-County public land recreational sites and activities. However, they do not want these efforts to promote activities inconsistent with the County's character or lifestyle, or increase visitor numbers to the point where recreation opportunities for County residents are limited.

There are several issues affecting recreational access in the County that need to be addressed. The recent controversy over Stansbury Island reveals that access to public lands by way of private lands is one of the thorniest recreation issues in Tooele County. The BLM lands of the island offer trails, beaches, ancient Native American art, and nearby sailing. To reach these places users must utilize roads which recently have been closed by the County, and must cross private land. In Rush Valley the southern "block" of the Wasatch National Forest is bordered on north and east by private land. This situation leads to a strong possibility of trespassing. Similar situations exist in many areas throughout the County. People should be encouraged to use official entrances to avoid trespassing to allow for better enforcement by rangers and better recording of visits.

Public Participation

Public comments regarding public land recreation and access submitted during the planning stage of Tooele County's 2005 Resource Management Plan included the following:

- the County should be actively involved in agency planning activities,
- County policies should reflect the interests of all County residents,
- programs/activities should attract tourists/visitors as well as provide opportunities for County residents,
- use/user conflicts are emerging among various recreational activities and should be addressed,
- some public land-based recreation activities are impacting adjacent private lands and investments,
- adequate access to public lands and resources is critical, particularly as it relates to private holdings,
- the need for suitable parks and recreational facilities within the County, and
- impacts to County-provided services and facilities should be monitored.

During the scoping period for this Access Plan, public comments were received through letters and at a scoping meeting held on November 16th, 2006 in Tooele City. At the scoping meeting, Tooele County representatives gave a short presentation on the Access Plan timeline, background, and the planning process. Following the presentation, the group of fifty-one people who attended the meeting was broken up into two smaller groups. Each group was provided with a facilitator and a scribe. The groups were given ground rules for the discussion and then began brainstorming issues as the scribe took notes on a flip chart that was updated as the discussion unfolded. After about an hour of discussion, the two groups came together and presented a summary of the issues that each group discussed. Some of the concerns expressed at the scoping meeting and in the letters received from the public include:

- the need for proper signage to help the public distinguish between public and private lands and to identify trailheads/access points,
- the protection of private property rights,
- the need for an increase in trails and roads,
- the need to reopen roads that have been closed,
- the need for an increase in ORV/ATV access,
- the need to balance ORV/ATV use with other uses,
- the need to enforce ORV/ATV rules,
- the need for ORV/ATV rider education,
- the need to address user conflicts between motorized and non-motorized recreationists,
- the need to address safety concerns, including dangers presented by activities such as OHV/ATV use, biking, and hunting,
- the need for detailed, accurate, and regularly revised maps to be made available to the public,
- the need for parking areas at access points,
- the need to focus on multiple use principles,

- the need to preserve access to historic/cultural areas,
- the need to better define and resolve public access issues regarding specific areas, such as Stansbury, Kennecott Overlook, and 5-Mile Pass,
- the need for an increase in equestrian access,
- the need for an increase in user education,
- the need for clean-up on specific trails, such as Rattlesnake Trail and Constrictor Trail,
- the need for a process for reporting trail abuse, and
- the need to preserve lands for transportation corridors and open space.

Need for Change in and/or Desire to Maintain Existing Management Direction

Items 1 through 10 are contained in the County's current Resource Management Plan. Items 11 through 15 were formulated in response to public concerns expressed during the scoping phase of this Access Plan.

1. Tooele County will assume a more active role in public land recreation planning and decision-making processes.
2. Agency recreation planning and decision-making processes must adequately identify and evaluate potential impacts to other public land uses and private interests. Agencies also have a responsibility to address/correct problems associated with their resource management decisions.
3. Agency recreation management decisions should consider County interests.
4. Additional efforts should be made to provide public land-based recreational opportunities to all individuals regardless of age and/or physical ability.
5. It is also important for adequate recreational activity support services, infrastructure and facilities to be in place. Visiting recreationists should not place a burden on County services including, but not limited to, law enforcement and emergency medical services.
6. Tooele County should develop a comprehensive recreation/tourism marketing and promotion strategy/plan.
7. Tooele County should assume a more active role in promoting public land-based recreation activities in the area. This may include partnering with public land management agencies, local communities and private interests.
8. The County's public land recreation and tourism marketing focus should promote existing sites, facilities and activities. The County will continue to support expanding opportunities through partnerships with public land agencies and private interests.
9. Public survey responses identified a lack of reliable information regarding public land recreation activities, sites and facilities within the County. In some cases,

information available from various federal, state and/or local government agencies and offices is incomplete, out of date and/or inconsistent. It was also mentioned that information should be more easily accessible/available. For example, detailed, accurate, and regularly revised maps should be made available to the public.

10. The County should build relationships with other public land recreational interests to improve general knowledge, education, and coordination regarding public land recreation issues, such as trail clean-up, reporting trail abuse, and public safety.
11. Efforts should be made to address problems stemming from public/private land ownership, including proper signage to help distinguish public lands from private lands and prevent trespassing.
12. The County should increase the number of trails and roads available for all types of recreation, including hiking, biking, ORV/ATV use, and equestrian use.
13. Efforts should be made to balance ORV/ATV use with other uses, provide ORV/ATV rider education, address safety issues stemming from ORV/ATV use, and enforce ORV/ATV rules.
14. User conflicts should be dealt with effectively, especially conflicts between motorized and non-motorized recreation groups.
15. The County should ensure that popular public lands activities, such as hiking, biking, hunting, fishing, jogging, nature study, and picnicking continue to be supported in its management of public lands.

3.0 Desired Management Setting

Public Land Recreation

Tooele County offers a variety of public land-based recreation activities that provide unique opportunities for County residents and visitors. These activities occur in a resource-sensitive manner with minimal conflict among uses/users. Impacts to adjacent public lands are appropriately addressed.

Tooele County and public land management agencies work as partners to plan for and manage public land recreation resources and promote public land recreation opportunities. Information distributed to the public regarding public land recreation sites, facilities, uses, and users is comprehensive, accurate and easily accessible. In particular, the public are informed about proper access points and routes for trails and roads. Public education efforts, including materials preparation and distribution, are coordinated among the various public land recreation interests. These partnering interests include, but are not limited to, the County, public land management agencies, local communities, special interest groups and organizations, and private land owners. Partnership agreements also accommodate the provision of public information/education sites and facilities including kiosks, signs, information boards, etc. Efforts are made to provide a consistent “look and feel” for public land recreation signs, maps, etc. regardless of managing entity or organization.

The County’s recreation-specific policies are clearly articulated as part of the County’s General Plan. These statements are considered an integral component of agency planning processes.

Recreation management plans and decisions are implemented in a timely manner. Associated mitigation plans/strategies minimize negative impacts.

The County encourages public participation in public land and resource planning processes and activities.

Tooele County effectively promotes and markets the area’s unique landscape and recreational opportunities. Recreation and tourism revenues, and returns from related service industries, contribute to the County’s economic picture in a significant manner.

The County supports private efforts and investments to promote, market, and provide recreation activities on public lands.

The County serves as the coordinating “umbrella” for County recreation and heritage tourism efforts. The County continues to support private, special interest group, and community recreation and tourism efforts.

4.0 Policy/Position Statements

This Access Plan Element is subject to all valid existing rights and nothing herein nor anything excluded herefrom shall be interpreted or construed in any way as terminating or otherwise altering or affecting in any way any valid grant of an R.S. 2477 right-of-way over public lands pursuant to §8 of the Mining Act of July 26, 1866 (14 Stat. 251,253; 43 U.S.C. §932 (1970) (repealed with savings provisions). As described in the County's current Resource Management Plan, its policy/position statements regarding recreation and access are as follows:

Public Land Recreation Activities

Tooele County will encourage and promote recreation uses and activities on public lands in a responsible manner. The County will work with agencies and private property owners to provide adequate public land and resource access, protect natural resources, and minimize impacts to private property. The County will also promote recreational opportunities and activities for individuals of all ages and physical ability.

County/Agency Partnerships

Tooele County will continue to work with public land and resource management agencies to strengthen County/agency relationships and work as partners to pursue mutual public land recreation interests and issues.

Public Land Recreation Policies

The County's recreation-specific policies will be clearly articulated as part of the County's General Plan. These statements (and maps) should be considered an integral component of all agency planning processes. The County's policies will be amended as necessary to address County priorities and emerging public land-based recreational issues. These statements, as developed and adopted by the County, will reflect the interests of all County residents. The County will also prepare and adopt resource-specific and site specific plans as applicable.

Facilities and Services

The County will not support/promote public land-based recreation activities unless adequate facilities are in place and/or significant impacts to County-provided services are mitigated.

Public Land Recreation and Tourism

Tooele County will actively promote and market in-County public land recreation opportunities. This will be accomplished through partnership arrangements with land management agencies and State and regional tourism/recreation promotion organizations.

The County's recreation/tourism promotion and marketing efforts will highlight the County's unique natural landscape and diverse cultural/historical resources in a manner that complements other County objectives.

The County's recreation and tourism marketing activities will be sensitive to the interests of County residents. The County will not promote activities that are inconsistent with the County's character and lifestyle or unduly limit the recreational opportunities of County residents.

The County will continue to support public land-based recreation activities, and related service businesses, that contribute to the County's economic picture and diversify the County's tax base.

Public land-based recreation activities will be monitored for associated impacts on County services. As necessary, mitigation strategies will be developed among the County's public land recreation partners.

Tooele County will work as partners with public land management agencies and other recreational interests to prepare and provide public information and educational materials regarding public land recreational uses, activities, sites and facilities. Information and educational materials distributed to the public will be informative, accurate and easily accessible. The County will continue to support local businesses, community and non-profit groups and organizations in efforts to construct recreation-based public information booths, education stations, trail signs, kiosks, etc.

The County will continue to support community, private, non-profit, and special interest group and organization efforts and investments to promote, market, provide and/or expand recreation activities and facilities on public lands. These partnerships may also include coordinated assistance in law enforcement, education, and facility/site development.

Implementation Strategies and Action Steps

The implementation strategies and action steps regarding recreation and access described in the County's current Resource Management Plan are as follows:

What: Participate in federal agency planning processes regarding management of recreation resources.

Who: Tooele County Trails Committee under direction of the County Commission. As noted, it is important for committee membership to include a broad cross section of County residents/interests.

What: Promote outdoor recreational opportunities and activities for County residents, particularly disadvantaged populations. Citizen-identified sites and facilities include a handicapped-accessible shooting range and fishable reservoir/pond.

Who: Citizens, organized groups (including agency representatives) with recommendations to the County Trails Committee and County Commission

What: Establish involvement in all federal and state agency recreation planning and resource management decisions to evaluate potential impacts to County services and facilities. Incorporate relevant elements in County/agency ‘memoranda of understanding’ (MOUs) and agreements.

Who: County Trails Committee with reports to the County Commission

What: Actively participate in regional, state and community public land recreation and tourism promotion and marketing activities. Promote funding and materials coordination among same.

Who: County Planner in coordination with the Utah Office of Tourism, Tooele County Chamber of Commerce, Department of the Interior (National Park Service historic/heritage trails and byways project), Bureau of Land Management, Forest Service, and other recreation interests and organizations as identified.

What: Improve/expand public awareness and education regarding Tooele County public land recreation opportunities. Outreach efforts may include additional trail/site markers and information displays, local interest articles in newspaper, Deseret Peak Information Center, local hostess program, passport tours, school tours, etc.

Who: County Planner through partnerships with private businesses, state and local tourism organizations, federal land and resource management agencies, national trail and heritage agencies and organizations, local communities and special interest groups/clubs.

What: Develop a “public land/county heritage information center”. The center will serve as the “hub” for County public land recreation and cultural/historical information and education. Associated development may include a research library, museum, and demonstration areas. The center would provide information for County residents and visitors with regard to recreation/heritage activities, sites and facilities (places to go, things to see, and activities to do).

What: Coordinate marketing and promotion of same.

Who: County Planner in coordination with the Utah Office of Tourism, Tooele County Chamber of Commerce, and various non-profit and private public land recreation and

historical/cultural interests and organizations as identified. Agency partners include the Bureau of Land Management, the Forest Service and Department of Defense.

What: Coordinate/compile/reconcile existing public land recreation information including relevant maps, brochures, handouts, regulations, use guidelines, etc.

Who: County Planner in coordination with relevant County departments, public land management agencies (Bureau of Land Management, the Forest Service and Department of Defense); various recreation groups, interests and individuals; and private land owners.

What: Support County, community, non-profit and private efforts to promote heritage tourism and preservation of historical/cultural land marks and activities. Specific sites and activities within Tooele County include, but are not limited to, the Benson Grist Mill, Public Lands/Public Heritage programs and activities, and the annual MDA Ride.

Who: County Planner and "heritage tourism" committee through partnerships with private businesses; state and local tourism and heritage organizations; local communities; and special interest (including non-profit) groups, clubs and foundations.

5.0 Goals and Objectives

Identify Access to Recreational and Public Lands

Access to trails and recreational areas within the County has been an expressed concern of many citizens and the demand for public access to public lands is increasing. Much of Tooele County is public land and removal of access to some of these lands has caused considerable concern. This Access Plan identifies which access roads the County will maintain as public. This policy will assist the County in maintaining reasonable control over such access. The recent closing of the roads on Stansbury Island is a case in point. Considerable controversy occurred when this road was closed to help protect private land from unwanted trespass. This Access Plan, in conjunction with the Tooele County Trails Plan, develops a master plan to provide access to public lands and trails while taking advantage of existing corridors such as abandoned railroad tracks.

A system of posting and designating roads to indicate access policy will be beneficial to controlling the use of these access roads. A master plan for access roads to recreational and public lands will be helpful in reducing conflicts and establishing clear policy and intent on road use.

Recreation Development

Recreational land uses and access to them (especially to Forest Service and BLM areas) should be supported by County maintenance of dirt roads and creation of trails and trail systems. The creation, development, and administration of recreation areas and a recreation corridor, extending from the northern shore of Stansbury Island south to the southern end of the County in the Rush Valley, Skull Valley, and West Desert planning districts, would support a wide variety of recreation uses and provide the County with tourism benefits. The County should also provide recreational support facilities at appropriate locations for the use of the general public.

An unofficial Recreation Area designation, or label, is proposed for the County's own mapping and is also proposed as an aid in furthering recreation policy. Encouraging this designation in land use planning and decision making will ensure that recreation resources are preserved, yet their use is also promoted. These designations could also be used in public education and tourism promotions.

Recreation Area designations are proposed for the many mountain ranges in the County in an effort to highlight these areas and promote recreation interests, while directing those recreation uses to the most appropriate locations.

Recreation Area designation is proposed for a Tooele County recreation corridor. The proposed corridor takes in the Stansbury Mountains as they extend from the north shores of Stansbury Island following the mountain ranges shared by Skull, Tooele, and Rush Valleys south to the County border. The lake, mountains, and canyons used for recreation lend themselves well to this corridor concept, which could be promoted with a

simple designation, or label, as a reminder to consider these resources in planning decisions and as a stipulated element of recreation policy.

Also, toward advancing recreation as an attractive land use option the County's zoning ordinance should adopt zoning designations and regulations which support recreation. Low-density zoning with low-impact uses should be used in conjunction with recreation areas. Appropriate recreation and recreation support and supplies businesses should be encouraged.

6.0 Trails and Access Points

The primary objective of this Access Plan is to ensure that the public has proper access to public lands within the County. The following tables contain lists of several recreational trails and access points within the County. The tables describe whether the trails and access points are located on private or public lands. In addition to the trails and access points identified in the Tables 1 and 2, Appendix A contains a list of all Class B and Class D roads within the County. All such roads involve a County access interest, and potential effects to public access thereon are a matter of County interest.

Table 1 - Trails

TRAIL	PRIVATE OR PUBLIC	NOTES	NEEDS & SUGGESTIONS
Antelope Canyon	Public		
Box Elder Canyon	Public		
Constrictor Trail	Public		
Davenport Trail	Public Easement		
Dry Lake Canyon			
Jacob City	Public		
Lassley Lane Trail	Public Easement		
Magpie Canyon	Public		
Mid Valley Trail	Public		
Middle Canyon Copper Pit Overlook	Public		
Middle Canyon White Pine Loop	Public		
Mill Fork	Public		
Minning Fork	Public		
North Willow Canyon	Public		
Rattlesnake Trail	Public		
Settlement Canyon Dark Trail Loop	Public		
Settlement Canyon Left Hand Fork	Public		
Stansbury Island	Public		
Stansbury Front Trail	Public		
South Willow Canyon	Public		
West Canyon	Public		

General Strategies for Resolving Access Conflicts

The County intends to take full advantage of federal laws requiring both the BLM and the Forest Service to coordinate their land and natural resource planning efforts with those of local jurisdictions. As previously mentioned, the BLM is required to become apprised of local land use plans, assure that consideration is given to those plans, and assist in resolving inconsistencies between its plans and the local plans. (43 U.S.C. §1712(c)(9)) Likewise, the Forest Service is required to coordinate and cooperate with the land and resource management planning processes of local governments. (16 U.S.C. §1604(a) and 36 C.F.R. 219.9(a)(2)) Furthermore, if any inconsistencies exist between any proposed Forest Service plans and the County plan, the Forest Service plan must “describe the extent to which the [Forest Service] would reconcile the proposed action with the plan or law.” (40 C.F.R. §1506.2(d))

By creating a plan that helps define access to trails and roads within its boundaries, Tooele County will be putting the BLM and Forest Service in a position that requires them to cooperate and to align their plans and policies with those of the County to the extent that is required by law. For example, land use plans adopted by the BLM are required to be consistent with local plans to the maximum extent consistent with Federal law and the purposes of FLPMA. (43 U.S.C. §1712(c)(9)) The regulations of the BLM further define this consistency requirement by requiring that the BLM’s resource management plans shall be consistent with local plans so long as the plans and the policies it contains are consistent with the purposes, policies, and programs of Federal laws and regulations applicable to public lands.” (43 C.F.R. §1610.3-2(a))

The County may also affect BLM and Forest Service policies regarding recreation and access by requesting cooperating agency status when these agencies’ projects or plans have sufficient impacts on the County. (43 C.F.R. §1610.3-1(b) and 36 C.F.R. §219.9(a)(2)) By getting involved in the BLM and Forest Service’s planning efforts early on in the processes, the County can take steps to ensure that its access needs on BLM and Forest Service lands are addressed.

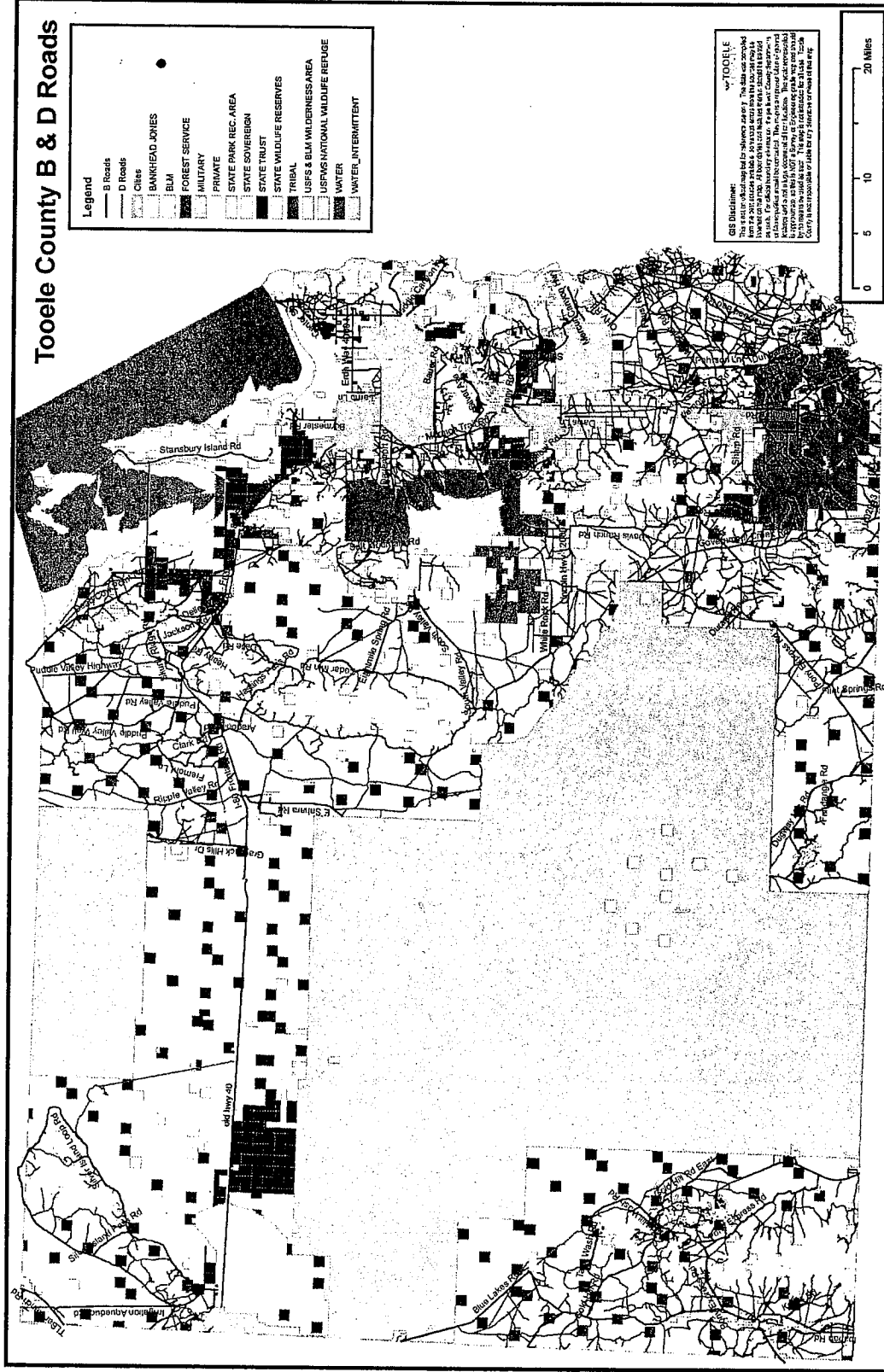
Strategies for resolving access issues using state law provisions are derived from Utah Code §17-27a-102(1)(a), which provides each county with the authority to provide for, among other things, the county’s “health, safety, and welfare, and promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics . . .” The counties can exercise this authority by enacting “all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that they consider necessary or appropriate for the use and development of land within the unincorporated area of the county, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing uses, density, open spaces, [and] structures . . .” (Utah Code §17-27a-102(1)(b))

Toward resolving access to public lands and associated trespassing problems the following are recommended:

- The County could maintain access roads into public lands;
- The County can be involved in reaching agreements between public and private land interests to determine specific appropriate access points;

- Official access points should be made known to the public using signage;
- Use of unofficial access points should be discouraged by means of signage, warnings, and criminal prosecution; and,
- The County may be involved in seeking and making trades between public and private lands which facilitate access to public lands.

7.0 Maps



8.0 Monitoring

As stated in the County's current Resource Management Plan, County efforts in the areas of public land recreation and access are considered to be successful and effective if:

1. Federal land management agencies are familiar with the County's recreation policies. Agencies consider these statements as initial County input for recreation planning processes and management activities. Local plan/policy "consistency/consideration" is a County and agency priority.
2. The County is an active agency "partner" in public land recreation planning activities. The County receives timely notifications and updates of agency processes and decisions.
3. A variety of public land-based recreation activities occur without compromising the anticipated recreational experience or significantly impacting other public land resources and/or activities (watershed, cultural, mineral, agricultural, vegetation, wildlife, etc.).
4. Recreation impact mitigation plans adequately identify and address potential resource damage.
5. Private property issues relating to public land recreation uses are effectively handled.
6. Incompatible users/uses are effectively addressed.
7. Visitor numbers to the County increase. Recreation and tourism revenues, and returns from related service industries, contribute to the County's economic picture in a significant manner.
8. The County's recreation priorities are coordinated with and complemented by State and regional efforts. State and regional recreation organizations are familiar with the County's unique recreational opportunities and recreation/tourism promotion objectives and priorities. Organizational activities represent Tooele County's interests in an effective manner.
9. County recreation marketing efforts and promotions are coordinated with and complemented by agency recreation plans and decisions. Tooele County and public land management agencies work as partners to market/promote public land recreation opportunities.
10. Recreation/visitor numbers are in balance with facility/site capacity.
11. Public land recreation and heritage tourism informational/educational materials distributed to the public are informative, accurate, and easily accessible.
12. County residents, non-profits, communities, and businesses play a significant role in promoting and marketing Tooele County public land and heritage tourism activities, opportunities, sites, and facilities.