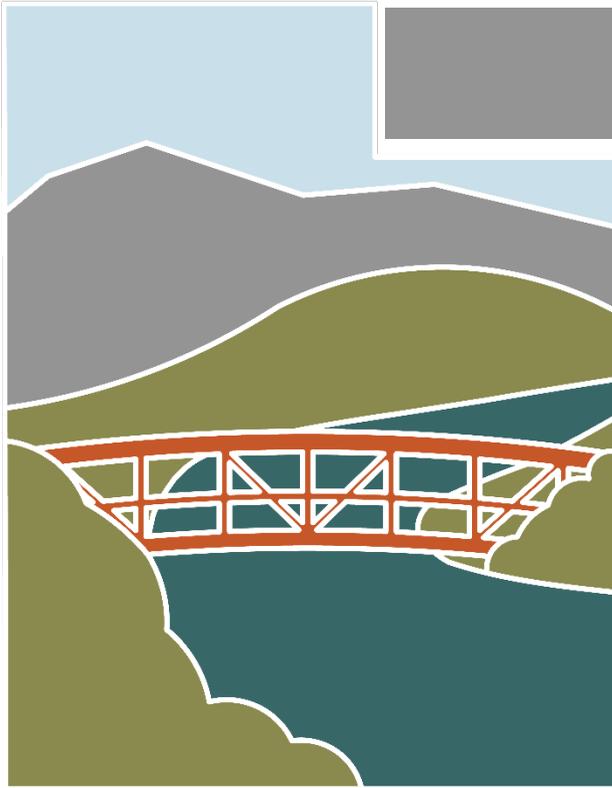


**JORDAN RIVER COMPREHENSIVE MANAGEMENT PLAN**

**RECORD OF DECISION**





## **Jordan River Comprehensive Management Plan**

### **Record of Decision**

**Record Number: 16-0104**

**Date of Execution:  
January 2017**

### **Introduction**

Pursuant to Utah Code 65A-2-2 and 65A-2-4 and the implementing

regulations of Utah Administrative Code R652-90, the Utah Division of Forestry, Fire & State Lands (FFSL or the division) is empowered to prepare and adopt comprehensive management plans for sovereign lands and resources. Given this direction, FFSL initiated the Jordan River Comprehensive Management Plan (JRCMP) process with interagency cooperation and collaboration and with open public participation. For the duration of the planning process, FFSL temporarily withdrew permitting for pedestrian bridges and above-ground utility structures. The withdrawal did not apply to uses associated with boundary settlements, improvements of public access and trails, or activities involving the protection and enhancement of endangered species. Existing leases, permits, and easements were allowed to be renewed, extended, or amended in accordance with Utah Administrative Code R652-90-700.

The primary purpose of the JRCMP is to guide FFSL, along with other local, state, and federal partners, in managing, allocating, and appropriately using the Jordan River's sovereign land resources. The JRCMP clearly sets forth defined management goals, objectives, and implementation strategies for guiding and directing future resource management actions, activities, and recreation uses on the Jordan River.

In compliance with policy, procedures, rules, and statutes for comprehensive management planning, FFSL has completed the comprehensive management plan for the subject site. Therefore, FFSL issues this record of decision for the JRCMP.

### **Description of Lands Directly Affected**

The Utah State Legislature defines sovereign land as "those lands lying below the ordinary high water mark [OHWM] of navigable bodies of water at the date of statehood and owned by the state by virtue of its sovereignty" (Utah Code 65A-1-1). As noted in this definition, the state's ownership extends to the OHWM; however, knowing exactly where the OHWM was at statehood is problematic as it relates to the Jordan River. For this reason, and because the OHWM has not been mapped continuously along the Jordan River, the planning unit area for the JRCMP extends laterally from top of bank to top of bank. As part of an authorization process, a case-by-case demarcation of the OHWM is required. The planning unit area consists of the length of the Jordan River from Utah Lake to Great Salt Lake. Some sovereign land boundaries associated with the Jordan River in Utah County have not been settled; however, the visions, goals, policies, and objectives in the JRCMP will apply to those lands that are judged to be sovereign lands.

### **Proposed Action**

The proposed action associated with this record of decision is the adoption and implementation of the 2017 JRCMP.

## Relevant Factual Background

The JRCMP is the first river-based comprehensive management plan that FFSL has initiated and prepared. Through a rigorous competitive process, SWCA Environmental Consultants (SWCA) was hired to facilitate the development of the 2017 JRCMP. SWCA engaged CRSA, a local planning firm, and Hansen, Allen and Luce (HAL), a local water resource engineering firm, to assist them. The JRCMP planning process began in January 2015. FFSL was interested in improving management, planning, and research activities of the Utah Department of Natural Resources and Utah Department of Environmental Quality on the Jordan River and incorporated these agencies into the JRCMP planning team. The Jordan River Commission, a governmental entity created by an Interlocal Cooperation Agreement, a representative from Salt Lake City, and a representative from Salt Lake County also participated in the planning team.

As part of the planning process, the JRCMP planning team members provided input and technical support relevant to their area of expertise. Throughout the process, the JRCMP planning team represented the long-term collaborative approach necessary to holistically manage Jordan River sovereign lands. The purposes of the JRCMP planning team were to

- provide resource-specific guidance throughout the planning process;
- provide the most recent, relevant research and data pertaining to Jordan River resources and associated uses;
- provide timely review and comment on the document throughout the planning process; and
- offer project updates, milestones, and opportunities for comment to State of Utah agencies and the general public.

The JRCMP planning process was designed to achieve a cumulative and linear development of conditions, desired future conditions, management goals, and management objectives and to encourage public participation throughout the process.

## Public Involvement

JRCMP development comprised a 14-month public involvement process from June 2015 to July 2016. FFSL submitted a notice of intent to initiate the JRCMP process to the Resource Development Coordinating Committee (RDCC) on March 25, 2015. Following that submittal, FFSL, SWCA, CRSA, and HAL conducted two series of public open house meetings. The first series focused on kicking off the project, and the second series focused on reviewing the draft JRCMP. In addition, FFSL, SWCA, CRSA, and HAL facilitated two stakeholder workshops, one meeting with local municipalities, two presentations to the Jordan River Commission, and individual meetings with all three counties and 15 municipalities through which the Jordan River flows. A summary of the JRCMP public involvement opportunities is provided in Tables 1 to 5 below.

### GENERAL PUBLIC

FFSL, SWCA, CRSA, and HAL used open house format meetings in each of the three counties to kick off the public engagement process. Dates, times, and locations for these meetings are provided in Table 1.

**Table 1.** Dates, Times, and Locations for Public Open House Series #1: Project Kickoff

| Date          | Time           | City, County, and State                | Location and Address                                 |
|---------------|----------------|--|--|
| June 11, 2015 | 6:00–8:00 p.m. | North Salt Lake, Davis County, Utah    | North Salt Lake City Hall<br>10 East Center Street   |
| June 16, 2015 | 6:00–8:00 p.m. | Salt Lake City, Salt Lake County, Utah | Day Riverside Library<br>1575 West 1000 North        |
| June 17, 2015 | 6:00–8:00 p.m. | Saratoga Springs, Utah County, Utah    | Saratoga Springs Fire Station<br>995 West 1200 North |

FFSL, SWCA, CRSA, and HAL also used open house format meetings in each of the three counties to present the draft JRCMP and to initiate the public comment process. Dates, times, and locations for these meetings are provided in Table 2.

**Table 2.** Dates, Times, and Locations for Public Open House Series #2: Draft Plan Review

| Date         | Time           | City, County, and State                | Location and Address                                 |
|--------------|----------------|--|--|
| May 25, 2016 | 6:00–8:00 p.m. | Saratoga Springs, Utah County, Utah    | Saratoga Springs Fire Station<br>995 West 1200 North |
| May 26, 2016 | 6:00–8:00 p.m. | North Salt Lake, Davis County, Utah    | North Salt Lake City Hall<br>10 East Center Street   |
| May 31, 2016 | 6:00–8:00 p.m. | Salt Lake City, Salt Lake County, Utah | Day Riverside Library<br>1575 West 1000 North        |

## STAKEHOLDERS

The first and second stakeholder workshops were convened for environmental groups, utility companies, recreation interests, and other stakeholders to learn about the planning process and review the draft JRCMP, respectively. Dates, times, and locations for these workshops are provided in Table 3.

**Table 3.** Dates, Times, and Locations for Stakeholder Workshops

| Date            | Time           | City and State       | Location and Address   |
|-----------------|----------------|----------------------|--|
| October 7, 2015 | 2:00–4:00 p.m. | Salt Lake City, Utah | Utah Department of Natural Resources<br>1594 West North Temple |
| June 9, 2016    | 2:00–5:00 p.m. | Salt Lake City, Utah | Utah Department of Natural Resources<br>1594 West North Temple |

## COUNTIES AND MUNICIPALITIES

To reach out directly to county and municipal governments whose management authority often extends to the boundary of sovereign lands, FFSL and SWCA initiated individual meetings with the government entities in regard to the JRCMP planning process (Table 4). A specific municipal meeting was provided for all counties and cities who participated in the individual meetings in 2015 to review the draft JRCMP.

**Table 4.** Dates and Times for County and Municipal Meetings

| Date                              | Local Government Entity |
|-----------------------------------|-------------------------|
| September 15, 2015                | Riverton, Utah          |
| September 16, 2015                | Bluffdale, Utah         |
| September 17, 2015                | Utah County, Utah       |
| September 17, 2015                | Lehi City, Utah         |
| September 21, 2015                | Saratoga Springs, Utah  |
| September 22, 2015                | Davis County, Utah      |
| September 22, 2015                | South Jordan, Utah      |
| September 24, 2015                | Sandy, Utah             |
| September 24, 2015                | Draper, Utah            |
| September 28, 2015                | West Jordan, Utah       |
| September 29, 2015                | West Valley City, Utah  |
| September 29, 2015                | Murray, Utah            |
| September 29, 2015                | South Salt Lake, Utah   |
| September 30, 2015                | North Salt Lake, Utah   |
| September 30, 2015                | Salt Lake City, Utah    |
| September 30, 2015                | Salt Lake County, Utah  |
| October 6, 2015                   | Midvale                 |
| October 21, 2015                  | Salt Lake County, Utah  |
| October 29, 2015                  | Taylorsville, Utah      |
| June 14, 2016 (municipal meeting) | Midvale, Utah           |

## JORDAN RIVER COMMISSION

The Jordan River Commission effectively serves as a clearinghouse for information concerning the Jordan River. To engage their membership, SWCA and FFSL presented at two monthly commission meetings to present the project and describe the content in the draft JRCMP. Dates, times, and locations for these meetings are provided in Table 5.

**Table 5.** Dates, Times, and Locations for Jordan River Commission Meetings

| Date           | Time            | City and State | Location and Address                              |
|----------------|-----------------|----------------|---|
| May 21, 2015   | 9:00–11:00 a.m. | Sandy, Utah    | Sandy City Hall<br>10000 South Centennial Parkway |
| August 4, 2016 | 9:00–11:00 a.m. | Sandy, Utah    | Sandy City Hall<br>10000 South Centennial Parkway |

### Meeting Design

The open houses and stakeholder workshops combined formal presentation and open house formats. At each meeting, the FFSL sovereign lands planner or sovereign lands program manager provided a brief project overview or presentation. Following this overview, FFSL, SWCA, CRSA, and/or HAL staff answered questions and facilitated information-gathering activities in an open house format, as applicable. Attendees were greeted, asked to sign in, provided information about the meeting format, and given the option of taking a business card with the project website and contact information. Attendees were informed about ways to follow the planning process, provide information, or submit comments. They were encouraged to ask questions of the facilitators and resource specialists from the planning team when present.

Informational display boards were also arranged around the meeting room to provide the following background information:

- Explanation of the planning process and the general timeline and sequence of events
- Description of the general need for the JRCMP and responsible entities
- Definition of sovereign lands, public trust, and multiple-use/sustainable yield

- Maps and a list of potential resource issues
- Opportunities for public comment and a description of available comment methods
- Historic photographs of the Jordan River
- Aerial images of the eight Jordan River segments

### Meeting Advertising

Pursuant to FFSL requirements, public involvement meetings were advertised in a variety of formats before their scheduled dates. In each format, the advertisements provided logistics, explained the purpose of the meetings, gave the schedule for the public and agency comment period, outlined additional ways to comment, and provided methods of obtaining additional information. Methods of communicating with the public, stakeholders, and municipalities included media outlets, direct emails, direct mail postcards, the project website, the FFSL website, FFSL press releases, and signage along the Jordan River Trail.

## ADVERTISING FOR PUBLIC, STAKEHOLDER, AND MUNICIPALITY INVOLVEMENT

Media releases for the JRCMP project kickoff open houses were emailed on June 2, 2015, to the following:

- *Davis County Clipper*
- *Box Elder News Journal*
- *Deseret News*
- *Ogden Standard-Examiner*
- *Salt Lake Tribune*
- *Tooele Transcript-Bulletin*
- *The Leader*

Meeting information was posted on the JRCMP project website on May 30, 2015.

Media releases for draft JRCMP open houses were emailed on May 23, 2016, to the following

- *Davis County Clipper*
- *Box Elder News Journal*
- *Deseret News*
- *Ogden Standard-Examiner*
- *Salt Lake Tribune*
- *Tooele Transcript-Bulletin*
- *The Leader*

Meeting information was posted on the project website on May 5, 2016, and emails were sent on May 10, 2016.

Formal newspaper legal notices for the draft JRCMP were posted as follows in 2016:

- *Davis County Clipper* (May 19 and 26, 2016)
- *Daily Herald & Herald Extra Online* (May 12–19, 2016)
- *Deseret News, Salt Lake Tribune, and Utahlegals.com* (May 11 and 18, 2016)

Press releases were drafted by CRSA and provided to FFSL for distribution to the media recipients listed above.

The weekend before the open house series in 2015 and 2016, FFSL placed informational lawn signs along the Jordan River Trail.

A list of planning process participants was obtained from the following sources:

- Individuals or organizations (land-use applicants) holding an FFSL authorization
- All landowners adjacent to Jordan River sovereign lands within the affected counties
- Members of the Jordan River Commission, including municipal government representatives
- Jordan River stakeholders identified by the Jordan River Commission, including non-profit environmental entities, utility and related providers, and researchers
- Jordan River stakeholders identified by the planning team in addition to those provided by the Jordan River Commission
- Local, state, and federal agencies identified as having jurisdictional authority in the project
- Members of the press

The following invitations were sent to alert interested participants to the open houses and stakeholder meetings.

- Landowner and land-use applicant postcards sent in May 2015 for project kickoff open house
- Landowner and land-use applicant emails sent in June 2015 for project kickoff open house

- Stakeholder calendar email invite sent in May 2015 for first stakeholder meeting
- Stakeholder postcard sent in September 2015 for first stakeholder meeting
- Landowner and land-use applicant email sent in May 2016 for draft JRCMP review open house
- Landowner and land-use applicant postcard sent in May 2016 for draft JRCMP review open house
- Stakeholder calendar email invite sent in May 2016 for second stakeholder meeting
- Stakeholder postcard sent in May 2016 for second stakeholder meeting

County and municipal stakeholders were initially alerted to the project through a letter sent by FFSL to the mayor's office. Each mayor appointed an individual (or individuals) to participate in the JRCMP planning process. SWCA contacted participants (elected officials and staff) by telephone and Google Poll to set up local government meetings. A meeting with local municipalities (draft JRCMP review) was held for all interested local government participants who attended the individual meetings in 2015. Invitations to prior participants were sent by email with a follow-up call as needed.

The draft JRCMP was posted on the project website <http://www.jordanrivercmp.com> on May 23, 2016. The last day of the public comment period was July 8, 2016 allowing 45 days from the first draft review open house on May 23, 2016. The final JRCMP was posted to the FFSL website on January 10, 2017. FFSL sent final postcards and emails of the issued record of decision on January 11, 2017. Petitions for consistency review were received by February 1, 2017.

## Public Trust

FFSL acknowledges its responsibility to the Public Trust and obligation to multiple-use, sustained-yield management. As stated in the JRCMP, the purpose of the plan is to “prescribe sovereign land management goals and objectives for the Jordan River, and to ensure that all uses on, beneath, or above the bed of the Jordan River are regulated to protect navigation, fish and wildlife habitat, aquatic beauty, public recreation, and water quality (Public Trust values) pursuant to Utah Administrative Code R652-2.” Primary management responsibility for the river's resources lies with FFSL pursuant to Utah Code 65A, which governs

management of all state lands within the jurisdiction of FFSL. Utah Code 65A-2-1 states that FFSL “shall administer state lands under comprehensive land management programs using multiple-use, sustained-yield principles.”

The overarching management objectives of FFSL are to protect and sustain the Public Trust resources and to provide for reasonable beneficial uses of those resources, consistent with their long-term protection and conservation. The 2017 JRCMP was designed to facilitate FFSL’s management of the Jordan River and its resources under multiple-use, sustained-yield principles, as stated in Utah Code 65A-2-1. In particular, the management strategies highlight the range of multiple uses under FFSL’s jurisdiction and will ensure the sustained yield of Jordan River resources.

### **Interagency Coordination**

During the JRCMP planning process, FFSL recognized the importance of maintaining communication with the JRCMP planning team. Cross-agency coordination and communication are required because Jordan River management is complex and because multiple government agencies are involved with various resources and uses. As outlined in Utah Code 65A-2-2, FFSL may request support for implementation of state land management plans and to this end seeks to maintain support across state agencies as it implements the 2017 JRCMP. Section 3.5 of the JRCMP outlines the proposed coordinating framework intended to be carried out by FFSL and other state agencies tasked with research, management, and permitting on the Jordan River. The JRCMP management strategies allow numerous opportunities for coordination with respect to Jordan River resources, a fundamental responsibility of FFSL according to Utah Code 65A-10-8.

### **Public Involvement: Notification, Comment, and Review**

Public involvement was essential to the JRCMP planning process. As outlined earlier in this decision document, the public had numerous opportunities to contribute to the JRCMP, and many did. As required by Utah Administrative Code R652-90-500, FFSL began the planning process with a notification to the RDCC on March 25, 2015, on the Project Management

System website for 30 days (Exhibit A). Notifications of the draft JRCMP were also noticed to the RDCC. Stakeholders and state, federal, and local governments were notified numerous times throughout the planning process, requesting their attendance at public meetings and requesting their comments. Notification for each series of public open houses and the announcement of this record of decision were sent by postcard to approximately 700 addresses and to 1,300 email addresses (Exhibit B: Notice to Interested Parties). Two series of public open houses meetings, two stakeholder workshops, two presentations to the Jordan River Commission, and one final municipal meeting were held during the planning process. The public comment period followed the release of the draft JRCMP and coincided with the second series of open houses, stakeholder workshop, and the municipality meeting; the comment period was 45 days. Comments were accepted by comment response forms at public meetings, on the project website, by email, and by postal mail.

Information from the public, stakeholders, and municipalities received throughout the planning process was vast. FFSL received eight letters commenting on the draft JRCMP. Numerous verbal comments were also received at the open house series and at stakeholder workshops. Comments pertain to wildlife species, recreation, access, and public safety, to name a few. From the eight letters, 321 individual comments were extracted for review of acceptance or non-acceptance. Similar comments were consolidated into 45 public concern statements with a summary of the response to the comment. Concerns and comments captured during discussions with the public, stakeholders, and municipalities during the planning process also feed into these consolidated public concern statements. Comments on the draft JRCMP were acknowledged and addressed, as appropriate, by FFSL. As required by rule and statute Utah Administrative Code R652-90-600 (1)(b-d) and Utah Code 65-A-2-4, respectively, comment responses are provided in the final JRCMP (Appendix B).

## Constitutional Provisions, Statutes, and Administrative Rules

### ***Utah Constitution Article XX, Section 1***

The Utah Constitution Article XX, Section 1 states the following:

All lands of the state that have been, or may hereafter be granted to the State by Congress, and all lands acquired by gift, grant or devise, from any person or corporation, or that may otherwise be acquired, are hereby accepted, and ... are declared to be the public land of the State; and shall be held in trust for the people, to be disposed of as may be provided by law, for the respective purposes for which they have been or may be granted, devised or otherwise acquired.

### ***Utah Code 65A-2-1. Administration of State Lands - Multiple-Use Sustained-Yield Management***

Utah Code 65A-2-1 states the following:

The division shall administer state lands under comprehensive land management programs using multiple-use sustained-yield principles.

### ***Utah Code 65A-2-2. State Land Management Planning Procedures for Natural and Cultural Resources, Assistance from other State Agencies, Division Action***

Utah Code 65A-2-2 states the following:

The division:

- (1) shall develop planning procedures for natural and cultural resources on state lands; and
- (2) may request other state agencies to generate technical data or other management support services for the development and implementation of state land management plans.

### ***Utah Code 65A-2-4. State Land Management Plans, Division to Adopt Rules for Notifying and Consulting with Interested Parties***

Utah Code 65A-2-4 states the following:

- (1) The division shall adopt rules for notifying and consulting with interested parties including the general public, resources users, and federal, state, and local agencies on state land management plans.
- (2) Division rules shall provide:
  - (a) for reasonable notice and comment periods; and
  - (b) that the division respond to all commenting parties and give the rationale for the acceptance or non-acceptance of the comments.

### ***Utah Code 65A-10-1. Authority of Division to Manage Sovereign Lands***

Utah Code 65A-10-1 states the following:

- (1) The division is the management authority for sovereign lands, and may exchange, sell, or lease sovereign lands but only in the quantities and for the purposes as serve the public interest and do not interfere with the public trust.

### ***Utah Administrative Code R652-2-200. Sovereign Land Management Objectives***

Utah Administrative Code R652-2-200 states the following:

The state of Utah recognizes and declares that the beds of navigable waters within the state are owned by the state and are among the basic resources of the state, and that there exists, and has existed since statehood, a public trust over and upon the beds of these waters. It is also recognized that the public health, interest, safety, and welfare require that all uses on, beneath or above the beds of navigable lakes and streams of the state be regulated, so that the protection of navigation, fish and wildlife habitat, aquatic beauty, public recreation, and water quality will be given due consideration and balanced

against the navigational or economic necessity or justification for, or benefit to be derived from, any proposed use.

### ***Utah Administrative Code R652-70-200. Classifications of Sovereign Lands***

Utah Administrative Code R652-70-200 states the following:

Sovereign lands may be classified based upon their current and planned uses. A synopsis of some possible classes and an example of each class follows. For more detailed information, consult the management plan for the area in question.

1. Class 1: Manage to protect existing resource development uses. The Utah State Park Marinas on Bear Lake and on GSL are areas where the current use emphasizes development.
2. Class 2: Manage to protect potential resource development options. For example, areas adjacent to Class 1 areas which have the potential to be developed.
3. Class 3: Manage as open for consideration of any use. This might include areas which do not currently show development potential but which are not now, or in the foreseeable future, needed to protect or preserve the resources.
4. Class 4: Manage for resource inventory and analysis. This is a temporary classification which allows the division to gather the necessary resource information to make a responsible classification decision.
5. Class 5: Manage to protect potential resource preservation options. Sensitive areas of wildlife habitat may fall into this class.
6. Class 6: Manage to protect existing resource preservation uses. Cisco Beach on Bear Lake is an example of an area where the resource is currently being protected.

### ***Utah Administrative Code R652-90-300. Initiation of Planning Process***

Utah Administrative Code R652-90-300 states the following:

1. A comprehensive planning process is initiated by the designation of a planning unit as planning priorities are established by the division.

### ***Utah Administrative Code R652-90-500. Notification and Public Comment***

Utah Administrative Code R652-90-500 states the following:

1. Once a planning unit is designated for a comprehensive management plan, notice shall be sent to the Office of Planning and Budget for inclusion on the RDCC agenda and, if appropriate, the weekly status report.
2. The Division shall conduct at least one public meeting in the vicinity of a planning unit that has been designated for a comprehensive management plan.
  - (a) The meeting shall provide an opportunity for public comment regarding the issues to be addressed in the plan
  - (b) The public meeting(s) shall be held at least two weeks after notice in a local newspaper.
  - (c) Notice of public meeting(s) shall be sent directly to lessees of record, local government official and the Office of Planning and Budget for inclusion in the RDCC agenda packet and weekly status report. A mailing list shall be maintained by the division.
  - (d) Additional public meetings may be held.

### ***Utah Administrative Code R652-90-600. Public Review***

Utah Administrative Code R652-90-600 states the following:

1. Comprehensive management plans shall be published in draft form and sent to persons on the mailing list established under R652-90-400, the Office of a Planning and Budget, and other persons upon request.
  - (a) A public comment period of at least 45 days shall commence upon receipt of the draft in the Office of Planning and Budget.

- (b) All public comment shall be acknowledged pursuant to 65A-2-4(2).
- (c) The Division's response to the public comment shall be summarized in the final comprehensive management plan.
- (d) Comments received after the public comment period shall be acknowledged but need not be summarized in the final plan.

### ***Utah Administrative Code R652-90-800. Multiple-Use Framework.***

Utah Administrative Code R652-90-800 states the following:

Comprehensive management plans shall consider the following multiple-use factors to achieve sovereign land-management objectives:

1. The highest and best use(s) for the sovereign land resources in the planning unit.
2. Present and future use(s) for the sovereign land resources in the planning unit;
3. Suitability of the sovereign lands in the planning unit for the proposed uses;
4. The impact of proposed use(s) on other sovereign land resources in the planning unit;
5. The compatibility of possible use(s) as proposed by general public comments, application from prospective users or division analysis; and
6. The uniqueness, special attributes and availability of resources in the planning unit.

### **Findings of Fact**

1. As described herein, FFSL notified the public and local, federal, and state agencies, including the RDCC, of the JRCMP planning effort.
2. As described herein, FFSL conducted public meetings in conjunction with the JRCMP planning effort.
3. As described herein, FFSL published a draft of the JRCMP and accepted comments from the public and other government entities and responded to all comments properly submitted.
4. FFSL considered and implemented legislative directives concerning the content of the JRCMP.

### **Conclusions of Law**

1. FFSL properly initiated the planning process for a comprehensive plan by designating the planning unit and planning priorities established by FFSL.
2. FFSL fulfilled its notification requirements to the lessees, to local governments, and to the RDCC when the project was initiated. FFSL went beyond its required notification by also notifying upland landowners and stakeholders.
3. The notification requirements for the public meetings have been met or exceeded.
4. The public review requirements have been met or exceeded.
5. FFSL properly responded to comments received in compliance with the applicable law.
6. The JRCMP fulfills the requirements of applicable statutes, rules, policies, and legal doctrines.
7. The planning process and subsequent JRCMP comply with the legal requirements for a comprehensive management plan and specifically comply with the requirements for the JRCMP.

### **Decision and Order**

Based on the foregoing, FFSL hereby adopts the JRCMP (including Appendices A through C), which satisfies the requirements of applicable statutes, rules, and policies. The JRCMP (including Appendix A through C) becomes the comprehensive management plan that guides decision-making on the sovereign lands within the planning unit. The JRCMP supersedes any and all previous management plans—adopted, draft, or otherwise—and represents the official position of FFSL.

DATED this 9th day of January, 2017.

### **Administrative Appeals**

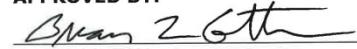
Parties having an interest in this action may file a petition for administrative review by the division pursuant to Utah Administrative Code R652-9. Said petition must be in writing and shall contain

## Record of Decision

1. the statute, rule, or policy with which the division action is alleged to be inconsistent;
2. the nature of the inconsistency of the division action with the statute, rule, or policy;
3. the action the petitioner feels would be consistent under the circumstances with statute, rule, or policy; and
4. the injury realized by the party that is specific to the party arising from division action. If the injury identified by the petition is not peculiar to the petitioner as a result of the division action, the director will decline to undertake consistency review.

Said petition must be received by the division by 5:00 p.m. on February 1, 2017.

**APPROVED BY:**

  
\_\_\_\_\_

BRIAN COTTAM  
STATE FORESTER/DIRECTOR

DATE: 1-9-17

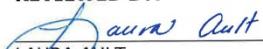
**PREPARED BY:**

  
\_\_\_\_\_

LAURA VERNON  
SOVEREIGN LANDS PLANNER

DATE: 1/5/17

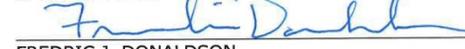
**REVIEWED BY:**

  
\_\_\_\_\_

LAURA AULT  
SOVEREIGN LANDS PROGRAM MANAGER

DATE: 1-9-17

**REVIEWED BY:**

  
\_\_\_\_\_

FREDRIC J. DONALDSON  
ASSISTANT ATTORNEY GENERAL

DATE: 1-9-17

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*Jordan River Comprehensive Management Plan Record of Decision*

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**Exhibit A. Resource Development Coordinating Committee Documentation**

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**RDCC Project Management System**  
Public Lands Policy Coordination Office • Resource Development Coordinating Committee

Ben Stireman (bstireman@utah.gov) [Logout]

Agency Dashboard  
Agency Calendar  
Add Project  
Utah.gov  
Main PLPCO Site

### View Project

Project #47542 [view] [comments] [Close]

**Key Info:**  
 Sponsor: DNR/Division of Forestry, Fire & State Lands  
 Title of Action: Jordan River Comprehensive Management Plan  
 Project URL Link: <http://www.forestry.utah.gov/index.php/state-lands/jordan-river>  
 Project Start Date: 03/25/2015  
 Location: 424054 East, 409136 East, 4519666 North  
 Location/Supplemental Attachment: RDCC\_Initiate.pdf  
 Counties: Davis, Salt Lake, Utah  
 Comment Deadline: 04/27/2015  
 Has local government been contacted? Yes  
 Date Local Government was Contacted: 03/11/2015  
 Acquisition: No  
 Date of Acquisition: N/A  
 Have the state representative and state senator been contacted? No

**Project abstract:**  
 The Utah Division of Forestry, Fire and State Lands (FFSL) would like to develop a comprehensive management plan for the Jordan River, a sovereign land body, which flows through Utah, Salt Lake and Davis Counties. Utah Admin Code R652-2-100 authorizes FFSL to prescribe land management objectives for sovereign lands. The beds of navigable waters within the state, including the Jordan River, are owned by the state but held in trust for the public. FFSL is required to ensure that all uses on, beneath or above the bed of the Jordan River are regulated to ensure protection of navigation, fish and wildlife habitat, aquatic beauty, public recreation and water quality. The development of a comprehensive management plan will ensure that FFSL maintains clear and consistent guidance on the management of the Jordan River resources.

**Local government's response?**  
 No comment to date

**How is the local government(s) likely to be impacted?**  
 Possible FFSL application processes and/or locations of allowable uses may change from current conditions as a result of the planning process.

**Possible significant impacts likely to occur:**  
 None. This is a planning process. No specific projects will be approved.

**Consistency Review**  
 No Consistency Review Document

**Record of Decision**  
 No Record of Decision Document

**State Comments**  
 No State Comments

For further information please contact project sponsor.

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**Exhibit B. Notice to Interested Parties (Jordan River Comprehensive Management Plan mailing list)**

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