



Forebay Area Management Plan



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Background & Purpose

Payson City acquired approximately 500 acres of land in the foothills south of the city limits in early 2001. The property is adjacent to the Uinta-Wasatch-Cache National Forest along the Mt. Nebo Scenic Byway. The intent of this purchase was to protect Payson's watershed while preserving open space for wildlife habitat and local recreation. The streams flowing through the property have been actively managed for decades to provide irrigation for agriculture and hydroelectric power generation for the Payson community. The lower foothills of the adjacent national forest provide habitat for numerous species, including blue grouse, chukar, elk, mule deer, turkey, coyotes, bobcats, smooth green snake, various birds of prey, and small numbers of moose and black bear. An initial *Four Bay Management Plan* was adopted in 2008 focused on the conservation of the property.

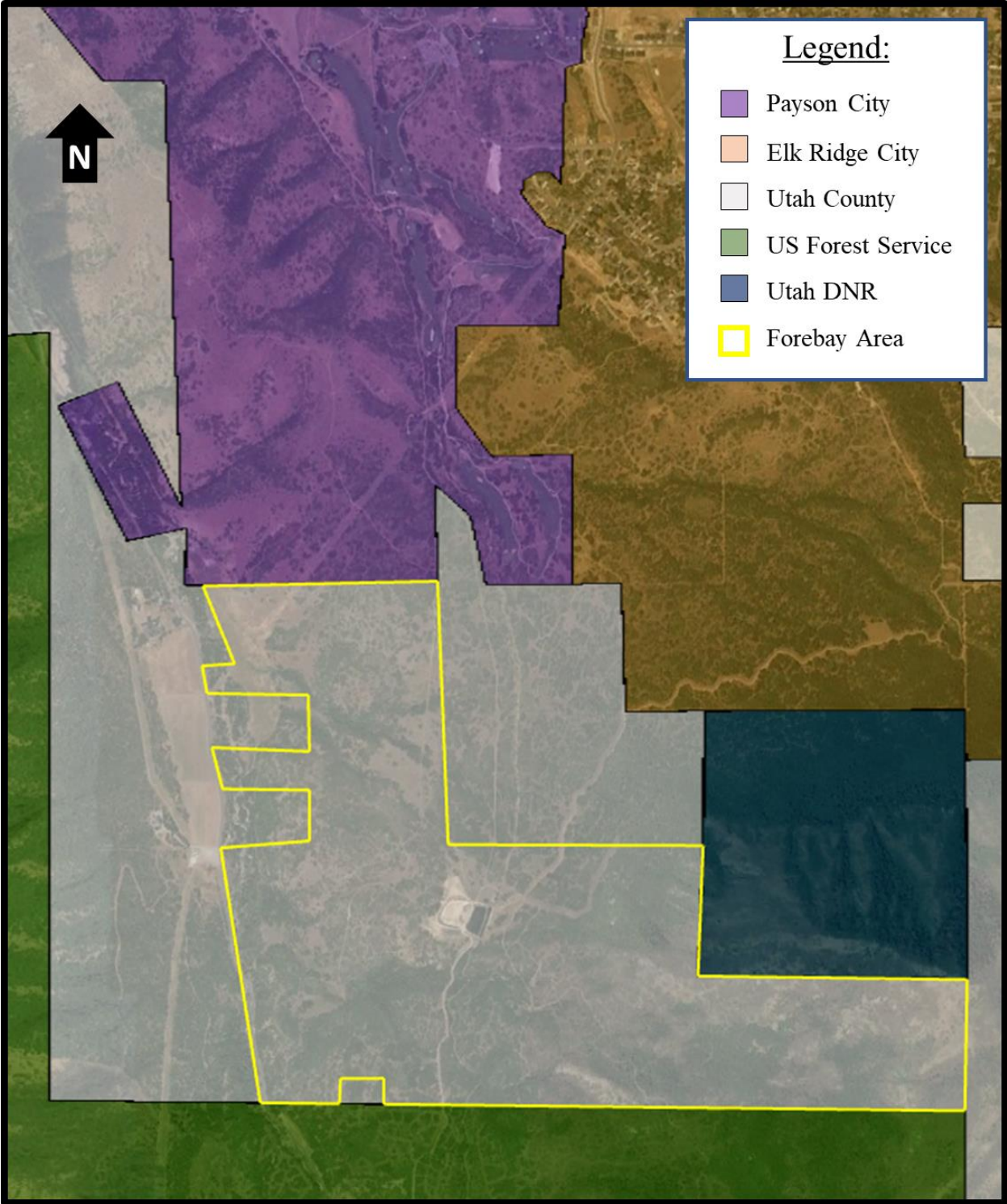
Since that time, the Forebay Area has been used for many recreational purposes, including hunting, hiking, horseback riding, mountain biking, and riding motorized off highway vehicles. Due to increased use and new recreational trends, an update to the 2008 management plan is necessary to inform community leaders of best practices to ensure the long-term care of the land. This plan update intends to build on the conservation policies developed in 2008 while balancing preservation with public recreational access. This document seeks to address public access, private property rights, responsible recreation, open space conservation, resource management, and habitat protection. As Utah County continues to experience tremendous growth, open spaces such as the Forebay Area will require proactive management to protect these valuable community assets. In addition, this plan seeks to enhance the Forebay Area as a core part of Payson's access to the outdoors and a myriad of recreation opportunities. This plan outlines the vision of the Payson community on how to appropriately balance these needs in a fiscally sustainable manner.

The Plan was developed with technical assistance from the National Park Service Rivers, Trails, and Conservation Assistance Program and support from senior capstone urban planning students from Brigham Young University. This Plan is meant to serve as a guide for management and improvements to the Forebay Area and be updated and amended as necessary to remain a useful tool to the community.

Project Area

The Forebay Area Management Plan is specifically focused on the 500 acres owned and managed by Payson City, but also considers appropriate access management strategies with adjacent private landowners, state agencies, and federal land managers.

The property is located approximately three miles south from the entrance to Payson Canyon on the Nebo Loop Road (Forest Road 015). The area is bordered by the US Forest Service Uinta-Wasatch-Cache National Forest to the west and south; by a parcel managed by the Utah Division of Wildlife Resources to the east; and private property in Utah County and Elk Ridge City to the north and east. These jurisdictional boundaries can be seen on the map on the next page.



The above map shows the jurisdictional boundaries surrounding the Forebay Area (outlined in yellow). To the west and south of the Forebay Area are US Forest Service lands; to the east the Utah Department of Natural Resources (DNR); to the northeast is area in Elk Ridge City; to the north is Payson City, including the Payson Gladstan Golf Course. While the Forebay Area is owned by Payson City, the is not within the incorporated Payson City boundary, but is instead located within unincorporated Utah County land (shown in white). Many of the adjacent properties in Payson, Elk Ridge, and Utah County may see residential developments in the future, adding pressure to access management and conservation policies in the Forebay Area.



An aerial view looking south into Payson Canyon. The area outlined in yellow is the approximate boundary of the 500 acres of the Forebay Area owned by Payson City.

Public Input Process

Extensive public input was gathered through public surveys, open houses, and volunteers on a project steering committee. The steering committee was created with representatives from adjacent property owners, local recreationalists, community group leaders, city staff, and elected leaders. Residents, staff, and community members represented the following partners in the planning process:

- Payson City
- #4bay4ever Friends of Forebay
- Back Country Horsemen of Utah
- Utah Valley Trails Alliance Board
- Nebo School District
- Mountainland Association of Governments
- Utah County
- Elk Ridge City
- US Forest Service
- Utah Cattlemen’s Association
- Strawberry Water Users Association
- Southern Utah Valley Electric Service District



Images from the Forebay public open house on November 21, 2019. Visitors provide input on maps with land managers to update access points and formalize trail alignments.

Formal committee meetings started in August 2019, with meetings, site visits, and surveys completed through February 2020. The larger working group was composed of the steering committee, Payson City staff, BYU faculty and students, and National Park Service staff. This group focused on developing project visions and goals, identifying specific access points, creating management indicators and thresholds, and discussing potential improvements for the area.

Two public open houses were held on October 17th and November 21st, 2019 at Payson City Hall. The meetings were held in conjunction with state and federal land management agencies and hosted by the Utah Valley Trails Alliance. Input was recorded on maps of the area and a digital trail database maintained by the Utah Valley Trails Alliance. Surveys were also given to participants to gather input on potential name changes to the area, as well as frequency of use, and potential facility improvements. Public comments and survey responses are included in Appendix A of this document.

The project planning team was composed of staff from Payson City and the National Park Service. Interviews were held with individual property owners, local utility companies, the Boy Scouts of America, and the US Forest Service to address specific technical issues related to access management, fire and grazing management, and utility easements.

There has been confusion in the past about the name “Forebay”. This has been exacerbated with the use of different variations of the name, such as “Forebay”, “Four Bay”, and “4-Bay”. The original name was “Forebay” in reference to the bays or sediment settling ponds, created by Strawberry Water Users Association. The construction of reservoirs, including a failed pond, gave rise to the rumors of “four bays” in the foothills. Based on surveys distributed at the public meetings, the planning team determined it would be most useful to retain the name of “Forebay” for future signs, maps, plans, and identification.

Vision & Goals

The following vision statement and goals were identified by the steering committee to shape the priorities of the updated management plan. These goals set the foundation for future multi-use management of the Forebay Area and may be updated as goals are achieved or become outdated.

Vision Statement:

Payson City will promote sustainable management of the Forebay Area by developing appropriate public access points, establishing conservation buffer areas, and implementing a comprehensive recreation improvement plan to improve the public's safety, access, and facilities of this important community resource by all user groups.

Goals:

1. Define and manage appropriate recreational opportunities to increase safety, create a diversity of recreational experiences, and improve overall system management.
2. Provide members of the community with designated and safe access to the Forebay Area and appropriate recreation-based infrastructure, such as trailheads, pathways, parking areas, signage, and so on.
3. Protect the watershed, habitat, and scenic nature of the area through appropriate conservation practices.
4. Develop a sustainable funding plan to support maintenance and stewardship of the land, resources, and recreational infrastructure.
5. Implement partnerships with local community and recreational user groups to support the long-term stewardship of the resource.

This chapter inventories existing conditions, develops a management decision-making framework, and includes recommendations to organize and improve access to a diversity of recreation users. Recreational facilities include trailheads, trails, access points, and activity areas.

Existing Conditions Summary

The Forebay Area was inventoried through several site visits between August 2019 and September 2020 by Payson City and National Park Service staff, Brigham Young University students, and members of the Friends of Fore Bay. Existing trails, access points, fence lines, property boundaries, and points of interest were identified through on-site analysis and digital records. The condition of existing trails and identification of preferred routes by various user groups was inventoried through public meetings to create a baseline data set to identify trail improvements. The major elements identified in the existing conditions are listed below.



Unofficial Trail System: Trail construction by volunteers include user made trails designed largely for mountain bike use. Many trails are regularly maintained and in good condition, while some areas require rerouting to avoid long term erosion and rutting. Many user-made motorized trails exist on fire breaks or access roads with frequent motorized trails on hillsides and in the failed pond area leading to significant erosion concerns.



Informal Access: No formal signage or entrances from paved roads. Current access is primarily through unimproved trailheads and trespassing across private property. Parking occurs on road shoulders, private property, and Forest Service roads, sometimes blocking access gates for grazing and forest management.



Trespassing: Frequent trespassing and creation of new trails through undeveloped properties on the northern boundaries due to limited official access points and proximity to neighboring communities. Inconsistent signage and fencing of property boundaries increase incidents of trespassing and may lead to potential long-term conflicts with future development as access is closed or rerouted. Unofficial trails cause liability concerns for property owners.



Utility Easements: The Forebay Area is crossed by significant historic utility easements for irrigation canals and power lines. Long term access to these facilities must be considered in any long-term management planning. These have seen an increase in misuse and litter with an increase in off highway vehicle (OHV) and off-road activities in recent years.

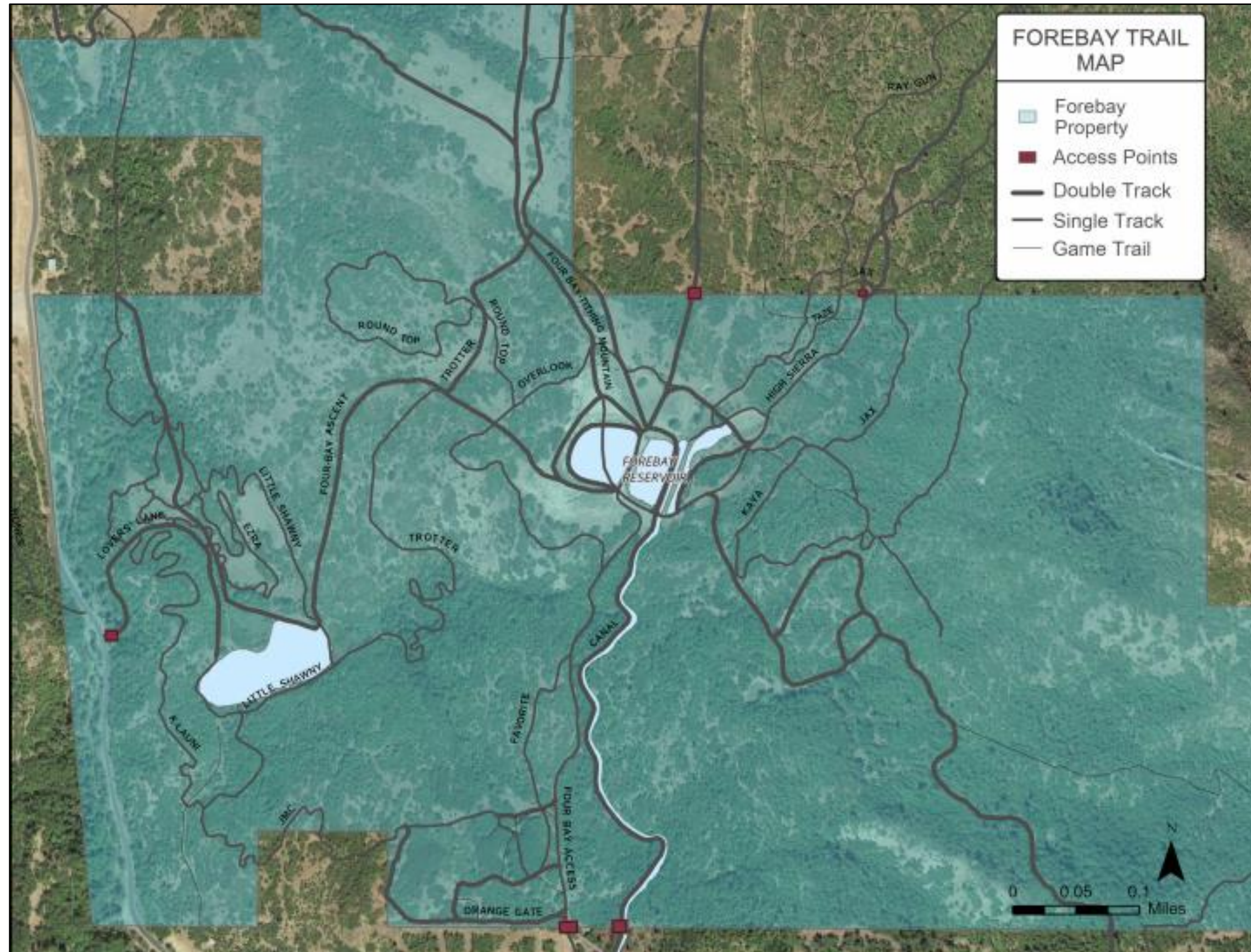


Motorized Use: Frequent trespassing on private property and across fire access roads with regular damage to fences and gates has caused significant frustration for property owners and land managers. Significant erosion problems and frequent user conflicts with non-motorized uses occur throughout the Forebay Area, particularly in the area of the ponds and along the fire access road.



Fire, Vandalism, and Littering: The Forebay Area and lower foothills are a fire sensitive area and have been significantly impacted by large wildfires in recent years, particularly Bald Mountain Fire of 2018. Frequent unattended or improperly doused fires continues to create significant risk to the area and adjacent residential properties. Vandalism of water system infrastructure regularly occurs.

An inventory of existing unofficial trails, roads, and paths through the Forebay Area is included on the next page. The following map is based on data collected by the Utah Valley Trails Alliance in conjunction with the US Forest Service, Payson City, and Elk Ridge City between August 2018 and December 2019. The inventory of trails was completed through an analysis of digital imagery, on the ground verification, and review with local land managers and frequent recreational users. The intent of this map is to provide a baseline for potential trail formalization and access point management but it does not guarantee that trails identified on this map will be formalized in the future. As trail formalization occurs in the future, redundant or unnecessary trails may be rehabilitated to protect the natural landscape and water quality. The areas identified in red are potential future trailhead or gate locations.



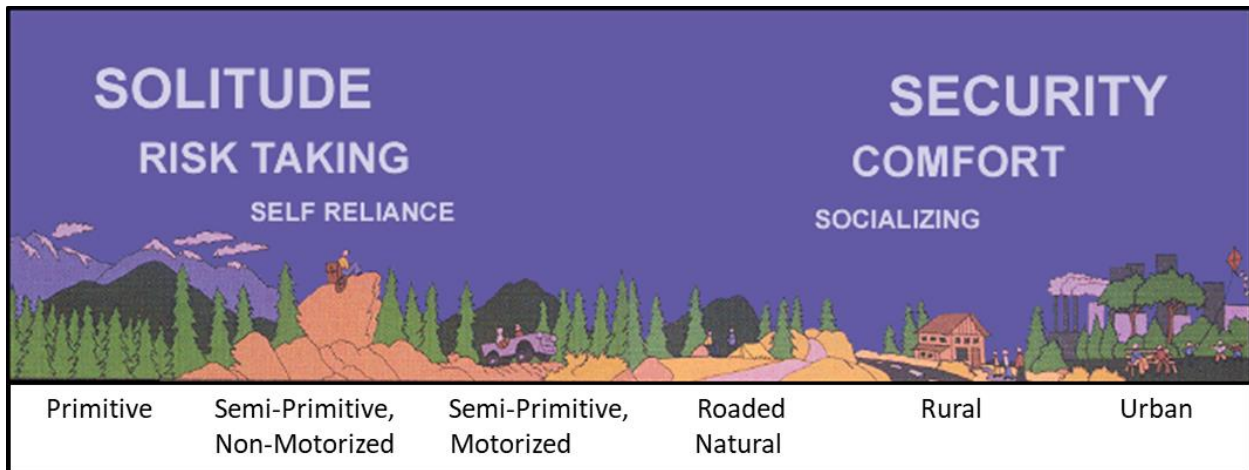
Recreation Management Considerations

A significant portion of the Forebay Area planning process focused on developing appropriate long-term management policies and a comprehensive decision-making framework. The purpose of this process is to support Payson City and its community partners in developing a system to consistently manage the Forebay Area’s trails and other recreational facilities. It is based on three primary factors:

- A. A recreation opportunity spectrum (ROS),
- B. An inventory of recreation user groups and their unique needs and impacts, and
- C. Recreation user skill definitions and trail difficulty ratings.








This framework is delineated in this chapter and reinforced with potential partnerships, model ordinances, and trail building best practices in the following sections of this document.

US Forest Service Recreation Opportunity Spectrum



The US Forest Service has developed the Recreation Opportunity Spectrum (ROS) to define different recreation areas and the types of activities, facilities, and user experiences to be expected in each zone. Zones range from the least developed and most isolated Primitive zones to the most developed and populated Urban zones. The US Forest Service ROS Primer and Field Guide states, “Recreation on our National Forests is more than just camping, fishing, and hiking. Research has shown that people choose a specific setting for each of these activities in order to realize a desired set of

The ROS Framework is broken down into the following management areas to define the following qualities of an area. Links are included below for reference and information on best practices:

-  [Access](#)
-  [Social Encounters](#)
-  [Remoteness](#)
-  [Visitor Impacts](#)
-  [Naturalness](#)
-  [Visitor Management](#)
-  [Facilities and Site Management](#)

experiences. For example, camping in a large undeveloped setting with difficult access and few facilities offers a sense of solitude, challenge, and self-reliance. In contrast, camping in a setting having easy access and highly developed facilities offers more comfort, security, and social opportunities.” While the Forebay Area is not US Forest Service-managed area, Payson City can utilize the ROS spectrum to educate users to the types of facilities, activities, and precautions associated with the City’s management of the property. A model of this Recreation Opportunity Spectrum tailored to Payson City’s needs has been developed to help inform future management.

Payson Recreation Opportunity Spectrum

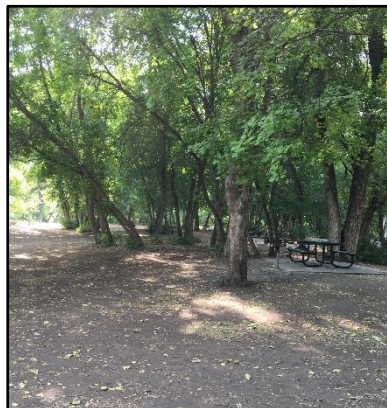


Forebay Area



Limited access, usually on dirt or unimproved roads or trails. Limited development does not include facilities such as running water, trash receptacles, cell phone service, and universally accessible trails. May require significant effort to access the area by foot or bike rather than drive up facility access of a typical park. Greatest access to natural landscapes, potential interactions with wildlife, and solitude.

Payson City Kiwanis Park



Unpaved or gravel parking area; unmaintained landscaping; limited services, including vault restrooms, running water, or limited cell phone service. May include paved and unpaved surfaces, some signage or designated activity areas. Greater access to outdoor areas, such as forests, waterways, and wildlife.

Memorial Park



Paved roads and parking lots; paved trails and walking paths; flushing restrooms; running water; maintained landscaping; playground equipment; well-developed activity areas; and sports complexes. Fully accessible to wheelchairs and strollers; family friendly. Easy access to community and other services. Low risk of interaction with wildlife and high levels of social interaction.

Payson City may approach Forebay as a “Primitive” or “Semi-Primitive Non-Motorized” area within its city parks system, where users can expect greater solitude but fewer services (such as running water, flushing restrooms, cell phone service, etc.) than they would normally expect in a “typical” city park with maintained lawns, playgrounds, shade structures, and running water. Recommendations for the Forebay Area should be made based on this model, wherein the city would seek to maintain the Forebay Area in a more primitive manner.

This framework helps to establish the public’s expectations for how the Forebay Area will be managed, what type of facilities to expect, and the kind of recreational experiences users will have on the property. As the Forebay Area is managed with a primitive framework in mind, it is understood the area will not be universally accessible, with improvements such as paved roads, paved parking areas, or paved trails not appropriate with the primitive nature of the area. This should be kept in mind as future improvements are considered.

User Group Inventory

In addition to creating management and facility expectations, various recreational user groups were inventoried to help determine appropriate, safe, and manageable recreation activities for the Forebay Area. A better understanding of user groups can help land managers accommodate their needs, mitigate their impacts on each other, and design sustainable and enjoyable trails. These user group profiles are provided below.



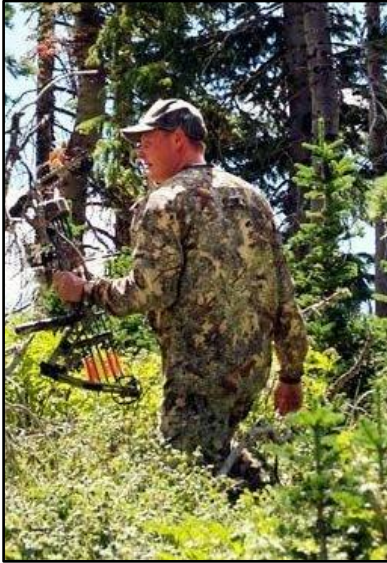
Hikers: Hikers generally prefer trails that lead to destinations, including points of interest, overlooks, bodies of water, etc. Loops and out-and-back trails are both acceptable to hikers and usually do not produce significant conflicts. Hikers generally travel at low speeds and do not produce significant amounts of dust and noise. Hikers are more exposed to the weather and sensitive to sudden weather changes. Hikers can adjust to changes in slope and deal with short amounts of steep grades. Hikers generally travel shorter distances than other user groups. Hikers are the most exposed to impact from other user groups, especially when other groups are traveling at high speeds.



Equestrians: Equestrians generally prefer longer trails that allow them to exercise their animals, with some variation in the trail topography, and enough space to ensure their animals are safe from other user groups. Equestrians do not produce significant amounts of dust and noise. Equestrians are impacted by sudden weather changes and can have trouble finding shelter to accommodate both them and their animals. Equestrians can adjust to changes in slope and deal with medium amounts of steep grades. Equestrians are highly sensitive to other groups, especially motorized users, in order to keep their animals and other users safe. Most equestrian users in the Forebay Area are “through traffic,” utilizing the area to reach Forest Service trails at higher elevations.



Mountain Bikes: Mountain bike riders ride trails for the experience of the trails – the climbs, descents, twists, rolls, and challenge of the course. Conflicts between mountain bikers of different skill levels as well as with other user groups can be mitigated through specifically designed mountain bike trails with appropriate signage, skill barriers, and directional loops. Mountain bikers do not produce significant amounts of dust and noise. Mountain bikers are impacted by sudden weather changes but can seek shelter quicker than hiking trail users. Mountain bikers are highly sensitive to sudden trail slope changes. The slope and alignment of a trail are important to producing an enjoyable traveling experience. Mountain bikers generally seek greater distances than pedestrian users. Mountain bike courses are often loops with designated climbing and descending routes to avoid conflict. Mountain bikers are very sensitive to obstructions that may cause sudden stops and can greatly impact slower moving trail users, especially hikers and equestrian users. Their additional equipment makes them not as flexible as pedestrian trail users.



Hunters: Hunters are looking for a very specific area to utilize and are willing to go off trail to completely achieve this. They seek limited interactions with other users far more than any other group. Generally, areas with less trails or impacts will better support the wildlife habitat they seek. Hunters can generate a lot of auditory disturbance if using firearms, but not with archery hunts. Hunters are generally better prepared for wind and rain elements and are more likely to wait out the weather than other pedestrian recreationists. Hunters can adjust to changes in slope and deal with short amounts of steep grades. Hunters want to avoid other user groups in order to prevent the scaring off prey. Hunting can present significant safety concerns and conflicts during hunting season and often require active closers and management to mitigate conflicts with other user groups.



Off Highway Vehicles (OHV/ATV): OHV riders generally seek long distances with open trails and/or technical obstacles. Many users utilize OHVs to explore areas that would not be otherwise accessible due to limited physical ability or remoteness. OHV use has also become an increasingly family-focused form of outdoor recreation and accommodates many individuals with different physical abilities. OHVs can generate significant noise and dust when traveling at high speeds or when climbing steep terrain. OHV riders are generally better protected from wind and rain elements by the vehicle. Motorized travel greatly reduces the impact of steep slopes and rough terrain for riders and makes these areas more accessible to those who may not otherwise be able to reach them. OHVs are capable of travelling significantly longer distances than non-motorized users. OHV users are less impacted and face less safety risks from the effects of other user groups; however, they may have significant safety impacts on others, especially when traveling through non-motorized areas.

Summary of Impacts by Recreational User Group

Category	Hiker	Equestrian	Mountain Bike	Hunter	OHV
Visual & Auditory Impact – how much noise, dust and other disturbances does this user group generate for other users on the trails?	Low	Low	Low	Low-Medium	High
Climate Sensitivity – how sensitive is this user group to weather changes?	High	High	Medium	Medium	Low
Trail Slope Sensitivity – how does this user group respond to changes in trail slope?	Medium	Medium	High	Medium	Low
Distance Preference – how far does this user group expect to travel on this trail system?	Low	High	Medium	Low	High
Conflict Sensitivity – how sensitive is this user group to other groups on the trail; do they need to frequently stop, yield or step off the trail? Are they at risk of personal harm from the actions of other users?	High	High	High	High	Low

This information can guide land managers on best practices to reduce user conflict and create enjoyable and sustainable trails for each appropriate user group in the Forebay Area. Through public survey and site analysis, it was determined that the most frequent user groups to the Forebay Area are hikers and mountain bike riders. While some equestrian use may occur, it is likely that most equestrian riders are utilizing trails higher up on the National Forest lands. It was determined that due to the size of the area, limited access and management resources, potential damage to water infrastructure and erosion, and risk of user conflict that the Forebay Area would be closed to motorized access. Furthermore, due to the increased recreational use, limited







management resources, and high potential for injury or user conflict, the Forebay Area should be closed to hunting and target shooting.

Trail Difficulty Rating

In addition to planning for ways to reduce conflict among various recreational user groups, consideration should be made for abilities within those groups. The topography of the Forebay Area creates many opportunities for different types of trails for both hiking and mountain biking as well as many unique challenges on those trails, especially for mountain bikes. As new trails are developed, new alignments could be considered for a greater array of difficulty and riding experiences. An example of trail obstacles and challenges classified by difficulty are included below. A chart of trail difficulty classifications and design standards developed by the International Mountain Bike Association (IMBA) is included on the following page.



An example of difficulty rated mountain bike trail elements. *Source: Alliance ASE Trailbuilders*

IMBA Trail Difficulty Rating System 					
					
	EASIEST WHITE CIRCLE	EASY GREEN CIRCLE	MORE DIFFICULT BLUE SQUARE	VERY DIFFICULT BLACK DIAMOND	EXTREMELY DIFFICULT DBL. BLACK DIAMOND
TRAIL WIDTH	72" or more	36" or more	24" or more	12" or more	6" or more
TREAD SURFACE	Hardened or surfaced	Firm and stable	Mostly stable with some variability	Widely variable	Widely variable and unpredictable
AVERAGE TRAIL GRADE	Less than 5%	5% or less	10% or less	15% or less	20% or more
MAXIMUM TRAIL GRADE	Max 10%	Max 15%	Max 15% or greater	Max 15% or greater	Max 15% or greater
NATURAL OBSTACLES AND TECHNICAL TRAIL FEATURES (TTF)	None	Unavoidable obstacles 2" tall or less Avoidable obstacles may be present Unavoidable bridges 36" or wider	Unavoidable obstacles 8" tall or less Avoidable obstacles may be present Unavoidable bridges 24" or wider TTFs 24" high or less, width of deck is greater than 1/2 the height	Unavoidable obstacles 15" tall or less Avoidable obstacles may be present May include loose rocks Unavoidable bridges 24" or wider TTFs 48" high or less, width of deck is less than 1/2 the height Short sections may exceed criteria	Unavoidable obstacles 15" tall or less Avoidable obstacles may be present May include loose rocks Unavoidable bridges 24" or narrower TTFs 48" high or greater, width of deck is unpredictable Many sections may exceed criteria

Recreation Improvements

This section identifies short term and long-term tasks to improve trails and recreation opportunities in the Forebay Area. These tasks should be regularly updated and can be more easily achieved through partnerships identified in the Chapter 5 of this plan.

Short Term Tasks

1. Formalized Access Points & Trailhead Improvements

One of the most pressing needs is to designate official access points to the Forebay property. This will make it easier for multiple user types and skill levels to access the area and improve safety by removing vehicles from roadway shoulders. Payson City should work with the US Forest Service Spanish Fork Ranger District to complete the necessary environmental reviews to formalize limited vehicle access on US Forest Road 396 known locally as the “Orange Gate Road.” A proposed trailhead is located on the southern boundary of the Forebay property adjacent to the road. This process will include improvements to the gate for seasonal closures, as well as appropriate barriers at sensitive landscapes along the road such as split rail fencing or large boulders to prevent erosion, illegal trail building, or vehicular access. This review will be necessary to change the easement on the road from primarily utility access for the Strawberry Water Users Association to public recreational access.



The following proposed trailheads were identified:

- A. *Peteetmeet Creek Trailhead*: on the eastern side of the Nebo Loop Road just south of the Cattleman’s Association property. Initial designs and work were begun in the winter of 2019/2020 to improve this site, including a parking lot and crossing over the creek. This site would help alleviate parking on private property or the narrow highway and provide easy access for hikers or beginner mountain bikers.
- B. *Forest Service Road 396 / “Orange Gate Road” Trailhead*: This trailhead would provide improved access to the greatest concentration of trails in the Forebay Area. The road is currently available only to utility and Forest Service personnel and would require

environmental review for recreational access. This road would remain unpaved and a dirt trailhead with signage and limited facilities would maintain the primitive nature of the area. This area may be able to accommodate a future vault/pit toilet to manage human waste.

- C. *Camp Maple Dell / Power Canal Trailhead*: An existing trailhead cooperatively managed between Camp Maple Dell and US Forest Service; formal agreements could be developed to incorporate recreational access along the power canal access road. This could also provide year-round access for snowshoeing, hiking, or fat tire biking along the canal. This site already has a paved lot and vault toilet.
- D. *Future Elk Ridge Trailhead*: Discussions and site visits were conducted with community leaders from the City of Elk Ridge to explore future opportunities for trail connections and trailhead improvements from the northeast area of the Forebay property. Specific locations would require further analysis with property owners and city leaders as development occurs but would be valuable community assets and help reduce motorized trespassing and illegal trail building across private property.

2. Update Forebay Management Policies

As recreational use increases in the Forebay Area, several initial policy steps are necessary to sustainably manage the property. The following policies were identified as initial priorities by the steering committee and working group:

- A. *Closure to Motorized Access*: Concerns related to user conflict, damage to utility infrastructure, wildfire potential, and erosion control were all raised in considering whether to maintain motorized use in the Forebay Area. Most motorized use currently originates from nearby residential properties on unauthorized trails across private property. Due to the above-mentioned concerns, as well as limited space in the Forebay Area to provide adequate recreation opportunities to OHV riders, Payson City determined to close the area to motorized use. In order to continue to provide a variety of recreational opportunities for its residents, Payson City has actively worked with the Bureau of Land Management (BLM) to develop a motorized OHV park on the West Mountain area west of Payson City. It is hoped that by organizing and creating appropriate facilities for each user group, that all users will have more

Examples of OHV Barriers and Signage:







enjoyable and safer riding experiences. Payson City Council passed a resolution on May 20, 2020 declaring the Forebay Area as a non-motorized recreation area. A copy of the resolution is included in Appendix D of this document. The City will continue to work with neighboring cities, property owners, and land managers to close the area to motorized access through gates, berms, fencing, boulders, signage, and other appropriate tools.

- B. *No Official Overnight Camping*: Risk of wildfire and inability to manage human waste in a watershed protection area raised significant concerns about formalizing overnight use or camping in the Forebay Area. Informal or dispersed camping should not be allowed unless designated campsites can be improved in the future to mitigate these concerns.
- C. *Hunting Closure*: Potential conflicts with other users and safety concerns were raised with hunting on the Forebay property. Seasonal closures, signage, or archery hunting were considered, but limited active management resources, including staff time, policing, permitting, and other tools does not make it feasible to manage for this use in the Forebay Area at this time.
- D. *Comprehensive Signage Plan*: As the initial trail system is formalized and adopted, appropriate signage should be developed as well. This would include developing a standard for trail signage, including trailhead kiosks, trail intersection signs, wayfinding signs, and difficulty or warning signs. This signage system should include the following information:
 - a. Trail Name;
 - b. Directionality, where appropriate;
 - c. Designation of trail types, such as mountain bike, equestrian, or hiking;
 - d. Trail safety and etiquette, such as yielding and passing rules; and
 - e. Difficulty ratings, such as the IMBA standard shared in this chapter.

Comparable trail signage standards have been developed by the US Forest Service, Utah State Parks, and communities throughout Utah for reference. In addition, the Utah Valley Trails Alliance and National Park Service assisted the Utah Division of Wildlife Resources in developing a comprehensive trail signage plan for the Timpanogos Wildlife Management Area in 2019 that has served as a template for other trail systems in Utah County. The signage hierarchy system for this area is included as an example on the following page. This system could be easily adapted to Payson City's needs and help create a sense of cohesiveness to Utah County's growing regional trail system.



An example of existing signage in Forebay. These signs can be supplemented with trailhead kiosks and difficulty ratings to better inform trail users.

Timpanogos Wildlife Management Area Trail Signage Hierarchy		[EXAMPLE]	
			
Sign Type	Primary	Secondary	Tertiary
Sign Purpose	General trail description, location, and agency information	Directional and wayfinding information	Reassurance and wayfinding markers
Information Shared on Sign	System map, emergency services information, Leave No Trace materials, trail safety and yielding, management agency contact information, other appropriate regulations	Trail names, distances and directions, allowed uses, current location	Trail names, distances and directions, allowed uses, current location
Proposed Sign Location	Trailheads	Major trail junctions	Along trail routes or minor trail junctions
Example Sign Image			
Example Sign Description	Single, double, or triple panel kiosk; wood framed, metal roof, printed and mounted maps	Printed vinyl mounted on wooden 4x4 posts set in concrete	Carsonite signs which can be mounted to wooden posts for additional stability and security
Cost Estimate per Sign	\$1,200 - \$3,000	\$50	\$10

Long Term Recommendations

Most long term recreational facility recommendations centered on the addition of new types of trails for the Forebay Area. This includes the following trail proposals:

1. A winter groomed trail loop from the Payson City Gladstan golf course to the Forebay pond for cross country snowshoeing or fat tire biking;
2. Winter grooming of the power canal trail for snowshoeing or fat tire biking;
3. A mountain bike flow trail from the Forebay pond areas north;
4. A double black diamond rated downhill course from the apple tree spring area to the east; and
5. Payson City Kiwanis Park hiking/biking connector trail along Nebo Loop Road to the Forebay Area.

These proposed trail improvements can be seen on the map on the following page with examples of these trail types shown below.



Fat tire mountain bike winter trail riding in Park City, Utah.



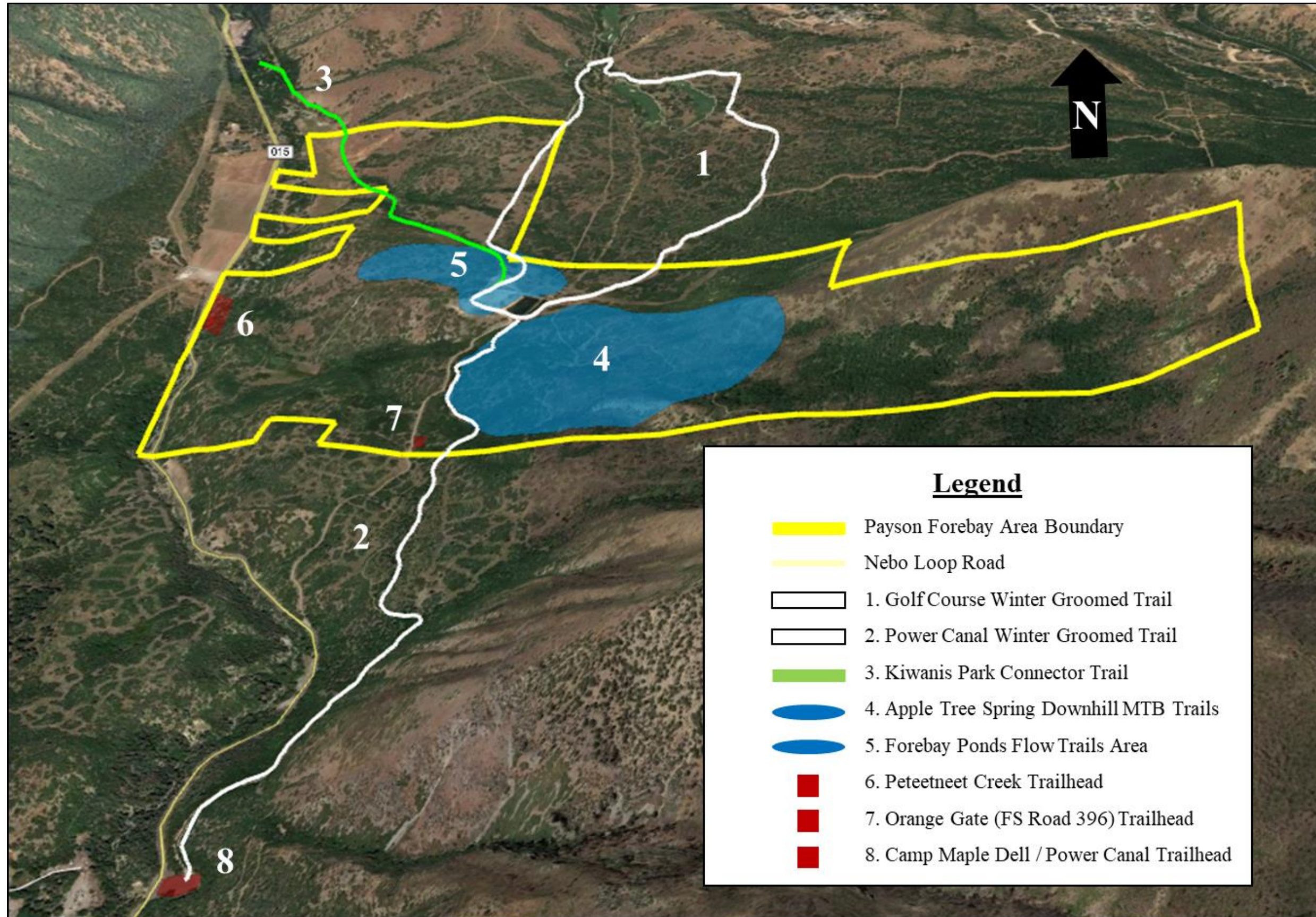
Winter snowshoeing in Cedar Breaks National Monument, Utah.



Achtung Baby mountain bike flow trail in Draper, Utah.



Red Bull Trail (Double Black Diamond) in Park City, Utah.

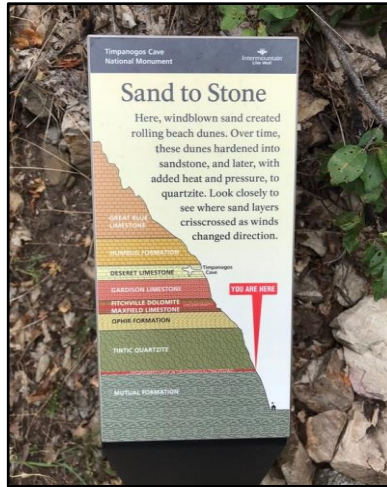


Forebay Pond Area Improvements

A conceptual discussion about improvements to the Forebay ponds area was completed by the working group to identify low cost and low maintenance ways to improve the recreation experience in Forebay. Some of the initial ideas are shared below with relevant examples.



The Cow Pasture Trail Kiosk in Barre City, Vermont is an example of a multi-use structure that serves as a rest area and trailhead kiosk sign.



An interpretive sign along the cave trail at Timpanogos Cave National Monument in Utah explaining local geologic history and formations.



Hammock stands in East Canyon State Park in Utah provide very low maintenance day use areas for visitors.



An example of a bike repair station with tool kits in Sedona, AZ.



A primitive picnic area along Kolob Canyon Road in Zion National Park.

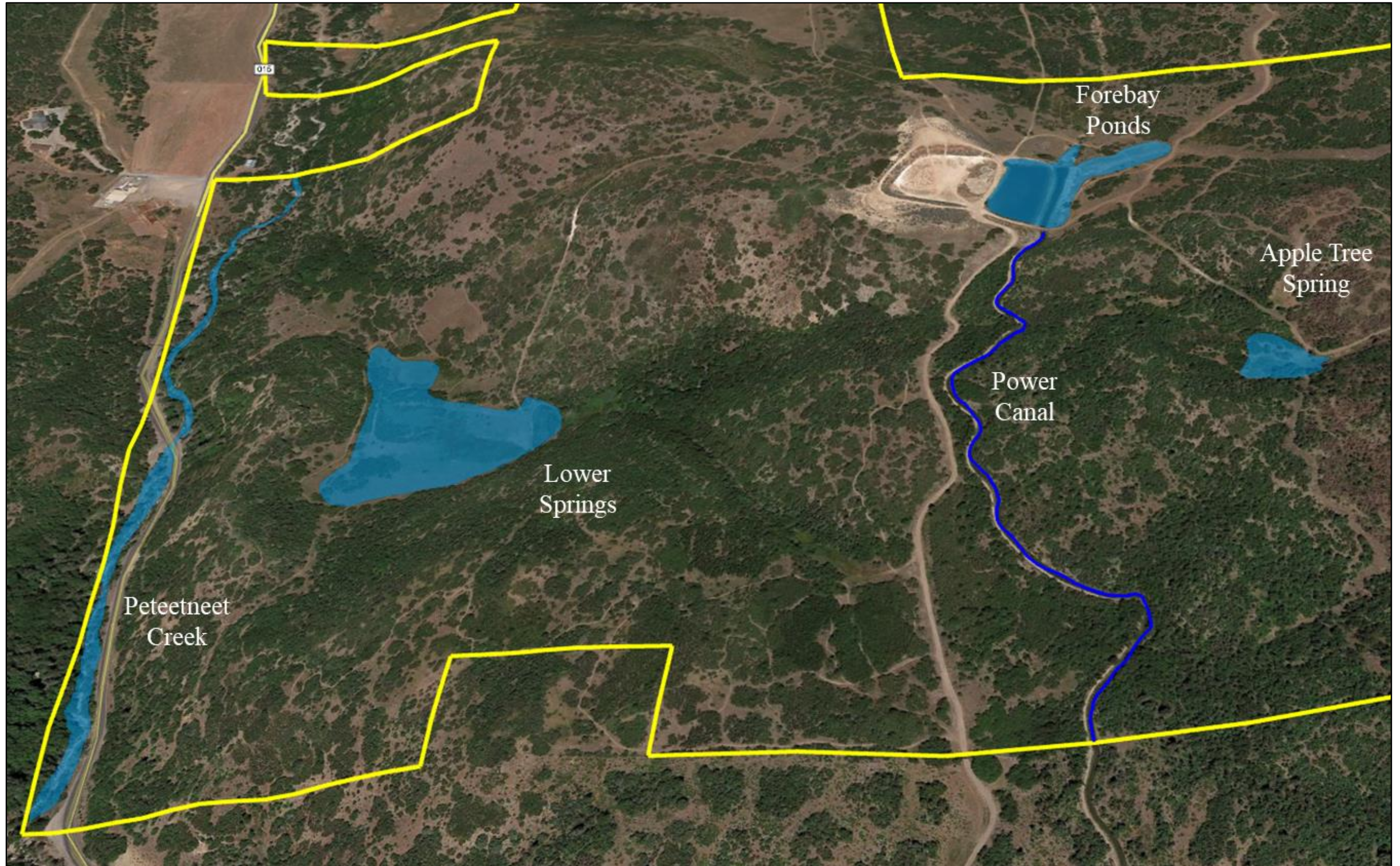
The natural resource management strategies in this plan are based on the recommendations found in the 2008 *Payson Four Bay Management Plan*. The 2008 plan provided a comprehensive list of goals and recommendations to preserve the natural environment and water quality of the Forebay Area. Many of these ideas are still applicable today; this section seeks to identify additional tools to help Payson City implement these strategies. The resources have been broken down into three categories for management planning:

1. Watershed Protection
2. Wildlife Habitat Protection
3. Wildfire Mitigation
4. Land Use & Open Space Tools

1. Watershed Protection

The original intent of Payson City's purchase of the Forebay Area was to preserve its watershed and natural springs used to provide culinary and irrigation water to the community. As such, this remains a critical component to the successful long-term management of the area. A tentative inventory of the watershed resources in the Forebay Area was completed in fall 2019 and is included on the map on the following page. These springs can be further delineated through assistance from the Utah Division of Water Quality. The following recommendations are included to help protect these watersheds:

- Certain recreational activities, such as motorized use, overnight camping, and hunting, should be controlled to reduce impacts on water quality through erosion, fire, littering, and the improper disposal of human waste.
- Comprehensive and deliberate trail planning for new facilities to appropriately buffer, site, and design trails to mitigate erosion, new illegal trail building, and trail cutting which may all impact water quality. Trail construction resources and best practices are further outlined in Chapter 5 of this plan.
- Trails will be located at least 15 feet from stream banks, springs, canals, and other water sources.
- Bridges will be constructed to cross streams where necessary.
- If regular damage to springs or waterways does occur, physical barriers such as boulders, logs, or split rail fencing with appropriate signage should be installed, particularly at the Dixon or Apple Tree Springs.



2. Wildlife Habitat Protection

The Utah Division of Wildlife Resources has collected data for the Forebay Area and found blue grouse, chukar, elk, moose, mule deer, turkey, coyote, bobcat, smooth green snake and various birds of prey. The property has meadow grasses, scrub oak in higher elevations, and larger tree species at the highest elevations. Like other areas along the Wasatch Front, the lower foothills of Payson Canyon serve as habitat to big game animals such as deer, elk, and moose during the winter and early spring seasons when higher elevations are snowed in. While the Forebay Area has not been identified as critical habitat, and the waterways and springs are not populated with fish, access to wildlife and the openness of the area are critical factors to public enjoyment and Forebay's opportunity as an outdoor education center for the community. Some recommendations to protect wildlife habitat include:

- The removal of duplicitous or extraneous trails that are not a part of the authorized trail system. These routes should be removed and rehabilitated.
- Winter trails will avoid elk winter habitat.
- Educational and interpretive programs will be aimed at education users about proper etiquette when in wildlife habitat.
- Hunting will not be allowed.
- The Utah Division of Wildlife Resources can be a partner in identifying winter habitats or revegetation best practices for trail remediation.

3. Wildfire Mitigation

Wildfire mitigation is an especially sensitive issue in many southern Utah County communities since the recent 2018 Pole Creek and Bald Mountain fires. These foothill areas continue to experience frequent wildfires, such as the Rocky Ridge, Goshen, Ether Hollow, and William fires in the Payson area in 2020. According to the Utah Division of Forestry, Fire and State Lands, by September 2020 nearly 78% of Utah's 1,275 wildfires were human caused. Proactive fire mitigation is an important part of the long-term sustainable management of the Forebay Area. Some recommendations include:

- Including Payson Fire Department on new trail planning efforts to fire access routes and fire breaks;
- Utilize state and federal recommendations for invasive species removal and native revegetation projects, including [NRCS Invasive Species Resources](#);
- Utilize the [Utah Division of Forestry, Fire and State Lands Wildfire Mitigation Program](#) to reduce potential fire costs and liabilities in the Forebay Area. This includes updating Payson City's [Community Wildfire Preparedness Plan](#).

- Develop a potential grazing framework and agreement with the Utah Cattleman’s Association to graze undergrowth as recommended by Utah Department of Natural Resources and/or US Forest Service fire mitigation and [grazing best practices](#).
- Close the Forebay Area to target shooting, hunting and overnight camping to reduce risk of human-caused wildfires.

4. Land Use & Open Space Tools

While the Payson Forebay property is owned and managed by Payson City, it is not located within the Payson municipal boundaries. The property currently resides in Utah County and is zoned Critical Environmental 1 (CE-1). The main purpose of this zone is described below:

“The CE-1 Critical Environmental Zone covers the canyon, mountain, riparian and other areas of environmental concern in Utah County. Land within the zone is native pasture, watershed, and wildlife habitat, and is a pass-through area for roads and utilities. It is also the source of wildfires, flooding, avalanche, and is the water recharge area for the culinary aquifers used by the cities, and is the range essential to wildlife. Maintenance of the scenic quality of the mountain environment is important to promote tourism.” (Utah County Land Use Ordinance, Chapter 5, Section 5-5)

While current zoning does allow for very low-density residential development or limited agricultural use, the topography and extremely limited access to the property significantly limits any developable land within the Forebay Area.

One of the long-term concerns for the preservation of the natural qualities of the Forebay Area will be subsequent potential subdivision and residential development of the land on the northern boundary of the property. Payson City should proactively work with adjoining private property owners to support compatible development opportunities. Some of the major policies to be considered with adjacent landowners and zoning authorities (including Utah County and Elk Ridge City), include the following:

- Protecting private property rights through appropriate access management, including formal trail right of way agreements, easements, and signage to reduce trespassing and liability concerns. Model agreements and ordinances can be found in Appendix E.
- Working with future developments to explore opportunities for residential cluster developments and setbacks to create buffered areas to protect recreational access, wildlife corridors, and the natural quality of the Forebay Area.
- Support open space ordinances and regional trail planning with adjoining communities and Utah County to protect open space areas and preserve greenway corridors.

Other long-term protection tools include overlay regulations, land trusts, and easements to protect the Forebay Area from potential development. Utah State Code section 57-18 “Land Conservation Easement Act” outlines requirements and opportunities for communities to utilize

land trusts and nonprofit land holding organizations to protect conservation or recreation areas. This has been utilized in numerous areas around the state, including near Zion National Park, Park City, Utah, and Rock Canyon in Provo, Utah. Conservation easements can place additional protections on land to limit the types of development and its impacts can have a property. Land trusts are organizations that hold property in trust to secure its long-term protection. A list of active land trust organizations in Utah is included below.

<p><u>The Nature Conservancy Utah</u></p>	<p>Since 1984, The Nature Conservancy in Utah has helped to protect more than 1.2 million acres of public and private land throughout the state, for plants, animals, and people.</p>
<p><u>Utah Open Lands</u></p>	<p>Our mission is to preserve and protect open space in order to maintain Utah’s natural heritage and quality of life for present and future generations. This is achieved by assisting private landowners, government agencies and communities in the voluntary preservation of the agricultural, scenic, recreational, historic and wildlife values of open land.</p>
<p><u>Trust for Public Land</u></p>	<p>The Trust for Public Land works throughout Utah to create parks and conserve land where all Southwesterners can experience nature. We’ve helped to build local, national, and state parks and recreation areas, establish trails, and conserve Southwestern cultural landscapes, farms, and forests.</p>

Programs & Partnerships

One of the greatest opportunities for the long term stewardship and preservation of the Forebay Area is to improve its potential as a multi-faceted resource and destination for the Payson community. With its proximity to both Payson City and adjacent forests and public lands, the Forebay Area has significant opportunity to serve the community as an outdoor learning space and education destination.

The Forebay Area already has an extensive history of use among local community partners as an education center. The neighboring BSA Maple Dell Camp uses the Forebay Area for merit badges and training space; the coed Nebo Composite Mountain Biking Team utilizes the Forebay Area as its home training course; and Payson Junior High School offers multiple education opportunities through its block science class programs, winter snow shoeing, and annual hikes to Loafer Mountain, “the Big Tree,” and the Forebay ponds.

Nebo School District is very supportive of integrating outdoor learning and science opportunities into its earth sciences classes, and many state, national, and non-profit organizations develop free or low-cost outdoor education-based learning programs. This section outlines potential education programs, partnerships, and facilities that can be utilized by community groups in the Forebay Area.



Wild Utah Project is a nonprofit based group that supports monitoring and environmental science projects along the Wasatch Front. These include citizen and volunteer-based monitoring for amphibians, pollinators, wildlife, and water quality. WUP also supports stream and riparian restoration projects with other state and non-profit agencies. More information about their work can be found on their website. This offers many opportunities for residents to get involved in local conservation efforts and expand on in-classroom learning.

<https://wildutahproject.org/projects>



Utah's Every Kid Outdoors (EKO) Initiative expresses a commitment to promoting a healthy active lifestyle for youth and encourages youth to spend more time in the outdoors by engaging in activities that will benefit their physical and emotional well-being. The program identifies free or low-cost activities that children and families can do in local parks, state or national parks, national forests, or other public lands around Utah. Children can track their progress through a downloadable passport found at the Utah Office of Outdoor Recreation website.

<https://business.utah.gov/outdoor/eko>



Volunteers use the iNaturalist app to record the observations of local plants and wildlife online to generate crowd-sourced data to support research and monitoring. This program can be integrated with local classroom learning, service projects, restoration projects, or other community-based learning programs. Bio-blitz programs are specially organized events where communities work together to inventory local species and profile a wildlife profile for their community. Local communities around Utah have used these programs to engage youth in the outdoors and build stronger stewardship

connections to open spaces in their area. Events and support can be found through the Natural History Museum of Utah or coordinated in conjunction with local universities.

<https://www.inaturalist.org/>

<https://nhmu.utah.edu/challenge>



Utah State University has developed a Trail Master Steward course like other USU Extension programs such as Master Gardener or Master Naturalist. The intent of the program is to help trail enthusiasts gain fundamental knowledge of how to build and maintain different types of trails to support local, state, and federal land managers in Utah. Participants would utilize online, classroom, and field instruction to learn trail building and maintenance best practice and lead others on trail work around Utah.

<https://extensioncourses.usu.edu/product/trail-master-steward-introduction-course>

The Utah High School Cycling League (NICA) is the largest and fastest growing high school mountain bike league in the United States. In addition to teaching students how to ride, coaches and teams also support local trail construction and maintenance. Frequent youth riders represent a significant opportunity for “eyes on” monitoring of trail conditions. Local volunteers can coordinate stewardship with NICA on their website and plan training schedules and organize trail adoptions with local land managers.

<https://www.utahmtb.org/trails>

Outdoor Classroom Opportunities



The Utah Society for Environmental Education (USEE) is a statewide nonprofit that promotes environmental education in Utah. USEE encourages environmental literacy by teaching Utahns how to think, not what to think, about the environment. To achieve this goal, USEE serves as an umbrella organization and information resource for environmental educators, K-12 teachers, higher education, and the Utah community at large. These efforts will help ensure economic, social, and environmental sustainability for Utah. Examples of outdoor learning and classroom facilities are given below.

<https://www.usee.org/index.php>



An example of outdoor learning at Wyland Elementary School in Missouri.



Outdoor learning space at Washington and Lee University in Virginia.



A view of the summit of Smelter Mountain, in Durango, Colorado. Trails are being used as outdoor learning spaces for elementary children during the COVID-19 pandemic.



An example of outdoor teaching training by the Natural History Museum of Utah.

**Interpretive
& Educational
Signage**

Utah Division of
State History

EXTENSION
UtahStateUniversity

The Forebay Area has a unique history and cultural significance to the community. Interpretive signage provides a way to tell this story and inform the public about the world around them. These materials can be designed to be weather resistant, visually unobtrusive, and interactive for users of all ages. Topics that could be explored in the Forebay Area include Native American history and the founding of Payson, the history of agricultural use in the area; natural and earth sciences, including geology, native plants and animals, astronomy, and geography; and stewardship, including Payson City’s efforts to protect this land, trail stewardship, and conservation best practices. There are several potential locations for this signage, including along the canal trail, the Forebay ponds, and significant overlooks on the property.

Potential partners to help provide historic information, signage design guidelines, and other resources include the [US Forest Service](#) and [National Park Service](#) for signage design standards

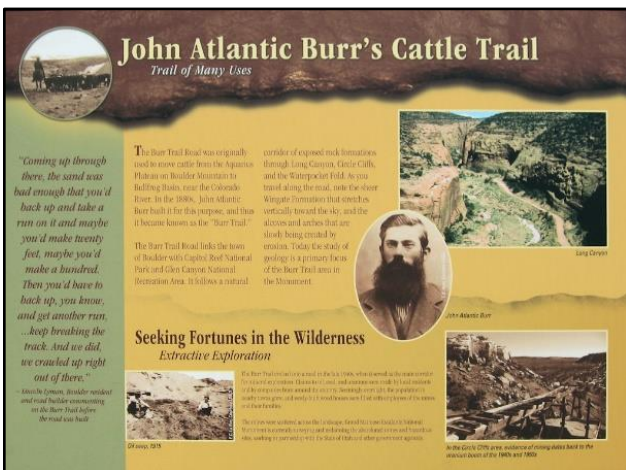
and best practices; the Utah Division of State History to assist with gathering and sharing local history; USU Extension Services with signage location and design support; the Utah Office of Outdoor Recreation for education and signage grants; as well as locally-based history and community groups.



An example of astronomy programming by rangers at Theodore Roosevelt National Park. Community-based education programs could be led through local schools or community volunteers in conjunction with local curriculum or youth groups such as the Boy Scouts of America.



An example of an interpretive sign with ecological information along Scenic Byway 12 in Utah. Local signage could share information on local flora and fauna or unique geologic formations.



An example of an interpretive sign sharing information about John Atlantic Burr's Cattle Trail through Capitol Reef National Park. Similar information could be shared telling the story of the pioneer settlers of Payson, including the history of the irrigation canals, cattle ranching, and hydro power generation that happen in the Forebay Area.

Stewardship Needs & Opportunities

The successful implement of the Payson Forebay Area Management Plan will rely on a comprehensive management system and extensive partnerships and to address the appropriate balance of recreation and conservation. This will include working with community partners, neighboring property owners, recreation user groups, state and federal agencies, and potential funding or support partners. This chapter seeks to outline these stewardship needs and opportunities for partnership to help Payson achieve success. It also outlines tools, grants, and other resources to collaboratively manage the Forebay Area.

The table below begins the inventory process of stewardship needs and partnership opportunities. This is meant to serve as a first step in developing these partnerships and should be regularly updated by Payson City and its Forebay management committee through formal agreements and documentation where possible to maintain consistency.

Partnership Inventory

In addition, appropriate partnerships with other government, community, and business groups can greatly help Payson City to implement its goals in developing a comprehensive trail system in the Forebay Area. There are numerous well-organized recreation user groups throughout Utah that contribute significant amounts of time and resources to maintain and enhance access for their groups. These groups often form maintenance agreements, adopt trails, match funds for grant applications, and donate labor and materials to trail projects. In addition, many local, state, and federal government agencies offer technical support, grants, and maintenance support for recreation and trail projects that would benefit Payson. These are also listed in the tables below.

Stewardship Needs & Opportunities Summary Table

Management Area	Task	Description	Responsible Agency & Potential Partner	Potential Resources to Support Task
Trailheads	Regular Trash Disposal	Emptying of trash cans and litter control	Payson City, Friends of Forebay and other user groups	Staff to conduct regular disposal with volunteers performing regular litter patrol
	Winter Plowing	Plowing of trailhead lots and access roads	Utah County, Payson City	City / County agreement to regularly plow trailheads as a part of highway plowing (where organized winter access is established)
	Regular Facility Maintenance	Regular repairs to fencing, signage, bridge/trail maintenance, maintenance of parking lot, etc.	Payson City	City staff and equipment, potential volunteer support through trailhead adoptions and agreements
Trail Maintenance	Seasonal Trail Maintenance	Annual regular repairs to trails, drainages, signs, etc. as necessary	Friends of Forebay, Backcountry Horsemen of America, Mt Nebo Composite Team, BSA, etc.	Formal trail adoptions by groups or individuals; maintenance agreements with Payson City; regular coordinated trail workdays between city & volunteers
	Winter Trail Grooming	Regular grooming of trails for winter recreation	Friends of Forebay	Potential lease or sharing of grooming equipment between Payson City and community groups.
	Grant Writing / Fundraising	Constant review of current grant opportunities, grant writing, drafting letters of support, community fundraising, etc.	Payson City, Friends of Forebay	City staff and community partners can share the burdens of grant writing. Some grant opportunities may be available to groups and not government, and vice versa. A community nonprofit can also solicit and receive small dollar donations to match grant applications on behalf of the city.
	Trash & Debris Removal	Emptying of trash cans and litter patrol	Payson City, Friends of Forebay and other user groups	Staff to conduct regular disposal with volunteers performing regular litter patrol
Overall Forebay Area	Invasive Species Removal / Weeding	Regular surveys and weed pulling activities to reduce trail damage, erosion, wildfire threat, etc.	Payson City, Utah County Weed Abatement, US Forest Service, Utah Division of Wildlife Resources	Formal agreements, fundraising, or grant support for native plantings, etc.
	Graffiti Reporting & Removal	Regular monitoring, reporting, and removal of graffiti.	Strawberry Water Users, Payson City	Regular coordination between utility companies, recreation users, and city staff to reduce graffiti incidents and impacts.
	Highway/Roadside Trash Removal	Regular monitoring, reporting, and removal of trash.	Payson City, Utah County	Highway and roadside adoption programs
	Grant Writing	Constant review of current grant opportunities, grant writing, drafting letters of support, community fundraising, etc.	Payson City, Friends of Forebay	City staff and community partners can share the burdens of grant writing. Some grant opportunities may be available to groups and not government, and vice versa. A community nonprofit can also solicit and receive small dollar donations to match grant applications on behalf of the city.

Partnership Inventory Summary Table

Organization Name	Purpose / Mission Statement	Potential Roles, Resources, and/or Partnerships
#4bay4ever Friends of Forebay	A community group started by Payson residents and supporters of the Forebay Area. They have sponsored annual events and trail building work on the Forebay property.	<ul style="list-style-type: none"> • Formal trail adoption agreements to maintain existing trails, trailheads, signage, etc. • Cooperative agreement to support active Payson City management of the Forebay Area through a city committee with Friends of Forebay representation. • Support on future planning processes, grant writing, trail building, etc.
Back Country Horsemen of America – Hi-Line & Hobbie Creek Chapter	A state-wide organization of men and women concerned about sustained equestrian access and proper use on public lands in Utah.	<ul style="list-style-type: none"> • Assist with trail maintenance and improvement projects to keep trails clear for all users • Partnerships to create events to increase awareness and usage of local trails
Boy Scouts of America – Crossroads of the West Council, Timpanogos District	A national organization devoted to teaching outdoor skills to youth. The Maple Dell Scout Camp is located south the Forebay property with a public trailhead adjacent to the Nebo Loop.	<ul style="list-style-type: none"> • Advisory role on educational programming or recreational facility development • Organized service projects and potential resource, tool, or grant partner • Potential maintenance agreements • Agreements to formalize access to the canal trail from trailhead along Nebo Scenic Byway
International Mountain Bicycling Association	An international organization devoted to the creation, enhancement, and advocacy of mountain bike trails.	<ul style="list-style-type: none"> • Assist with trail maintenance and improvement projects, keeping trails clear for all users • Partnerships to create events to increase awareness and usage of local trails
Strawberry Water Users Association	A local utility cooperative that operates the penstocks and canals on the Forebay property. The Association is supportive of increased management to reduce damage to their infrastructure and maintaining access roads.	<ul style="list-style-type: none"> • Long term maintenance of access roads and ponds • Potential improvements to the power canal access road as a family friendly accessible trail
The Utah Nordic Alliance (TUNA)	The Utah Nordic Alliance, TUNA, is a ski club that promotes cross-country skiing in Salt Lake City and northern Utah.	<ul style="list-style-type: none"> • Potential winter sports education program development • Potential winter trail maintenance partner
US Forest Service – Spanish Fork Ranger District	To sustain the health, diversity, and productivity of the Nation’s forests and grasslands to meet the needs of present and future generations.	<ul style="list-style-type: none"> • Potential trail maintenance agreements to expand and/or connect Forebay Area trails to larger Forest Service trail system and vice versa • Collaboration on best practices for trail maintenance, trail adoption and stewardship, grazing, fire and weed management, and motorized access management
Utah Cattleman’s Association	A cooperative organization to support cattle ranchers throughout Utah with legislative and management support. The association owns a large property on the west side of Nebo Loop Road adjacent to the Forebay property which is a popular spot for informal access to local trails.	<ul style="list-style-type: none"> • Support for repairing fencing on southern boundary with US Forest Service grazing allotments. Potential funding support through the Utah Grazing Improvement Grant • Potential grazing agreements for fire mitigation • Overflow parking on property for major events
Utah High School Cycling League – Mt Nebo Composite Team	Dedicated to establishing interscholastic mountain biking programs to improve Utah's communities and the lives of Utah's teens.	<ul style="list-style-type: none"> • Development of a high school mountain bike team and bike loaner program at local schools • Partner with to create events to promote the usage and awareness of local trails
Utah Valley Trails Alliance	The Utah Valley Trails Alliance supports sustainable recreation on the trails of the Southern Wasatch Mountains, especially "foothill" trails in the wildland-urban interface, through planning, education, and stewardship.	<ul style="list-style-type: none"> • Coordination of regional trail planning with neighboring communities and other user groups • Support local trail adoption and trail workday events • Support grant applications and trail inventory and improvement projects

Partnership Resources

Many communities seek public support and input through city-based citizen committees. Payson City currently uses such committees for their PARC tax allocation, planning commission, and other select purposes. The purpose of a Payson Forebay Committee would be to improve the trails and recreation opportunities in the Forebay Area. A formal group provides citizens, elected leaders, business owners, schools, agency partners, and others a mechanism to cooperate and leverage resources (including funding, donations, volunteers, and materials) to improve these assets on behalf of the community and to hold each other accountable. There are several forms an organization can take- a few of these models are listed below with some potential advantages and disadvantages to each. Payson may explore multiple organizations or models to support the recreation management process as needed.

Group Structure Type	Advantages	Disadvantages
Nonprofit Group, 501(c)3	<ul style="list-style-type: none"> - Can solicit and receive funds and donations on behalf of the city. - Can apply for some grants not available to government agencies. - Formal board, charter, and design-making processes make it easier to identify and implement priorities. - Can make formal agreements with government agencies to do work such as maintenance or construction on behalf of the city. 	<ul style="list-style-type: none"> - High initial investment in time, money, and other resources to organize group. - Need continual funding mechanisms to support group organization and goals. - Strong commitment needed from individuals for continual operation. - Loss of a single key leader or “champion” can greatly undermine group’s ability to achieve goals, especially in early stages.
City Advisory Committee	<ul style="list-style-type: none"> - City can provide facilities, such as meeting space, staff support, notices, etc. - Adoption by ordinance creates a structure, purpose, bylaws, and permanence. - Expands the limited capacity of city staff or elected leaders to address community issues. 	<ul style="list-style-type: none"> - Requires commitment of support and training from city, such as staff time, meeting space, and other resources. - May not be able to accept small dollar donations on behalf of the city.

Group Structure Type	Advantages	Disadvantages
	<ul style="list-style-type: none"> - Creates mechanisms for formal agreements with other agencies or groups. - Can specifically define membership to include multiple community perspectives, user groups, and priorities. 	
Student Club	<ul style="list-style-type: none"> - Local schools can provide oversight, leadership, and support to train and educate student leaders. - Creates opportunities to engage often underrepresented youth population in community decision-making processes. - Provides strong opportunities to engage youth in stewardship and create a sense of ownership of the resource. - Can provide informal support on specific projects. - Potentially significant source of volunteers, time, and community ownership. 	<ul style="list-style-type: none"> - Limited ability to solicit and accept funding for major projects. - Lack of permanence, constantly changing leadership and membership.
Local Citizen Organization (Informal)	<ul style="list-style-type: none"> - Maximum flexibility to address changing concerns or priorities. - Can maximize political willpower or local passion for a project to achieve quick results. - “Friends of…” organizations can be a stepping-stone to future, more permanent, organizations. 	<ul style="list-style-type: none"> - Lack of formal agreement mechanisms can limit resource sharing, such as grants, funding, or maintenance agreements. - Lack of formal organization or leadership can hamper decision-making processes. - Often single-issue focused; once goal is achieved, there is little support to move forward cohesively.

It is proposed that Payson City form an officially sanctioned city committee with the intent of managing the Forebay Area with community members and recreation user groups. A model ordinance is included in the Appendix F of this report that has been used by other communities throughout Utah to foster coordination and community support for similar recreation projects. A committee that has been codified by city ordinance provides a myriad of benefits, including:

- Providing citizens an official mechanism to partner with the city;
- Increasing city capacity to focus on specific projects;
- Providing accountability between the public, city staff, and the city council; and
- Giving permanence to the collaborative work undertaken.

This ordinance may be crafted to Payson City's needs to specify the committee structure, number of members, officers, meeting frequency, voting procedure, public noticing, and delineated responsibilities between the city and community. It is recommended that the number of committee members is specified, and there is an option for a certain number of seats to be held by specific partner organizations, as appropriate. Potential official partner seats include:

- Nebo School District
- Friends of Forebay
- The Mt Nebo Composition Mountain Bike Team
- Payson City Councilmember
- Payson Parks Department Staff
- Payson Planning Department Staff
- Other Partners (as needed, in advisory capacities): US Forest Service, Utah Division of Wildlife Resources, Elk Ridge City, Utah County, Nebo Scenic Byway Committee representative, etc.)

Maintenance Plans, Agreements & Other Resources

The long term success of a recreation area is established through well-designed facilities and appropriate maintenance plans and agreements. The development of new trails, trailheads, and other recreational facilities can pose a significant maintenance burden to communities. There are many effective ways to partner with other government agencies and non-profit or user-based groups to support the long term success of a comprehensive trail system.

The Payson community is well represented with passionate and able trail stewards and recreation user groups in the Friends of Forebay organization. This section outlines some of the tools available to Payson to formalize these partnerships with this or other community groups to implement the stewardship goals of this plan. Model ordinances and agreements are included in Appendix E of this plan.

Maintenance Plans: As Payson moves forward with the planning, designing, building, and operation of existing and new trails, trailheads, restrooms, signs, and other amenities, city leaders

should develop appropriate management plans to protect and maintain these important community investments in the long term. Just as the city would appropriate resources, staff time, and/or funding to the maintenance of more traditional recreational areas such as city parks, open spaces, and playgrounds, trail-based facilities require specific maintenance activity to be successful. Maintenance plans need to be developed to determine what entity will bear maintenance costs and liabilities, how the areas will be regularly serviced, where funding will come from, and how partnerships can be developed. Some of the necessary maintenance issues to consider for trail planning include:

- Regular trail or parking lot grading;
- Winter snow grooming or late/early season snow plowing;
- Trailside litter and weed/invasive species control;
- Trail sign repair and replacement, including damaged signs, missing trail markers, directional stickers, damaged posts, and other vandalism; and
- Trailhead maintenance, including regular trash disposal, toilet cleaning and pumping, etc.

Maintenance Agreements: Many of the tasks identified above can be offset by appropriate maintenance agreements or contracts. The documents are publicly adopted and include language identifying partners; partnership goals; each party's obligations, liabilities, and expectations; compensation between parties; and other relevant information. These agreements can exist in many forms, some relevant examples include:

- Agreements between two government agencies, such as an agreement by the Utah County Public Works Department to regularly plow a trailhead parking lot adjacent to a county road during the winter.
- Agreements between a government agency and a user-group, such as Payson City partnering with the local chapter of the Utah High School Cycling League to maintain a specific trailhead, trails, or other area of the system.
- Agreements between a government agency and a private business, wherein funds are established to pay for a maintenance service, such as a private contractor emptying trash and waste from trailhead restrooms.

An example of a trail system maintenance agreement between Weber County, Utah and The Utah Nordic Alliance (Ogden Nordic) group is included in Appendix E of this report. This agreement outlines the regular annual winter maintenance of the Weber County-owned North Fork Park, which is utilized for cross country skiing and snowshoeing during the winter season and will be regularly groomed by the Ogden Nordic group with volunteers and equipment provided by the group.

Trail Adoptions and Sponsorships: Many communities have utilized volunteer adoption and sponsorship programs to provide additional recreational amenities to their communities. This can

include opportunities for private funders, including businesses, non-profits, residents, user groups, or other donors, to contribute funds, time, or other resources to help build and maintain parks and trails. Sponsorship programs often include opportunities to purchase or “sponsor” a specific amenity, such as a trailhead kiosk, benches, restrooms, etc. on behalf of the community as a part of the initial construction process. Adoption programs often seek to offset long term maintenance obligations by providing funding, volunteers, or other resources dedicated towards regular upkeep of a trail once it is built. Oftentimes, these programs provide public acknowledgement in the form of signs, plaques, or naming rights to certain adopted or sponsored activities or facilities. This provides opportunities for residents, businesses, user groups, or others to contribute to their community and help protect the outdoor resources they cherish. An example of a successful Adopt A Trail Program in Ogden, Utah is included in Appendix E. This example includes program guidelines, an adoption application, and the formal adoption agreement.

Municipal General Fund: Just as cities utilize municipal funds to support the development and maintenance of other public utilities, parks, and open spaces, these funds could be allocated for the use of trail maintenance. This could include the purchase of maintenance equipment, signage materials, or wages for staff to do regular maintenance work. These funds may be significantly limited in some communities, and other methods are available to offset some costs, such as grants, donations, and in-kind volunteer support.

Use or Special Event Permitting Fees: Another way to offset long term funding obligations can come through planned revenue generation in the form of use or special event fees. This can include overnight camping fees, day use parking fees on city-managed trailheads, multi-day use passes, or the hosting of large special events, such as a regional high school mountain bike competition. These fee structures can be adopted by ordinance as a part of the maintenance plan for individual facilities but require resources from the community to gather and enforce from users.

Model documents of trail right of way easements, adopt a trail programs, and trail maintenance agreements are found in Appendix E of this report.

Trail Development Process

A comprehensive trail development process will help Payson City address the wants and needs of Forebay recreation users while adequately protecting sensitive watersheds, reducing conflicts between user groups, and promoting sustainable trail design. It is recommended that a formal process is adopted by the Payson Forebay Committee as soon as possible. A new facility/trail development process should include the following steps:

- Identification of a proposed new trail route.
- Identification of trail user designation (mountain bike, hiking, equestrian, multi-use).

- Ground-truthing of proposed trail route.
- Trail building steps assigned. Who will build the trail? What will it cost to build the trail? Who will fund construction? Are there special facilities required for the trail (bridges, ramps, berms, etc. to be considered in the construction process)
- Adoption of a formal trail name.
- Officially recorded alignment (database may be maintained by the Payson Forebay Committee, Payson City staff, or a partnership with the Utah Valley Trails Alliance, etc.) Digital records will make long term maintenance easier and support cohesive trail planning.
- Trail adoption and/or maintenance agreements. Who will maintain the trail? How frequently does the trail need to be maintained? What will it cost to maintain the trail?
- Final trail approval. What decision-making body will give final approval? This may be by the Payson Forebay Committee or by an amendment to the Payson Forebay Area Management Plan through the city council.

Useful Trail Design Guides:

- “Handbook for Trail Design and Construction and Maintenance” National Park Service. 2019.
- “Natural Surface Trails by Design.” Troy Scott Parker. Natureshape LLC. 2004
- “Trails Program Construction Guidelines.” Utah Division of State Parks, Recreational Trails Program Grant. 2019.
- “Guidelines for a Quality Trail Experience: Mountain Bike Trail Guidelines.” Bureau of Land Management and International Mountain Bicycling Association. January 2017.
- “Equestrian Design Guidebook for Trails, Trailheads, and Campgrounds” United States Department of Agriculture, Forest Service, Technology & Development Program. 2007.

Funding & Grant Opportunities

Funding can represent a significant challenge to designing, building, and maintaining a sustainable trail system and recreation area. Fortunately, there are many state, federal, and nonprofit programs available to assist with many aspects of open space preservation, conservation, and recreation facility development. A summary of some of the most common and reliable grants are included below.

[IMBA Dig In Program Grant:](#)

IMBA’s new Dig In Program provides an avenue for raising funds for mountain bike projects nationwide. IMBA can leverage its reach and relationships to provide grant opportunities via corporate partner dollars and run a national marketing campaign. The goal is to bridge the gap between local and national fundraising efforts and show a new audience how inspirational and vital trails are to local riders and communities.

[IMBA Trail Accelerator Grant:](#)

Trail Accelerator grants provide a jump-start to communities that have the interest and political support to develop trail systems but need assistance to get projects up and running. A Trail Accelerator grant offers awardees professional trail planning and consultation services to launch their trail development efforts, which can often leverage additional investment from local, regional, and national partners.

[Land & Water Conservation Fund \(LWCF\):](#)

The Land and Water Conservation Fund provides federal reimbursement to state and local agencies for the acquisition and/or development of close to home public outdoor recreation areas. This fund supports ‘traditional’ recreation projects including parks, playgrounds, ballfields, etc. This grant may be useful to improve access and/or facilities near trailheads or other existing public spaces.

[LeRay McAllister Critical Lands Conservation Fund:](#)

This fund aims to balance conservation and economic interests on public and private property in Utah and to protect lands with unique qualities that would otherwise be permanently lost. Funds may be used to acquire land or an easement only after a public meeting of local legislative body, noticing, public input, and approval. This fund may be able to support the purchase of inholding or adjacent lands for conservation buffering.

[National Park Service - Rivers, Trails & Conservation Assistance \(RTCA\) Program:](#)

A technical assistance program called the Rivers, Trails, and Conservation Assistance Program is operated by the National Park Service to assist local communities in conservation and recreation-based planning programs. The grant operates on an annual cycle and provides no cost technical assistance to communities in efforts such as trail planning, open space design, and signage planning. Payson may utilize this program to further develop other recreation plans or site-specific concept plans in the area.

[Natural Resource Conservation Service \(NRCS\):](#)

NRCS offers many different types of technical and financial assistance for soil and water conservation, habitat protection, forestry management, and land-banking programs. Some of these programs include the following:

[Regional Conservation Partnership Program](#)

[Conservation Stewardship Program](#)

[Environmental Quality Incentives Program](#)

[Healthy Forests Reserve Program](#)

[Recreational Trails Program \(RTP\) Grant:](#)

The Recreational Trails Program grant is a federally funded program administered by the Utah State Parks to provide funding for motorized and non-motorized trail and facility improvements. Grants are awarded on an annual basis with funding of up to \$100,000 per applicant as a reimbursement for approved projects. There is no specific match requirement, but funds and matches can be comprised of matching cash or in-kind donations and services to improvement application rankings. The following table summarizes eligible and ineligible funding opportunities:

Eligible Projects & Items	Ineligible Projects & Items
<ul style="list-style-type: none"> ● Acquisition of property for trails and/or trailheads. ● Maintenance and restoration of existing trails. ● Development and rehabilitation of trailside and trailhead facilities, including restrooms. ● Construction of new trails which increase regional connectivity. ● Purchase and/or lease of trail construction and maintenance equipment. ● Construction of new trails (with appropriate authorizations for new trails on federally managed lands). ● Purchase or replacement of signs, kiosks, or other wayfinding infrastructure. ● Development and/or dissemination of trail related publications such as maps, safety brochures, etc. ● The operation of educational programs to promote safety and environmental protection related to trails. 	<ul style="list-style-type: none"> ● Trail planning, engineering, design, or the development of trail master plans. ● Development of campground facilities. ● Purchase of picnic tables, shade pavilions, or fencing. ● Landscaping improvements, including irrigation system development. ● Law enforcement or similar patrols.

[Utah Children’s Outdoor Recreation & Education Grant:](#)

Funds programming that provides Utah’s children with outdoor recreation skill-building and nature-focused, hands-on learning. Programs help provide high-quality, outdoor-focused learning experiences to youth ages 6-18, and teach them the physical skills that can make outdoor recreation part of a healthy and active lifestyle. UCORE complements the state’s Every Kid Outdoors (EKO) Initiative and hopes to provide more opportunities so no child is left inside. Grants up to \$10,000 are available to nonprofit organizations (501c3), public schools, universities or colleges, local (municipal or county) or tribal governments. Grants are given as a 50/50 match. Up to half of the applicant match may be an in-kind match, or 25% of total project.

[Utah Outdoor Recreation Grant:](#)

The Governor’s Office of Outdoor Recreation was created in 2013 to support the booming recreation industry within Utah and provides annual Outdoor Recreation Grants that range in size from \$10,000 - \$150,000. Applications for these grants must prove that they will offer economic development opportunities for the City and that the grant funding will only be used for the building of recreation infrastructure such as trails, kiosks, trailheads, etc. The grant requires a 50-50 match for requested funds, with up to half of the match allowed to be in kind donations in the form of donated materials, volunteer labor, etc.

[Utah Recreation Restoration Infrastructure \(RRI\) Grant:](#)

Funds restoration or rehabilitation of developed recreation areas and trails so they can be safely accessed by the public. Projects help alleviate the backlog of maintenance for outdoor recreation projects on public lands. Areas that receive the highest-visitation will be prioritized, which include trails, campgrounds, day-use areas, water recreation infrastructure, etc. Grants from \$1,000 to \$150,000 are available to nonprofit organizations (501c3), local (municipal or county) or tribal governments with appropriate public lands partners. Grants are given as a 50/50 match. Up to half of the applicant match may be an in-kind match, or 25% of total project.

Below is a summary chart of the 2020 Utah Office of Outdoor Recreation grant programs for reference.

	Utah Outdoor Recreation Grant Program (UORG)	Recreation Restoration Infrastructure Grant Program (RRI)	Utah Children's Outdoor Recreation & Education Grant Program (UCORE)
Purpose	Funds infrastructure projects that enhance recreational opportunities and amenities in Utah's communities.	Funds restoration or rehabilitation of developed recreation areas and trails so they can be safely accessed by the public.	Funds programming that provides Utah's children with outdoor recreation skill-building and nature-focused, hands-on learning.
Funding For	Construction of new outdoor recreation infrastructure.	Restoration or rehabilitation of existing outdoor recreation infrastructure.	Programming for Utah children, ages 6 to 18.
Eligible Applicants	Nonprofit organizations (501c3), local (municipal or county) or tribal governments.	Nonprofit organizations (501c3), local (municipal or county) or tribal governments with appropriate public lands partners.	Nonprofit organizations (501c3), public schools, universities or colleges, local (municipal or county) or tribal governments.
Project Benefits	Projects offer economic opportunities, enhance quality of life, and provide social and health benefits. Outdoor recreation infrastructure projects include trails, boat ramps, archery ranges, mountain bike parks, etc.	Projects help alleviate the backlog of maintenance for outdoor recreation projects on public lands. Areas that receive the highest-visitation will be prioritized, which include trails, campgrounds, day-use areas, water recreation infrastructure, etc.	Programs help provide high-quality, outdoor-focused learning experiences to youth ages 6-18, and teach them the physical skills that can make outdoor recreation part of a healthy and active lifestyle. UCORE complements the state's Every Kid Outdoors (EKO) initiative and hopes to provide more opportunities so no child is left inside.
Grant Size	From \$1,000 to over \$150,000	From \$1,000 to \$150,000	Up to \$10,000
Grant Submission Period	January 15 to March 20, 2020	January 15 to March 20, 2020	January 15 to February 20, 2020
Match Component	Given as a 50/50 match. Up to half of the applicant match may be an in-kind match, or 25% of total project.		
Contract & Reporting Requirements	Projects must be completed within 24 months of the date the contract is signed. Funding is given after the applicants spend the monies. Up to 75 percent of the matched monies may be given before completion of the project. Final funding is contingent upon inspection of the completed project. Four progress reports are required throughout the 24 months.	Projects must be completed within 24 months of the date the contract is signed. Funding is given after the applicants spend the monies. Up to 75 percent of the matched monies may be given before completion of the project. Final funding is contingent upon inspection of the completed project. Four progress reports are required throughout the 24 months.	Projects must be completed within 18 months of the date the contract is signed. Partial funding is given after the grant contract is approved and signed by both parties. Post-program reports are required. The remainder of the grant funding is given after submitting the final report and required documents.

[Utah Bank Stabilization Funding Match Grant](#)

The Division of Forestry, Fire and State Lands (FFSL) offers a \$50,000 bank stabilization grant that requires a 1:1 match. The grant funds bank restoration projects that improve fish and wildlife habitat, aquatic beauty, public recreation, water quality, and protection of infrastructure.

[Utah Community Development Block Grant \(CDBG\):](#)

Funds available to local communities for the planning, construction, and maintenance of public facilities and provision of public services. This may include public infrastructure traditionally provided by governmental entities. Payson can work with Utah County and the Mountainland Association of Governments staff to identify potential CDBG projects.

[Utah's Watershed Restoration Initiative:](#)

The Watershed Restoration Initiative (WRI) is a partnership based program in Utah to improve high priority watersheds throughout the state. The Watershed Program focuses on improving three ecosystem values: 1) watershed health and biological diversity, 2) water quality and yield, and 3) opportunities for sustainable uses of natural resources. WRI is a bottom-up initiative where project planning, review, and ranking occur at a local level.

List of Appendices:

- A. Public Comments from Fall 2019 Open Houses and Surveys
- B. Payson Forebay Property Public Utility Easement Legal Descriptions Summary
- C. US Forest Service Road Special Use Permit 2019
- D. Payson City Forebay Area Non-Motorized Resolution May 20, 2020
- E. Trail Agreements Reference
 - 1. Model Trail Maintenance Agreement (Weber County, Utah)
 - 2. Model Adopt A Trail Program Guidelines (Ogden, Utah)
 - 3. Model Trail Right of Use Agreement (Pleasant Grove, Utah)
 - 4. Center for Disease Control Trail Development Checklist
- F. Model Trail Committee Ordinance

Appendix A. Public Comments from Fall 2019 Open Houses and Surveys

Trail Planning Meetings

**October 17th and November 23rd
from 5pm-7pm**

**Meet in the Payson City Building
439 W Utah Avenue, Payson Utah**

**Four Bay Trails and South Utah County
Trails**



1. “How would you currently describe the Forebay area?”

- Great area, small and tight trails for mountain biking
- Unorganized
- Tons of potential, awesome
- An amazing place that is available to the South County residents. This area is important to have in the communities. A place to go away from the cities.
- Open with bike trails, hiking trails, steep landscape in places
- Fantastic! A hidden gem
- Hard to understand trail system, needs more signs
- A conveniently located place to trail run, hike, and a mountain bike. I love the numerous trails that have been developed.
- It is nice walk to go on with family
- It is a great recreational area that is very close to the mouth of the canyon and therefore easy access
- It is great as is, without further development. Enforcement of non-motorized vehicle status would be beneficial.
- great trails and has potential for so much more
- remote, peaceful, untouched
- I know Payson canyon and Nebo Loop area. Camped lots at Black Hawk Campground.
- Best place for hiking, biking, running, snowshoeing, fat biking
- great recreational place for hiking, running, snowshoeing and biking
- Great system of cross country trails for several user types, hikers, bikers, horseback riders and some motorized traffic
- Appealing, accessible
- Really pretty, cool place to bike
- Gateway to adventure in Payson Canyon, Scenic, Beautiful
- Haven't used it, but would like to explore
- Nice area. Needs to be made more accessible not only for mountain bikers but all.
- A beautiful trail system with easy access. There are trails for all levels and abilities of riders.
- Beautiful; A Gem
- Very nice trails, great for mountain biking and hiking. Very clear marking at single track trails
- Some of the best mountain biking trails I have ridden. Beautiful place for a nice walk also.
- A truly beautiful year round area less than 10 minutes from downtown. Unique opportunity in a climate of developing properties.

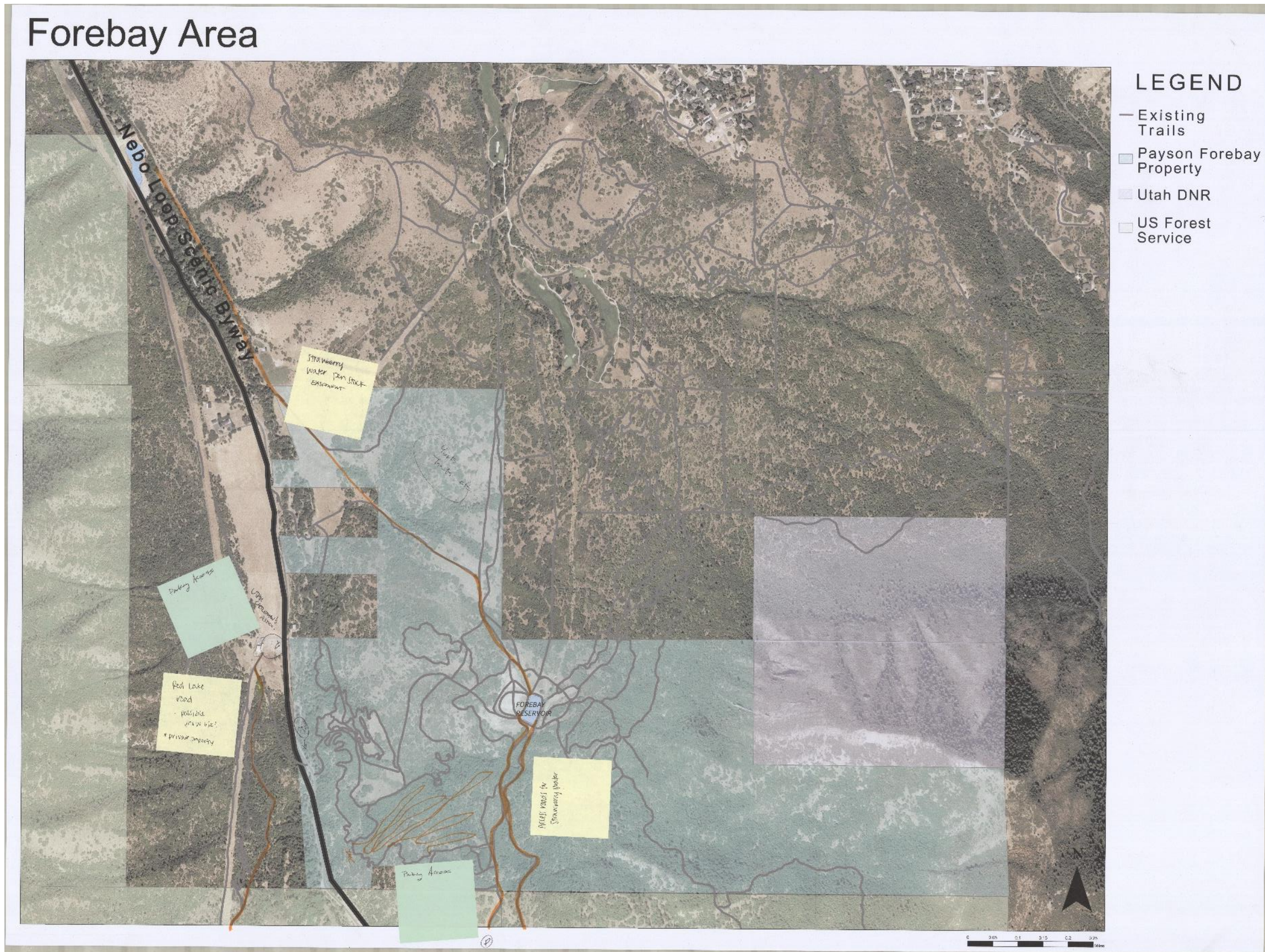
2. “What uses would you like to see in the Forebay area?”

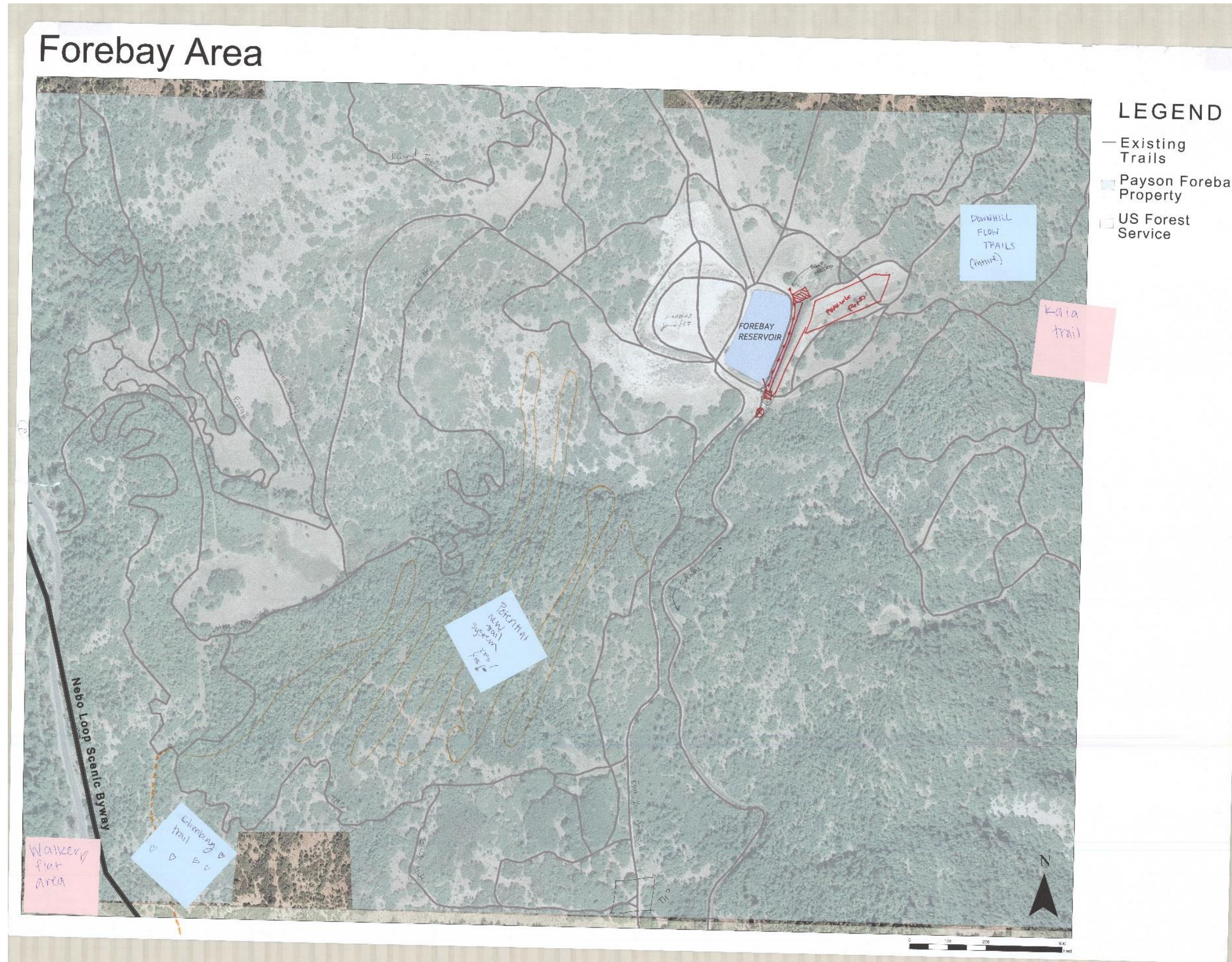
- More trail design for flow mountain bike trails
- Free range hiking/biking & cross country skiing with small upgrades
- Non-motorized, bike, hike, run, horse
- More developed trails and parking areas. Maybe a pavilion. Better access from Elk Ridge
- Hiking, biking, show shoe, cross country, picnic and fire pit, trail with activities, connection trail between Golf Course & Forebay/Beer can zipline
- Hiking, Biking, Running, Skiing
- Downhill flow trail to end of the canyon

- I would like it to remain as is, and keeping the trails maintained
- No homes
- Mountain biking, trail running, obstacle course
- Hiking, biking, running, dog walking
- Skills park, dirt jumps for kids, pump tracks
- Hiking, mountain biking, camping
- Would be interested in visiting Forebay Reservoir
- Less cars and 4wheels & sidebyside, Not to be sold
- No commercial or residential development
- Bike, hike, horse and non motorized use
- Possible yurts or tents to rent in one part to help pay off the debt the City incurred.
- Hiking, trail running, mountain biking
- Camping, biking, hiking
- Bike, hike, horseback, camp
- Establish trailhead & parking area
- Manicured trails, Somewhat improved part is more accessible for all.
- More signs and gates that allow hikers and bikers, but restrict motorcycles or ATV on some of the trails.
- Signs to keep out vehicles that make ruts in the road, damage signs, leave gates open
- Hiking, running, mountain biking, horses
- More hiking trails
- Mountain biking, trail running, hiking
- Non motorized trail use, hiking/snowshoeing, biking/ winter fat biking, cross country skiing

3. “Do you have any additional comments?”

- Tons of potential, would love to see the area expand higher up the ridge and offer longer sustained climb and descents.
- We must keep working to help the long term vision of preservation for future generations of non-motorized generations
- No hunting, no motorized
- As word gets out of this amazing place, more parking may be needed
- Please save forebay; Protect it, We love it
- Keep forebay as is or make it even better than it is
- Keep as natural as possible, gravel/dirt trails, gravel/ dirt access road, dont over develop
- Woodland Hills outdoor, a non profit group starting in our city. Focus on trails recreation, tree planting, etc in our city.
- There has been increasingly more vehicle traffic accessing the 4 bay area which is concerning. It brings a lot of damage repercussions to the space. There needs to be a larger established parking lot area with bathrooms and space as a race staging area for future NICA mountain bike race potential use. HUGE potential here.
- Minimize any development, leave natural
- Make it more accessible.
- Carey Pierce needs recognition for all he does
- I work in SLC and when people ask why I don't move closer, I tell them I am just a few miles from some of the best trails in the state.
- I have a winter groomer that I have been using on the trails with great success.





Appendix B. Payson Forebay Property Public Utility Easement Legal Descriptions Summary

Inventory of existing conditions of the Forebay area indicated incomplete digital and/or paper records of easements on or near the property. Some utility easement documentation was provided by Strawberry Water Users Association from archives to Payson City. The following documents were reviewed by David Lund, Payson City Surveyor, in fall 2019 as an initial step towards verifying easements. Copies of the following records may be obtained from Payson City.

1-15-1941 OPTION FOR EASEMENT

This is an Option for Strawberry Water Users Association to purchase an Easement for an 18-inch Steel Penstock Pipeline. The description of the route of the Penstock described in Paragraph 5 travels thru multiple properties owned by different owners. This particular document is for the property owned (at the time) by Fred and Mary Wyler. Paragraph 7 of this document states that Fred and Mary Wyler own the West half of the Northwest Quarter of Section 27. The duration of this option is for 6 months beginning January 15, 1941.

CONCLUSION This document was used by SWUA to guarantee that the property owners would sign a perpetual easement when the time came. They must have used the same document for each property owner, just changing the owners name at the beginning of the document and the area owned by each property owner in paragraph 7.

3-18-1942 LETTER FROM SWUA TO BUREAU OF RECLAMATION.

This letter sites many documents pertaining to Easements, Right of Ways & Agreements pertaining to the construction of the penstock and related parts. The letter states there are 16 documents supplied to the Bureau, only 7 were supplied to me, they are items 3, 4, 5, 6, 8, 9 & 10. None of these documents are in the Forebay area.

CONCLUSION I would need the remaining documents (Item 7 & 11-16) to determine if any one of these affect Forebay.

3-21-1941 AFFIDAVIT OF PUBLICATION

This is a Notice to Water Users of the intent to take 11 second feet Payson Creek to feed the hydro plant. It described the point of diversion and the point of discharge. Neither of these points are in Forebay.

CONCLUSION This document only pertains to the point of diversion and point of discharge and the amount of water to be used. The water travels by way of canal from the point of diversion to the pond. I have seen no document that talks about that.

4-23-1941 APPLICATION FOR WATER DIVERSION.

This is the Application to the State Engineer for the diversion and use of 11 second feet of water. This document explains the history of the canal used to deliver water from the point of diversion to the storage pond and the head of the penstock.

CONCLUSION This application was approved on August 6, 1941.

5-5-1941 RIGHT OF WAY AGREEMENT between PAYSON and SWUA.

This agreement gives SWUA a Right of Way to construct a Transmission Line across property in Payson City (see paragraph 9).

This agreement gives SWUA the right to excavate a 400-foot-long “Power Penstock Pipe Line Trench” in the SW 1/4 of Section 27 shown on the Exhibit (see paragraph 10).

CONCLUSION This document pertains to the operation and placement of the penstock, transmission lines and assess to these improvements but it is outside of the Forebay area.

6-14-1941 EASTMENT FOR PENSTOCK PIPE LINE.

This document contains 4 Easements and 1 Warranty Deed.

CONCLUSION None of these documents fall inside of Forebay.

Appendix C: US Forest Service Road Special Use Permit

Auth ID: SPK101909
Contact Name: PAYSON CITY
Expiration Date: 12/31/2038
Use Code: 753

FS-2700-4b (V. 01/2014)
OMB No. 0596-0082

**U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
FOREST ROAD SPECIAL USE PERMIT
AUTHORITY:**

FEDERAL LAND POLICY AND MGMT ACT, AS AMENDED October 21, 1976

PAYSON CITY of 439 W UTAH AVE, PAYSON, UT UNITED STATES 84651 (hereafter called the holder) is hereby authorized to Add construct and use OR omit if construction is not authorized the following described National Forest Development Road within the Uinta-Wasatch-Cache National Forest for the following purposes:

Routine use and maintenance of National Forest System Road 396 and a gate at the junction on the Nebo Loop road.

The road covered by this permit is located in the County of Utah , State of Utah , and is shown on the attached map and identified as follows:

This permit authorizes use of approximately .5 miles of road.

This permit is made subject to the following terms, provisions, and conditions:

1. This permit is subject to all existing easements and valid rights existing on this date.
2. Holder shall comply with applicable Federal or State law and shall comply with State standards for public health and safety, environmental protection, and siting construction, operation, and maintenance if those standards are more stringent than applicable Federal standards.
3. The holder shall cut no timber except as authorized by construction stipulations or maintenance agreements.
4. Holder shall pay the United States for all injury, loss, or damage, including fire suppression costs, in accordance with Federal and State laws and regulations.
5. Holder shall indemnify the United States for any and all injury, loss, or damage, including fire suppression costs the United States may suffer as a result of claims, demands, losses, or judgments caused by the holder's use or occupancy under this permit.
6. Holder shall pay annually in advance a sum determined by the Forest Service to be the fair market value of the use authorized by this permit. The initial payment is set at \$ 164.44 for the remainder of the calendar year. Payments for each subsequent calendar year shall be the amount of \$164.44 adjusted using the Implicit Price Deflator-Gross National Product index (IPD-GNP), or other factor selected by the Forest Service, to reflect more nearly the current fair market value of the use. At intervals to be determined by certain changes in the indexes used to establish the linear rights-of-way fee schedule, the fee shall be reviewed and adjusted as necessary to assure that it is commensurate with the value of the rights and privileges authorized. In addition to the annual payment, the holder shall pay its proportionate share of road costs prior to using the road for commercial use. Failure of the holder to pay the annual payment, late charges, or other fees or charges shall cause the permit to terminate.
7. Late Payment Interest, Administrative Costs and Penalties. Pursuant to 31 U.S.C. 3717, et seq., interest shall be charged on any fee amount not paid within 30 days from the date the fee or fee calculation financial statement specified in this authorization becomes due. The rate of interest assessed shall be the higher of the rate of the current value of funds to the U.S. Treasury (i.e., Treasury tax and loan account rate), as prescribed and published by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins annually or quarterly or at the Prompt Payment Act rate. Interest on the principal shall accrue from the date the fee or fee calculation financial statement is due.

In the event the account becomes delinquent, administrative costs to cover processing and handling of the delinquency will be assessed.

A penalty of 6 percent per annum shall be assessed on the total amount delinquent in excess of 90 days and shall accrue from the same date on which interest charges begin to accrue.

Payments will be credited on the date received by the designated collection officer or deposit location. If the due date for the fee or fee calculation statement falls on a non-workday, the charges shall not apply until the close of business on the next workday.

Disputed fees are due and payable by the due date. No appeal of fees will be considered by the Forest Service without

full payment of the disputed amount. Adjustments, if necessary, will be made in accordance with settlement terms or the appeal decision.

If the fees become delinquent, the Forest Service will:

Liquidate any security or collateral provided by the authorization.

If no security or collateral is provided, the authorization will terminate and the holder will be responsible for delinquent fees as well as any other costs of restoring the site to its original condition including hazardous waste cleanup.

Upon termination or revocation of the authorization, delinquent fees and other charges associated with the authorization will be subject to all rights and remedies afforded the United States pursuant to 31 U.S.C. 3711 et seq. Delinquencies may be subject to any or all of the following conditions:

Administrative offset of payments due the holder from the Forest Service.

Delinquencies in excess of 60 days shall be referred to United States Department of Treasury for appropriate collection action as provided by 31 U.S.C. 3711 (g), (1).

The Secretary of the Treasury may offset an amount due the debtor for any delinquency as provided by 31 U.S.C. 3720, et seq.)

8. Holder shall pay the Forest Service for its share of maintenance cost or perform maintenance, as determined by the Forest Service for all commercial use of the road. The maintenance obligation of the holder shall be proportionate to total use and commensurate with its use. Any maintenance to be performed by the holder shall be authorized by and shall be performed in accordance with an approved maintenance plan. In the event the road requires maintenance, restoration, or reconstruction work to accommodate the holder's needs, the Forest Service shall authorize the work required in the same manner as provided herein for maintenance or in clause 10 for reconstruction. The holder shall perform such work at its own expense.

9. The exercise of the use permitted shall be subordinate to any easement on said road subsequently granted by the United States to a public road agency for operation as a public highway.

10. Any construction or reconstruction of the road shall be in accordance with plans, specifications, and written stipulations approved by the Forest Service prior to beginning such construction or reconstruction.

11. The United States shall have unrestricted use of the road and right-of-way for all purposes deemed necessary or desirable in connection with the protection, administration, management, and utilization of Federal lands or resources, and it shall have the right alone to extend rights and privileges for use of the right-of-way and road thereon to States and local subdivisions thereof and to other users including members of the public, except users of land or resources owned or controlled by the holder. The Forest Service shall control such use to avoid unreasonable interference with use of the road by the holder.

12. The Forest Service may relocate the road to the extent necessary to accommodate the management needs of the National Forests.

13. This permit may be terminated or suspended upon breach of any of the conditions herein, or revoked at the discretion of the Regional Forester.

14. Unless sooner terminated in accordance with the provisions of the permit, or revoked by the Regional Forester, this permit shall expire and terminate on 12/31/2038. Prior to expiration of this permit, the holder may apply for a new permit that would renew the use and occupancy authorized by this permit. Applications for a new permit must be submitted at least 6 months prior to expiration of this permit.

15. Nonexclusive Use and Public Access. Unless expressly provided for in additional terms, use of the permit area is not exclusive. The Forest Service reserves the right to use or allow others to use any part of the permit area, including roads, for any purpose, provided, such use does not materially interfere with the holder's authorized use. A final determination of conflicting uses is reserved to the Forest Service.

16. Forest Service Right of Entry and Inspection. The Forest Service has the right of unrestricted access of the permitted area or facility to ensure compliance with laws, regulations, and ordinances and the terms and condition of this permit.

17. Liability. For purposes of this section, "holder" includes the holder's heirs, assigns, agents, employees, and contractors.

A. The holder assumes all risk of loss to the authorized improvements.

B. The holder shall indemnify, defend, and hold the United States harmless for any violations incurred under any such laws and regulations or for judgments, claims, or demands assessed against the United States in connection with the holder's use or occupancy of the property. The holder's indemnification of the United States shall include any loss by personal injury, loss of life or damage to property in connection with the occupancy or use of the property during the term of this permit. Indemnification shall include, but is not limited to, the value of resources damaged or destroyed; the costs of restoration, cleanup, or other mitigation; fire suppression or other types of abatement costs; third party claims and judgments; and all administrative, interest, and other legal costs. This paragraph shall survive the termination or revocation of this authorization, regardless of cause.

C. The holder has an affirmative duty to protect from damage the land, property, and interests of the United States.

D. In the event of any breach of the conditions of this authorization by the holder, the authorized officer may, on reasonable notice, cure the breach for the account at the expense of the holder. If the Forest Service at any time pays any sum of money or does any act which will require payment of money, or incurs any expense, including reasonable attorney's fees, in instituting, prosecuting, and/or defending any action or proceeding to enforce the United States rights hereunder, the sum or sums so paid by the United States, with all interests, costs and damages shall, at the election of the Forest Service, be deemed to be additional fees hereunder and shall be due from the holder to the Forest Service on the first day of the month following such election.

E. With respect to roads, the holder shall be proportionally liable for damages to all roads and trails of the United States open to public use caused by the holder's use to the same extent as provided above, except that liability shall not include reasonable and ordinary wear and tear.

F. The Forest Service has no duty to inspect the permit area or to warn of hazards and, if the Forest Service does inspect the permit area, it shall incur no additional duty or liability for identified or non-identified hazards. This covenant may be enforced by the United States in a court of competent jurisdiction.

18. Members of Congress. No Member of or Delegate to Congress or Resident Commissioner shall benefit from this permit either directly or indirectly, except when the authorized use provides a general benefit to a corporation.

19. Appeals and Remedies. Any discretionary decisions or determinations by the authorized officer are subject to the appeal regulations at 36 CFR 214, or revisions thereto.

20. Assignability. This authorization is not assignable or transferable. If Holder, through death, voluntary transfer, enforcement of contract, foreclosure, or other valid legal proceeding shall cease to be owner of the above described real property accessed by the authorized road, this authorization shall terminate.

21. Superior Clauses. In the event of any conflict between any of the preceding printed clauses or any provision thereof and any of the following clauses or any provision thereof, the preceding printed clauses shall control.

22. Signs (X-29).

Signs or advertising devices erected on National Forest System lands shall have prior approval by the Forest Service as to location, design, size, color, and message. Erected signs shall be maintained or renewed as necessary to neat and presentable standards, as determined by the Forest Service.

In Witness Whereof, the parties hereto have caused this permit to be duly executed on this 28th day of March/2019.

Holder: PAYSON CITY

By: 
Title Mayor
PAYSON CITY

USDA -Forest Service

By: 
David C. Whittekiend
Forest Supervisor
Uinta-Wasatch-Cache National Forest

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average one (1) hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

Appendix D: Payson City Forebay Area Non-Motorized Resolution

RESOLUTION NO. 05-20-2020-D

RESOLUTION PROHIBITING MOTORIZED VEHICLES ON CITY-OWNED PROPERTY COMMONLY REFERRED TO AS FOREBAY.

WHEREAS, Payson City owns certain real property located southeast of the municipal limits of Payson City commonly referred to as Forebay; and

WHEREAS, the adopted Forebay Plan and the proposed updated Forebay Plan limits motorized vehicles in the area so as not to conflict with the approved recreational activities for this area; and

WHEREAS, certain motorized vehicles are necessary to access the Forebay area including but not limited to Strawberry Water Users vehicles to manage and maintain their facilities, municipal vehicles, emergency services vehicles, and low-speed, pedal-assist “e-bikes”; and

WHEREAS, the Payson City Council desires Elk Ridge City and Utah County to assist Payson City in limiting motorized vehicles in the Forebay area.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF PAYSON CITY, that motorized vehicles, with the exceptions listed above, are prohibited from accessing Payson City’s Forebay Property.

This Resolution shall take effect immediately upon its passage by the Payson City Council adopted in a public meeting.

Passed by the City Council of Payson City this the 20th day of May, 2020.


Mayor William R. Wright

Attest:



Kim E. Holindrake, City Recorder



Appendix E1. Model Trail Maintenance Agreement (Weber County)**AGREEMENT FOR CROSS COUNTRY TRACK GROOMING AT NORTH FORK
PARK****BY THE UTAH NORDIC ALLIANCE (Ogden Nordic)****Contract No.**

WHEREAS, Weber County Corporation (County) owns and operates North Fork Park which is used for cross country skiing and snowshoeing during the appropriate season; and

WHEREAS, Ogden Nordic, Inc. (Ogden Nordic) has the desire to see the course promoted and maintained for the residents of Weber County; and

WHEREAS, Weber County Corporation finds that assistance with the grooming of this course makes the course more feasible to maintain;

NOW THEREFORE, in consideration of the mutual promises set forth herein, the parties hereto agree as follows:

1. Grooming of the Course.

A. The course through North Fork Park will be groomed by Ogden Nordic approximately five (5) times a week. However, this “average” may increase or decrease dependent on the amount of snow fall.

B. Ogden Nordic will provide and organize volunteers to groom the cross country course as needed during the ski season. Ogden Nordic agrees that it will not permit any person to operate the equipment contemplated in this Agreement unless and until the person has signed the official Weber County volunteer registration form and received volunteer training provided by Ogden Nordic. Ogden Nordic further agrees that all operators of the equipment will be properly trained on the operation of the equipment.

C. Ogden Nordic’s Director of Trails and Grooming will coordinate volunteers to provide the best possible grooming outcome.

D. The agreed upon course for grooming is shown as an attachment to this agreement and is label Attachment A. The map shows nordic trails to be groomed by means of snowcat or snow mobile.

2. Equipment for Grooming.

A. Ogden Nordic will provide and maintain all equipment necessary to groom the trails of the cross country course. Equipment that may be needed includes, but is not limited to: skate drag, roller, track setter, snowmobile(s), snowcat(s).

B. All fuel expenses and maintenance of equipment is the sole responsibility of Ogden Nordic. If Weber County provides fuel and/or repair parts for the equipment, Weber County will be reimbursed by Ogden Nordic for the cost of the fuel/parts.

3. Park Monitoring. Weber County Parks Department will, from time to time, need to enter the park for patrol and routine checks. The Parks department will use Ogden Nordic’s Polaris Ranger or Toyota RAV4 (both with the Ginzu Groomer) to make such inspection.

4. Trail Maintenance. Weber County and Ogden Nordic will partner to keep the trails trimmed back from overgrowth for use during the ski season.

- A. Ogden Nordic is responsible and authorized to remove any downfall and/or dead branches that hinder the grooming of the trails.
- B. Since Weber County and Ogden Nordic have different requirements for summer growth trimming, Weber County and Ogden Nordic will coordinate responsibilities to address summer growth trimming. Approval from Weber County is necessary before summer growth trimming can be performed.
5. Signage. Weber County will have sole control over all signage posted at the Park. Any signs Ogden Nordic wishes to display must identify the Park as a Weber County facility, contain the county logo equal in size to Ogden Nordic's logo and any other logos on the sign, and be approved, in writing, by the Recreation Facilities Director prior to placement. All sign requests will be submitted in writing to the Parks Department 30 days prior to the date the sign is needed to allow for this approval.
6. Fees.
- A. Ogden Nordic is allowed to collect user fees from cross country skiers and snowshoers that utilize North Fork Park for these purposes. The fees authorized by the County for the 2011-12 Season are:
- 1) Cross Country Skiing
 - Individual visits - \$6/person or \$13/family,
 - Season passes - \$80/person, \$55/student (13-18 years of age), \$140/2 person family or \$175/family
 - 2) Back Country Skiing or Snow Shoers
 - Individual visits - \$3/person or \$6/family,
 - Season passes - \$50/person, \$35/student (13-18 years of age), \$90/2 person family or \$110/family
- B. Changes in fee amounts must be authorized in writing by the Board of County Commissioners to be valid.
- C. Fees collected by Ogden Nordic shall only be used for the purposes described in this Agreement.
- D. Groups or individuals that visit the park for winter activities not related to cross country skiing or snowshoeing will not be required to pay this fee.
- E. Additionally, since the collection of the fees will be done with a drop box using the honor system, users of the park who do not provide proof of payment of the fee cannot be asked to leave or caused to be removed from the park for that reason.
7. Donation Collection. In addition to the user fees that Ogden Nordic will collect, Weber County authorizes Ogden Nordic to solicit and collect donations from other sponsors, either private individuals or businesses, to help cover the operating and capital equipment costs incurred by Ogden Nordic for the grooming of North Fork Park.
8. Events. Ogden Nordic traditionally holds promotional events, clinics and/or race series at North Fork Park. Ogden Nordic shall request in writing all event days at North Fork Park with the Parks Office. Dates must be scheduled and authorized by the Parks Office. Additionally, a \$1/person fee will apply for events. Ogden Nordic will remit payments monthly for events held. Clinics and race series dates will not be included as events for the purpose of the \$1/person fee.
9. Alterations to Park. Under no circumstances will Ogden Nordic, or any of its members, be allowed to make alterations to the Park without written permission from the Recreation Facilities Director. This includes, but is not limited to, fences, parking lots, gates, roadways or other

natural traffic flows, removing trees/brush/shrubs/etc., except as described in Paragraph 4 above. Violation of this provision is cause to terminate this agreement.

10. Restroom Facilities. Currently, there are no permanent winter suitable restrooms at North Fork Park. Ogden Nordic will be required to supply and service two portable restrooms at the Park during the duration of this agreement. One to be placed at South Gate and one to be placed at Cutler Flats Gate. The restrooms will need to be serviced regularly as usage dictates, but have a once a week minimum service provided.

11. Trash Removal. Weber County agrees to leave a trash dumpster at the south gate of North Fork Park for Ogden Nordic to use for trash collection. Ogden Nordic will reimburse the Weber County on a monthly basis for the cost of the trash removal service.

12. Damage/Replacement. Ogden Nordic will be responsible to repair, or replace if necessary, any and all structures, tables, signs, dumpsters, fencing/gates, etc., that are damaged by Ogden Nordic equipment and/or volunteers during the term of this agreement.

13. Duration. The duration of the agreement will be the ski season running November 2012 to April 2013.

14. Financial Summary. Ogden Nordic will provide Weber County with a copy of a financial summary of all revenues and expenditures that relate to the North Fork Cross Country course grooming at the end of each season. The summary will be due to the Parks Department office no later than August 15, 2013.

15. Termination of Agreement. The county may terminate this agreement at any time by providing written notice to Ogden Nordic. Upon termination of this agreement, Ogden Nordic will provide the county with the financial summary as described in Paragraph 11 within 30 days.

DATED this _____ day of _____, 2012.

BOARD OF COUNTY COMMISSIONERS OF WEBER COUNTY

Craig L. Dearden, Chair

Jan Zogmaister voted

Kerry Gibson voted

ATTEST:

Ricky Hatch, CPA, Weber County Clerk/Auditor

Terry Davis, President, Ogden Nordic, Inc.

Appendix E2. Model Adopt A Trail Program Guidelines (Ogden City)

Adopt-A-Trail Agreement

THIS AGREEMENT, entered into this _____ day of _____, 2018, by and between OGDEN CITY CORPORATION DEPARTMENT OF PUBLIC SERVICES hereinafter called the "City" and _____, hereinafter called the "Group," recognizes the need and desirability of maintaining and enhancing the City's trail system and are entering this Agreement to permit the Group to contribute towards the effort of maintaining and enhancing the City's trail system.

By signing below, the Group acknowledges the potentially hazardous nature of the work and agrees to assume full responsibility in the event of an accident or other incident involving death or injury to a member of the group or others, or property damage caused as a result of negligence or intentional conduct on the part of any member or members of the Group.

Duties of each volunteer group shall consist of the following:

1. Perform at least 50 hours yearly of trail maintenance for assigned section(s) and/or trailhead(s) in accordance with the **Adopt a Trail Guidelines** packet as well as those established by your assigned Trail Coordinator.
2. Have group representatives read and follow the guidelines established in the presentation entitled "**Adopt a Trail Training- Basic Rules and Responsibilities**".
3. Pay a one-time \$25 program fee for the Group recognition signs.

If in the sole judgment of the City it is determined that the adopting Group is not meeting the terms and conditions of this Agreement, upon thirty (30) days' notice the City may terminate the adoption agreement and remove the Group recognition signs.

The City recognizes the Group as the adopting organization for the City Trail Section(s) and/or Trailhead(s) described as _____

Volunteers will have the option of renewing their agreement by *written notification to the Ogden City Parks Department*, subject to the approval of Ogden City and the continuation of the program. Renewal notification is required before the end of the month of each January on a yearly basis.

We certify that we have read, understood and will abide by all of the foregoing provisions of this Agreement.

Name of Group

Group Representative Signature

Group Representative (Print)

Address

City State Zip Code

Telephone Number

Email Address

OGDEN CITY
CORPORATION,
a Municipal Corporation

Monte Stewart
Parks and Cemetery Manager

Model Adopt-A-Trail Application

Applying for the Adopt-A-Trail Program:

- Contact the Ogden City Volunteer Coordinator (801-629-8214) to determine trail sections and/or trailhead adoption options.
- Fill-out this Application.
- Fill-out and sign the Adopt-A-Trail Agreement.
- Submit the completed Application, Agreement, and \$25 recognition sign fee by mailing, or delivering them to:

**Ogden City
Adopt-a-Trail
133 West 29th Street
Ogden, Utah 84401**

Date: _____

Contact Person:

Name of Organization:

Address:

City: _____ State: _____ Zip:

Telephone Number: _____

Email:

Trail section(s) and/or Trailhead(s) that you are adopting:

Adopt-a-Trail Program Guidelines

Overview

The trails of Ogden City (overseen by the Ogden Trails Network) and Weber County (overseen by Weber Pathways) provide a wondrous and beautiful experience for all who explore them. However, to ensure the future of the trails it requires the efforts of many to protect and preserve their unique ecosystem.

Adopt-a-Trail

Taking on the stewardship of a trail is a privilege, and it is important that the adopter take the responsibilities of maintaining the trail seriously. That is why we have prepared the following requirements so that you understand the value you can bring and responsibility you are taking on. You are not alone since we are here for guidance and assistance when faced with key or larger issues. But understand adopting a trail puts you as the first line of protection of a very special and natural resource.

Adopt-a-Trail Responsibilities

- Complete and sign the Adopt-a-Trail application, including waiver and release of liability.
 - For trails primarily within Ogden City, the Ogden Trails Network (OTN) will assign a trail section and a Trails Coordinator for trail communications and special needs. They will also inform you of special projects needing your help. Trails that lie within the County or on Forest Service land will be managed by Weber Pathways (WP) or the Forest Service in a similar manner.
- Commit to a minimum of **50 hours** of trail work for the year.
- Complete the Adopt-a-Trail Training presentation (approximately 20 minutes) and confirm.
- Keep a record of volunteer hours to be returned to the Trail Coordinator.
- **Spring Startup** – Initial trip in spring before heavy traffic (Usually in April) or on Make-A-Difference Day in May
 - Clear any fallen trees, low branches or overgrown brush off the trail before the heavy traffic season. Use the 3' by 6' rule (at least a 3-foot-wide trail and 6-foot-wide brush cut back across the trail). NOTE: If fallen trees require the use of a chain saw or larger equipment, please contact your Trail Coordinator.
 - Pickup and dispose of any trash
 - Use brush to block off ghost trails or work with your Trail Coordinator
 - Clean all drainage
 - Identify any major concerns (washouts, signage, slides, fallen trees)
- Inspect your trail segment at least twice a month
 - Clear brush, repair trail issues and remove trash
 - Remove noxious weeds
 - To report graffiti, call the **Graffiti Task Force at 801-629-8752**.
 - Illegal activity- Camping, Horses (with the exception of the Beus Trail), fires, fireworks, drug, alcohol, and tobacco use is illegal along the Ogden trails

network. Please report this or other illegal activity to the **Ogden Community Police at 801-629-8034**.

- For needs beyond your capabilities contact your Trail Coordinator
- Work with your Trail Coordinator on special needs for your trail segment
- Provide Monthly Update during high use months (April – Sept) to your Trail Coordinator
- **Fall Inspection** – A final inspection, usually in October-November
 - Assess trail conditions and identify improvements

Upon Partner approval the following elements of appreciation will be provided

- Trail partner name to appear on signage at each segment or at the trailhead as the “Adopt-a-Trail” partner.
- Partner to be included on posters at the annual Trails Day event.
- Partner name and contact info to be linked on the OTN and WP web and Facebook pages.
- A certificate showing, they are an “Adopt-a-Trail” partner.
- Trail partner list to be included in an annual article in the Ogden City Utility Newsletter.
- Include the names of volunteers in the bi-annual Weber Pathways Newsletter.
- Such other opportunities to show our appreciation as may arise.

E3. Model Trail Right of Use Agreement (Pleasant Grove City)

When recorded return to: Pleasant Grove City Recorder
70 South 100 East
Pleasant Grove, Utah 84062

Trail Right of Use Agreement

THIS TRAIL RIGHT OF USE AGREEMENT (this “Agreement”) is made this ____ Day of _____, 2016, by and between _____, a Property Owner (“Grantor”) and PLEASANT GROVE CITY, a Utah municipal corporation situated in the county of Utah (“Grantee”) with reference to the following facts:

A. Grantor owns certain real property containing a total of approximately ____ acres (collectively, the “Property”) located in Utah County, State of Utah and described in Exhibit “A” attached hereto.

B. Grantee is a public agency desiring to provide recreational sites, facilities, and programs in and around Pleasant Grove City. Grantee has experience in managing the construction and operation of trails in areas throughout the City for use by the public.

C. Grantee desires to construct and maintain trails and utilize temporary construction access across portions of the Property for the benefit of public recreation and enjoyment. Grantor, subject to the terms and conditions contained herein, is willing to grant Right of Use for those improvements.

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, Grantor and Grantee agree as follows:

1. Grant of Use. Subject to the conditions set forth below, Grantor hereby grants the Grantee right of use for a trail system and temporary construction access located on the Property for the purpose hereinafter stated, which use shall be appurtenant to and for the benefit of other trails adjacent to and in the vicinity of the Property subject to this Right of Use.

1.1 Trail Right of Use Descriptions. The Trail Right of Use (i) shall be located in the approximate locations shown in Exhibit _____, (ii) shall be no greater than (20) feet with the trail portions of the Use Areas to be six (6) feet in width, three (3) feet on either side of the center line of the trail, and the remainder of the use for trail maintenance purposes and the right to cut brush and fill slope areas, (iii) May be used by motorized vehicles only for maintenance, law enforcement, and emergency response purposes and only where the trail is sufficiently wide to accommodate the motorized vehicles, and (iv) are intended for purposes including but not limited to, use as hiking, riding and biking trails.

1.2 Temporary Construction Access Use Descriptions. The Temporary Construction Access Use (i) shall be located on Pleasant Grove City property and _____, (ii), (iii) temporary construction access uses shall be no greater than the widths specified in said Exhibits with the access portions of the Use Areas to be ten (10) 2 feet in width and the remainder of the use for cut and fill slope areas, (iii) may be used by motorized vehicles only for trail construction.

1.3 Costs Associated with Trail Right of Use. Grantee shall pay all costs associated with the Trail Use including (i) applying for and receiving any necessary approvals required with respect to the development, use, and improvement of the trails within the Trail Use Area; (ii) maintaining the trails; (iii) enforcing compliance with the restrictions and conditions contained herein and (iv) complying with all applicable county, state of federal laws and regulations.

2. Restrictions on Right of Use. The following constitute restrictions on the use of the Right of Use Areas by all users except the authorized employees and agents of Grantee:

2.1 No motorized vehicles shall be used on the Trail Right of Use Area except for trail maintenance, law enforcement, and emergency response purposes.

2.2 All use of the Trail Right of Use Areas by the public or Grantee's employees or agents shall be restricted to the hours of 6:00 am – 10:00 pm of each day; however, limited exceptions may be made at Grantee's discretion.

2.3 No firearms of any kind shall be transported on the Trail Right of Use Area except by law enforcement personnel or by members of the public in connection with hunting activities during officially designated hunting seasons.

2.4 Domesticated animals, including horses and dogs, are permitted on the Trail Right of Use Area as designated on Exhibit_____. This permission may be removed by Grantor, except for service animals, if watershed restrictions are not enforced.

2.5 Grantee shall post signs at regular intervals clearly delineating the domesticated animal restriction areas and the "through trail" directions at breaks in the trails to discourage Right of Use Areas users from leaving the trails and entering prohibited areas and private property owned by Grantor.

2.6 Grantee shall protect Grantor's adjacent property from misuse and damages arising under this Agreement if needed, first by signs, then fences, cameras, law enforcement, and other such appropriate measures.

2.7 If Grantor's property adjacent to trail is damaged from misuse arising from this Agreement or unauthorized access routes from the trail are established or the trail is washed out or damaged as a result of use of misuse under the terms of this Agreement, the affected property shall be restored by Grantee.

6. Term. The term of this Agreement shall be 10 years. At least six months prior to the expiration of the term of this Agreement, the parties will discuss in good faith whether a new or renewed cooperation agreement may be in their respective interests. As used in this provision “good faith” means only that both parties will meet at reasonable times, with a view toward reaching a consensus and does not impose an obligation to act on either party in such a way that may then be contrary to that party’s own

best interests as seen by that party.

7. Miscellaneous Provisions.

7.1 This Agreement executed as of the date hereof, shall take effect only upon, from and after its recording in the Office of the County Recorder of Utah County, Utah.

7.2 In the event of any controversy, claim of dispute relating to this instrument or breach thereof, the prevailing party shall be entitled to recover from the losing party court costs, expenses and reasonable attorney’s fees and costs.

7.3 The use, conditions, and covenants contained herein are intended to run with the land and automatically bind and insure to the benefit of the transferees and successors of each of the parties hereto.

7.4 This Agreement represents the entire agreement of the parties hereto, and may be amended only by written instruments duly executed by the parties hereto.

7.5 This Agreement may be executed in identical counterparts. If so executed, each such counterpart shall be deemed an original for all purposes, and all such counterparts shall collectively constitute one agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first appearing above.

GRANTOR: _____

By: _____

Title: _____

On the ____ day of _____ 2016, personally appeared before me _____, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

Notary Public

GRANTEE: Pleasant Grove City, a Utah municipal corporation

By: _____

Title: _____

Attest:

By: _____

Title: _____

STATE OF _____)

:ss

COUNTY OF _____)

On the ____ day of _____ 2016, personally appeared before me _____, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

Notary Public

Appendix E4. Trail Development Checklist

Phase	Trail Development Step	Tasked Assigned To	Partners to Assist	Date Step Completed	Notes
Getting Started	1. Collect information and identify available resources that will help facilitate community trail development and promotion.				
	2. Begin organizing the human, material, and financial resources that you will need for trail development and promotional activities.				
	3. Engage existing partners and key stakeholders by informing them about your plans to develop a community trail and educating them about its benefits.				
	4. Bring together committed partners and stakeholders in the form of a working group to facilitate trail development and promotional activities, and begin planning for the evaluation component.				
	5. Promote your project to build community support.				
	6. Ensure that working group members understand the application and funding processes for your state’s Transportation Enhancements (TE) and Recreational Trails Program (RTP) opportunities [and other grant opportunities].				
	7. Identify specific trail locations that the working group will consider and establish criteria by which to make the final selection.				
	8. Approach public agencies in your community to determine which agency is interested in sponsoring your project.				
	9. After identifying a project sponsor, find out which of its staff members will serve as your points of contact for the remainder of the project and then begin to discuss key issues with them.				
	10. Reach out to landowners of each trail location that you are interested in to educate them about your project and to help narrow down your list to those locations showing potential for trail development.				
	11. Identify all permits needed for each potential trail location.				
	12. Estimate the costs of trail development for each potential trail location.				
	13. Analyze your trail location and funding options to select the best location and to determine which funding source(s) you will apply to.				
Moving Forward	14. Apply for trail funding, continue to build community support, and wait for funding approval before proceeding with further trail development.				
	15. Collaborate with the working group to review and refine your project evaluation activities.				
	16. Once funding is approved and land use easements have been secured or properties have been acquired, ensure that all preparations for groundbreaking are complete before construction begins.				
Looking Beyond	17. Stay connected with those responsible for trail construction throughout the construction process.				
	18. Conduct promotional activities within your community during trail construction to keep residents engaged and to encourage future trail use.				
	19. Once construction is complete, organize a kick-off event and ongoing promotional activities to further encourage trail use.				

Appendix F. Model Trail Committee Ordinance

ORDINANCE 2020-2

AN ORDINANCE ESTABLISHING A GUNNISON TRAILS COMMITTEE

WHEREAS, The Gunnison City Council has determined that it would be in the best interest of the residents of the City to establish a Trails Committee for the purpose of improving coordination between the City of Gunnison residents, staff, and elected leaders and local land management agencies and partners to increase opportunities for outdoor recreation through development of trails and connections in and around Gunnison.

WHEREAS, The Gunnison Trails Committee will be a volunteer group organized to assist in promoting public trail recreation programs and stimulate public interest in establishing programs, trail adoptions, and other improvement projects related to outdoor recreation facilities.

WHEREAS, The Gunnison Trails Committee will assist in encouraging the growth and economic development of the City through trail development.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GUNNISON, SANPETE COUNTY, STATE OF UTAH:

The Gunnison Trails Committee shall act in an advisory capacity to the City Council, and will be operate under the rules set by the Gunnison Trails Committee Charter as approved by the Gunnison City Council.

This ordinance shall take effect immediately upon adoption and passage by the City Council.

ADOPTED AND PASSED by the City Council of the City of Gunnison, Utah this 5th day of February 2020.

Lori Nay, Mayor

ATTEST

Janell Braithwaite, City Recorder

GUNNISON TRAILS COMMITTEE CHARTER

1. Committee Established. The Gunnison Trails Committee is hereby established with the intent to improve coordination between the City of Gunnison residents, staff, and elected leaders and local land management agencies and partners to increase opportunities for outdoor recreation through development of trails and connections in and around Gunnison.
2. Duties and Responsibilities. The Committee shall act in an advisory capacity to the City Council and shall have the following duties and responsibilities:
 - a. To advise the City Council in all policy matters pertaining to the development of trails and recreation opportunities in and around Gunnison through written reports, public presentations, surveys, and other useful materials.
 - b. To cooperate with South Sanpete School District, local schools, state and federal land management agencies, other governmental agencies, businesses, and civic groups for the advancement of sound recreation and trail planning and programming.
 - c. To assist in promoting public trail recreation programs and stimulate public interest in establishing programs, trail adoptions, and other improvement projects related to outdoor recreation facilities.
 - d. To broaden citizen input by serving as a liaison for individuals and organizations having an interest in outdoor recreation programs and trail improvements.
 - e. The Chairperson of the Committee shall, from time to time, present recommendations to the City Council which have been approved by the Committee.
 - f. Committee Membership.
3. Committee Membership.
 - a. Structure.
 - i. The Committee shall consist of nine (9 to 11) voting members.
 - ii. The Committee shall annually select the position of Chair, Vice-Chair, and Secretary for the Committee for a twelve (12) month assignment during the January meeting of that year. Positions may serve consecutive terms.
 - iii. The Chair's duties shall include:
 1. Organizing monthly Committee meeting agendas, locations, and other arrangements.
 2. Making presentations to the Planning Commission or City Council as necessary.
 3. Representing the Gunnison Recreation and Trails Committee, Gunnison residents, and city leadership as requested by the City Council in recreation and trail planning processes.
 - iv. The Vice-Chair's duties shall include:
 1. Supporting the Committee Chair in his/her duties, as assigned.
 2. Leading Committee meetings and business in the absence of the Chair.
 - v. The Secretary's duties shall include:
 1. Recording and submitting minutes of Committee meetings to City Staff.
 2. Managing appropriate public outreach, noticing, social media, and other materials on behalf of the Committee.

- vi. The Committee may establish sub-committees or other positions to help carry out its responsibilities.
 - vii. Appointment and Qualifications.
 - 1. Committee members shall be appointed by the Mayor, with the advice and consent of the City Council.
 - 2. Committee members shall be residents of Gunnison City.
 - 3. Committee members shall be selected without respect to political affiliation.
 - 4. The term of Committee members shall be two years. Each committee member shall be eligible for additional terms if approved by the City Council.
 - 5. City Council Liaison. A member of the City Council shall be appointed to act as a liaison between the Committee and the City Council, but the City Council liaison may or may not be considered an appointed member of the Committee with voting authority on Committee matters. This will be determined by Mayor and Committee.
 - 6. City Staff Assignments. A member of the City staff may or may not be selected to support the Committee as determined by the Mayor.
 - viii. Removal from office. Any member of the Committee may be removed from office by the Mayor, with the advice and consent of the City Council.
 - 1. A member's office automatically becomes vacant if the member establishes residence outside of the City or if the member misses more than twenty-five percent (25%) of the Committee's scheduled meetings during any twelve month period.
 - ix. Compensation. Members of the Committee shall serve without monetary compensation. Members may be compensated for reasonable expenses incurred for official responsibilities, if approved by the City Council.
4. Meetings. The Committee shall organize and hold regular meetings as necessary.
- a. The Committee shall meet at least quarterly, and more often if necessary. The date of a meeting shall be set by a majority vote of a quorum.
 - b. Committee business and discussion shall be conducted in open public meetings in accordance with legal requirements and City policies.
 - c. The Committee shall keep written minutes for each of its meetings. The minutes shall be reviewed for approval at the following Committee meeting.
5. Voting. The Committee shall vote to make recommendations.
- a. Each member of the Committee shall have one (1) vote.
 - b. A quorum shall consist of 5 or 6 – dependent on total appointments of 9 or 11 members of the Committee. No meeting is official unless a quorum of members is present.
 - c. The minimum number of votes required to take any action shall be a majority of those present at the meeting, provided there is a quorum, but shall never be less than five or six.

Appendix G: Utah Recreation Liability Laws

**Chapter 14
Limitations on Landowner Liability**

**Part 1
General Provisions**

57-14-101 Title -- Purpose.

- (1) This chapter is known as "Limitations on Landowner Liability."
- (2) The purpose of this chapter is to limit the liability of public and private land owners toward a person entering the owner's land as a trespasser or for recreational purposes, whether by permission or by operation of Title 73, Chapter 29, Public Waters Access Act.

Renumbered and Amended by Chapter 212, 2013 General Session

57-14-102 Definitions.

As used in this chapter:

- (1) "Charge" means the admission price or fee asked in return for permission to enter or go upon the land.
- (2) "Child" means an individual who is 16 years of age or younger.
- (3) "Inherent risks" means those dangers, conditions, and potentials for personal injury or property damage that are an integral and natural part of participating in an activity for a recreational purpose.
- (4)
 - (a) "Land" means any land within the state boundaries.
 - (b) "Land" includes roads, railway corridors, water, water courses, private ways and buildings, structures, and machinery or equipment when attached to the realty.
- (5) "Owner" means the possessor of any interest in the land, whether public or private land, including a tenant, a lessor, a lessee, an occupant, or person in control of the land.
- (6) "Person" includes any person, regardless of age, maturity, or experience, who enters upon or uses land for recreational purposes.
- (7) "Recreational purpose" includes, but is not limited to, any of the following or any combination thereof:
 - (a) hunting;
 - (b) fishing;
 - (c) swimming;
 - (d) skiing;
 - (e) snowshoeing;
 - (f) camping;
 - (g) picnicking;
 - (h) hiking;
 - (i) studying nature;
 - (j) waterskiing;
 - (k) engaging in water sports;
 - (l) engaging in equestrian activities;
 - (m) using boats;
 - (n) mountain biking;
 - (o) riding narrow gauge rail cars on a narrow gauge track that does not exceed 24 inch gauge;

- (p) using off-highway vehicles or recreational vehicles;
 - (q) viewing or enjoying historical, archaeological, scenic, or scientific sites;
 - (r) aircraft operations; and
 - (s) equestrian activity, skateboarding, skydiving, paragliding, hang gliding, roller skating, ice skating, walking, running, jogging, bike riding, or in-line skating.
- (8) "Serious physical injury" means any physical injury or set of physical injuries that:
- (a) seriously impairs a person's health;
 - (b) was caused by use of a dangerous weapon as defined in Section 76-1-601;
 - (c) involves physical torture or causes serious emotional harm to a person; or
 - (d) creates a reasonable risk of death.
- (9) "Trespasser" means a person who enters on the land of another without:
- (a) express or implied permission; or
 - (b) invitation.

Renumbered and Amended by Chapter 212, 2013 General Session
Amended by Chapter 278, 2013 General Session

Part 2

Liability Relating to Recreational Use

57-14-201 Owner owes no duty of care or duty to give warning -- Exceptions.

Except as provided in Subsections 57-14-204(1) and (2), an owner of land owes no duty of care to keep the land safe for entry or use by any person entering or using the land for any recreational purpose or to give warning of a dangerous condition, use, structure, or activity on the land.

Renumbered and Amended by Chapter 212, 2013 General Session

57-14-202 Use of private land without charge -- Effect.

Except as provided in Subsection 57-14-204(1), an owner of land who either directly or indirectly invites or permits without charge, or for a nominal fee of no more than \$1 per year, any person to use the owner's land for any recreational purpose, or an owner of a public access area open to public recreational access under Title 73, Chapter 29, Public Waters Access Act, does not:

- (1) make any representation or extend any assurance that the land is safe for any purpose;
- (2) confer upon the person the legal status of an invitee or licensee to whom a duty of care is owed;
- (3) assume responsibility for or incur liability for any injury to persons or property caused by an act or omission of the person or any other person who enters upon the land; or
- (4) owe any duty to curtail the owner's use of the land during its use for recreational purposes.

Renumbered and Amended by Chapter 212, 2013 General Session

57-14-203 Land leased to state or political subdivision for recreational purposes.

Unless otherwise agreed in writing, Sections 57-14-201 and 57-14-202 are applicable to the duties and liability of an owner of land leased to the state or any subdivision of the state for recreational purposes.

Renumbered and Amended by Chapter 212, 2013 General Session

57-14-204 Liability not limited where willful or malicious conduct involved or admission fee charged.

- (1) Nothing in this part limits any liability that otherwise exists for:
 - (a) willful or malicious failure to guard or warn against a dangerous condition, use, structure, or activity;
 - (b) deliberate, willful, or malicious injury to persons or property; or
 - (c) an injury suffered where the owner of land charges a person to enter or go on the land or use the land for any recreational purpose.
- (2) For purposes of Subsection (1)(c), if the land is leased to the state or a subdivision of the state, any consideration received by the owner for the lease is not a charge within the meaning of this section.
- (3) Any person who hunts upon a cooperative wildlife management unit, as authorized by Title 23, Chapter 23, Cooperative Wildlife Management Units, is not considered to have paid a fee within the meaning of this section.
- (4) Owners of a dam or reservoir who allow recreational use of the dam or reservoir and its surrounding area and do not themselves charge a fee for that use, are considered not to have charged for that use within the meaning of Subsection (1)(c), even if the user pays a fee to the Division of Parks and Recreation for the use of the services and facilities at that dam or reservoir.
- (5) The state or a subdivision of the state that owns property purchased for a railway corridor is considered not to have charged for use of the railway corridor within the meaning of Subsection (1)(c), even if the user pays a fee for travel on a privately owned rail car that crosses or travels over the railway corridor of the state or a subdivision of the state:
 - (a) allows recreational use of the railway corridor and its surrounding area; and
 - (b) does not charge a fee for that use.

Renumbered and Amended by Chapter 212, 2013 General Session

57-14-205 Person using land of another not relieved from duty to exercise care.

This part may not be construed to relieve any person, using the land of another for recreational purposes, from any obligation which the person may have in the absence of this chapter to exercise care in use of the land and in activities on the land, or from the legal consequences of failure to employ care.

Renumbered and Amended by Chapter 212, 2013 General Session

**Part 3
Liability Relating to Trespassers**

57-14-301 Owner liability to trespasser.

- (1) Except as provided in Subsection (2), with respect to a trespasser, an owner does not:
 - (a) make any representation or extend any assurance that the land is safe for any purpose;
 - (b) owe any duty of care to the trespasser;

- (c) assume responsibility for or incur liability for any injury to, the death of, or damage to property of, a trespasser; or
 - (d) owe any duty to curtail the owner's use of the land.
- (2) Notwithstanding Subsection (1) and except as provided in Subsection (3), an owner may be subject to liability for serious physical injury or death to a trespasser if:
- (a)
 - (i) the trespasser is a child;
 - (ii) the serious physical injury or death is caused by an artificial condition on the land;
 - (iii) the owner knows or reasonably should know that:
 - (A) the artificial condition exists;
 - (B) the artificial condition poses an unreasonable risk of serious physical injury or death to a child; and
 - (C) a child is likely to trespass at the location of the artificial condition;
 - (iv) the artificial condition is not of a type that a child, because of the child's youth, would discover exists or would not realize that the artificial condition poses a risk of serious physical injury or death; and
 - (v) the owner fails to take reasonable measures to eliminate, or to protect against serious physical injury or death from, the artificial condition;
 - (b)
 - (i) the serious physical injury or death:
 - (A) occurs on a limited area of the land that the owner knows, or reasonably should know, is constantly intruded upon by trespassers; and
 - (B) is caused by an activity conducted by the owner that poses a risk of serious physical injury or death to a trespasser; and
 - (ii) the owner fails to conduct the activity described in Subsection (2)(b)(i)(B) with reasonable care for a trespasser's safety.
- (3)
- (a) An owner is not subject to liability for serious physical injury or death to a trespasser if the conduct of the owner that results in serious physical injury or death is permitted or justified under Title 76, Chapter 2, Part 4, Justification Excluding Criminal Responsibility, or any other provision of law.
 - (b) An owner is not subject to liability for serious physical injury or death to a trespasser under Subsection (2) if the burden on the owner to eliminate, or to protect against serious physical injury or death from, the artificial condition outweighs the risk of serious physical injury or death posed by the artificial condition.
 - (c) An owner is not subject to liability for serious physical injury or death to a trespasser under Subsection (2) if the serious injury or death is caused by an irrigation canal or ditch.
 - (d) A public transit district is not subject to liability for a serious physical injury or death to a trespasser under Subsection (2) if the serious injury or death is caused by a trespasser entering into a fixed guideway, railroad right-of-way, or on transit facilities or premises in violation of Section 56-1-18.5 or Section 41-6a-1005.
- (4) Nothing in this chapter shall impose liability on an owner except to the extent liability existed as of May 14, 2013.

Enacted by Chapter 212, 2013 General Session

Part 4
Inherent Risks of Certain Activities

57-14-401 Inherent risks of activities with a recreational purpose on certain lands.

- (1) Notwithstanding Section 57-14-202 to the contrary, a person may not make a claim against or recover from an owner of any land, as defined in this chapter, including land in developed or improved, urban or semi-rural areas opened to the general public without charge, such as a lake, pond, park, trail, waterway, or other recreation site, for personal injury or property damage caused by the inherent risks of participating in an activity with a recreational purpose on the land.
- (2) Nothing in this section may be construed to relieve a person participating in a recreational purpose from an obligation that the person would have in the absence of this section to exercise due care or from the legal consequences of a failure to exercise due care.

Enacted by Chapter 212, 2013 General Session