

# WEBER NAVIGABILITY RULING FACT SHEET

(ABBREVIATED VERSION)

USAC Board of Directors and Counsel

## Background:

Judge Kelly's ruling affirms the navigability of the Weber River over "the one-mile stretch" – a one-mile reach of the river in the vicinity of the Browns Canyon Bridge. It does not formally adjudicate the navigability of the other ~124 total miles of the entire river, or even the other ~39 miles of the "Upper Weber" between Holiday Park and Echo, Utah.

## What the ruling does and does not do:

- It DOES reopen the beds and banks of the Weber through the "the one-mile stretch" to lawful public recreational use.
- It DOES NOT reopen the beds and banks of the Weber to lawful public use above or below the 4 properties that make up "the one-mile stretch."
- It DOES NOT reopen the beds and banks of any other part of the Weber to lawful public use.
- It DOES NOT reopen the beds and banks of any other waterways of Utah effectively closed to public use by "The Public Waters Access Act" of 2010 (a.k.a. HB141).
- It DOES NOT repeal or otherwise affect the validity of HB141 anywhere.
- Finally, it definitely DOES NOT allow the public to trespass across private property to gain access to the beds and banks of the Weber through the "the one-mile stretch," or any other reach of the Weber, or any other waterway in Utah.

## So, where can I fish now?

For the best-informed answers to that question, USAC strongly encourages its members and the public to contact the Regional Office of the Division of Wildlife Resources (DWR) responsible for oversight of the water you're interested in fishing. The contact information for all five Regional Offices can be found here: <http://wildlife.utah.gov/about-us/contact-us.html>. Please contact them. It's their job to help you identify where you can and cannot fish, and they want to help you.

Due to the need for further action by the State, as well as the uncertainties over whether there will be an appeal, the Coalition recommends that anglers hold off on using the "one mile stretch," at least for the time being. This stretch covers only a short distance above and below the Browns Canyon bridge, and there are no signs marking its boundaries. Hopefully, the State will soon announce that the entire Upper Weber, from Holiday Park to Echo, is open again to public use.

For more information on the Weber Navigability Ruling, visit us at [www.utahstreamaccess.org](http://www.utahstreamaccess.org) or by email at [info@utahstreamaccess.org](mailto:info@utahstreamaccess.org)