

Committee on Resources

Subcommittee on National Parks & Public Lands

Witness Statement

Testimony of Paula M. Plant

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Utah Congress of Parents and Teachers

House Committee on Resources

Subcommittee on Parks and Public Lands

Hearing on H.R. 4579

Utah West Desert Land Exchange Act

June 13, 2000

Thank you for the invitation to represent the education community of Utah in this hearing today. My name is Paula Plant and I have been appointed by Utah PTA as the School Trust Lands Specialist. Prior to this appointment I served for four years as the Legislative Vice President of Utah PTA.

All statewide education organizations in Utah - the Utah PTA, the Utah Education Association, the State School Board, and other statewide organizations representing parents, teachers and administrators - strongly support H.R. 4579 - the Utah West Desert Land Exchange Act. H.R. 4579 represents a win-win solution that protects over 100,000 acres of pristine land for the benefit of the American public while providing Utah's public schools with land that can be managed to generate desperately needed revenue. We urge Congress to enact this legislation promptly and without amendment.

Education is important to Utahns. Taxpayers in Utah spend more of their tax dollar on education than any other state. In spite of that our legislature provides the smallest per pupil expenditure of any state to achieve the goal of providing a "world-class education for every child". We have lots of wonderful children to educate. At the same time, two-thirds of the land in the state belongs to or is managed by the federal government, and so cannot be taxed for education. For Utah, school trust lands are of great significance

because they have the potential to provide important necessities that our children currently do without.

Congress granted school trust lands to Utah at statehood for the express purpose of providing funding for Utah's public schools. Both federal and state law requires that the lands be managed to generate income for the schools. Revenue from trust lands - whether from grazing, forestry, surface leasing or mineral development - is placed in the State School Fund, a permanent income-producing endowment created by Congress in the Utah Enabling Act for the support of the state's public education system.

Legislation such as H.R. 4579 that permits more revenue to be generated from Utah's school trust lands will have a direct impact on Utah pupils. Recent state legislation distributes income from the permanent State School Fund directly to each public school in the state on a per pupil basis, without administrative deduction. Parents and teachers at each school annually assess their students' greatest academic needs and how their share of the money can best address those needs at the school level. As a result, this exchange will make a difference for every child in Utah.

Historically, the trust has not generated substantial income for Utah schools, for several reasons. One important difficulty has been the creation of restrictively-managed federal reservations on large tracts of Utah land, without consideration of the impact of those actions on school trust lands scattered among the federal lands. For decades, school lands within wilderness study areas, national parks, monuments and forests have been prevented from producing revenue for Utah schools, and our children have as a result been denied textbooks, teachers and classrooms.

For many years, the Utah PTA and the Utah Public Education Coalition have urged Congress to consider Utah's school trust lands when taking action impacting them, and to act fairly on behalf of our schoolchildren. In 1998 we were excited that an agreement was reached, between the United States and the state of Utah, and implemented by Public Law 105-335, the Utah Schools and Land Exchange of 1998. This agreement provided an exchange of hundreds of thousands of acres of school trust lands out of various national parks, monuments, forests and Indian reservations into areas that could produce revenue for schools. It was a significant and important action for the schoolchildren of Utah and for the environment. On behalf of the Utah Public Education Coalition, I wish to thank our congressional delegation, Governor Leavitt, Secretary of the Interior Babbitt and all the associated staff who made that exchange a reality.

Today we wish to once again thank these same committed people for coming forward with a similar proposed trade involving another area of the state where school trust lands have not been allowed to fulfill the purpose for which they were granted. Last October, in another hearing of this same committee, we asked our elected officials to recognize the impact that federal management practices in wilderness study areas and "reinventory areas" of the West Desert of Utah are having on the school trust lands and revenue to our schools. We requested consideration of a fair exchange of those lands for others that could provide revenues for the trust. Governor Leavitt, Secretary Babbitt, and Congressman Hansen have come through on this request, and the result is the bill before you.

We strongly urge your support of H.R. 4579 for the following reasons:

- The exchange is positive for the environment. Over 100,000 acres of trust lands will be conveyed to the American public. These lands are in areas that have been identified by the BLM and the environmental community has having significant natural, scenic, recreational, and scientific values making them suitable for wilderness, as described in more detail in the attachment to my written testimony. In the absence of an exchange, the lands will be subject to mineral development or will be

sold for purposes such as cabin sites.

- The exchange will greatly simplify land management. While the school trust lands to be exchanged have both surface and mineral value, the lands cannot be managed to produce significant income without major disruption of the wilderness characteristics of surrounding areas. In the past, management conflicts of this type between the State and the United States have led to lengthy and expensive litigation. Elimination of scattered school trust sections throughout these areas will permit unified federal management of the lands. On the other side of the exchange, the school trust will receive 17 consolidated tracts that can be managed far more efficiently than the scattered lands being given up.
- The exchange will benefit school revenues and local economies. The federal lands being acquired by Utah's school trust have been carefully chosen for their potential to permit economic development at the local level, as well as providing revenue to the permanent State School Fund. As these lands are developed, they have the potential to create new jobs and property tax revenue, which also benefit schools both locally and statewide

We understand that there are those who may question the values attributed to various lands in the exchange. We believe the exchange is fair, and have watched closely as tracts have been added and dropped from the proposal to address the concerns of various affected parties, with values then carefully brought back into balance. The subcommittee has been provided with a detailed valuation analysis that supports the conclusion that values in the exchange are reasonably equivalent.

For those who continue to question, we ask that they remember that the majority of trust lands being proposed for trade have been captured within federal Wilderness Study Areas for two decades. Utah has taken the high road, and chosen not to sell the lands or take other action that would significantly diminish the wilderness values of the surrounding federal lands. The federal government's creation of these WSAs has denied Utah's schoolchildren the use of lands granted by Congress for the express purpose of generating revenue, not to mention the interest on lost revenues that would have compounded on those revenues over time.

We request that the subcommittee recognize H.R. 4579 as an important step in resolving the conflict between wilderness and education in the state of Utah, and urge your support of the bill.

Thank you for the opportunity of testifying today.

**ATTACHMENT A
TO TESTIMONY OF
PAULA M. PLANT
H.R. 4579
UTAH WEST DESERT LAND EXCHANGE
WEST DESERT WILDERNESS LAND EXCHANGE
H.R. 4579
STATE LANDS TO BE CONVEYED TO THE UNITED STATES**

In the proposed West Desert Wilderness Land Exchange, the State of Utah will convey to the United States approximately 106,000 acres of state school trust lands and minerals. These state trust lands are located in 18 separate wilderness study areas (WSAs) and areas formally identified as having wilderness characteristics in the BLM's recent Utah wilderness re-inventory. Also to be conveyed are state trust lands in the Congressionally-designated Beaver Dam wilderness on the Utah-Arizona border, and in the Red Cliffs Desert Reserve near St. George.

Although valuation of these state trust lands for exchange purposes has focused on their value for grazing, mineral development or sale for recreational uses such as cabin sites, the state lands have also been recognized by the BLM and the environmental community as having significant scenic, scientific, cultural, and biological values meriting their protection as wilderness or, in the case of the Red Cliffs Desert Reserve, as a biological preserve for threatened and endangered species.

The following is a summary of the state trust lands to be conveyed to the United States in the West Desert Wilderness Land Exchange, together with descriptive information about the lands compiled from the BLM's 1999 *Utah Wilderness Inventory* and the Utah Wilderness Coalition's publication *Wilderness at the Edge* (Utah Wilderness Coalition 1992).

- Beaver Dam Wilderness - 1,191.21 state acres conveyed to the United States:

A part of the Mojave ecosystem, Beaver Dam Wash is home to several reptiles found nowhere else in Utah. These include the desert iguana, the desert night lizard, speckled and sidewinder rattlesnakes, and the Gila monster. This area is characterized by some of the state's hottest temperatures and lowest elevations. Forests of Joshua trees and the presence of the endangered desert tortoise add to both the scenic and scientific value.

- Black Ridge WSA - 1,920.00 state acres conveyed to the United States:

Sharing a seven mile border with Zions National Park, this area is comprised of the pristine Hurricane Cliffs, Black Ridge, and the colorful western edge of Smith Mesa. Vegetation varies from cottonwoods and desert willows to dense piñon and juniper woodland.

- Canaan Mountain WSA - 5,608.50 state acres plus an additional 560.00 acres of state mineral-only lands conveyed to the United States:

This area has outstanding recreational values. Spectacular views of Zions National Park, Canaan Mountain, Elephant Butte, and Eagle Crags substantially enhance the experience of hikers, horseback riders, and backpackers.

- Cedar Mountains WSA - 7,827.60 acres of state mineral-only lands conveyed to the United States:

The Cedar Mountains are rich in archaeological and historical value. At least eventeen major cultural sites have been identified. The Donner-Reed Party passed through Hastings Pass on their way to California. The area is also quite diverse in its wildlife, providing habitat to a herd of up to 200 wild horses, raptors, and the occasional mountain lion.

- Cottonwood Canyon - 960.00 state acres conveyed to the United States:

Cottonwood Canyon stands as an area of transformation between the canyons and plateaus to the east and the Mojave Desert to the west. It is home to several endangered and sensitive species from the purple-spined hedgehog cactus to the bald eagle and the chuckawalla.

- Deep Creek WSA - 80.00 state acres plus an additional 240.00 state mineral-only lands conveyed to the United States:

Wildlife populations and vegetation are incredibly diverse in this area due to water availability and substantial elevation changes. Vegetation ranges from sage covered hillsides to dense piñon and juniper woodlands. Over 300 vertebrate species are present.

- Deep Creek Mountains WSA - 12,325.46 state acres plus an additional 2,560.00 state mineral-only lands conveyed to the United States:

"Rising from the desert floor at an elevation of 4,800 feet to peaks over 12,000 feet high, the Deep Creek Mountains

are indisputably Utah's most spectacular West Desert Range." *Wilderness at the Edge*. The Bonneville Cutthroat Trout, which has been nominated for protection under the Endangered Species Act, is native to this area. Ancient bristlecone pines, bare granite, the rare giant stonefly, and a rare variety of blue grouse all contribute to the scenic and scientific value of this range.

- Fish Springs WSA - 7,680.80 state acres conveyed to the United States:

This area is inhabited by the peregrine falcon and the bald eagle. Range dominated by grasses and shrubs at lower elevations is dwarfed by uncommonly large juniper trees at higher elevations, some with trunks exceeding eight feet in circumference.

- Granite Peak WSA - 3,933.16 state acres conveyed to the United States:

This area is a geological treasure. 11 million year old quartz monzonite comprises the striking white rock of Granite Peak. Igneous rock supplies heat to several nearby hot springs. Prehistoric obsidian quarries were used by Native Americans as well as the early settlers, which contributes to important archeological value. Vegetation in this area is also unique as it is uncommon in the Great Basin for piñon and juniper forests to grow in conjunction with mountain mahogany and oak.

- Howell Peak WSA - 3,839.28 state acres conveyed to the United States:

This remote range is dominated by grasses, brush, and forested foothills.

- King Top WSA - 9,906.64 state acres conveyed to the United States:

The BLM has identified Fossil Mountain as one of the world's most important collection sites for Lower Ordovician fossils. This area is home to the peregrine falcon, the bald eagle, and the golden eagle, all sensitive species.

- Notch Peak WSA - 8,241.07 state acres conveyed to the United States:

The immense west face of Notch Peak has been referred to as "the desert equivalent of Yosemite's El Capitan." Its' rise of almost 4,450 feet makes it one of the highest cliffs in North America. It also serves as habitat for two species of wild buckwheat and a milkvetch, all of which are candidates for listing as threatened or endangered species.

- Pilot Peak - 3,879.92 state acres conveyed to the United States:

Views from the Pilot Range are spectacular. Excellent elk and deer habitat exists in the range. Bettridge Creek, the largest stream in the area, supports the threatened Lahontan cutthroat trout.

- Red Butte - 640.00 state acres conveyed to the United States:

Red Butte is directly adjacent to the Kolob Canyon portion of Zion National Park.

- Red Mountain WSA - 2,162.64 state acres conveyed to the United States:

The mountain is a spectacular Navajo Sandstone plateau. Archaeological values are extremely high in this area. Prehistoric use by the Southern Paiute Indians has been well documented at seven sites and the BLM estimates site densities between 4 and 40 per square mile.

- Silver Island WSA - 5,760.84 state acres conveyed to the United States:

During the Pleistocene Epoch the Silver Island Mountains were an island in the giant Lake Bonneville. "Today, as one looks across the Great Salt Lake Desert from Interstate 80 in the heat of summer, the entire range seems to float on a shimmering mirage, giving currency to its name." *Wilderness at the Edge*. Conversely, the views from the tops of the mountains over the desert are spectacular, taking in the enormous expanse of the salt flats and range after range of the Great Basin topography.

- Swasey Mountain WSA - 11,612.74 state acres conveyed to the United States:

According to a Smithsonian Institution Report, the Antelope Springs Trilobite Beds in this area are "the most outstanding field for gathering fossils of the Cambrian geologic era in Utah and one of the most outstanding fields in the United States."

- 18/19. North and Central Wah Wah Mountains - 14,869.65 state acres conveyed to the United States:

The BLM has stated that the Wah Wah Mountains WSA is "one of the most remote, untouched mountain ranges in the West Desert." It contains the only known Jurassic rock in the Great Basin. Unusually large bristlecone pines grow along the main ridge, some over 50 feet tall and more than 4,000 years old.

- Red Cliffs Desert Reserve - 483.28 acres conveyed to the United States:

The Red Cliffs Desert Reserve is a scenic desert area north of St. George, Utah dedicated to the protection of the threatened Mojave desert tortoise and other rare or sensitive species of wildlife. The area in the reserve represents a transition between three ecosystems: the Mojave Desert, the Great Basin Desert, and the Colorado Plateau. This merging of ecosystems - an ecotone - has special scientific significance because it contains representative life forms from each contributing region.

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