

Committee on Resources

Subcommittee on National Parks & Public Lands

Witness Statement

October 15, 1999

The Congress of the United States

Washington, D. C.

Re: Wilderness study areas according to H.R.3035, and its designation in Tooele County, Utah

The most honorable representatives of Congress,

The Board of County Commissioners of Tooele County, Utah supports any proposal for wilderness designation that meets the criteria of the 1964 Wilderness Act. At the present time with the Bureau of Land Management's (BLM) current inventory, we have reservations on how the action will adequately addresses the principles of multiple use, current and future management, access, current and future military operations, as well as compliance with procedures outlined in the Wilderness Act and the Federal Land Policy and Management Act (FLPMA). We represent those constituents who live, work and recreate on the public lands located in Tooele County, Utah, many of which have family histories steeped in the use of those lands since the time the county was settled. While we don't question the ability or legality of Congress to make decisions on public lands, we do directly have to live with those decisions, good or bad.

We question the reasoning for wilderness designation when the multiple use management policy has been effective for those sites now designated in the current BLM study. Is wilderness the highest and best use for public lands? Could the designation be a means to administratively cut the costs of proper range land management? It is our understanding that the purpose of the Wilderness Act was "to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness."

Much of the land that is designated in the BLM study is covered in roads, mines and various ruins from historic and recent mining activity. How does prospect holes, mines, and ruins from mining activity fit into wilderness designation? How does wilderness further the principles of multiple use? As the state of Utah experiences rapid growth far above that of

the national norm, especially along the Wasatch Front, recreational lands that are nearby are in demand. The mountain ranges still contain veins of ore that have not been adequately studied, and present an untapped source of precious and semi-precious metals for the nation.

Much of the land in the current BLM proposal is used by ranchers for grazing of cattle and sheep. With the definition of wilderness being that of land "in contrast with those areas where man and his own works

dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain." Only through H. R. 3035, can we be assured that the protection of grazing rights will be made in these areas.

The management of public lands, particularly those managed by the BLM should be for multiple use. How will wilderness designation of those areas accommodate the preservation and perfection of water systems and wildlife guzzlers? Much of the land that is included in the study encompasses areas indigenous to Native American rights. What provisions will be made for them? How do we insure proper access to public, and private lands if not through RS 2477 rights-of-ways? Much of the areas designated in the BLM study for wilderness designation have a high number of RS 2477 rights-of-ways. While we continue to look to the standard of not less than five thousand acres as a criterion, why have we dropped the roadless consideration? We are now arguing about what an absolute definition of what a road is.

The 1964 act goes on to state that "an area of wilderness is further defined to mean in this chapter an area of underdeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which;

- (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;
- (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation;
- (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and
- (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value."

Much of the current BLM land proposed in the study for lands in Tooele County do not meet these criteria. What management methods will be implemented to protect against recreational vehicle uses that has historically occurred in those Wilderness Study Areas? Some call the trails and roads a way as if to play a game of semantics, others say they are an illegal intrusion into public lands. One wilderness conservation group met in Skull Valley of Tooele County, Utah at the latter part of September 1999, and stated that the land is being torn up. They had two aerial photographs, one from 1977 and the other from 1994, to show how roads had pilferated the Cedar Mountains, but the number of new roads or trails were so minimal, that they were almost indiscernible.

We as a local governmental body have a duty to the public to protect their health and safety. Our search and rescue units often do go out on searches in the areas where wilderness study areas are proposed by the BLM as well as those in H. R. 3035. We have to ask why is there no one source of contact for search and rescue activities? (It costs valuable time to track someone down with ability to say "Go for it."). We are putting the public in greater danger by this designation. In H. R. 3035 it makes specific reference to emergency access and response between the Air Force and the Department of Interior, which needs to be expanded to include the search and rescue efforts of the county into the language of the exclusion, even if a separate agreement is made between the state or counties with the Secretary of the Interior.

Tooele County, Utah has played a major role in the defense of the United States from World War II,

through the present. With the strong military presence in Tooele County, Utah, are we compromising national defense in order to classify marginal at best, lands into Wilderness Study Areas? There are numerous military overflights from Dugway Proving Grounds, and the US Air Force training and test range over those lands reflected in the BLM study for wilderness consideration. Will those activities be curtailed in order to make "opportunities for solitude or a primitive and unconfined type of recreation?" Hill Air Force Base, the Lakeside Test and Training Range and Dugway proving grounds are major employment and economic centers for many Utah counties and cities. The economy of Utah will not be able to sustain a loss to any of those facilities. Dugway Proving Grounds are surrounded by areas identified in the BLM study for wilderness designation. Will the wilderness designation in the BLM study which surrounds Dugway Proving Grounds be the factor that closes it down? H. R. 3035 adequately makes provision for this concern, but it must be irrevokable and remain steadfast as long as the military presence remains at those sites.

On September 22nd, 1999, the House (H.R. 1401) and the Senate (S. 1059) signed the FY2000 Defense Authorization bill. In SEC. 2815. STUDY AND REPORT ON IMPACTS TO MILITARY READINESS OF PROPOSED LAND MANAGEMENT CHANGES ON PUBLIC LANDS IN UTAH, of that bill, that is now before the President, it states that:

"(d) EFFECT OF STUDY- Until the Secretary of Defense submits to Congress a report containing the results of the study, the Secretary of the Interior may not proceed with the amendment of any individual resource management plan for resource management plan amendment package for such lands, if the statewide environmental impact statement or statewide resource management plan amendment addresses wilderness characteristics or wilderness management issues affecting such lands."

It is clear in the passage of that legislation that even Congress has concerns for the continued military operation of Dugway Proving Grounds, and the US Air Force Lakeside Training and Test Range. We have to echo that concern and express that the areas identified in the current BLM study does not meet the criteria established in the 1964 Wilderness Act, nor has the provisions set forth in FLPMA been followed. That concern we have is an echo of those residents of Tooele County as to soundness of the BLM proposal. H. R. 3035 represents the best possible solution to these concerns and with this area strengthened, will be the best compromise possible.

In conclusion, we as the Board of County Commissioners ask that wilderness designations follow the 1964 Wilderness Act legislation and be applied to pristine and unique areas. Why should the standards set in the act be deviated from now? We strongly believe that any area under consideration needs to look to the current and historic uses of those lands designated as WSA's. While the economic impact of such a decision is small to the nation, it can be significant to the local jurisdiction. Proper planning theory demands that inferences be made to potential future uses and impacts. The theory of multiple use looks to the highest and best use of land, and we have to always ask before making a designation, is wilderness the highest and best use?

It wasn't that long ago, that the various Federal agencies undertook wilderness studies. In consideration of that past action, what consideration and weight was given to the previous consideration of wilderness designation have on the current proposal? To continually repeat this effort every ten years serves no good purpose, but simply and unjustly spends tax revenues. There needs to be some decision to stick to the decisions made, and a hard release should be considered.

Through this process, we have serious considerations as to what extent the BLM gave in considering local plans as is required under National Environmental Policy Act (NEPA), and Federal Land Policy and

Management Act (FLPMA). Were our plans even part of the required consideration in the determination of these areas? What efforts have been made to coordinate with other Federal agencies and their plans? H. R. 3035 is aligned with our original plan and evaluation report dated March 31st, 1995.

The need for wilderness is there, but not to the extent that we make marginal at best areas a wilderness designation. And for the intent and purpose of true wilderness, if we have to make exceptions to the designation of an area as wilderness, why designate it wilderness in the first place? But what has been offered in H. R. 3035 best meets the needs of the county while giving wilderness protection to areas that most closely fits the intention of the 1964 Wilderness Act.

Teryl Hunsaker Chair, Tooele County Board of County Commissioners

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