

**Statement by the
NATIONAL CATTLEMEN'S BEEF ASSOCIATION
and PUBLIC LANDS COUNCIL**

on

H. R. 4620, America's Wilderness Protection Act

Submitted

by

Mr. Douglas L. Thompson

Wyoming Rancher and Fremont County Commissioner

Representing

National Public Lands Council

And

National Cattleman's Beef Association

Mr. Chairman and members of the Committee on Resources:

I would like to thank the Committee for the opportunity to testify on Congressman Otter's bill H. R. 4620, entitled "America's Wilderness Protection Act." Allow me to begin with a short introduction of myself. My name is Douglas L. Thompson. I own and operate Myers Land and Cattle Company, a cattle ranch in south central Wyoming along the Sweetwater River on Beaver Rim. This is a third generation ranch with the fourth generation preparing to take the reins. My background includes a BA degree in Business and Math Education. I have served in numerous leadership positions in both community and industry related activities, such as:

Past President-Fremont County Cattleman's Association

Past Vice-president-Wyoming Stock Growers Association

Current President-Lander District Grazing Board

Past Chairman-Wyoming State Grazing Board

Fremont County School District #9 Trustee-20 years

Past President-Wyoming School Boards Association

4-H Leader-20 years

Currently, I am in my second year as a Fremont County Commissioner, serving as our county's representative on the Interdisciplinary Team for the Jack Morrow Hills Coordinated Activity Planning process, having been granted Cooperating Agency status with special expertise in grazing and socio-economics. This varied and diverse background has enabled me to view the current wilderness situation

from many different perspectives.

Today, I speak as a representative of the National Public Lands Council and National Cattleman's Beef Association. I am a member of each of these organizations and serve as a Wyoming representative to the National Cattlemen's Beef Association Federal Lands Committee and serve as a Wyoming representative on the National Public Lands Council Board of Directors. Also, the National Association of County Officials endorses my testimony.

This bill H.R. 4620 is most timely in nature and most urgently needed. There must be some resolution to the Wilderness Study Area issue and now is the time to act.

We fully agree with Section 2 Findings and Purpose. Two statements are particularly important. Section 2 (3) states, "Wilderness Study Area status was not intended as a substitute for wilderness designation by Congress," and Section 2 (4) states, "It was not the intention of Congress that areas continue under Wilderness Study Area status indefinitely." Current practice contradicts both of these findings. Since Congress alone has authority to create wilderness, without Congressional action Wilderness Study Areas will continue indefinitely and land management agencies will continue to create *de facto* wilderness-more land in Wilderness Study Area status.

We further agree with subsection (4) that all Wilderness Study Areas should either be designated wilderness or released back to multiple-use status and that the "perpetuation of Wilderness Study Area status is undesirable." Over the course of time, successive federal land managers have taken more restrictive positions on permitted activities in Wilderness Study Areas. Activities originally given exceptions under FLPMA Section 603c to the non-impairment standard (grand fathered uses) have become prohibited or extremely restricted use. One rancher in our county lost the grazing use of 9000 acres in his allotment when the area manager decided that grazing was not appropriate for the Wilderness Study Area. Another rancher is currently litigating a situation where he was originally allowed to maintain reservoirs in a Wilderness Study Area in his grazing allotment, but now the BLM is trying to deny him the ability to fulfill the maintenance obligations in the terms and conditions of his grazing permit. Energy companies in the Jack Morrow Hills are finding ever-increasing restrictions and stipulations on exercising their valid existing leases in current Wilderness Study Areas. Perpetuation of Wilderness Study Area status is certainly undesirable.

We agree that Section 3 Timetable for Wilderness Study Completion provides appropriate and adequate options for resolution of Wilderness Study Area Status. Section 3 (a)(1) is especially important. For over 25 years the BLM has placed over 26 million acres nationwide in Wilderness Study Area status.

However, according to a 1993 GAO report, only 36.2% of this acreage was recommended for wilderness designation. 63.8% or 16,785,826 million acres that were NOT recommended by the Secretary of Interior as Wilderness have continued to be managed by the BLM in the most restrictive land status possible-Wilderness Study Area status.

The result is a severe negative impact to our economies, schools, and basic services caused by the loss of multiple-use options and revenue. These 17 million acres could have been used by recreation enthusiasts, people with disabilities, senior citizens, and others whose use is excluded by Wilderness Study Area status. The recommendations of *de facto* non-use by the federal land management agencies needs to be acted upon by Congress.

We agree that a maximum time limit must be established to prevent continuing non-action on this subject. We believe that the 10-year limit in Section 3 (a)(2) is most generous, but feel that a shorter time frame is more appropriate, considering that some Wilderness Study Areas have been in place for over 25 years. Whether it is 10 years or a shorter period, it is critically important to the final resolution to this situation to set a maximum time limit for action.

We would ask that as Congress designates wilderness as referred to in Section 3 (a)(3) that the decision makers bear in mind what the general public believes wilderness is. There is a wide gap between wilderness as envisioned by the wilderness advocates and the wilderness expectations of the general public.

For the first group, only a no-use, locked-up area will satisfy; while the second group simply wants access and reasonable use of our nation's pristine natural beauty.

Concerning Section 3 (b) Subsequent Wilderness Study Areas, it is the position of the organizations represented by this testimony that authority to designate Wilderness Study Areas under Section 603 of FLPMA has long since expired; and that any authority conveyed under Sections 201 and 202 of FLPMA is restricted to lands acquired by the BLM through gift, sale, exchange, or transfer since the 603 process was completed. Lands previously determined not suitable for Wilderness Study Area status should not be re-evaluated in any subsequent planning process. Such re-evaluation would prove costly, time-consuming, and a drain on valuable resources which are needed for ongoing management actions.

We agree in Section 3(c) Release from Wilderness Study Area Status that areas released should not be studied again. However, we believe that lands should be released back to multiple-use status until a subsequent land use planning process determines a long-term status for such lands.

In closing, I would relate two examples that clearly point to the necessity of crafting and implementing a resolution to the Wilderness Study Area situation.

First, in 1986 the BLM produced a document entitled "Wilderness Study Areas and Wilderness-Questions and Answers About Domestic Livestock and Wildlife Management." This document paints a picture of accommodation and consideration of existing uses. For example, equipment and vehicles could be used for maintenance, livestock facilities, and fences. Also, water development could occur, and wildlife management practices could be done on a case-by-case basis. All this has changed over time and a strict non-impairment, non-use standard appears to be the practice of the day.

Secondly, an article by Bill Sizer with John Carr entitled "The Trouble with Wilderness" points out the gap between the rhetoric and the reality relating to the Arizona Fish and Game Department's management activities in wilderness areas. In the article, examples of land managements agency's efforts to thwart legitimate wildlife research, law-enforcement activities, and habitat management reveal the real consequences of not resolving the wilderness issue.

Thank you once again for the opportunity to testify on H.R. 4620.

Sincerely,

Douglas L. Thompson

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