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PROPOSED CANYONLANDS NATIONAL PARK IN UTAH

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HEARINGS
BEFORE THE
SUBCOMMITTEE ON PUBLIC LANDS
OF THE
COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS
UNITED STATES SENATE
EIGHTY-SEVENTH CONGRESS

SECOND SESSION

ON

S. 2387

A BILL TO PROVIDE FOR THE ESTABLISHMENT OF THE
CANYONLANDS NATIONAL PARK IN UTAH

MARCH 29 AND 30, 1962

PART 1

Printed for the use of the
Committee on Interior and Insular Affairs



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PROPOSED CANYONLANDS NATIONAL PARK IN UTAH

THURSDAY, MARCH 29, 1962

U.S. SENATE,
SUBCOMMITTEE ON PUBLIC LANDS
OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10:15 a.m., in room 3110, New Senate Office Building, Senator Alan Bible (chairman of the subcommittee) presiding.

Present: Senators Bible, Anderson (chairman of the full committee), Moss, Long of Hawaii, Metcalf, Allott, Dworshak, and Pearson.

Also present: Conrad Wirth, Director, National Park Service; and L. Ralph Mecham, administrative assistant to Senator Bennett.

Benton J. Stong, professional staff member.

Senator BIBLE. The subcommittee will come to order.

This is the time set for the hearing on S. 2387, which was introduced by Senator Moss, and which is a bill to provide for the establishment of the Canyonlands National Park in the State of Utah.

S. 2387 was originally introduced in the 1st session of the 87th Congress, and on February 7 of this year Senator Moss introduced an amendment in the nature of a substitute to S. 2387, and a copy of this amendment in the nature of a substitute and copies of the reports of the Department of Interior, the Department of Agriculture and the Federal Power Commission will be inserted in the record at this point.

(The documents referred to follow:)

[S. 2387, 87th Cong., 2d sess.]

AMENDMENTS (in the nature of a substitute) intended to be proposed by Mr. Moss to the bill (S. 2387) to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes, viz: Strike out all after the enacting clause and insert in lieu thereof the following:

That in order to preserve an area in the State of Utah possessing superlative scenic, scientific, and archeologic features for the inspiration, benefit, and use of the public, there is hereby authorized to be established the Canyonlands National Park which, subject to valid existing rights, shall comprise the following generally described lands:

That area in San Juan County, Utah, bounded on the north by the Grand County line, on the west by the Green River, and on the east by the Colorado River, but excluding those lands comprising Dead Horse Point; those lands lying southerly and westerly of the confluence of the Green and Colorado Rivers, known as the Standing Rocks Country, including such well known landmarks as the Maze, the Gong, Candlestock Spire, Standing Rock, the Fins, Doll House, and Spanish Bottom, and extending southerly to the confluence of Calf Canyon and the Colorado River; those lands lying southerly and easterly of the confluence of the Green and Colorado Rivers downstream to Gypsum Canyon, easterly from such confluence to include Salt Creek Canyon, and northerly and westerly therefrom to the Colorado River near the confluence of Elephant

Canyon, containing such well known landmarks as Devils Lane, Chesler Park, Virginia Park, Druid Arch, Angel Arch, Castle Arch, and Tower Ruin; comprising altogether not more than three hundred thousand acres.

SEC. 2. As soon as practicable after the date of enactment of this Act the Secretary shall establish the Canyonlands National Park by publication of notice thereof in the Federal Register and such notice shall contain a detailed description of the boundaries of the park which shall encompass an area as nearly as practicable identical to the area described in section 1 of this Act.

SEC. 3. Within the area described in section 1 hereof or which lies within the boundaries of the park as described pursuant to section 2 of this Act, the Secretary of the Interior is authorized to acquire lands and interests in lands by such means as he may deem to be in the public interest. The Secretary may accept title to any non-Federal property within the park and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction within the State of Utah and adjacent States, notwithstanding any other provision of law. The properties so exchanged shall be approximately equal in fair market value: *Provided*, That the Secretary may accept cash from, or pay cash to, the grantor in such an exchange in order to equalize the values of the properties exchanged. Federal property located within the boundaries of the park may, with the concurrence of the agency having custody thereof, be transferred to the administrative jurisdiction of the Secretary of the Interior, without consideration, for use by him in carrying out the purposes of this Act.

SEC. 4. Where any Federal lands included within the Canyonlands National Park are legally occupied or utilized on the date of approval of this Act for grazing purposes, pursuant to a lease, permit, or license issued or authorized by any department, establishment, or agency of the United States, the Secretary of the Interior shall permit the persons holding such grazing privileges on the date of approval of this Act, their heirs, successors, or assigns, to renew the privileges from time to time subject to such terms and conditions as the Secretary may prescribe: *Provided, however*, That no such privilege shall be extended beyond the period ending twenty-five years from the date of approval of this Act except as specifically provided for in this section. The Secretary shall permit a holder of the grazing privilege to renew such privilege from time to time during the holder's lifetime beyond the twenty-five-year period, subject to such terms and conditions as the Secretary may prescribe, if (1) the holder is the person who held such privilege on the date of approval of this Act, or (2) the holder is the heir, successor, or assign of such person and was a member of that person's immediate family, as determined by the Secretary of the Interior, on the date of approval of this Act. Nothing contained in this Act shall be construed as creating any vested right, title, interest, or estate in or to any of the Federal lands. The Secretary, by regulation, may limit the privileges enjoyed under this Act to the extent that they are appurtenant to the private lands owned by the persons who held such privileges on the date of approval of this Act, and may adjust such privileges to preserve the park land and resources from destruction or unnecessary injury. Grazing privileges appurtenant to privately owned lands located within the Canyonlands National Park established by this Act shall not be withdrawn until title to lands to which such privileges are appurtenant shall have vested in the United States, except for failure to comply with the regulations applicable thereto and after reasonable notice of any default.

SEC. 5. (a) Within the Canyonlands National Park, all mineral deposits of the classes and kinds now subject to location, entry, and patent under the mining laws of the United States, exclusive of the land containing them, and minerals subject to leasing under the mineral leasing laws of the United States shall be subject to exploration and disposal under such laws, with right of occupation and use of so much of the surface of the land as may be required for all purposes reasonably incident to the mining or removal of the minerals: *Provided*, That the Secretary of the Interior may prescribe such general regulations for the control of these activities as he deems necessary to preserve the scenic, scientific, and recreation values of the area. The provisions of the Act of July 31, 1947 (61 Stat. 681), as amended, shall have no application within the Canyonlands National Park.

(b) Within the Canyonlands National Park the valid rights of locators, entrymen, and patentees under the mining laws of the United States, and of permittees and lessees under the mineral leasing laws, existing before this Act takes effect, shall be recognized.

SEC. 6. (a) In order to provide suitable access to the Canyonlands National Park and facilities and services required in the operation and administration of the park, the Secretary may select the location or locations of an entrance road or roads to such park and to points of interest therein from United States Route 160 and State Routes 24 and 95, including necessary entrance and related administrative headquarters sites upon lands located outside the park, and he may select a suitable location or locations outside the park for connections between entrance roads and between roads lying within the Canyonlands National Park.

(b) To carry out the purposes of this section, the Secretary may acquire non-Federal lands or interests in lands by donation, purchase, condemnation, exchange, or such other means as he may deem to be in the public interest: *Provided*, That lands and interests in lands acquired outside the park as rights-of-way for said entrance roads and connections shall not exceed an average of one hundred and twenty-five acres per mile. Rights-of-way and entrance and administrative sites acquired pursuant to this authority shall be administered pursuant to such special regulations as the Secretary may promulgate in furtherance of the purposes of this section.

(c) The Secretary may construct, reconstruct, improve, and maintain upon the lands or interests in lands acquired pursuant to this section, or otherwise in Government ownership, an entrance road or roads and connections of parkway standards, including necessary bridges and other structures and utilities as necessary, and funds appropriated for the National Park Service shall be available for these purposes.

SEC. 7. (a) The Department of Fish and Game of the State of Utah and the National Park Service shall devise, from technical information and other pertinent data assembled or produced by necessary field studies or investigations conducted jointly by the technical and administrative personnel of the agencies involved, and recommend to the Secretary of the Interior (hereinafter referred to as the "Secretary") and the Governor of Utah for their joint approval, a program to insure the permanent conservation of the wildlife population within Canyonlands National Park. Such program shall include provisions for the controlled reduction of wildlife in such park by hunters licensed by the State of Utah and deputized as rangers by the Secretary, when such reduction is found necessary to prevent injury to the soil, plant life, or to any wild or domestic animals dependent upon the land comprising such park for sustenance.

(b) At least once a year, between February 1 and April 1, such Department of Fish and Game and the National Park Service shall submit their joint recommendations for the management, protection, and control of wildlife for that year to the Secretary and the Governor of Utah for their joint approval. The yearly plan so recommended shall become effective when approved by the Secretary and the Governor. The Department of Fish and Game and the Secretary shall, upon the approval of any such plan, issue separately but simultaneously, such appropriate orders and regulations as are necessary to carry out those portions of the approved plan that fall within their respective jurisdictions. Such orders and regulations shall include provisions for the controlled and managed reduction of wildlife within Canyonlands National Park by qualified and experienced hunters licensed by the State of Utah and deputized as rangers by the Secretary, if such a reduction is required as a part of the approved plan for the year.

(c) After the approval of a plan for any year calling for the controlled and managed reduction by the method prescribed in this Act of wildlife within Canyonlands National Park, and the transmission by the Department of Fish and Game to the Secretary of a list of persons who are qualified and experienced hunters and who have proper hunting licenses issued by the State of Utah, the Secretary shall, on or before July 1 of that year, cause to be issued, without charge, orders deputizing the persons whose names appear on such list, in the number specified by the plan, as rangers for the purpose of entering the park and assisting in the controlled reduction plan. Each such licensed qualified hunter, deputized as a ranger, participating in the controlled reduction plan shall be permitted to remove from the park the carcass of any wildlife killed by him in accordance with such plan.

SEC. 8. The administration, protection, and development of the Canyonlands National Park, as established pursuant to this Act, shall be exercised by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 and the following), as amended and supplemented.

SEC. 9. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this Act.

Amend the title so as to read: "A bill to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes."

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., January 31, 1962.

HON. CINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR ANDERSON: Your committee has requested a report on S. 2387, a bill to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes.

We strongly advocate the enactment of legislation which would create a national park in the canyon country of Utah. The creation of such a park would be a very significant addition to the national park system. While the enactment of S. 2387 would accomplish this, we feel that several substantive changes should be made in the bill. These changes, made for reasons given herein, appear in the enclosed draft of bill. We recommend, therefore, the enactment of the enclosed draft of bill as a substitute for S. 2387.

The area proposed for establishment as the Canyonlands National Park—is located along the Green and Colorado Rivers, near their confluence. Within this area are three distinct scenic divisions separated by these two deep-canyoned rivers. All three divisions are spectacularly significant scenically and provocative scientifically. They contain visible archeological remains, distant panoramic views that defy description, and a geological exhibit in stereoscopic relief that is unsurpassed in any other area of the national park system. One division of the proposed park lies, generally, north of the confluence of the Green and Colorado Rivers; another generally westward from the confluence; and the third, generally southeastward from this confluence of the Green and Colorado Rivers.

This canyon country of Utah unqualifiedly merits preservation as a national park. Its rugged landscape contains a profusion of impressive red rock canyons, sandstone spires, arches, and other erosive features that may well be of world-wide significance. There are areas within the proposed park, such as the Needles and the Land of Standing Rocks, that remain essentially pristine. Other areas within the proposed park warrant preservation. The inclusion of these areas in the park would not preclude the exercise of any valid existing rights but would provide a means for protecting and preserving important esthetic and other natural values found there. The lands contemplated for park designation, including several Reclamation withdrawals which have been studied and declared to be nonfeasible, are predominantly public domain lands. The rest of the included lands are State owned; we propose to acquire these lands through equal-value land exchanges.

Establishment of this national park will provide immediate and long-range benefits to the people of the State of Utah and for all generations of Americans. The enclosed draft of bill contains provisions which would unlock and provide the public with the means of access to, and enjoyment and use of, an area possessing some of our most outstanding resources. It is expected that the opening up of this region to recreational and other visitor use will result in substantial economic benefits to the people of the State of Utah, since it would undoubtedly be one of the greatest scenic and scientific attractions in the national park system.

The substantial differences between the enclosed draft of bill and S. 2387, and the reasons therefor, are these:

1. Section 1 of the enclosed bill provides for a park approximately 332,292 acres in size. Under the provisions of section 1 of S. 2387 the park would consist of only 300,000 acres.

The description of the park boundary in section 1 of S. 2387 is a description which was furnished by this Department. At that time the area had not been sufficiently studied to make it possible to describe a boundary with particularity. The boundary description in S. 2387, consequently, describes a general area, with reference to features, within which the park could be established. Our studies have now progressed to the point where it is possible to describe with definiteness a boundary for Canyonlands National Park. Section 1 of the enclosed draft of bill furnishes that definiteness; it is the result of these considerations: holding the park boundary to the minimum necessary for proper preservation of the natural features and wildlife and providing for enjoyment of the park in a manner that will leave park features unimpaired for the enjoyment of future generations.

2. Section 3 of the enclosed draft bill deals with the subject of grazing, found in section 4 of S. 2387. The last sentence of section 4 of S. 2387 does not appear in section 3 of the draft bill.

The last sentence has been eliminated because there are no privately owned lands within the boundary proposed by section 1 of the draft bill.

3. The subject of mining appears in section 4 of the draft bill and in section 5 of S. 2387. While section 5 of S. 2387 would leave the minerals in the park open to location, entry, and patent (exclusive of the land containing the minerals) under the mining laws of the United States, the draft bill permits only those persons who have valid existing rights within the boundary of the proposed park at the time the bill is enacted into law to pursue activities under the mining laws of the United States, or obtain permits and leases under the mineral leasing laws.

This substantive change relating to mining is designed to allow for the maximum proper administration of the park.

4. Section 5 of the enclosed draft of bill contains subject matter not dealt with in S. 2387.

This section empowers the Secretary of the Interior to provide suitable access roads to the Canyonlands National Park and to certain facilities and services required in the operation and administration of the park. The area proposed for the establishment of Canyonlands National Park is the most remote and inaccessible land in the West. For that reason it will be of extreme interest to visitors. Presently, it can be reached only by means of very low standard roads. Roads of proper standard should be provided as part of the development program for the Canyonlands National Park. The approach road authorization in section 5 of the draft bill is especially desirable. The Department would proceed to construct necessary approaches to the park. This, the Department believes, is the only feasible means for enabling visitors to see the park. Because the proposed park is split by uncrossable rivers and canyons, a park road system of itself could not accomplish this objective.

The Department cannot estimate, at this time, what expenditures will be required in the foreseeable future to accomplish all of the objectives of the Canyonlands National Park; nor can the Department determine the precise timing of expenditures to attain these objectives. Nevertheless, the man-years and cost data statement required by the act of July 25, 1956 (70 Stat. 652; 5 U.S.C. 642a), when annual expenditures of appropriated funds exceed \$1 million, is enclosed.

In carrying out the program for the park within and beyond the first 5-year period every effort would be made to see that developments of greatest priority are provided first. No costs for the acquisition of lands within the park boundary would result from the enactment of the enclosed draft of bill. These lands are already in public ownership—Federal and State. State-owned lands would be acquired by exchange.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

ESTABLISHMENT OF CANYONLANDS NATIONAL PARK IN THE STATE OF UTAH

Estimated additional man-years of civilian employment and expenditures for the 1st 5 years of proposed new or expanded programs

Estimated additional man-years of civilian employment	1st year	2d year	3d year	4th year	5th year
Executive direction:					
Superintendent.....	1	1	1	1	1
Administrative assistant.....	1	1	1	1	1
Clerical and stenographic.....	1	2	2	2	2
Total, executive direction.....	3	4	4	4	4
Substantive:					
Chief ranger.....	1	1	1	1	1
Rangers.....	1	3	6	10	11
Chief park naturalist.....		1	1	1	1
Naturalist.....			2	3	3
Engineer.....		1	1	1	1
Landscape architect.....		1	1	1	1
Laborers and craftsmen.....	2	5	7	9	12
Total, substantive.....	4	12	19	26	30
Total, estimated additional man-years of civilian employment.....	7	16	23	30	34

Estimated 5-year expenditures and obligations

	1st year	2d year	3d year	4th year	5th year
Estimated additional expenditures:					
Personal services.....	\$44,500	\$94,500	\$127,500	\$162,000	\$181,000
All other.....	300,000	1,050,000	1,200,000	1,600,000	1,100,000
Total, estimated additional expenditures.....	344,500	1,144,500	1,327,500	1,762,000	1,281,000
Estimated obligations: ¹					
Development.....	1,267,500	797,200	1,887,200	880,500	1,082,200
Operations (management, protection and maintenance).....	83,000	170,000	270,000	330,000	390,000
Total.....	1,350,500	967,200	2,157,200	1,210,500	1,472,200

¹ No costs involved in acquiring lands within the park boundary.

A BILL To provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to preserve an area in the State of Utah possessing superlative scenic, scientific, and archeologic features for the inspiration, benefit and use of the public, there is hereby established the Canyonlands National Park which, subject to valid existing rights, shall consist of lands and interests in lands in the State of Utah within the boundary particularly described as follows:

SALT LAKE BASE AND MERIDIAN, UTAH

Beginning at the point on latitude 30° 30' common to Emery, Wayne, Grand and San Juan counties; thence east along said parallel (the boundary between said Grand and San Juan counties) to the west line of township 26 south, range 20 east, Salt Lake base and meridian; thence south along said west line of said township 26 south, range 20 east to the south line of said township 26 south, range 20 east; thence east along said south line of said township 26 south, range 20 east to the west line of section 5, township 27 south, range 20 east; thence south along said west line of said section 5, and the west line of section 8 of said township 27 south, range 20 east, to the south line of the north half of said section 8; thence east along said south line of the north half of said section 8 and along the south line of the north half of section 9, said township 27 south, range 20 east, to the west line of the east half of said section 9; thence

south along said west line of the east half of said section 9 and the west line of the east halves of sections 16, 21, 28, and 33 of said township 27 south, range 20 east, and the west line of the east halves of sections 4, 9, 16, and 21 of township 28 south, range 20 east, to the north line of section 28, said township 28 south, range 20 east; thence west along the north line of said section 28 and of section 29 of said township 28 south, range 20 east, to the west line of said section 29; thence south along said west line of said section 29 and the west line of section 32 of said township 28 south, range 20 east, and the west line of sections 5 and 8 of township 29 south, range 20 east, to the north line of the south half of section 7, said township 29 south, range 20 east; thence west along said north line of the south half of said section 7, said township 29 south, range 20 east, and along the north line of the south half of unsurveyed section 12, unsurveyed township 29 south, range 19 east, to the west line of the east half of said section 12; thence south along said west line of the east half of said section 12 and the west line of the east half of unsurveyed sections 13 and 24 of said township 29 south, range 19 east, to the north line of unsurveyed section 25, said township 29 south, range 19 east; thence west along said north line of said section 25 to the west line of said section 25; thence south along said west line of said section 25 and the west line of unsurveyed section 36, said township 29 south, range 19 east, to the north line of unsurveyed township 29½ south, range 19 east; thence east along the said north line of said township 29½ south, range 19 east to the west line of the east half of unsurveyed section 36 of said township 29½ south, range 19 east; thence south along said west line of the east half of said section 36, and the west line of the east half of unsurveyed section 1, partially surveyed township 30 south, range 19 east, to the south line of the north half of said section 1; thence east along said south line of the north half of said section 1 to the east line of township 30 south, range 20 east; thence south along the west line of section 6 of said township 30 south, range 20 east, to the south line of said section 6; thence east along said south line of said section 6 to the west line of section 8, said township 30 south, range 20 east; thence south along said west line of said section 8 to the south line of said section 8; thence east along said south line of said section 8 to the west line of section 16; said township 30 south, range 20 east; thence south along said west line of said section 16 to the south line of said section 16; thence east along said south line of said section 16 and the south line of section 15, said township 30 south, range 20 east, to the west line of section 23, said township 30 south, range 20 east; thence south along said west line of said section 23 and the west line of sections 26 and 35 to the south line of said township 30 south, range 20 east; thence east along said south line of said township 30 south, range 20 east, to the west line of unsurveyed section 35, partially surveyed township 30½ south, range 20 east; thence south along the west line of said section 35, said township 30½ south, range 20 east, and the west line of section 2 and of unsurveyed sections 11, 14, 23, and 26 of partially surveyed township 31 south, range 20 east, to the north line of unsurveyed section 34, said township 31 south, range 20 east; thence west along said north line of said section 34 to the west line of said section 34; thence south along said west line of said section 34 and the west line of unsurveyed sections 3, 10, and 15, partially surveyed township 32 south, range 20 east, to the north line of unsurveyed section 21, said township 32 south, range 20 east; thence west along said north line of said section 21, section 20, and unsurveyed section 19, said township 32 south, range 20 east, to the east line of partially surveyed township 32 south, range 19 east; thence north along said east line of said township 32 south, range 19 east, to the north line of unsurveyed section 13, said township 32 south, range 19 east; thence west along said north line of said section 13 to the east line of unsurveyed section 11, said township 32 south, range 19 east; thence north along said east line of said section 11 and the east line of section 2, said township 32 south, range 19 east, to the north line of said township 32 south, range 19 east; thence west along the north line of said township 32 south, range 19 east, the north line of partially surveyed township 32 south, range 18 east, and the north line of partially surveyed township 32 south, range 17 east, to the east line of unsurveyed section 33, partially surveyed township 31 south, range 17 east; thence north along said east line of said section 33 and of unsurveyed sections 28 and 21, section 16, and unsurveyed sections 9 and 4 of said township 31 south, range 17 east, and the east line of unsurveyed sections 33 and 28, partially surveyed township 30½ south, range 17 east, to the north line of said township 30½ south, range 17 east; thence west along

said north line of said township 30½ south, range 17 east, to the east line of unsurveyed section 33, partially surveyed township 30 south, range 17 east; thence north along said east line of said section 33 and of unsurveyed sections 28 and 21 of said township 30 south, range 17 east, to the south line of unsurveyed section 15, said township 30 south, range 17 east; thence east along said south line of said section 15 to the east line of said section 15; thence north along said east line of said section 15 and of unsurveyed section 10, said township 30 south, range 17 east, to the south line of section 2, said township 30 south, range 17 east; thence east along said south line of said section 2 to the east line of said section 2; thence north along said east line of said section 2 to the south line of partially surveyed township 29 south, range 17 east; thence east along said south line of said township 29 south, range 17 east, to the east line of said township 29 south, range 17 east; thence north along said east line of said township 29 south, range 17 east, to the south line of unsurveyed section 18, partially surveyed township 29 south, range 18; thence east along said south line of said section 18 to the east line of said section 18; thence north along said east line of said section 18 and the east line of unsurveyed sections 7 and 6, said township 29 south, range 18 east, and the east line of unsurveyed section 31, township 28½ south, range 18 east, to the north line of said section 31; thence west along said north line of said section 31 to the east line of partially surveyed township 28 south, range 17 east; thence north along said east line of said township 28 south, range 17 east, to the north line of unsurveyed section 25, said township 28 south, range 17 east; thence west along said north line of said section 25 and of unsurveyed section 26, said township 28 south, range 17 east, to the east line of unsurveyed section 22, said township 28 south, range 17 east; thence north along said east line of said section 22 to the north line of said section 22; thence west along said north line of said section 22 to the east line of section 16, said township 28 south, range 17 east; thence north along said east line of said section 16 and the east line of unsurveyed sections 9 and 4, said township 28 south, range 17 east, the east line of unsurveyed sections 33, 28, and 21, and of section 16, partially surveyed township 27 south, range 17 east, to the south line of the north half of unsurveyed section 15, said township 27 south, range 17 east; thence east along said south line of the north half of said section 15 and the south line of the north half of unsurveyed section 14, said township 27 south, range 17 east, to the east line of said section 14; thence north along said east line of said section 14, and the east line of unsurveyed section 11 and of section 2, said township 27 south, range 17 east, to the true right bank of the Green River; thence continuing due north to the boundary line common to said Wayne and said San Juan Counties; thence following said boundary line common to said Wayne and said San Juan Counties generally northwesterly to the point of beginning; such tract containing approximately 332,292 acres.

SEC. 2. Within the area described in Section 1 of this Act, the Secretary of the Interior (hereinafter referred to as "Secretary") may acquire lands and interests in lands by such means as he may deem to be in the public interest. The Secretary may accept title to any non-Federal property within the park and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction within the State of Utah and adjacent states, notwithstanding any other provision of law. Property so exchanged shall be approximately equal in fair market value: *Provided*, That the Secretary may accept cash from, or pay cash to, the grantor in such an exchange in order to equalize the values of the properties exchanged. Federal property located within the boundaries of the park may, with the concurrence of the agency having custody thereof, be transferred to the administrative jurisdiction of the Secretary, without consideration, for use by him in carrying out the purposes of this Act.

SEC. 3. Where any Federal lands included within the Canyonlands National Park are legally occupied or utilized on the date of approval of this Act for grazing purposes, pursuant to a lease, permit, or license issued or authorized by any department, establishment, or agency of the United States, the Secretary shall permit the persons holding such grazing privileges on the date of approval of this Act, their heirs, successors, or assigns, to renew the privileges from time to time subject to such terms and conditions as the Secretary may prescribe: *Provided, however*, That no such privilege shall be extended beyond the period ending twenty-five years from the date of approval of this Act, except as specifically provided for in this section. The Secretary shall permit a holder of

the grazing privilege to renew such privilege from time to time during the holder's lifetime beyond the twenty-five-year period, subject to such terms and conditions as the Secretary may prescribe, if (1) the holder is the person who held such privilege on the date of approval of this Act, or (2) the holder is the heir, successor, or assign of such person and was a member of that person's immediate family, as determined by the Secretary, on the date of approval of this Act. Nothing contained in this Act shall be construed as creating any vested right, title, interest, or estate in or to any of the Federal lands. The Secretary, by regulation, may limit the privileges enjoyed under this Act to the extent that they are appurtenant to the private lands owned by the persons who held such privileges on the date of approval of this Act, and may adjust such privileges to preserve the park land and resources from destruction or unnecessary injury.

SEC. 4. Within the Canyonlands National Park the valid rights of locators, entrymen, and patentees under the mining laws of the United States, and of permittees and lessees under the mineral leasing laws, existing before this Act takes effect, shall be recognized.

SEC. 5. (a) In order to provide suitable access to the Canyonlands National Park and facilities and services required in the operation and administration of the park, the Secretary may select the location or locations of an entrance road or roads to such park and to points of interest therein from U.S. Route 160 and State Routes 24 and 95, including necessary entrance and related administrative headquarters sites upon lands located outside of the park, and he may select a suitable location or locations outside the park for connections between entrance roads and between roads lying within the Canyonlands National Park.

(b) To carry out the purposes of this section, the Secretary may acquire non-Federal lands or interests in lands by donation, purchase, condemnation, exchange, or such other means as he may deem to be in the public interest: *Provided*, That lands and interests in lands acquired outside of the park as rights-of-way for said entrance roads and connections shall not exceed an average of 125 acres per mile. Rights-of-way and entrance and administrative sites acquired pursuant to this authority shall be administered pursuant to such special regulations as the Secretary may promulgate in furtherance of the purposes of this section.

(c) The Secretary may construct, reconstruct, improve, and maintain upon the lands or interests in lands acquired pursuant to this section, or otherwise in Government ownership, an entrance road or roads and connections of parkway standards, including necessary bridges and other structures and utilities as necessary, and funds appropriated for the National Park Service shall be available for these purposes.

SEC. 6. The administration, protection, and development of the Canyonlands National Park as established pursuant to this Act, shall be exercised by the Secretary in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, et seq.), as amended and supplemented.

SEC. 7. There are hereby authorized to be appropriated such sums as are necessary to carry out the purpose of this Act.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 28, 1962.

HON. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR ANDERSON: This supplements our report on S. 2387, a bill to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes.

Since writing to you on January 31, 1962, we have learned that a portion of the exterior boundaries of the proposed park described in our substitute bill embraces a small portion of the area of Lake Powell, the reservoir which will be created by the Glen Canyon Dam.

We do not intend to have the park interfere with any of the works of the Colorado River storage project. Therefore, to avoid an overlap of the park and the aforementioned works, we recommend the following change in the substitute bill enclosed with our January 31 letter:

On page 5 strike out lines 1, 2, and 3, and in lieu thereof substitute: "east line of the west half of unsurveyed section 34, partially surveyed township 31 south, range 17 east; thence north along said east line of the west half of said section 34, the east line of the west half of unsurveyed section 27, and the east line of the west half of unsurveyed section 22, said township 31 south, range 17 east, to the north line of said section 22, said township 31 south, range 17 east; thence west along said north line of said section 22, said township 31 south, range 17 east, to the east line of section 16, said township 31 south, range 17 east; thence north along the east line of said section 16, said township 31 south, range 17 east, the east line of".

The Bureau of the Budget has advised that there is no objection to the submission of this supplemental report to your committee.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., March 7, 1962.

HON. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate.

DEAR MR. CHAIRMAN: This is in response to your request of February 7, 1962, for a report on the proposed substitute for S. 2387, prepared by the Department of the Interior as a draft bill to provide for the establishment of the Canyonlands National Park in the State of Utah, and for other purposes.

President Kennedy has emphasized the need for expanding the national park system. Secretary Udall has reported recently to your committee concerning S. 2387, which would add the Canyonlands National Park to that system. His report strongly advocates the enactment of legislation which would create such a national park, but recommends the enactment of a draft bill as a substitute for S. 2387.

We agree that the draft bill is a desirable substitute in that it clearly delineates the proposed park and provides authorization for access. However, we recommend that the substitute bill be amended as hereinafter discussed.

The proposed substitute bill would authorize the establishment of some 332,292 acres of land near the confluence of the Colorado and Green Rivers in San Juan County, Utah, as the Canyonlands National Park. The draft bill contains numerous provisions of substance concerning the designation, establishment, administration, protection, and development of the park. Although most of the provisions in the draft bill are not of concern to this Department, some of those in S. 2387 would appear to be in conflict with the usual principles applied to the national parks.

The proposed national park area to be designated by Secretary of the Interior as described in section 1 of the draft bill would be at least 4 miles north of the nearest national forest lands of the Abajo Mountain Division of the Manti-LaSal National Forest.

The area proposed for establishment of the park is in remote and generally inaccessible country which presently can be reached only by very low standard roads. Section 5 of the draft bill makes specific provision for access roads and other needed facilities and services. If the construction of park approach roads should be authorized, one or more of these access roads might be located on national forest lands.

Construction and administration of such approach roads through the national forest by the National Park Service could have material effects on the use and management of the nearby national forest lands. Care would need to be taken that the policies and administrative practices applicable to such roads and those applicable to the national forests are properly correlated. For example, the commercial transport of logs, livestock, or minerals normally is not permitted on park access roads. Hunters are not authorized to carry firearms on park approach roads, except under restricted conditions. These uses, of course, are all permitted on the national forest areas through which the roads might be built. Where topography is rugged, the opportunities for crossing a park access road and for ingress and egress points might be limited. Movement of timber, livestock, minerals, and other national forest products and of national forest users, such as hunters, to and from national forest lands would need to be pro-

vided for. Coordination of construction and management of public recreation facilities on the park approach roads and adjoining national forest would be necessary to avoid duplication and to provide adequately for public use.

For the foregoing reasons, we believe that it is essential that the location and specifications of any portion of such a roadway within the national forest be jointly determined by the Secretary of the Interior and the Secretary of Agriculture. This could be accomplished in the draft bill by changing the period at the end of section 5(a) to a colon and adding "*Provided, That the location and specifications of any portion of such a roadway within national forests shall be jointly determined by the Secretary of the Interior and the Secretary of Agriculture.*"

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

CHARLES S. MURPHY, *Acting Secretary.*

FEBRUARY 14, 1962.

FEDERAL POWER COMMISSION REPORT ON S. 2387, 87TH CONGRESS

(A bill to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes)

The boundaries of the proposed Canyonlands National Park would include those reaches of the Green and Colorado Rivers lying south of the Grand County line to their confluence, and that reach of the Colorado River extending downstream therefrom to the mouth of Calf Creek on the right bank and to Gypsum Canyon on the left bank. In all it would include approximately 67.5 miles of the Colorado River and 52 miles of the Green River. Some of the lands have been withdrawn for power purposes.

The establishment of the park would include some 5 or more miles of the upper reaches of the reservoir (Lake Powell) created by the Glen Canyon project which is now under construction. Further there is an undeveloped hydraulic head of about 245 feet between the backwater of Lake Powell and the town of Moab, with most of the fall being within the proposed boundaries of the park. No up-to-date study of how this head could best be utilized for future power development has been made, but it is clear that there is a potential power value involved.

Part I of the Federal Power Act, among other things, authorizes the Federal Power Commission to license the development by non-Federal interests of hydro-electric resources at power sites on "public lands and reservations of the United States." However, section 3(2) of the Power Act, which defines the term "reservations," specifically excludes "national monuments or national parks" from those land areas subject to the licensing provisions of the act. Therefore, if this legislation were enacted the Federal Power Commission would not have authority under existing law to issue licenses affecting any sites which would be within the Canyonlands National Park, and any power development would require express congressional approval.

FEDERAL POWER COMMISSION,
By JOSEPH C. SWIDLER, *Chairman.*

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., January 31, 1962.

HON. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Bureau of the Budget on S. 2387, a bill to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes.

The report which the Secretary of the Interior is submitting on this bill describes the characteristics of the area proposed for inclusion in the national park system and transmits a draft of bill as a substitute for S. 2387.

The Federal Power Commission, in commenting on the Secretary's report, made reference to the power potential of the area and your committee may wish to seek the Commission's views on this matter.

With respect to the access roads which would be authorized by section 5 of the substitute draft bill, it is suggested that provision be made for joint determination with the Secretary of Agriculture in the event any portion of such access roads involve lands under his jurisdiction.

This Bureau would have no objection to the enactment of S. 2387 if amended as suggested by the Secretary of the Interior.

Sincerely yours,

PHILLIP S. HUGHES,

Assistant Director for Legislative Reference.

Senator BIBLE. I am pleased to recognize as our first witness, the author of the bill, Senator Moss of Utah.

STATEMENT OF HON. FRANK E. MOSS, U.S. SENATOR FROM THE STATE OF UTAH

Senator Moss. Thank you very much, Mr. Chairman.

I appreciate this opportunity. I suppose a comment about these pictures might be made. Mr. Lynn Fausett of Utah is one of our leading artists, and he has painted some gorgeous pictures of this country that is involved in this bill.

Mr. Fausett has been displaying these pictures, during the week over in the old Supreme Court Chamber, so it occurred to me late yesterday that perhaps we could transport some of the pictures here and the people who have not had a chance to go over there, at least can see some of them here.

The exhibit is still on, and others who want to go later in the week certainly are welcome to do so.

But I will confine myself to a written statement because of the pressure of time and the number of witnesses that we need to hear.

I appreciate the opportunity to appear as the first witness on S. 2387 to create the Canyonlands National Park. I introduced this bill last year after an on-the-spot visit to the area was made by Secretary Udall, Secretary Freeman, representatives of the National Park Service, Utah's two Congressmen and others. Governor George D. Clyde of Utah joined the inspection party for part of the trip. This visit confirmed many things that I already knew about the magnificent scenic area and persuaded me to introduce a bill.

Since that time a great deal of discussion has been had on this subject. Subsequent to the introduction of my bill, my distinguished senior colleague from Utah who, I am happy to note, is here today, introduced a bill to create three small national parks in areas embraced within this park proposal.

Governor Clyde expressed his opposition to the Canyonlands National Park bill and appointed a committee to study the proposal and to prepare a recommendation. That committee has completed its work and submitted a report which I have before me. I ask that this report of the Governor's committee be made part of the files of this Public Lands Subcommittee for reference in considering the bill which is now before it.

Senator BIBLE. The report of the Governor's committee on the Canyonlands National Park will be made a part of the committee hearings, and will be adopted by reference for the use of the committee.

Senator Moss. Thank you.

(The document referred to will be found in the files of the committee.)

Senator Moss. The Governor's committee recommended that only about one-third of the area under consideration be included in the national park and that the remaining two-thirds be classified as a national recreation area, to be managed by the National Park Service but under different standards of management.

That committee further recommended that the national park areas, which are not contiguous, but occupy separate spots, be connected by a national park roadway to be maintained and managed in a manner similar to that applied to the park.

The amended Canyonlands National Park bill before us contains only a general description of the area and provides that the Secretary should publish later a detailed metes and bounds description. At this time I would move to further amend my bill by substituting the exact description of the lands, which is the same as prepared by National Park Service in its report with just two exceptions. This land description which I offer differs from the other submitted by the Park Service, in leaving out an area along the northern boundary of the park and, particularly, in the northeast corner where an oil well has been drilled successfully.

This exclusion would be of 1,120 acres from the description that was submitted by the Park Service. This eliminates any problem of including a producing well within the park.

The second variation from the Park Service land description is the elimination of a portion of the land in the southwest corner, to make certain that waters from Lake Powell will not enter the park, even at the maximum level of the reservoir. This eliminates the intrusion problem which has been encountered at Rainbow Bridge National Monument and eliminates any similar demand that a dam be erected to exclude reservoir waters.

At this point I also wish to further amend my bill by inserting in section 3 language which requires the Secretary, within 30 days of the date of the act, to offer to exchange Federal lands outside the park area for lands encompassed within the area and now owned by the State of Utah. These State lands consist of school sections and the river bottoms. The State of Utah is entitled to Federal lands of comparable value in exchange for lands which it must give up in the park area. I am confident that the Department of the Interior will be liberal and understanding in working out these exchanges so that the State will unquestionably receive lands of equal, or even greater, value.

Moreover, the State will be able to acquire lands that are "blocked up" rather than scattered and relatively inaccessible.

Senator ANDERSON. What would you say your amendment would do?

Senator Moss. This would require the exchange to be made within a 30-day period after the bill becomes law, and the reason for that is there are complaints now that some sections enclosed in national parks in our State have not been exchanged even to this date, many years later.

Senator ANDERSON. You cannot require it, though.

Senator Moss. Require that they effect the exchange?

Senator ANDERSON. You can offer but you cannot require. We have got a State Land Commission in New Mexico, and I know the Commissioner has been trying to exchange some land for a long time. It is inside a bombing range. You can pass 50 laws requiring him to do so, but if he won't do so he won't do so.

Does the amendment simply make it possible for the exchange to take place?

Senator MOSS. It sets a time period. Of course, the State owns these pieces of land in there, and if the State is to be deprived of ownership there must be an exchange, something must be given as quid pro quo, and this requires that to be done.

Senator ANDERSON. Isn't that the most that you can do to offer the exchange?

Senator MOSS. Well, a straight-out offer might not be sufficient because of a possible deadlock.

Now, we did talk about whether there might be included in here some provision that you have a third party arbiter of some sort to break the possible deadlock. But——

Senator ANDERSON. You cannot still force the State to do it if the State does not want to, and you cannot force the Secretary of the Interior to do it even if he is a third party if he does not want to.

I am just wondering if you could do more than offer.

Senator MOSS. Compelling him, I would accept that amendment that the Secretary be required to make the offer in that period of time of the exchange.

Senator BIBLE. I think the amendment is somewhat of a technical nature, and we had better have the benefit of some legal advice as to how effective it can be. I think the amendment must be considered at the time when we move along in this hearing.

Might I ask this question: Roughly, how many acres do we have involved within the State lands within the proposed boundaries of Canyonlands National Park?

Senator MOSS. Well, we are talking about something like 20,000 acres.

Senator BIBLE. That title is now in the State of Utah?

Senator MOSS. Yes. In there.

Senator BIBLE. This amendment is a proposal to permit the State to exchange with the Federal Government——

Senator MOSS. For Federal lands outside.

Senator BIBLE. Federal lands.

Senator MOSS. As I was pointing out, this could be done in blocked-up areas, which has been very important before.

The reason this arose, Mr. Chairman, and I agree with you we are going to have to, of course, deal with the technical problem as we wrestle with this in executive session, the reason this arose is that the State land board, being concerned about the slowness of exchange, asked for an amendment to require the exchange to be made before the park was created.

Well, of course, before it is created there is no legislative authority to do that. At least it would grow out of this if we set any time limit on it.

There is, of course, general power now to exchange.

Senator ANDERSON. If it is easy to exchange later it should not be too hard to exchange now, should it?

Senator MOSS. No, and I think——

Senator ANDERSON. Do you know what the land is in question, Mr. Wirth?

Mr. WIRTH. Approximately 27,000 acres of State land.

Senator ANDERSON. What type of land is it?

Mr. WIRTH. School sections.

Senator ANDERSON. What type is it, forest land?

Mr. WIRTH. No. There is no forest land of any consequence in here. It is land similar to this you see in the pictures.

Senator MOSS. It is just rocky, colorful buttes and rocks, and no vegetation.

Senator BIBLE. The State of Utah acquired this land by virtue of the School Act, is this right?

Mr. WIRTH. That is right.

Senator BIBLE. This is the source of their title?

Mr. WIRTH. Yes, sir; regular land grants of the State.

Senator BIBLE. I think this is a matter that will require the assistance of technical advisers and legal experts.

I somewhat join with the chairman of the full committee in that there will be considerable doubt in my mind that you can actually force the State of Utah to make this exchange. I do not think you can. You can set the framework by which they could do it. I do not think it is enforceable in a court of law compelling them to do it.

Senator MOSS. We would require that the offer be made in a given time.

Senator BIBLE. I think you can set up the framework for doing it. Thank you.

Senator MOSS. The committee notes, of course, that the bill provides for the building of access roads by the Secretary of the Interior to make the national park accessible from three sides. This provision is necessary because we are dealing with one of the most remote and inaccessible areas in the United States. Access can be had on the great rivers that run through the park but there is a absence of roads on the western side and only a very primitive road into the Needles area. There is a reasonably good road to the Island in the Sky.

The bill before us also contains provisions for continued exploration for, and production of, minerals, including gas and oil, within the park area, subject to general regulations by the Secretary of the Interior to protect the scenic, scientific, and recreational values of the park. This area has not been fully explored for gas and oil, nor for other minerals which exist in Utah some distance from the park borders. For this reason it is believed that continued exploration should be permitted but that this activity must be done in a way which will not impair or degrade the principal use and purpose of the park. I feel confident that this can be done and this is a provision which has been accepted heretofore by the Senate in the creation of national parks.

The bill provides also that the National Park Service and the director of the Utah Fish and Game Commission shall cooperatively work out a program to control the wildlife population within the park in order to protect the wildlife and the vegetation of the park, as well.

This control will be exercised by permissive hunting at predetermined times by licensed hunters from the State of Utah, thus furnishing recreation as well as scientifically managing the game and the foliage. This provision is patterned on the one in the bill creating Grand Teton National Park. We have learned through the years that wildlife must be kept in balance with its environment and when the natural predators have been reduced or eliminated, there must be a scientific harvest of game if we are to prevent starvation and range damage. I should point out that the vegetation is scarce in the park so the likelihood of an overabundance of game is not too pressing. However, this safeguard for game management should be provided.

I will not take the time of the committee to discourse at any length on the superlative natural features of the Canyonlands National Park. The area all but defies description. Yesterday I addressed the Senate and spent some time talking about Canyonlands. I ask that my speech on the floor of the Senate be made part of the record here.

Senator BIBLE. Without objection, that will be ordered.

(The document referred to follows:)

CANYONLANDS NATIONAL PARK

Speech of Senator Frank E. Moss, Democrat, of Utah, prepared for delivery on the floor of the U.S. Senate, March 28, 1962

Mr. President, tomorrow the Public Lands Subcommittee of the Senate Interior Committee will open hearings on my bill to establish a Canyonlands National Park in southeastern Utah.

I speak here today both as a Member of the U.S. Senate and as a citizen of Utah who is vitally concerned with the conservation of this awesome and splendid area bequeathed to us by a loving Creator. It is an unparalleled natural heritage which belongs to all of the people. It must be honored for spiritual and economic reasons of major importance to Utah and the Nation.

Two great space races now confront us. On the one hand, there lies a great challenge of outer space. On the other, there is the problem of play and living space for the American people. We dare neglect neither.

I am entirely confident that the outer space race will be won. The outer space challenge has already aroused the finest emotions of mankind. By the turn of a decade we will certainly have placed a man upon the moon and returned him to Mother Earth.

The race for outer space places new demands on us. It makes peace in our time—to be kept for all time—an imperative. There is hope that in groping for the infinite, man will find new dimensions for peaceful living down here.

Over the next decade, the American people will be called on to spend at least \$40 billion to conquer outer space. Few question the value of this expenditure. Few deny that the Nation with its present \$550 billion output can afford it.

But it will gain us little to win the moon only to lose our earthly heritage. Our populated globe yearly grows ever more crowded. Yet the cost of preserving a share of our land for play and recreation is small. We can well afford the relatively few millions needed to set aside here on earth areas of natural beauty for play and communion.

The United States now has one of the highest birth rates in the world, and each year the lifespan increases. By the year 2000, there will be 350 million of us. The implications press upon us from all directions. Not the least of these is the contraction of recreation space in the highly populous east and Midwest.

Fortunately time has not yet run out on us. In the East and the Midwest, there are still some lands which can be set aside if we only act now. In the West, opportunity awaits to be grasped.

Our States of the West, however, depend on income-producing uses of our public lands to provide a significant portion of our material prosperity. Recreation is only one of the uses that is important to us. We cannot afford to devote lands to recreation if this reduces the economic benefits that flow from them. Fortunately the experience of the areas in which our great national parks are

situated has proved that the development of tourist attractions is in itself a land use of the greatest economic value.

Every summer weekend there is an outpouring from our cities that taxes the capacity of our highways to the limit. Almost every foot of public space within a hundred miles or so of our urban centers becomes a place to go and play. Each year more millions pile into the family car to visit the great outdoors, and each year there seems to be less of the outdoors in which to play.

The rush to get away from it all—to find an open space in which to restore body, mind, and spirit has hardly begun. It seems the more the world faces crises, and the faster the pace of daily living, the more man must seek nature to maintain his personal stability.

It may seem that all America is on wheels now, but actually not more than half the Nation ventures more than 200 miles from home in a given year. The main reason is economic. Our new technology must inevitably raise living standards if it is not to push us into history's dustbin.

Along with more money, America will have more time to travel in the future. We hear predictions of a drastically shorter workweek. A Columbia University professor, who is also a labor arbitrator, recently outlined a formula which looks toward a 20-year workspan instead of the reduced workweek which automation is threatening to force on us. Either way, we will have a new kind of world, and it behooves us now to prepare if technology is truly to mean progress.

I cannot believe that America will permit its workers to become unemployed victims of a new machine age. We must win the race for park and recreation space. We must prepare ourselves for the great onrush of tourists. An important part of that preparation lies in adding suitable areas to our national park system.

We have not done a good job in recent years. In the Truman administration, only 73,000 acres were added to the Federal parks. Under General Eisenhower, the figure dropped to about 19,000. An effort to get moving again in this important sphere is very much in order.

It would be hypocrisy to claim that Congress has already provided an adequate stock of national parks. Thanks to the addition of Cape Cod last year, we now have a total of 30 national parks, of which 2 are shoreland.

Some 50 million Americans made almost 80 million visits to these national parks in 1961. By 1970, that number is expected to double. Little wonder then that today's facilities are overcrowded and that campers must often make reservations almost a season ahead.

The National Park Service has built a fine tradition and has given the people great pleasure. But not even the best of traditions and the finest esprit can accomplish the miracles that will soon be required unless more lands are added and developed as national parks.

President Kennedy has proposed the addition of 1.1 million acres in 10 more national parks. The greater part of the land is federally owned, and most of it is in acres remote from industry and commerce. In view of the need, the request is quite modest.

It is against this background that I ask support of Canyonlands, an area far off the beaten track in southeastern Utah. I introduced the Canyonlands bill last August after a special inspection visit to the area. Passage of the measure would be consistent with the recommendations of the President, the Interior Department, the National Park Service, and the recommendations of the Outdoor Recreation Resources Review Commission.

The cost of acquiring all 10 parks proposed by President Kennedy would be \$63.7 million—a small investment in the Nation's future in this day of space exploration. The cost of acquiring Canyonlands would be little or nothing. All but a small part is federally owned, and the area which is outside the Federal domain is owned by the State of Utah. The State will be able to select Federal lands of equal area and value in exchange for the State lands surrendered—a right which in the past has enabled Utah to acquire for our school fund, lands with proven and potential minerals.

Secretary of the Interior Udall and Secretary of Agriculture Freeman led the expedition to the Canyonlands last summer which preceded the introduction of the Canyonlands bill. Secretary Udall called the entire area surrounding Canyonlands the "golden circle of national parks," since it embraces at least eight existing and proposed national parks and monuments in the Four Corners section—the only spot in the Nation where four States meet: Utah, New Mexico, Colorado, and Arizona.

To enter Canyonlands, we traveled by helicopter, jeep, boat, and "shank's mare." Local people jeeped in to swell the expedition to the largest group ever to occupy this remote area since the Indians vanished, leaving behind their mysterious petroglyphs, arrowheads, and cliff dwellings.

Once Secretary Udall saw the area, he ordered the National Park Service and the Bureau of Land Management to protect the surrounding area from indiscriminate land use. The order was intended to preserve invaluable prehistoric Indian ruins from vandalism and to protect the natural wonders from commercial damage.

The most spectacular of the scenery and some of the best preserved of the prehistoric Indian ruins center around the confluence of the Green and the Colorado Rivers, and it is here that my bill proposes to set aside an area about 30 miles long and varying in width from 10 to 20 miles—or about 500 square miles—for our own and future generations to have and to hold unsullied and unspoiled as the Canyonlands National Park. It is an area unlike any other on this earth.

Words cannot describe the beauty and the grandeur that is Canyonlands. Here time, the rivers, erosion, and the still desert air have combined to fashion cathedrals, minarets, spires, needles, domes, mesas, and canyons. Here nature has proven herself the supreme architect.

In his famous "Kubla Khan," Coleridge described how "Alph, the sacred river ran through caverns measureless to man" beside the great Khan's "stately treasure trove." It would, perhaps, take Coleridge to describe adequately the stately treasure trove that nature has fashioned in Canyonlands where the Green and the Colorado wind endlessly through deep gorges toward the far-off sea.

Here is the land of sandstone and basalt—the barren rock from which all earth was formed. Two rivers have worn away the rock inch by inch, eon upon eon. In the heart of Canyonlands, the rivers make confluence with a mighty swirl. Two thousand feet down, below the canyon rim, two distinct colors join to become the mighty Colorado, which, 200 miles southward, has carved out Grand Canyon.

This is Canyonlands. I know I grow rhapsodic. But the picture of what God has fashioned here stands out sharply in the mind's eye. Here man's individual insignificance is sharply impressed on all who may visit. Here man stands small beside the spectacular monuments fashioned by the Creator.

This is the land of the needles, spires of rock towering above the desert floor. Navajo Baby, a smaller needle, marches along with his elders. In the desert, a lone needle stands starkly against the cloudless blue sky. Here in the land of the standing rocks stand great edifices that tower high above the benchland.

Graceful arches and towering domes defy the imagination. Angel Arch, Druid Arch, Castle Arch—the very names bring vivid images to mind but must be seen to appreciate nature's sweep. Each is unique. Each is equal to any of the better known wonders of our world.

This is a land of cohesive forces and massive contradiction. Suddenly there are placid reaches bordered by colorful flowering desert plants. Everywhere, there are canyons. Always, far off at the horizon's end, the LaSal, Henry, and Abajo Mountains stand as mute blue guards of the "treasure trove."

Across the Colorado on the western rim, a broad bench, laced by narrow canyons, extends for miles. Within the wilderness of windswept rock, a network of such canyons is known with good reason as the Maze.

Each day is a mass of ever-shifting colors. The cliffs are soft pink at sunrise and blood red at noon. At evening, the shadows play tricks with the naked eye as reds, oranges, and pinks fade into deeper twilight hues.

Ages ago, the now forgotten Anasazi Indians made their homes amidst these formidable cliffs and developed a civilization of high order. These were the forebears of the Pueblo Indians who came out of such canyons almost 3,000 years ago.

Thanks to the dry desert country, the story of the Anasazi has been preserved upon the red rocks. At Newspaper Rock, in Indian Creek, the story is chiseled and painted in graphic detail, awaiting the patient work of some modern scholar. Throughout the canyons, there are invaluable archeological discoveries to be made, including campsites occupied perhaps 25,000 years ago when our civilization was not even a dream.

From almost any vantage point, the view is breathtaking. From Grandview Point, one looks out from a mighty red-rock formation properly named the Island-in-the-Sky onto Standing Rock Basin and sees below the twisting water

ribbons of silver edged by the only green visible in the ochered pallisades of sandstone. Elsewhere are Upheaval Dome, the Devil's Pocket, the Gong, Candlestick Spire, the Fins, Doll House, Elephant Canyon—the very names bring exciting visions.

"This constant change of experience," wrote one who explored the area, "is one of the things that permits the whole Utah wilderness to have such a great impact. You are swept from a scenic wonder to a historic one; from an exposed geologic fact to an extraordinary geographic one."

The area is a single whole and must be treated as a unity. It deserves national park treatment, and the care that the National Park Service will bestow on it.

Every man has the desire to accomplish something outstanding in his career, and we in the Senate are no exception. In my mind, nothing could be more satisfying for this Senator from Utah than the creation of Canyonlands. I would like to be remembered for any small part I might play in bringing these wonders to a world much in need of their majestic sweep and timelessness.

But the words "national park" seem to stir up the acquisitive instincts of some among us. This is particularly the case in areas of high population density, such as Indiana Dunes and Sleeping Bear.

It would be thought that an area so remote as Canyonlands would escape this kind of attack. But here, too, the proposal to create a national park for the people has brought forth cries of anguish. I intend to deal here with the objections raised and, I hope, to quiet them.

Canyonlands—as I am sure some will point out—makes up about one-fifth of the proposed parks area included in President Kennedy's list. It is also presently the least accessible. But the area is small indeed compared with the land area in my State.

Utah's Governor George Clyde and the senior Senator from my State, Mr. Bennett, have objected to the size of the proposed park. Seeking to magnify that size, they have talked only in terms of acreage.

"I note that the total area involved is somewhat larger than 300,000 acres. I respectfully urge you to reconsider this year, as it is, in my judgment, far too large * * *" the Governor has said.

How much is 300,000 acres?

It is proper, indeed, to put the question of size into context. The area is roughly from 10 to 20 miles wide by 30 miles long—about 500 square miles as I have already pointed out.

This amounts to less than three-fifths of 1 percent of Utah's 54.3 million acres. It is less than 0.8 of 1 percent of the 40 million acres of federally owned land in the State.

Utah has two other national parks: Bryce Canyon and Zion. Together, these are 233 square miles in area. With the addition of Canyonlands, only some 750 of Utah's 84,990 square miles will have been set aside as national parks.

True, the north end of Canyonlands abuts Dead Horse State Park where Utah now guards for the people scenic grandeur of great magnificence. But Dead Horse State Park is only 7 square miles of park. Even with Canyonlands, Utah will hardly be overburdened with park land area.

Canyonlands, Bryce, Zion, and all of Utah's State parks combined would be lost in Yellowstone's 2.2 million acres. In view of the economic benefits of Yellowstone, I doubt that Wyoming and Montana would want to change the status of these acres.

Some who put commercial gain first claim there may be large-scale oil and mineral wealth beneath our rugged rocks at Canyonlands. At the request of the National Park Service, the Bureau of Economic and Business Research of the University of Utah has recently completed an analysis of the impact of the proposed Canyonlands National Park on the economy of the surrounding area. The report indicates that there well may be some mineral deposits within the park. No one ever knows what lies deep below the surface. There are, however, no known commercial deposits. The park area has been thoroughly prospected for uranium, and the last production was in 1957. There very likely is some potash, but the new Texas Gulf Sulphur Co.'s, \$30 million potash mine and operation north and east of the park should take care of our potash needs for some time.

Almost the entire area is under oil and gas lease. Ten dry holes have been drilled, and an eleventh just brought in a producing well on the northern boundary of the proposed park. Although the well could be operated under the pro-

visions of my bill, I am introducing an amendment to remove this area from the park boundaries.

Because it is entirely possible that there may be mineral deposits of commercial value in the park, the Moss bill recognizes all existing rights and leases, and permits further exploration for minerals, including oil and gas. Such wealth could be extracted, but not on an uncontrolled basis. Development would be subject to general regulations issued by the Secretary of the Interior so that scenic, scientific, and recreational values of the park would not be impaired or destroyed. There is precedent for such permissive mining in the national parks in the Senate-passed bill to create a Great Basin National Park in Nevada. In Mount McKinley National Park in Alaska and in a number of national monuments we permit mining. Such mining would not be inconsistent with the National Parks Act. The Moss bill seeks to meet the park's opponents halfway and to guard the wealth that could advance the economic welfare of Utah.

Yet the bill is subject to continuing attack as a "land grab." The reason is crystal clear. Park opponents want to mine and exploit and despoil without limit, if that would suit their purpose. No scenic treasure would be sufficiently valuable to deter an uncontrolled attack on these wonders. I say that if this bill is a "land grab," it is unique in history, in that it is a "grab" for the people—and it is land already owned by the Federal Government.

Southeastern Utah has elk, deer, mountain lion, and chukar partridge. Hunters have complained that a national park will cut off their right to track down this game. It is true that if left unchecked, wildlife some times multiplies too rapidly, and without proper management, sows the seed of its own destruction. Although the carrying capacity of the foliage resources of the lands within the parks is limited, and the area could never sustain large herds or flocks of game, the Moss bill provides for a controlled hunt by properly licensed Utah hunters to bring game into proper balance should this become necessary. The provisions of the bill on this score are clear. They are intended to preserve wildlife over the long pull, and are based on the principles now operating successfully in the Grand Teton National Park in Wyoming.

The bill would also protect present grazing rights in the area for at least 25 years. Again, because the land cover is sparse, grazing is not a major industry in the area. At the present time the area encompassed by the proposed park is sustaining about 10 sheep and 1 cow for every 500 acres for part of the year.

There are those who say that the Moss bill, while insisting that the primary use of the land be for a national park, goes too far in permitting multiple use. I want to point out that my bill is fully consistent with the multiple use principles suggested by the Outdoor Recreation Resources Review Commission. Changes in our society are making necessary changes in our concepts regarding the use of areas set aside for national parks.

But I do not agree that the proper approach is the half park, half recreation area recently suggested by the senior Senator from Utah, Mr. Bennett, in concert with Governor Clyde. This is a vast retreat from the original proposal made by Senator Bennett which called for three widely separated tiny parks with a combined area of about 11,000 acres. The new approach, with about 100,000 acres of national park, surrounded by 200,000 acres of recreation area, is an unnatural division which would keep the area from being treated as a unified whole, and would offer no guarantee—as required under the National Park Act—that the scenic and historic wonders and wildlife shall be left unimpaired for the enjoyment of future generations.

I favor national recreation areas where scenic and scientific wonders are not necessarily to be preserved for all time, and where the natural habitat of wildlife might have to be unduly disturbed by the commercial activities of man. The difference is illustrated very well by the Glen Canyon Recreation Area cited by the sudden converts to this course. This recreation area will be man made, born of the building of the Glen Canyon Dam. In gouging out this dam and filling Lake Powell, natural wonders and habitat will be destroyed. We are taking advantage of the great manmade lake to build around it a recreation area, which, incidentally will impinge almost on the southern borders of Canyonlands, and will help to bring visitors to the park.

But a recreation area to surround a small Canyonlands Park is something else. Responsible officials of the National Park Service have emphasized that scenic overlooks which are national park, and which look out across a view that is recreation area, are virtually impossible to administer. There would be scenic and scientific resources that they might be powerless to protect. Undoubtedly even an overlook park would open up the area to tourism. But there

would be no effective way to prevent for long the despoiling of the natural wonders by a honky-tonk of roadside stands and motels, or by oil derricks or slag heaps, outside the overlook park limits.

Congress has never yet authorized a half-park, half-recreation area as a substitute for an integrated national park. Those seeking to foist such a substitute on us fail to reckon with the deep measure of responsibility most of us feel to our natural heritage. The Moss bill seeks to protect and foster the great dream embodied in the National Park Act.

As a unified national park, Canyonlands can be intelligently developed for tourist and camper purposes without harm to the treasures now locked up there. It is proposed to build at appropriate places picnic grounds, cottages, modern campsites, primitive campsites for the more adventurous, a lodge, stores, a visitors center, an observation building, a district headquarters, and other essential physical facilities. There would also be jeep tours, saddle horse rides, and boat tours. Nothing is more wondrous than a trip on the Colorado River or the Green River looking upward at the magnificent cliffs and spires that tower above the canyon floor.

The American Automobile Association has estimated that last year some 4 million tourists stayed in my State for an average of 2.2 days. Arizona had 16 million tourists. Nevada had 15.5 million who stayed 2.6 days each. Obviously, Utah is failing to take advantage of its tourist assets.

Although Canyonlands is relatively inaccessible, it is not far from main highways. To the northeast is the town of Moab, and to the southeast is Monticello. These are on main traveled highways. The new Interstate Highway U.S. 70 main transcontinental link between Denver and Los Angeles, will traverse Utah within 40 miles of the northern border of the park. Millions of dollars will be spent in access roads to open up the park—it has been estimated that an outlay of \$15 million for such roads will open up this treasure to man. It is now locked up to all but a hardy few.

The tourist trade is already of key importance to Utah, since it brings in perhaps \$100 million annually—about \$100 per capita. There is ample opportunity for Utah to prosper further. The secret of expanded tourism is the unique, the different, the wonderful. Canyonlands is all of these. It could attract perhaps half a million tourists annually within a very few years. Eventually, it could attract millions each year as tourism continues to expand. It is worth far more to Utah in economic terms alone than any small amount of mineral wealth that might possibly be foregone to protect its great heritage.

Secretary Udall, after seeing Canyonlands, described the area as one which may be of worldwide significance. The day may well come, with the growth of living standards abroad, when this and other U.S. scenic wonders will attract tourists by the thousands from abroad. In a world of gold outflow problems, wisdom would dictate the preservation of our scenic wonders for the enjoyment of all people through the decades.

Where the great rivers join in eastern Utah to form the surging Colorado which plunges then through Cataract Canyon in its rush to the sea, lies this unique area which defies adequate description for color, geologic wonder, and heroic view. For centuries it has lain almost unnoticed, but with awareness of the coming tide of Americans seeking outdoor beauty, we now should open it, make it ready for use, and preserve it to future generations unimpaired as a scenic, scientific and recreational national park.

Senator Moss. Let me sum up by saying that I believe we now have an opportunity to create a great new national park. The President of the United States, in his message to the Congress, called for creation of this Canyonlands National Park. In creating the park, we spell out elements of management which did not prevail in national parks created 50 or 80 years ago. But, I believe that it is entirely wise to move forward in our consideration of park management.

We all know that the pressures of our population for outdoor and national park experience is growing and will continue to grow. At the same time, these same pressures demand that maximum use be made of all of our natural resources for the benefit of our people. It is required, therefore, that we permit secondary uses of our land area when we establish a primary use as a national park. This is the view

that I have taken on the barrier dams at Rainbow Bridge National Monument and on hunting provisions in Dinosaur National Monument. This is the view that the Congress adopted in creating the Cape Cod National Seashore, where continued residence in the park is permitted. This is the view that we are considering in the Padre Island National Seashore, the Point Reyes National Seashore and the Sleeping Bear Dunes in Michigan. We must have more parks and we must accept some degree of secondary use that can be controlled so as not to impair or damage the primary use.

I think that my position as a supporter of national parks is clear. I have strongly supported the national park measures that have been before this committee since I came to the Senate. In many instances I have conducted the field hearings on these various bills. I feel strongly that now is the time to move to preserve a remarkable area for the benefit of my State and for the benefit of the United States and to make this area accessible to all of our people.

I appreciate the cooperation of the chairman of our subcommittee, Mr. Bible, and of the chairman of our Interior Committee, Mr. Anderson, in placing this matter on the agenda at an early time so that it will be possible to get Senate action this year. I appreciate the many witnesses who have come to testify here in Washington and others who have indicated their desire to be heard at hearings in Utah. I will listen to all of this testimony with great interest.

Thank you, Mr. Chairman.

Senator BIBLE. Thank you very much, Senator Moss.

Are there any questions?

The next witness is the distinguished senior Senator from Utah, Senator Wallace Bennett.

Senator Bennett, we are very happy to have you here, and I think if you would just come up and possibly about here, that would be all right. We are surrounded by pictures, as you can see.

STATEMENT OF HON. WALLACE F. BENNETT, U.S. SENATOR FROM THE STATE OF UTAH

Senator BENNETT. Mr. Chairman, I would like to begin by congratulating my junior colleague in his initiative in bringing to Washington these beautiful pictures of this area by one of Utah's most talented sons. They give an impression and an understanding of the beauty of this area which could come in no other way.

At this point I want to make it perfectly clear for the record so that there can be no misunderstanding I am not here in opposition to the creation of a national park in the area. Rather, I am here to point out earlier work that was done on the basic problem of the development of the area, and to suggest alternatives.

Before I begin my prepared statement, I would like to point out that I was interested in the discussion that took place in the committee about the question of exchanging State-owned lands in the area.

Yesterday I introduced an amendment to S. 2387 which was prepared by the Utah State Land Board, which sets forth specifically the sections in the public domain which they will be willing to exchange on the day the bill is enacted. In other words, with this amendment and this activity of the State land board we could eliminate this particular problem.

Senator BIBLE. This makes specific designation of the exchangeable lands, is that right?

Senator BENNETT. That is right.

Senator BIBLE. It sets them out by description?

Senator BENNETT. By description. This is, as you can see, very plain.

Senator BIBLE. A copy of that amendment will be made a part of the record for this committee. I do not know whether the printing of the amendment gets it before the committee, but we will accept the amendment you submitted yesterday for the consideration of the committee. It may offer a solution to this one problem that you both are mentioning.

(The document referred to follows:)

[S. 2387, 87th Cong., 2d sess.]

AMENDMENTS

Intended to be proposed by Mr. BENNETT to the amendment in the nature of a substitute proposed by Mr. Moss to the bill (S. 2387) to provide for establishment of the Canyonlands National Park in the State of Utah, and for other purposes, viz:

On page 3, between lines 18 and 19, insert the following new section:

"Sec. 3. (a) Notwithstanding any other provision of this Act or any other law, there is hereby granted, subject to delivery by the State of Utah of the quitclaim deed referred to in subsection (d) of this section, to the State of Utah the following described lands located in San Juan County, Utah, to wit:

"TOWNSHIP 29 SOUTH, RANGE 24 EAST, SALT LAKE MERIDIAN

"Section 33, all.

"Section 34, all (excepting patented mining claims described by United States mineral surveys numbered 3995, 3996, 3997, and 3998).

"Section 35, all.

"TOWNSHIP 29½ SOUTH, RANGE 24 EAST, SALT LAKE MERIDIAN

"Section 25, all.

"Section 26, all.

"Section 27, all.

"Section 28, all.

"Section 33, all.

"Section 34, all.

"Section 35, all.

"Section 36, south half northeast quarter; north half southeast quarter, southeast quarter southeast quarter.

"TOWNSHIP 30 SOUTH, RANGE 23 EAST, SALT LAKE MERIDIAN

"Section 1, all.

"Section 11, all.

"Section 12, north half; north half southeast quarter, southeast quarter southeast quarter; southwest quarter.

"Section 13, north half; southeast quarter; northeast quarter southwest quarter.

"Section 14, all.

"Section 23, all.

"Section 24, all.

"Section 25, all.

"Section 26, all.

"Section 35, all.

"TOWNSHIP 30 SOUTH, RANGE 25 EAST, SALT LAKE MERIDIAN

- "Section 5, lots 21 through 28 inclusive; south half.
- "Section 6, lots 13, 19 through 30 inclusive; east half southwest quarter; southeast quarter.
- "Section 7, all.
- "Section 8, all.
- "Section 9, all.
- "Section 15, north half; east half southeast quarter, west half southwest quarter; southeast quarter southwest quarter.
- "Section 17, all.
- "Section 18, all.
- "Section 19, all.
- "Section 20, all.
- "Section 21, all.
- "Section 22, northeast quarter; south half.
- "Section 23, southwest quarter.
- "Section 26, north half.
- "Section 27, all.
- "Section 28, all.
- "Section 29, all.
- "Section 30, all.
- "Section 31, all.

"TOWNSHIP 30 SOUTH, RANGE 24 EAST, SALT LAKE MERIDIAN

- "Section 1, all.
- "Section 3, all.
- "Section 4, all.
- "Section 5, all.
- "Section 6, all.
- "Section 7, all.
- "Section 8, all.
- "Section 9, all.
- "Section 10, all.
- "Section 11, all.
- "Section 12, all.
- "Section 13, all.
- "Section 14, north half; southeast quarter; north half southwest quarter; southwest quarter southwest quarter.
- "Section 15, all.
- "Section 17, all.
- "Section 18, all.
- "Section 19, all.
- "Section 20, all.
- "Section 21, all.
- "Section 22, north half; southeast quarter; north half southwest quarter; southwest quarter southwest quarter.
- "Section 23, all.
- "Section 24, all.
- "Section 25, all.
- "Section 26, all.
- "Section 27, all.
- "Section 28, all.
- "Section 29, all.
- "Section 30, all.
- "Section 31, all.
- "Section 33, all.
- "Section 34, all.
- "Section 35, east half; west half northwest quarter; southwest quarter."

"(b) Such lands described in subsection (a), containing 41,951.21 acres more or less, are granted to the State of Utah as indemnity for State owned lands under jurisdiction of the State land board within the area described in section 1 of this Act, and school sections within such area, title to which has not passed to the State and which lands have not been used as base by the State in making indemnity selections. The State of Utah shall take title subject to all prior valid rights, including without limitation all leases or portions thereof issued

by the United States, all valid mining claims, all grazing permits and the like. The State shall be required to recognize and to accord to lessees, mining claimants, grazing permittees, and any other persons holding valid rights, the same rights and privileges as such persons would have under such leases or portions of leases under Federal laws and regulations.

"(c) Within thirty days after the date of enactment of this Act, the Secretary of the Interior shall furnish to the State of Utah copies of all leases, permits, contracts, easements, and all other encumbrances affecting or pertaining to the above described lands. It shall be the obligation of the State of Utah to notify each lessee and permittee of the transfer of title from the United States to the State of Utah.

"(d) The Secretary of the Interior shall accept on behalf of the United States, in exchange for land granted to the State of Utah in subsection (a) of this section, a quitclaim deed from the State of Utah conveying to the United States all right, title, interest, and estate of the State of Utah in and to State-owned lands under jurisdiction of the Utah State Land Board within the area described in section 1 of this Act and all right, title, interest, and estate of the State of Utah in and to any school sections within such area, the title to which has remained in the United States and which the State has not heretofore used as base in indemnity selections. The United States shall acquire title subject to all prior leases, easements, and encumbrances issued by the Utah State Land Board and the United States shall recognize in any person holding rights created by the State of Utah all privileges which such person is entitled to under Utah State law. The State of Utah shall issue and deliver its quitclaim deed to the Secretary of the Interior within thirty days after the enactment of this Act, and shall furnish to the Secretary of Interior copies of all leases and other encumbrances affecting the State-owned lands. It shall be the obligation of the United States to notify each State lessee of the transfer of title from the State of Utah to the United States.

"(e) If the lands hereby granted to the State of Utah do not include all lands encompassed by any individual leases, grazing permits, and the like, the Secretary of the Interior within thirty days after the date of enactment of this Act shall segregate such leases and permits for rental and royalty paying purposes, it being the intention that the State shall receive all rentals and royalties accruing under portions of leases covering lands granted to the State and the United States shall receive rentals and royalties accruing to the United States under portions of leases covering lands retained by the United States. No additional lease or permit obligations shall be imposed upon any lessee or grazing permittee other than the obligation to make payments to the United States and to the State of Utah where a lease or permit is segregated."

Renumber succeeding sections accordingly.

Senator BENNETT. Mr. Chairman, I have been interested in the discussion about the number of acres involved. There is some disagreement about this. The Governor, who will be a witness before you tomorrow, says that, in his opinion, there are from 36,000 to 40,000 acres when you include the State lands in the bottom of the river, the riverbed, and less than 30,000 acres are in school sections, and land which the State has otherwise acquired in the general area, but not including the riverbed, but this is a matter that can be developed.

Mr. Chairman, the overwhelming majority of the people of Utah strongly support national recognition for the Canyonlands area. Virtually everyone agrees with this objective and is in agreement on the great value which such recognition would have for the economy of Utah and for the people of America. The only question is how this objective shall be met.

History of the Canyonlands proposal: It has taken nearly a decade to make the necessary studies and lay the background for the proposal which is now before this subcommittee. It was my privilege to support appropriations for a National Park Service study on the Dead Horse Point area, which was completed on January 19, 1953. In the intervening years, the State of Utah evidenced a wish to launch a

progressive State park program. I had the honor to sponsor two bills that made a State park program possible in Utah, and I was joined by my junior colleague. Under these bills, the State acquired lands to develop the Dead Horse Point State Park, which will ultimately be the most spectacular such park in the United States.

Another important step involving this area was taken in 1956. I had the honor to be a sponsor of S. 500, which was signed into law that year by President Eisenhower, which, in part, created a 1,429,000-acre Glen Canyon National Recreational Area. Of this amount, 1,337,000 acres are in Utah, approximately 73,000 acres of which are embraced in the bill before the committee, minus whatever land my junior colleague would eliminate in order to prevent the conflict of backed-up water by the dam.

Thus, nearly one-fourth of the area is already under the jurisdiction of the National Park Service.

These steps were followed by Department of the Interior studies in the Needles area from May 13 to May 21 in 1959, and a study of the Land of Standing Rocks between May 9 and May 13, 1960. I worked very closely with former Secretary of the Interior Fred A. Seaton and former Assistant Secretary George Abbott, in connection with these studies, and backed appropriations for them. The result was a bill which I had drafted by the Department of the Interior. I introduced the bill on March 7, 1961, to provide for the establishment of a 72,000-acre Needles National Recreation Area—

Senator BIBLE. That is where within this park?

Senator BENNETT. It is in the southeast corner, roughly.

Senator BIBLE. Possibly Mr. Wirth can show it. I can read it now.

Senator BENNETT. In the southeast corner.

Senator BIBLE. I see it now, the Needles country.

Senator BENNETT. That is right.

All of this area is included in the bill now before the committee today. The Park Service thereafter completed its overall Canyonlands study. At the request of the Utah State Park and Recreation Commission, I introduced a bill, S. 2616, to set aside three smaller areas comprising a national park complex in the Canyonlands country, connecting them with access roads built by the Park Service. My colleagues in the congressional delegation also introduced bills in the late summer of 1961, of which the bill before us is one.

None of the Canyonlands bills presently pending before the committee are broad enough in scope to accomplish the overall objectives that should be sought in any adequate development of the scenic potential of southeastern Utah. I include my own Canyonlands and Needles bills in this criticism. However, I think that when other bills which I have introduced are combined with the proposals I shall subsequently make with respect to the Canyonlands legislation, such an objective can be achieved.

One of these bills is S. 808 before this committee which would authorize the Secretary of the Interior to establish a national parkway running east and west across southern Utah. Such a parkway would be of more importance to the people of America and bring more tourists to the West than creation of five or six new national parks such as Canyonlands. The parkway would connect the national parks and monuments of southwestern Utah and northwestern Arizona, already existing, with the national monuments, national recreation area, and

proposed Canyonlands National Park in southeastern Utah. It would travel through some of the most spectacular country in the United States, probably over one of the routes which have already been surveyed and deemed economically feasible by the Bureau of Public Roads and by State and local government units in Utah.

A logical extension of this parkway would be into eastern Nevada and into western Colorado, and seeing the Senator from New Mexico here, I would add New Mexico.

Senator ANDERSON. It skips us. We are keenly aware of that.

Senator BENNETT. To really open up the scenic beauties of southern Utah and also what I have called since 1955 the "Great Circle," and which is now being called the "Golden Circle" in surrounding States, I strongly urge the committee to add my bill, S. 808, as an amendment to any Canyonlands National Park bill approved by the committee.

As you know, all of the existing national parkways are east of the Mississippi and from Maryland south. Yet it is in the West where we have national parks. We in Utah are apparently expected to give up hundreds of thousands of acres of our precious lands for park purposes. It is high time that the discrimination against us should be halted and a national parkway built in the West. None has as yet been built. A parkway extending from eastern Nevada across Utah and into western Colorado would be a good place to start.

Likewise, there cannot be a really comprehensive development without giving well-deserved recognition to the present Arches National Monument by making it a national park.

The Arches National Monument is located to the north and slightly to the east of this proposed program, above Moab. It is about 50 miles of this area.

Senator BIBLE. That point, for orientation, where would Bryce and Zion be in reference to this, just generally?

Mr. WIRTH. It would be over here.

Senator MOSS. Bryce is right there and Zion down further.

Senator BENNETT. Zion is almost on the western border of the State.

Senator ANDERSON. Where is Moab?

Senator BENNETT. Moab is just on the corner of this proposed Canyonlands.

Mr. WIRTH. Here is Moab; Bryce is up here. Arches is up in here.

Senator BENNETT. Zion and Bryce, Mr. Wirth, are over—

Senator MOSS. Bryce is right by Panguitch, east of Panguitch.

Senator BENNETT. I am more familiar with Utah than Mr. Wirth. There are no community locations on this map, unfortunately. It is down in here; and Zion is down in here.

Senator BIBLE. Thank you.

Senator BENNETT. And my proposed parkway would connect those southeastern and southwestern parks and monuments.

Senator ALLOTT. While we have this interruption, where would this particular piece stand with respect to Monument Valley?

Senator BENNETT. Monument Valley is—

Senator MOSS. Partly in Utah and partly in Arizona.

Senator BENNETT. It is right down on the border south of this area, almost due south.

Senator ALLOTT. So that this would be approximately 100 miles north, 50 to 100 miles north?

Senator BENNETT. No, it is farther than that.

Senator MOSS. No, that would do it, 100 miles would certainly do it.

Senator ALLOTT. Yes.

Senator BENNETT. 100, yes; 50 not.

To proceed, the present road that skirts the edge of Canyonlands that goes from Moab to Monticello to Blanding goes on through Monument Valley.

I am back now talking about Arches. Arches meets every logical criterion for national park status. In recent years I have successfully supported major appropriations for Arches, which has made it possible to build an important road system, a new visitors center, and other facilities which at long last make it accessible to the public. It is a spectacular area in its own right.

There are 34,000 acres in Arches National Monument compared to 36,000 acres in the Bryce Canyon National Park. This large, beautiful area should be given national park status, thus giving it the deserved prestige and recognition which it should have, while attracting many more tourists who are lured by the national park label. Therefore, I urge that my bill, S. 2233, be added as an amendment to the Canyonlands bill.

On January 31, Secretary Udall submitted the Kennedy administration report on the Canyonlands legislation, to which was attached a draft bill intended to be a substitute for S. 2387. This bill would be an unqualified disaster to the State of Utah, to our school children, and indeed to our entire economy.

First of all, it would bar all commercial activity, beginning with the date of the approval of the bill, including activity under the mining laws and the mineral leasing laws.

At this point I should make clear to the committee that the substitute bill offered by my junior colleague was intended to cure a small part of this difficulty, and I am not talking about my colleague's substitute.

Senator ANDERSON. Of course, we are directing most of our attention, I would indicate to the Senator from Utah, to the substitute of your colleague, because I think that is the one that now has the approval of the Department of Interior.

Does that take care of the mining problem so far as you see it or not?

Senator BENNETT. I do not think it does, and I will develop that.

Senator ANDERSON. You will develop that.

Senator BENNETT. Yes.

I won't read this particular part of my prepared statement then because the record now shows that you are not considering the bill which the Secretary approved.

Senator ANDERSON. I think we are working on the amendment in the nature of a substitute offered by Senator Moss on February 7, 1962, and I think it will be just a little bit more orderly if we can direct our attention to this particular substitute.

Senator BENNETT. Yes.

The Secretary's own Bureau of Land Management, in its report on the Canyonlands bill, states that the proposed area "contains valuable minerals." It then lists some of these minerals and notes that the entire area is under oil and gas leases. It also cites the great potash and uranium wealth of the area. The Bureau was so impressed with this mineral wealth that it recommended an amendment to provide

that the entire area remain open to mineral and mineral leasing activity. It would be interesting to see the Geological Survey report, and I would urge the committee to obtain a copy and make it public, if possible.

In addition, the staff of this committee prepared a statement entitled "National Fuels and Energy Study," which covers this same mineral wealth.

The past 10 years in southeastern Utah have shown that we must not be hasty in placing a freeze on mineral development.

At this point in my statement I would have referred to the question of the exchange of school lands, but I have already referred to that and offered the amendment at the beginning, so I will skip that except to observe that the State of Utah now has 600,000 acres of school lands which it has not been able to exchange for Federal lands, and unless something is done in the bill to nail this exchange down, I think the school lands in this Canyonlands area might be added to the existing 600,000-acre backlog.

Senator BIBLE. What is the value of the school lands, whether they are 27,000 acres or 40,000 acres—whatever the correct acreage is—of what value are they to the State of Utah at this time, as they exist right today in the State of Utah?

Senator BENNETT. Well, the Department of the Interior over the last 10 years has been working very hard to complete its survey of these lands, and some of these lands that have been surveyed and are being developed with their mineral value, are contributing very substantial sums of money to our school resources.

The Governor is here. He probably will give you a better answer to that question, but it is in terms of millions of dollars.

Senator MOSS. Isn't it so that there recently has been transferred on an exchange basis the lands that enclose the Texas Gulf sulfur deposit, or part of the Texas Gulf sulfur deposit, which have been transferred to the State?

Senator BENNETT. That is right. These are a comparatively few acres, a handful, compared with this 600,000-acre backlog.

Senator ANDERSON. What is the Texas Gulf sulfur? Is that potash?

Senator BENNETT. Just outside of the park.

Senator ANDERSON. Delhi Taylor?

Senator MOSS. Acquired from Delhi Taylor.

Senator BENNETT. You asked about the value of the lands. This is where the contest comes in.

Senator BIBLE. I was just trying to get your viewpoint of it. The testimony, as I understand it up to this moment, is that there are somewhere between 26,000 and 40,000—whatever is the correct figure—that can be developed, I think, and ascertained, of State lands within the proposed Canyonlands National Park. What is actually on the 26,000 to 40,000 acres at this time? Is it operational? Are there uranium deposits, oil well, potash, sodium, gold?

Senator BENNETT. You have already put in your record the statement of the Governor's committee which Senator MOSS offered for the information of the committee.

Senator BIBLE. Yes, that is right. It has been adopted by reference. I have not read it.

Senator ANDERSON. Does it deal with that?

Senator BIBLE. Does that answer the question?

Senator BENNETT. That will deal with an appraisal of the general value of the mineral deposits in the area, and the school lands must share in those general values.

Senator BIBLE. I thought that the chairman asked you a question as to what now is happening with these 26,000 acres. Is it under lease to private parties; does it bring in revenue to the State and, if so, how much? Would that be covered by the Governor's report?

Senator BENNETT. I think the Governor, being alerted to this, can probably answer that question tomorrow better than I can. Probably there may be a little of it under lease. I am sure most of it—

Mr. MECHAM. Senator, virtually all of it is under oil and gas lease right now. It is all under oil and gas lease, whether it is Federal lands or State school lands.

Senator BENNETT. The entire Canyonlands area for all practical purposes is covered by oil and gas leases.

I have offered the State land board's proposed amendment for the exchange. May I go on?

Senator BIBLE. Certainly. I hope you will pardon these interruptions.

Senator BENNETT. That is what we are here for.

Senator BIBLE. We are trying to get to the heart of this and see where the differences of opinion lie.

Senator BENNETT. The next area which gives us concern is the question of the control of hunting in the area. Originally, the original Udall bill would have posted "no hunting" signs on some of the best mule deer hunting lands in the State of Utah. The Utah Fish and Game Commission and the Utah Wildlife Federation are both most distressed by this lockup.

Senator BIBLE. Right at that point again, does that same criticism go to the substitute to which we are directing our attention, because I see they have some provision for at least regulated hunting on a cooperative basis between the State of Utah and the Fish and Game Commission of the Federal Government. Does that meet your objections as to hunting? I am very much interested in this because I have a bill with relation to the Great Basin National Park, so this may help me in the pattern.

Senator BENNETT. As I understand the bill before you, it provides that hunters will be permitted in there—

Senator ANDERSON. Isn't the hearing this morning on the substitute bill?

Senator BIBLE. That is right.

Senator BENNETT. That is right, and I am trying to—

Senator BIBLE. A great deal of your statement though is directed to the original bill rather than the substitute.

Senator BENNETT. As a background, because then I want to come to the substitute bill and show the difference.

Senator BIBLE. Pardon the interruption.

Senator BENNETT. I will come to this hunting situation a little later.

The Department bill and the Moss substitute both impinge on the State's plans to develop the Dead Horse Point State Park. The State committee recommends, and the Governor will testify tomorrow, that

22,000 acres should be eliminated from both the Udall and Moss bills across the north end of the proposed park. Otherwise, the State will not be able to develop the park as it feels should be done.

Senator ANDERSON. When you refer to the Udall bill, is it Morris Udall?

Senator BENNETT. The Secretary.

Senator Moss introduced a bill which the Department of Interior approved, and which went around the agencies for approval, and I think you, in this committee, will have the reports of the agencies, but the reports of the agencies are on the first bill. I do not think you have any reports on the substitutes; is that correct?

Senator Moss. Is that what you call the Udall bill?

Senator BENNETT. The first bill.

Senator Moss. Well, to keep the record straight, that is the Moss bill, and although I may have talked with Secretary Udall, he did not help draft it or know anything about it until it came down for him to see, I am sure.

Senator BENNETT. Let us call them Moss bill No. 1 and Moss bill, the substitute.

Senator ANDERSON. Yes.

Senator BENNETT. That is the Interior draft bill.

My assistant reminds me that the bill which the Senator introduced as bill No. 1 was drafted by the Interior Department.

Senator Moss. No, no.

Senator ANDERSON. Is he able to testify to that fact?

Mr. MECHAM. No, I did not mean that. What I meant was, Senator—

Senator ANDERSON. You said this was the Interior draft bill.

Mr. MECHAM. The Interior Department attached a draft bill on the back of its report on the first Moss bill, which Senator Bennett has in his hands.

Senator BIBLE. That is the substitute to which we are now directing our attention.

Mr. MECHAM. It is substantially different.

Senator Moss. Let me clarify this.

Senator BENNETT. You stop and see if we can clarify it.

Senator Moss. The Moss bill was introduced and it went down to the Department for comment. The Interior Department commented on it, suggesting as an amendment a metes and bounds description, which I had not given before. Subsequent to that I introduced my substitute bill which, this morning, I have included most of that metes and bounds description. But the Interior Department, as I understand it, submitted a bill only to the extent of saying, "We ought to have these metes and bounds descriptions."

Senator BENNETT. I have in my hands a copy of the letter addressed to Senator Anderson on January 31, 1962, which says:

Your committee has suggested a report on S. 2387, a bill to provide for the establishment of the Canyonlands National Park and for other purposes.

That, I assume, was the Interior Department's report on the first Moss bill.

Senator ANDERSON. Has this bill ever been introduced by anybody?

Senator Moss. It has never been introduced.

Senator BENNETT. But the Interior Department attached a proposed draft bill to its report.

Senator ANDERSON. That is what you are referring to as the Udall bill?

Senator BENNETT. That is what I am referring to as the Udall bill. I will try to delete further reference to that particular draft and confine myself to a discussion of the bill—

Senator ANDERSON. I am only trying to get straight what is in discussion. This is a bill which has never been introduced. This is a suggestion.

Senator BENNETT. Of the Department for the solution of the problem.

Senator ANDERSON. What you call the Udall bill is the Department's suggestions.

Senator BENNETT. All right. I have been calling it the Udall bill.

Senator ANDERSON. It does not matter.

Secretary UDALL. I am honored. [Laughter.]

Senator ANDERSON. There are then, at least, three bills; are there not?

Senator BENNETT. Yes.

Senator ANDERSON. There is the original Moss bill—what is the number of that, the same as this?

Senator MOSS. Yes, the same number, Mr. Chairman.

Senator ANDERSON. When the Department suggested, as it very frequently does, a substitute bill—

Senator BENNETT. A draft bill.

Senator ANDERSON (continuing). That is what you have referred to as the Udall bill.

Senator BENNETT. Yes.

Senator ANDERSON. Then I understand the author of the original bill, 2387, introduced a bill, an amendment in the nature of a substitute, and that is the second version of the Moss bill which is before us now.

Senator BENNETT. May I, as a witness, become a questioner and clarify my own understanding that there has been no Department report on the second bill or the Moss substitute?

Senator MOSS. I know of no formal report.

Senator BENNETT. That is right.

Senator ANDERSON. I think that is unfortunate. If we are having a hearing on the bill we ought to have a Department report on it, and I trust we will have when the Secretary appears.

Senator METCALF. When was it introduced; when was the substitute introduced?

Senator BIBLE. The substitute was introduced February 7.

My understanding is they are prepared to testify on the substitute offered by Senator Moss of February 7, 1962.

When the Secretary testifies he will testify and direct his testimony to that particular substitute, so I think we actually are working on the amendment in the nature of a substitute introduced by Senator Moss on February 7, 1962.

Senator BENNETT. May I again ask, Is the Department going to present a formal report on the Moss substitute at anytime or will that report be in the Secretary's testimony tomorrow?

Senator ANDERSON. I can only answer as chairman of the full committee that it certainly is our practice not to report a bill out that does not have a formal written report, in effect, from the Depart-

ment, and I would assure the Senator before any action is taken by the committee this will be before it, there will be before it, a written formal report by the Department of the Interior.

Senator BENNETT. Thank you.

I am going forward. I am in the middle of page 7 of my prepared statement under the heading "Roads." I heartily approve the provisions in the Udall and Moss bills providing for access roads, connecting roads, and necessary bridges and structures outside of the park. The original proposals made no provision for such roads, which would have meant that the Canyonlands area would have been merely an isolated wilderness for the hardy few. I waged a long campaign for access roads and am delighted that a favorable decision has now been made by the Department. However, the language in the bill with respect to these roads should be changed from "may" to "shall" so that the roads will be built and we will not have merely a hope for the indefinite future.

Both the Udall and the Moss bills confer complete discretion on the Secretary in relation to the regulations that will be imposed upon road use. Unless the bill is amended to provide for necessary commercial use, including crossovers, where required, these roads could become Berlin walls to bar commercial activity in the area.

It is obvious from an analysis of the administration bill that the park boundaries were selected without any attempt being made to decide whether or not scenery was the highest use for each tract of land. Clearly, no attempt was made to determine if other uses such as mineral and mining activity might be of greater importance. It is obvious that an entirely new approach is needed, and I believe the recommendation made by the Utah State Agency Committee on the Canyonlands holds great promise. These recommendations will be presented by the Governor tomorrow. I intend later to introduce—and I am presently circulating a draft bill among interested groups in the State which would embody the committee's recommendations. This is evidently the first time such a bill has been circulated, and I intend to introduce the final draft of a proposed substitute bill in advance of the hearings which are now scheduled to be held in Utah in late April.

In general outline, the bill will authorize the creation of a Canyonlands National Park and Recreation Area of not to exceed 310,000 acres. Up to 102,000 acres of this amount would not be administered under traditional national park standards. The park acreage would be allocated as follows:

- (1) Needles area (in San Juan County), up to 55,000 acres.
- (2) Land of Standing Rocks (in Wayne and Garfield Counties), up to 25,000 acres.
- (3) Standing Rock Basin (Monument Canyon) up to 4,720 acres.
- (4) Grand View Point area up to 3,840 acres.
- (5) Upheaval Dome and surrounding area, up to 3,840 acres.
- (6) High Mesa area west of Upheaval Dome road, up to 1,280 acres.
- (7) Administrative site at the Neck, up to 640 acres.
- (8) Access road right-of-way, up to 7,650 acres.

In the park area hunting would be permitted and grazing would be protected to the maximum extent possible. Otherwise, it would be administered in the same manner as existing national parks.

The boundaries of the park area, which include the total area of 310,000 acres, would be selected by the National Park Service, the Governor of Utah, and the affected county commissioners. These selections would be based upon a detailed field study by all three agencies to assure that unneeded acreage would not be locked up and that those unique areas where scenery is the highest use would be protected. In my opinion, it is essential that we consult the local people involved on park boundaries and not force national parks upon them by edict from Washington. The committee's Utah hearings are a welcome step in this direction.

The national recreation area portions created by the bill I would hope to introduce, would consist of about 210,000 acres. The bill will make it mandatory that these lands be available for activity under the mining and mineral leasing laws and for grazing as well as for other uses which would be appropriate. The key word in this is "mandatory."

While certain minimum regulations would be made by the Secretary to assure that these privileges are not abused, I intend to have the bill drafted to make sure that multiple use cannot be stopped at the whims of whoever is the Secretary of Interior at any given moment.

Senator BIBLE. At that point, is there precedent for the creation of a national recreational area? This is a new concept.

Senator BENNETT. There is already a national recreation area in this area connected with the water that is going to back up behind Glen Canyon, and we are going to propose that the Canyonlands area be developed in a dual concept, part of it as a national recreation area, where mineral development can be allowed, and part of it with true national park status where there can never be any multiple use.

Senator ALLOTT. In that respect, Mr. Chairman, I might say there is a national recreation area in the Shadow Mountain area in Colorado.

Senator BIBLE. Is this created by specific legislation, so designated?

Senator ANDERSON. What is that now, a national recreation area?

Senator ALLOTT. Shadow Mountain Recreation Area.

Mr. WIRTH. Not by legislation.

Senator ALLOTT. Not by legislation, but by the Department.

Mr. WIRTH. Around the reservoir. There it is operated, but not by legislation.

Senator BIBLE. Thank you, Senator Bennett.

Senator ANDERSON. Will you just stop for a moment? This can well involve core of a national park or portions of a little national park or little national parks, where scenery of national park quality, surrounded by a national recreation area for which multiple use might be adapted?

Senator BENNETT. Which the National Park Service might administer. This is another approach which differs from the approach of my junior colleague, who is apparently attempting to accomplish the same purpose, namely, to make sure that the natural resources in the area shall not be forever tied up, because the area is being administered by the National Park Service. It is a different approach, but we apparently have the same objective.

Senator METCALF. Mr. Chairman?

Senator BIBLE. Senator Metcalf?

Senator METCALF. Senator Bennett, does this hard core that the chairman described, the chairman of the full committee, encompass those three areas that you had in your former bill?

Senator BENNETT. Well, the area recommended by the Governor's committee is something which could go up to 110,000 acres. The three areas I suggested in my bill amounted to about 11,000 acres, so it is approximately 9 or 10 times as large, but it would encompass those particular.

Senator METCALF. Thank you.

Senator BENNETT. In the event the committee works on the Moss substitute, I would suggest several amendments. The 22,000-acre Dead Horse Point lands should be deleted, and the Governor will show you some maps for that tomorrow.

The riverbed—

Senator ANDERSON. Can we get a general idea where it is?

Senator BENNETT. It is right up there along—

Senator ANDERSON. Is that the one you pointed to a while ago or Mr. Wirth pointed to?

Mr. WIRTH. Dead Horse Point State Park is up here.

Senator ANDERSON. That is the one you pointed to a while ago and you said that this section might come out?

Mr. WIRTH. Senator Moss suggested to take off a little bit more here because of oil activities in this section.

Senator BENNETT. But the Governor's committee suggests 22,000 acres.

Senator ANDERSON. I just wanted to get the general location.

Senator BENNETT. Yes, that is right.

Senator ALLOTT. For the historical background of this, the Dead Horse Point area is one of those areas under which we had an exchange?

Senator BENNETT. The Dead Horse Point area was in part turned over to the State of Utah under existing legislation to permit Federal lands to be transferred to States for park purposes.

Senator ALLOTT. This is legislation of 2 or 3 years ago?

Senator BENNETT. That is right.

Senator Moss. In part.

Senator ALLOTT. I just wanted to get this history.

Senator BENNETT. This was not a school land exchange.

Senator ALLOTT. I understand it was under that bill we had to give Federal lands to States for State park purposes.

Senator BENNETT. That is right; and it was so transferred, and the State has begun in a minor way some development.

Second, that the riverbed and school sections be exchanged under the amendment that I have submitted to the committee this morning.

Third, an amendment should be adopted to provide for concurrent State and Federal jurisdiction with respect at least to the police power and to taxation of private activities within the park.

A provision should be added to provide that State boating laws should govern in the park.

The section dealing with access and connecting roads should be amended to substitute the word "shall" for "may." This will make it incumbent upon the Secretary to build the roads rather than to construct them at his discretion.

My colleague is to be commended for including the access road provisions in his second bill, because of their great importance to adequate development of the Canyonlands country.

Senator ANDERSON. Let me stop you there. This would make it incumbent upon the Secretary to build the roads and not upon his discretion?

Senator BENNETT. Yes.

Senator ANDERSON. How much money is involved in that? I ask that because of the recent bill which has come in with respect to the Navaho Reservation. The Senator from Utah and the Secretary of the Interior were very much interested in the Navaho bill passed several years ago, called the Anderson-Udall bill, providing for the construction of highways across the Navaho Reservation.

Now they have introduced a bill to checkerboard those roads, and it runs into millions and millions of dollars. I think that is probably too much. I think the Department of the Interior may report somewhat unfavorably. How much will this cost?

Senator BENNETT. May I again ask you to ask that question of the Governor tomorrow who will have a map showing you the roads area?

Senator ANDERSON. All right.

Senator BENNETT. While the second Moss bill does take a step toward allowing mineral leasing and mining in some portions of the park, I am afraid that most of the objections to the language of the Udall bill still apply. While opening the door to such activity, section 5(a) then virtually closes it with the provision that the Secretary of the Interior—

may prescribe such general regulations for the control of these activities as he deems necessary to preserve the scenic, scientific, and recreation values of the area.

Since the National Park Service policy is openly hostile to mining and mineral activity, and since Secretary Udall is quoted in the National Wildlands News for November 1961 as saying he wants no multiple-use national parks, and he was referring specifically to Canyonlands in that statement, this provision will allow the Secretary by regulation to effectively bar all such activity.

The substitute bill is a great improvement over the first bills introduced in 1961 because they would have permitted no such activities whatever. The amendment now looks to the future, but I am fearful of placing such broad discretionary regulatory power in a Secretary of the Interior because of the tremendous pressures which will be placed upon him to keep the park locked up.

A much better solution would be to follow the procedure which I have generally outlined as recommended by the State committee, and which will be illustrated in detail tomorrow by the Governor.

Under this procedure the National Park Service, the Governor, and the affected local counties would make an on-the-ground survey to select those scenic areas from which multiple use would be barred. Then all concerned would know in advance which areas would be devoted to multiple use and which to scenic preservation. An alternative would be for Congress to exercise its constitutional authority over the public lands and make the study itself, and describe the area by metes and bounds, thereby eliminating the discretionary authority

of the Secretary. However, I think the public interest would be fully protected by the first procedure.

Apparently, Senator Moss and I have the same goals; to develop and protect the scenic areas of the Canyonlands country without at the same time closing the entire area to mineral and mining activity. Under both approaches, someone must decide which portions of the Canyonlands shall be solely devoted to scenery and which shall have "multiple use" administration. But, the Moss bill proposes that the scienic areas shall be selected solely at the discretion of the Secretary of the Interior. On the other hand, I believe this power should be in the hands not only of the Secretary but also in the hands of the Governor of Utah and the affected county commissions. This will assure that the State and local interests will be protected and that we shall not be at the mercy of the discretion of the Secretary. Surely this is reasonable and fair procedure.

Senator ANDERSON. Isn't that unusual though in the creation of a national park? You have a national park advisory committee. They have certain standards that they set down. The county commissioners would not be bound by that at all.

Senator BENNETT. The proposal, Senator Anderson, would be that before they set up the area out of the whole 300,000 acres, which will be forever locked up for national park services, these other people shall be consulted.

Senator ANDERSON. How would that have worked out in the Grand Tetons?

Senator BENNETT. Well, I do not know.

Senator ANDERSON. There would not be any Grand Tetons, would there?

Senator BENNETT. That could be the case. But——

Senator ANDERSON. Will this then result in about that way? Won't the county commissioners say "Well, we have got lots of nice country to look at in this area"——

Senator BENNETT. The county commissioners are very anxious to have a national park in this area, and they are also anxious to have——

Senator ANDERSON. Not in their particular county, perhaps.

Senator BENNETT. In their particular county, yes; oh, yes.

Senator ANDERSON. They are?

Senator BENNETT. There is not any question about the local interest in this program. But everybody is puzzled as to how we can resolve this dilemma, how we can preserve the scenic values with their tourist income, and at the same time develop the natural resources.

Senator ANDERSON. But this is going to be sort of a troika, is it not? It is going to be the U.S. Park Services, and the Governor, then the county commissioners. You have to have all those in agreement as to each particular park area. I would think that you would be a long time getting them all in agreement. I may misjudge the situation in your State.

Senator BENNETT. I think in this particular area it would move much faster than it did up in Wyoming or would have done if this kind of thing had been done in Wyoming, because you can see the specific scenic features of the area, and they are separated by large areas where there is no particular scenic interest.

Senator ANDERSON. Yes. But you certainly can see the scenic area in the Grand Tetons. They were very obvious. But when the Rockefeller's went up and bought it and tried to give it to the Government, a real struggle went on, and the people who opposed it were not Members of Congress and not the Park Service; they were the local individuals who saw the possibility of the loss of some taxation revenue.

I just think it is a unique suggestion. I am not questioning that, but I just think it is a dangerous way to set up the criteria for establishing a national park.

Senator BENNETT. Behind it lies the basic thought that we should designate, if we adopt this particular approach to the segregation of the lands and values of the lands, we should designate the areas rather than leave them open for designation every time somebody comes in and wants to make an oil lease, and this is one suggestion as to how it should be considered.

Senator ANDERSON. I do not think I would quarrel with that. I do think people should have notice in advance. That is why I stated a while ago some attempt should be made to exchange this land. But I just wanted to find out if we are going to have three groups of people in agreement because I question whether that would ever happen. It might, but somebody has to have primary responsibility for saying that this particular batch of scenery is worthy of preservation as a national park.

That is why we have an advisory committee on the National Park Administration because they want to be sure it has scenic value.

I think we have departed a little bit from the original standards in the establishment of some more recent national parks, but authority must rest somewhere in the final analysis, it would seem to me.

Senator BENNETT. This is the responsibility of the committee. May I go on?

Senator ANDERSON. Oh, surely.

Senator ALLOTT. Mr. Chairman, may I just add this at this point, I think the point of the Senator from New Mexico is well made, that it might be difficult to get three parties in agreement.

But I would submit to the committee that there may be some virtue in looking at this idea in order to get away from any depreciation of park standards, of designating in advance the areas that are particularly and peculiarly valuable for scenic value and those areas which will be valuable primarily for their mineral or leasing values. This might help us to get away from a general depletion of park standards which I know we are all interested in.

Senator ANDERSON. I could not quite follow where the county commissioners and the Governor came in on this because all of this is Federal land, is it not, and the Secretary has authority to do it now, does he not?

Senator BENNETT. The Secretary could, if he wished, under present authority set it up as a national monument and close it up forever without even this committee being able to interfere, couldn't he?

Senator ANDERSON. Yes, I think so.

Senator BENNETT. That is right.

Senator ANDERSON. So what you really suggested is that the Secretary of Interior's authority be diluted and that two other groups be brought in to perform a three-group administration, and—

Senator BENNETT. I think under some kind of a system it would be well to make sure that the Secretary, at least, had the opinion and advice and suggestion of the local people.

Senator ANDERSON. That I agree with.

Senator BENNETT. Who have to live with the program and who should not be at the mercy of the sole discretion of the Secretary of the Interior.

Senator ANDERSON. All right.

Senator METCALF. Mr. Chairman?

Senator BIBLE. Senator Metcalf?

Senator METCALF. Senator Bennett, I have not had an opportunity to look at the report of the committee established by the Governor, but as I look in the front the members of the committee that are stated there, not even the Governor had the members of the county commissioners or any representatives from this particular area down in consultation for his report.

Senator BENNETT. He did not have them on his official committees, but I think the Governor will explain to you tomorrow that they were very much a part of this particular program, but not officially; that is true.

Senator METCALF. And actually, Senator, in the establishment of any park or any monument or any official recreational area, the Secretary of Agriculture or the Secretary of Interior make the local people very much a part, even though they are not officially given a veto over the determination of the commission.

I think it would be unusual to give such veto power.

Senator BENNETT. I do not question that it is unusual.

Senator ANDERSON. Well, you should not call it a national park. You have got to have a plebiscite on this because there so many groups involved, and you do not think you will ever get to a national park that way, do you? The only thing you would have would be what the Federal group would say you would take over.

Senator METCALF. My point is on the commission established by the Governor himself to study this thing; he did not do what was suggested by the Senator. He put some outstanding people from the State of Utah, from the tourist and publicity council, from the Utah Fish & Game Commission, from the land board.

These men on the State level were designated to study this matter. He did not have anybody from the counties.

Senator BENNETT. He did not put these men on these boards. He took the entire boards and used them as the vehicle.

May I go on? I am reading from the bottom of page 11.

Senator BIBLE. Yes.

Senator BENNETT. The Moss substitute makes a sincere attempt to provide certain limited hunting privileges in the proposed Canyonlands area. However, once again the procedure is circumscribed with redtape; and the Secretary has such total discretionary authority that I am sure there would be virtually no hunting allowed. Once again, Park Service policy is hostile toward hunting in national parks. With the broad discretionary authority granted to the Park Service by section 7(a) of the Moss substitute, there is little doubt that "no hunting" signs would be posted figuratively all over the 300,000-acre area. Therefore, I support the amendment urged in connection with my discussion of the Udall bill for the reasons given there.

Also, section 7(a) raises another question. In at least four places the bill directs the State of Utah to take certain prescribed action. It does not say the State "may" but "shall" take this action. I seriously doubt the constitutionality of Congress directing the administration of State agencies.

Senator BIBLE. So that I may understand the importance of this hunting in this Canyonlands National Park as proposed in these 300,000 acres, exactly what type do we have there now? Is it deer hunting?

Senator BENNETT. There are some other predators that live in the area, some mountain lions. Fundamentally, the game hunting is deer hunting.

Senator BIBLE. How many deer would they harvest? Is it a substantial number?

Senator MOSS. I know last year they harvested 41 out of here.

Senator BIBLE. Out of the whole area?

Senator MOSS. That is the report I have, yes.

Senator BIBLE. I had exactly the same problem over in Nevada. We had 150 deer which came out of the Great Basin National Park area, and I was just wondering whether this was a comparable number.

Senator BENNETT. I have no knowledge myself of how many deer they harvested, but now again, with the Governor coming up tomorrow in 24 hours—

Senator BIBLE. I wish he would direct his attention to this because I think the point that you make about hunting has considerable validity.

I am wondering how important a point it is as weighed against the creation of a national park. Do we have any ducks in this area or geese? Well, he can testify to that tomorrow.

Senator BENNETT. Yes.

Senator BIBLE. Thank you, Senator.

Senator ALLOTT. May I interrupt here? I do think it is important to emphasize at this point the technical difficulty of section 7(a) in that it is mandatory.

Senator BIBLE. That may be.

Senator ALLOTT. There is a great question in my mind.

Senator MOSS. It is mandatory that they meet and decide, yes.

Senator ALLOTT. You cannot direct a State agency to meet.

Senator BENNETT. You could not until the last decision of the Supreme Court. Apparently now you can. [Laughter.]

Senator MOSS. If they do not want to meet then they won't get any hunting that year, I would expect.

Senator ANDERSON. That is what I said a while ago. I do not think the Congress can direct the State to do anything and, therefore, we have to revise it to say that they may do it. I do not see that they can do more than that.

Senator MOSS. We can say the Secretary shall and the Governor may.

Senator ANDERSON. Now, I think all the Federal Government can do—I am not talking about what the people of Utah might do in their own legislature—but I think all the Federal Government may do is suggest a way by which they may meet. I do not think the State can be required under any legislation to meet.

Senator METCALF. If the state fish and game commission desires to set a hunting season in the park, they can do it.

Senator BIBLE. Fine, Senator.

Senator BENNETT. This is a problem.

Finally, on page 13, the so-called Antiquities Act was passed by Congress to permit the Secretary of Interior to withdraw certain small areas of great historic or antiquarian significance. It has subsequently been twisted by strained interpretations of the Department over the years to give the Secretary power to withdraw unlimited acreage for national monument purposes. Unfortunately, Congress, by silence in most cases, and the courts, by interpreting this silence to mean approval or at least acquiescence, have given support to this fantastic interpretation. This is an unwarranted taking of authority which should be reserved to Congress under the Constitution. Therefore, I urge that this bill be amended, with respect to Utah at least, to provide that "no further extension or establishment of national monuments in Utah may be undertaken except by express authorization of Congress". The language I have used is taken from title 16, section 431(a) of the United States Code, but applies only to the State of Wyoming. In 1950, the two Wyoming Senators, including the one-time chairman of this committee, former Senator Joseph O'Mahoney, became tired of Federal bureaucrats in Washington promiscuously withdrawing land for national monuments in Wyoming without consulting the local people. I think Senator O'Mahoney was completely right in his point of view, and I urge the committee to extend this protection to the people of Utah.

Now, Mr. Chairman, I appreciate the opportunity to appear, and I am very happy that I have a backstop in the person of the Governor who will have time enough to get the additional information which I was unable to supply to the committee.

Senator BIBLE. Well, we very much appreciate your appearance here this morning, Senator Bennett, and the committee obviously is simply trying to work out a problem that has considerable complexity to it.

We have these problems in other national parks before this committee, we have had them in the last 2 years, and I am hopeful that we can resolve something in the best national interests and something that satisfies the people of Utah when we complete our labors.

Senator BENNETT. I would like to repeat that I share the same hope. I am sure that the people of Utah want a national park in this area under the most favorable circumstances.

Senator BIBLE. Thank you very much, Senator Bennett. Your full prepared statement will be put in the record.

(The statement referred to follows:)

CANYONLANDS NATIONAL PARK

Statement of Hon. Wallace F. Bennett, a U.S. Senator from the State of Utah

It gives me great pleasure to appear before this distinguished subcommittee this morning in support of legislation to create a Canyonlands National Park in southeastern Utah. You will hear many glowing accounts of the beauties, majesty and magnificence of the superbly rugged scenery so abundant in the red rock country of my State. If anything, those who utter them can only be guilty of understatement.

The overwhelming majority of the people of Utah strongly support national recognition for the Canyonlands areas. Virtually everyone agrees with this objective and is in agreement on the great value which such recognition would

have for the economy of Utah and for the people of America. The only question is how this objective shall be met.

History of the Canyonlands proposal

It has taken nearly a decade to make the necessary studies and lay the background for the proposal which is now before this subcommittee. It was my privilege to support appropriations for a National Park Service study of the Dead Horse Point area, which was completed on January 19, 1953. In the intervening years, the State of Utah evidenced a wish to launch a progressive State park program. I had the honor to sponsor two bills that made a State park program possible in Utah, and I was joined by my junior colleague. Under these bills, the State acquired lands to develop the Dead Horse Point State Park, which will ultimately be the most spectacular such park in the United States.

Another important step involving this area was taken in 1956. I had the honor to be a sponsor of S. 500, which was signed into law that year by President Eisenhower, which, in part, created a 1,429,000-acre Glen Canyon National Recreation Area. Of this amount, 1,337,000 acres are in Utah, approximately 73,000 acres of which are embraced in the bill before the committee. Thus, nearly one-fourth of the area is already under the jurisdiction of the National Park Service.

These steps were followed by Department of Interior studies in the Needles area from May 13 to May 21 in 1959, and a study of the Land of Standing Rocks between May 9 and May 13, 1960. I worked very closely with former Secretary of Interior Fred A. Seaton and former Assistant Secretary George Abbott in connection with these studies, and backed appropriations for them. The result was a bill which I had drafted by the Department of Interior. I introduced the bill on March 7, 1961, to provide for the establishment of a 72,000-acre Needles National Recreation Area, all of which area is included in the bill now before the committee today. The Park Service thereafter completed its overall Canyonlands study. At the request of the Utah State Park and Recreation Commission, I introduced a bill, S. 2616, to set aside three smaller areas comprising a national park complex in the Canyonlands country, connecting them with access roads built by the Park Service. My colleagues in the congressional delegation also introduced bills in the late summer of 1961.

BROADER DEVELOPMENT NEEDED

None of the Canyonlands bills presently pending before the committee are broad enough in scope to accomplish the overall objectives that should be sought in any adequate development of the scenic potential of southeastern Utah. I include my own Canyonlands and Needles bills in this criticism. However, I think that when other bills which I have introduced are combined with the proposals I shall subsequently make with respect to the Canyonlands legislation, such an objective can be achieved.

Southern Utah National Parkway

One of these bills is S. 808, which would authorize the Secretary of the Interior to establish the national parkway running east and west across southern Utah. Such a parkway would be of more importance to the people of America and bring more tourists to the West than creation of five or six new national parks such as Canyonlands. The parkway would connect the national parks and monuments of southwestern Utah and northwestern Arizona with the national monuments, national recreation area, and proposed Canyonlands National Park in southeastern Utah. It would travel through some of the most spectacular country in the United States, probably over one of the routes which have already been surveyed and deemed economically feasible by the Bureau of Public Roads and by State and local government units in Utah.

A logical extension of this parkway would be into eastern Nevada and into western Colorado.

To really open up the scenic beauties of southern Utah and also what I have called since 1955 the Great Circle in surrounding States, I strongly urge the committee to add my bill, S. 808, as an amendment to any Canyonlands National Park bill approved by the committee.

As you know, all of the existing national parkways are east of the Mississippi and from Maryland south. Yet it is in the West where we have national parks. We in Utah are apparently expected to give up hundreds of thousands of acres

of our precious lands for park purposes. It is high time that the discrimination against us should be halted and a parkway built in the West. A parkway extending from eastern Nevada across Utah and into western Colorado would be a good place to start.

"Arches National Park"

Likewise, there cannot be a really comprehensive development without giving well-deserved recognition to the present Arches National Monument by making it a national park. Arches meets every logical criterion for national park status. In recent years I have successfully supported major appropriations for Arches, which has made it possible to build an important road system, a new visitors center, and other facilities which at long last make it accessible to the public. It is a spectacular area in its own right.

There are 34,000 in Arches National Monument compared to 36,000 acres in the Bryce Canyon National Park. This large, beautiful area should be given national park status, thus giving it the deserved prestige and recognition which it should have, while attracting many more tourists who are lured by the national park label. Therefore, I urge that my bill, S. 2233, be added as an amendment to the Canyonlands bill.

UDALL CANYONLANDS NATIONAL PARK BILL INADEQUATE

On January 31, Secretary Udall submitted the Kennedy administration report on the Canyonlands legislation, to which was attached a draft bill intended to be a substitute for S. 2387. This bill would be an unqualified disaster to the State of Utah, to our schoolchildren, and indeed to our entire economy.

First of all, it would bar all commercial activity, beginning with the date of approval of the bill, including activity under the mining laws and the mineral leasing laws. The only gesture to these important industries is a provision that it will protect "valid existing rights." Because the area is so isolated, there have been few such "rights" created. Therefore, the Secretary's proposal would amount to a lockup of 332,000 acres which have been described by Dr. W. P. Hewitt, professor of economic geology at the University of Utah and director of the State's geological survey, as "potentially the most valuable mineral land in the State." I have a copy of a letter written by Dr. Hewitt, which was presented to C. J. Olsen, chairman of Governor Clyde's State agency committee, which the committee may wish to have in the hearing record.

The Secretary's own Bureau of Land Management, in its report on the Canyonlands bill, states that the proposed area "contains valuable minerals." It then lists some of these minerals and notes that the entire area is under oil and gas leases. It also cites the great potash and uranium wealth of the area. The Bureau was so impressed with this mineral wealth that it recommended an amendment to provide that the entire area remain open to mineral and mineral leasing activity. It would be interesting to see the geological survey report, and I would urge the committee to obtain a copy and make it public.

The oil potential is further highlighted by a staff effort of this committee, entitled "National Fuels and Energy Study," which contains a map between pages 40 and 41 showing that the entire area covered by the proposed park is favorable to oil and gas development. Moreover, there are undoubtedly many other minerals in the area which are not known to us. The past 10 years in southeastern Utah have shown that we must not be hasty in placing a freeze on mineral development.

School revenue loss

Because the Secretary's bill, if adopted, would completely ban all future mineral leasing and mining in the park, Utah's schoolchildren stand to lose millions of dollars in potential revenues from the State school sections and streambeds which were given to the State of Utah by Congress in the State's enabling act. The Udall draft does provide for some exchanges. However, the past record of handling such exchanges by the Bureau of Land Management, under both this and preceding administrations, is so bad as to hold out little hope for any meaningful, substantial transfers in the next 20 to 30 years. First, there is interminable delay in deciding which land may be exchanged. Then there is a virtually endless haggling over whether or not the lands involved have "equal value." Consequently, the State of Utah now has 600,000 acres of so-called school base lands which it has not yet been able to exchange for Federal lands. In fairness, I should note that the Bureau of Land Management has moved speedily in one or two isolated cases, but the sorry general rule still stands.

The only effective way to protect the State's rights is for Congress to set out with particularity the Federal land which may be exchanged for the State school sections and streambed lands to be lost in the Canyonlands area. This exchange must take place concurrently with enactment of the park bill. I have an amendment which I have offered for this purpose. It is sponsored by the State agency committee on the Canyonlands and is fully supported by Utah school administrators.

Hunting

The Udall bill would also post "no hunting" signs on some of the best mule deer hunting lands in the State of Utah. The Utah Fish and Game Commission and the Utah Wildlife Federation are both most distressed by this lockup. The southern portion of the Canyonlands area contains part of the wintering area for one of the largest deer herds in the State. It is necessary to have liberal harvesting regulations in order to maintain the deer herd in balance with its food supply, both on the summer and winter range. In addition to the migratory herd, there are sizable numbers of other deer that stay in the area throughout the year. Likewise, there are substantial populations of upland game birds, particularly chukar partridge.

There is no sound reason to ban this vast area to hunters. The bill should be amended to provide that "The Secretary shall permit hunting and fishing within the park area, in accordance with the laws of the State of Utah. The Secretary and the Governor may jointly designate zones where no hunting may be permitted for reasons of public safety or public use and enjoyment." This is substantially the language adopted by the International Association of State Fish and Game Commissioners, and is embodied in my bill, S. 2545.

Hunting is already permitted in the 73,000 acre portion of the Glen Canyon National Recreation Area under the jurisdiction of the Park Service. No problems have been encountered. The State of Utah also permits hunting and fishing in all State parks, and no problems have arisen. Similarly, the Forest Service administers recreation areas in northern Utah which have more visitors than any of our southern Utah national parks. Hunting and fishing are permitted without difficulty in these forest areas, just as they are permitted on the public domain administered by the Bureau of Land Management. The only reason I can see for forbidding hunting in the national parks and monuments, at least in Utah, is the slight inconvenience that it might cause to Park Service employees. In fact, the game in the area would be harvested during the off-tourist season.

Dead Horse Point State Park

The Department bill seriously impinges on State plans to develop the Dead Horse Point State Park. The State committee recommends that 22,000 acres should be eliminated from both the Udall and Moss bills across the north end of the proposed park. Otherwise, the State will not be able to develop the park as it feels should be done. The committee feels strongly that these bills constitute "a case of almost total disregard for the State's long-range program in this area." I urge that such an amendment be adopted, in keeping with language which I shall subsequently send to the committee.

Grazing

The provisions in both the Udall and Moss bills dealing with grazing would probably afford sufficient protection if the area were one-fourth to one-third the size recommended. However, in such a large area, given the announced policy of the Interior Department to retire all grazing privileges in national parks, the grazing provisions hold small comfort for the cattlemen and sheepmen in the area. They are wholly at the mercy of regulations imposed upon them by the Secretary, which in light of the policy against grazing means they would no doubt be soon out of business.

Roads

I heartily approve the provisions in the Udall and Moss bills providing for access roads, connecting roads, and necessary bridges and structures outside of the park. The original proposals made no provision for such roads, which would have meant that the Canyonlands area would have been merely an isolated wilderness for the hardy few. I waged a long campaign for access roads and am delighted that a favorable decision has now been made by the Department. However, the language in the bill with respect to these roads should be changed from "may" to "shall" so that the roads will be built and we will not have merely a hope for the indefinite future.

Both the Udall and the Moss bills confer complete discretion on the Secretary in relation to the regulations that will be imposed upon road use. Unless the bill is amended to provide for necessary commercial use, including crossovers, where required, these roads could become Berlin walls to bar commercial activity. I will be pleased to submit such suggested language to the committee before the hearings are concluded.

NEW APPROACH NEEDED—STATE AGENCY CANYONLANDS COMMITTEE RECOMMENDATIONS

It is obvious from an analysis of the administration bill that the park boundaries were selected without any attempt being made to decide whether or not scenery was the highest use for each tract of land. Clearly, no attempt was made to determine if other uses, such as mineral and mining activity, might be of greater importance. It is obvious that an entirely new approach is needed, and I believe the recommendation made by the Utah State Agency Committee on the Canyonlands holds great promise. I am presently circulating a draft bill among interested groups in the State which would embody the committee's recommendations. This is evidently the first time such a bill has been circulated, and I intend to introduce the final draft of a proposed substitute bill in advance of the hearings which are now scheduled to be held in Utah in late April.

In general outline, the bill will authorize the creation of a Canyonlands National Park and Recreation Area of not to exceed 310,000 acres. Up to 102,000 acres of this amount would be administered under traditional national park standards. The park acreage would be allocated as follows:

1. Needles area (in San Juan County), up to 55,000 acres.
2. Land of Standing Rocks (in Wayne and Garfield Counties), up to 25,000 acres.
3. Standing Rock Basin (Monument Canyon), up to 4,720 acres.
4. Grand View Point area, up to 3,840 acres.
5. Upheaval Dome and surrounding area, up to 3,840 acres.
6. High Mesa area, west of Upheaval Dome Road, up to 1,280 acres.
7. Administrative site at the Neck, up to 640 acres.
8. Access road right-of-way, up to 7,650 acres.

In the park area hunting would be permitted, and grazing would be protected to the maximum extent possible. Otherwise, it it would be administered in the same manner as existing national parks.

The boundaries of the park area would be selected by the National Park Service, the Governor of Utah, and the affected county commissions. These selections would be based upon a detailed field study by all three agencies to assure that unneeded acreage would not be locked up and that those unique areas where scenery is the highest use would be protected. In my opinion, it is essential that we consult the local people involved on park boundaries and not force national parks upon them by edict from Washington. The committee's Utah hearings are a welcome step in this direction.

National recreation area

The national recreation area portions created by the bill would consist of at least a total of 208,000 acres. The bill will make it mandatory that these lands be available for activity under the mining and mineral leasing laws and for grazing as well as for all other uses which would be appropriate. While certain minimum regulations would be made by the Secretary to assure that these privileges are not abused, I intend to have the bill drafted to make sure that multiple use cannot be stopped at the whims of whoever is the Secretary of the Interior at the moment. In short, I do not propose that we rely on regulations applicable to existing national recreation areas.

My bill will expressly leave out the 22,000 acres in the Dead Horse Point area. It, too, will provide for access and connecting roads outside of the park area open to all users. Likewise, it will contain an amendment to effect an exchange of the Lisbon lands for the school lands lost in the park.

In addition, there will be several other provisions which I will submit to the committee, some of which will be discussed in connection with the Moss substitute.

MOSS SUBSTITUTE

In the event that the committee decides to act upon the Moss substitute, I would urge several amendments.

1. The 22,000-acre Dead Horse Point lands should be deleted, as pointed out in connection with my discussion of the Udall bill.

2. The riverbed and school sections for Lisbon exchange amendment which I have introduced should be adopted. Otherwise, our State school fund may lose millions of dollars.

3. An amendment should be adopted to provide for concurrent State and Federal jurisdiction with respect at least to the police power and to taxation of private activities within the park.

4. A provision should be added to provide that State boating laws should govern in the park.

5. The section dealing with access and connecting roads should be amended to substitute the word "shall" for "may." This will make it incumbent upon the Secretary to build the roads rather than to construct them at his discretion.

My colleague is to be commended for including the access road provisions in his second bill, because of their great importance to adequate development of the Canyonlands country.

Mineral leasing and mining

While the second Moss bill does take a step toward allowing mineral leasing and mining in some portions of the park, I am afraid that most of the objections to the language of the Udall bill still apply. While opening the door to such activity, section 5(a) then virtually closes it with the provision that the Secretary of Interior "may prescribe such general regulations for the control of these activities as he deems necessary to preserve the scenic, scientific, and recreation values of the area." Since the National Park Service policy is openly hostile to mining and mineral activity, and since Secretary Udall is quoted in the National Wildlands News for November 1961, as saying he wants no multiple-use national parks, this provision will allow the Secretary by regulation to effectively bar all such activity. The Secretary was referring specifically to Canyonlands.

The substitute bill is a great improvement over the first bills introduced in 1961 because they would have permitted no such activities whatever. The amendment now looks to the future, but I am fearful of placing such broad discretionary regulatory power in a Secretary of Interior because of the tremendous pressures which will be placed upon him to keep the park locked up.

A much better solution would be to follow the procedure which I have generally outlined as recommended by the State committee. Under this procedure the National Park Service, the Governor, and the affected local counties would make an on-the-ground survey to select those scenic areas from which multiple use would be barred. Then all concerned would know in advance which areas would be devoted to multiple use and which to scenic preservation. An alternative would be for Congress to exercise its constitutional authority over the public lands and make the study itself, and describe the area by metes and bounds, thereby eliminating the discretionary authority of the Secretary. However, I think the public interest would be fully protected by the first procedure.

Apparently, Senator Moss and I have the same goals; to develop and protect the scenic areas of the Canyonlands country without at the same time closing the entire area to mineral and mining activity. Under both approaches, someone must decide which portions of the Canyonlands area shall be solely devoted to scenery and which shall have multiple-use administration. But, the Moss bill proposes that the scenic areas shall be selected solely at the discretion of the Secretary of Interior. On the other hand, I believe this power should be in the hands not only of the Secretary but also in the hands of the Governor of Utah and the affected county commissions. This will assure that the State and local interests will be protected and that we shall not be at the mercy of the discretion of the Secretary. Surely this is reasonable and fair procedure.

The mineral wealth is so great, the economic interests of the State so important, that we must take every step to assure that the future economic growth of Utah and the surrounding area is not stunted by this action. We must not legislate by guesswork, for the birthright of the people of Utah is at stake.

Hunting

The Moss substitute makes a sincere attempt to provide certain limited hunting privileges in the proposed Canyonlands area. However, once again the procedure is circumscribed with redtape; and the Secretary has such total discretionary authority that I am sure there would be virtually no hunting allowed. Once again, Park Service policy is hostile toward hunting. With the broad discretionary authority granted to the Park Service by section 7(a) of the Moss substitute, there is little doubt that "No Hunting" signs would be posted figura-

tively all over the 300,000-acre area. Therefore, I support the amendment urged in connection with my discussion of the Udall bill for the reasons given there.

Also, section 7(a) raises another question. In at least four places the bill directs the State of Utah to take certain prescribed action. It does not say the State "may" but "shall" take this action. I seriously doubt the constitutionality of Congress directing the administration of State agencies.

Reclamation and power withdrawals

On September 29, 1961, I received a letter from the then Acting Commissioner of Reclamation concerning powersite withdrawals and possible reclamation development in the area which would be embraced by the Moss bill. The letter indicated that the Bureau is considering a possible junction power dam on the Colorado River immediately below its confluence with the Green River. The Bureau indicated that construction of the dam would not be feasible now but that "construction of the junction development may prove feasible at some time in the future." If such a dam is necessary, then the committee may wish to consider an amendment to make subsequent construction possible.

National monument creation by unilateral action of the Secretary of the Interior

Although not specifically involved in any of the Canyonlands bills being considered by the committee, the problem created by potential unilateral action to create a national monument in the area by the Secretary of the Interior has been in the background. The possibility of such unilateral action has been discussed in Utah papers, most recently in an editorial that appeared in the Salt Lake Tribune. The thought has been expressed that the Secretary might create a Canyonlands National Monument if his national park proposal is not approved. While I have no knowledge that he would do so, I am greatly distressed that he apparently has such authority.

The so-called Antiquities Act was passed by Congress to permit the Secretary of the Interior to withdraw certain small areas of great historic or antiquarian significance. It has subsequently been twisted by strained interpretations of the Department over the years to give the Secretary power to withdraw unlimited acreage for national monument purposes. Unfortunately, Congress, by silence in most cases, and the courts, by interpreting this silence to mean approval, or at least acquiescence, have given support to this fantastic interpretation. This is an unwarranted taking of authority which should be reserved to Congress under the Constitution. Therefore, I urge that this bill be amended, with respect to Utah at least, to provide that "no further extension or establishment of national monuments in Utah may be undertaken except by express authorization of Congress." The language I have used is taken from title 16, section 431(a) of the United States Code, but applies only to the State of Wyoming. In 1950, the two Wyoming Senators, including the onetime chairman of this committee, former Senator Joseph O'Mahoney, became tired of Federal bureaucrats in Washington promiscuously withdrawing land for national monuments in Wyoming without consulting the local people. I think Senator O'Mahoney was completely right in his point of view, and I urge the committee to extend this protection to the people of Utah.

Conclusion

In conclusion let me once again thank the committee for its interest in Utah and for holding hearings both here and in the State. I hope that the committee will approve a Canyonlands National Park bill, but with the amendments I have recommended and in keeping with the substitute bill which I shall subsequently offer before the Utah hearings.

Senator BIBLE. Are there any questions?

The next witness will be the Secretary of the Interior, Stewart Udall. We are very happy to have you with us.

Senator ALLOTT. Mr. Chairman, I would like to pose a question to the chairman at this time.

Senator BIBLE. Yes, indeed.

Senator ALLOTT. We are now operating under a unanimous-consent agreement on the floor. It is not my wish to delay these hearings, but since the senior Senator from Nebraska is not able to be present on the floor at this time, my presence will be required, and I am going to

have to excuse myself from the further session on this matter this morning. I believe the unanimous consent requires a vote at 12:30.

(Discussion off the record.)

Senator BIBLE. I am trying to accommodate the Secretary of the Interior who has a very, very important engagement at the White House in about 20 minutes. I would like to have his views.

Senator ALLOTT. I am not making a point of no meeting at all.

Senator BIBLE. Fine. I understand your position. We will recess whenever we finish with the Secretary of the Interior.

Secretary UDALL. I can stay until about 11:45, but I do have, if I can ask the indulgence of the committee, a very important appointment. I will be very happy to come back.

Senator BIBLE. We have to go to the floor at 11:50, anyway.

STATEMENT OF HON. STEWART L. UDALL, SECRETARY OF THE INTERIOR

Secretary UDALL. If I might say so, I have spent more time on this particular park proposal than any other of the very interesting ones before the committee, and so that the carpetbagger charge cannot be made, Secretary Freeman and I and Senator Moss, Congressman King, Congressman Peterson, made a visit out there last July, at which time we were joined by the Governor.

I will not comment on the scenic values involved, as the pictures before you, the booklets, tell the story, as pictures can, far better than words, except to say that I do regard this—and I am from the Grand Canyon State—as some of the most superb scenery in the United States and, perhaps, in the world.

To be brief, Senator, Mr. Chairman, I just want to hit some of the highlights.

Senator BIBLE. Might I ask a question, because it was prompted by Senator Anderson's question earlier. You will have a full formal report on the substitute introduced by Senator Moss on February 7 of this year?

Secretary UDALL. Yes.

Senator BIBLE. When will that be available to the committee?

Secretary UDALL. We can provide it—it will be largely a reiteration of our previous report. As usual, we can provide it very quickly.

Senator BIBLE. But there are some differences in the substitute other than the description, and we would like to have—

Secretary UDALL. We will have comments on these additional matters.

Senator Moss. The hunting went into the second one, besides the description.

Senator BIBLE. Hunting is a basic difference, and I think we ought to have the views of the Secretary of Interior on the hunting proposal.

Secretary UDALL. I will give them to you orally and then in written form.

Senator BIBLE. Fine.

Secretary UDALL. As a matter of fact, if everyone here in this room, if everyone in Utah, had seen the area the way that we saw it, I think there would be no controversy about this issue.

We have had, and it is available to the committee also, an economic study made by the University of Utah of the economic potential of this area, and this also, I am sure, will be available to the committee.

These people estimated, and they do it conservatively and scientifically, that within 15 years this area will provide \$10 million annually if developed in accordance with the plan of the Department, and we have proposed, we have laid out, a plan for roads, for the usual national park development, to spend over the next 15, 20 years, in the neighborhood of \$17 million for development.

We propose this to be just as we have developed other similar parks, Zion, Grand Canyon, Mesa Verde and the rest.

Senator BIBLE. You propose an expenditure over how many years of \$17 million.

Secretary UDALL. This is a total development. I cannot say how long it will be, but we will move aggressively on it.

Senator BIBLE. Six, seven years?

Secretary UDALL. It might be a little longer, but that is what we are projecting.

Senator BIBLE. Total development is \$17 million?

Secretary UDALL. To open the area. This is some of the most remote, forbidding, rugged country left. It is pretty untouched in the main, and the roads are extremely important.

There is not much water in this area. This is the reason there is not a hunting problem, in my opinion. There is not much game. It is this harsh, forbidding country of very great and awesome beauty.

Senator ALLOTT. Mr. Secretary, before you go on, you have spoken of the \$17 million road development within this park. This is not consistent with the recommendations of the Department of Interior on the Padre Island bill where the Department of Interior specifically resisted any suggestions or plans or commitments for roads.

Secretary UDALL. Senator—

Senator ALLOTT. The Padre Island bill.

Secretary UDALL (continuing). This is not roads; this is the total development, and the roads in this park will be very similar to the roads in Dinosaur, in Grand Canyon, in Arches Monument.

What was involved in the Padre Island was a little narrow strip of 90 miles of running a road all the way down, and if the road had been there, all of it would have been washed out by the hurricane last spring.

Senator ANDERSON. It would have been under water.

Senator ALLOTT. But, by the same token, you are inviting people in, in creating such an area, and this is something that the Federal Government cannot avoid. When you create a national park you, in effect, open your arms to the public and say, "Come into this area."

You, therefore, have to provide access, ingress, egress from these areas for the people.

Now, I realize the necessity of roads in this area. But I can see no distinction in this respect from the situation in the Padre Island where you asked people in, and if you get them in there and a storm comes along, you are going to have a lot of tragedies on your hands.

Secretary UDALL. Well, Senator—

Senator ALLOTT. Just as could happen here. If you had people in here late in the fall and no adequate roads, and you got an early bliz-

zard or storm, you could have great hazard to the people you have invited in here.

Secretary UDALL. Well, we have parks in this type of country, and the Senator knows what they are, and we do not have the problem that he is worried about. It is something that I cannot worry about.

Senator ALLOTT. I am sorry that the Secretary cannot worry about the safety of the people who are invited into national parks.

Secretary UDALL. Well, there never has been any tragedy or disaster in Grand Canyon, Dinosaur, Mesa Verde or any of them that I have heard of in recent years because of our mismanagement.

Senator ALLOTT. This is not the question. You have a principle here. Why do you say we are going to build roads in one place and we are not going to build them in another?

Senator BIBLE. I think his answer is—

Senator ANDERSON. I might ask why don't you build a road for Carlsbad Caverns? There is not a road. For that you have an elevator.

Senator ALLOTT. I always walk down.

Senator ANDERSON. I did when I was younger.

Senator BIBLE. Padre Island is a completely different type of park. It is a national seashore area that is a long, narrow island that lies right next to the gulf, and this is a desert area that would have to have roads for access. I would think that might be the difference between the concept of the Interior Department on Padre Island as compared with the Canyonlands.

Secretary UDALL. I think with this map, if I may, Mr. Chairman, I would explain very quickly what really is involved here and what is the essence of the dispute that we have.

The National Park Service studied this area, made its usual study to determine whether this was of national park caliber, and if so what area should be included.

This study area is the blue. This area included about 1 million acres. This is the area that the Department originally was interested in, and the area we looked at last summer.

Now, as a result of my proposal originally that there be a national park and that it be within the blue lines, the Governor, Senator Moss and the others raised the question that, perhaps, this area was too large, that the area should be confined to the finest and most superb scenery, although incidentally, this (indicating photograph) is outside the proposed park, I find.

As a result of that, the Department, after Senator Moss and Congressman King and Congressman Peterson had introduced a bill, which covers the orange area here, after they introduced that bill, we studied it in terms of narrowing it to include not what we thought an ideal park would be but what we thought was needed to tap the finest scenic places there, and in harmony with the national park concept.

Our recommendation is what you see here in black. In other words, Senator Moss in the Moss bill, just followed the rivers. They did not have a metes and bounds description. We wanted to take the rims in. Their proposal was for 300,000 acres and our proposal in the black is for 330,000 acres, and Senator Moss is now ready to go along with it.

In other words, so far as the original proposal was concerned, we

compromised to the extent of 70 percent, roughly. We gave, we have been quite willing to give.

Now Senator Bennett introduced bills for three national parks here, Upheaval Dome, Grand View Point National Park, and a little part of this superb Needles area down here.

Senator ANDERSON. Are those the three things proposed in the Seaton-Bennett proposal?

Secretary UDALL. Yes. I want to be as charitable with him as he was with me in his testimony, and this is, of course, utter alien to the concept of the national park system.

It is a proposal similar—for example, taking Grand Canyon as an example—to having a park up on the rim, but the canyons not being in the park and are not protected.

The Governor then had his study committee make a report, and the study committee recommended about 100,000 acres, and this, although they did not say exactly where they would put it, is the green area here and here and here.

Of course, this is still the spot park type idea, and it does not protect the canyons.

In other words, you do not have a contiguous area that you can protect and manage. If the chairman of the subcommittee will allow me, it is as though we said in Great Basin, that we will take the top part of Wheeler peak, and part of the caves, and these two will be national parks and the rest of it will just go, then.

Now this, I think, will present the dispute about as clearly as I can present it. I want to make it very plain, because everyone has said, everyone in Utah and everyone who will testify has said, oh, they are all for a national park.

Well, there is only one park proposal pending, and that is the Moss bill that Congressman King and Congressman Peterson proposed, because we have—and this committee knows better than I because this is the Parks Subcommittee—we have certain standards that are set, we have certain methods of managing national park areas, and if we take a contiguous area, we will put it together, and we manage it and we protect everything that is in it, and that has always been the tradition under the law. This has been the way the committee has handled the matter and, therefore, you have a very quick picture of the dispute.

Why do I say that the proposal of the Governor's committee, in which we did not participate at all, and which utterly ignores all of the standards of national parks, why do we say that this is not a park proposal? Because it does not fit the national park concept. It does not protect the area, and it is just as though you were to say, taking this picture, that the area where we are standing, that this is park and this is not park.

I simply submit to the committee that, as far as my Department is concerned, I think our national parks have always stood for something.

The original concept of a national park was that this is one of the finest things of its kind in the United States, and we protect it under a high degree of protection, and we manage it according to the type of management that is customary. We have been through this with the various park proposals, we made boundary changes on Great Basin; in Cape Cod, the department wanted about 30,000 acres, and the Sena-

tors from Massachusetts wanted 29,000 or 30,000, and one of the Congressmen wanted 25,000, and we compromised at 26,000.

But it was a matter of having a unit that was contiguous and comprehensive that we could all embrace.

The Governor and I saw this area together, we have tried—we worked along on this from time to time, and I hope we can continue to do so, but I want to make it very plain that there is only one park proposal.

We cannot recommend to this committee, we will not, that there be a serious departure from what has been the tradition and what have been the practices of the Congress, of this committee and of the country with regard to national parks.

We will make all the compromises we can. I have gone 70 percent of the way. I cannot go much further. I do not think the committee can go much further and still have a national park.

In other words, there are people who are saying "I am for a national park," and then proceed to describe something which is not a national park—

Senator BIBLE. Might I ask you a question at that point because we have another version, as I understand it, that is about to be offered, and that is we are going to have acreage of approximately 310,000 acres, but 102,000 of it would be a national park, and the balance would be a national recreation area.

Do you have any feeling on this particular proposal which was suggested by the distinguished senior Senator from Utah?

Secretary UDALL. Senator, this, of course, is a hybrid. It is not the national park idea. I have already set out the area embraced by the blue. This is a recreation area now. We do not have any money to manage it as such, but I put it under an order giving it special protection. We are trying to protect scenic values as best we can.

In other words, we are working with the oil and minerals people to try to protect the land and protect the scenic value as much as we can. But this is again, we have areas that are national recreation areas, that are mostly around reservoirs now.

Senator BIBLE. They are not created by legislative fiat, simply operated by an administrative directive.

Secretary UDALL. That is correct. But this is an attempt to sort of have your cake and eat it, too, to have a national park that is not a national park, and yet call it a national park.

Senator BIBLE. You would call 102,000 acres of it a national park and the balance of it a recreation area, as I understand the viewpoint. We are interested in your viewpoint because we are only interested in getting the problem and some controversy resolved.

Secretary UDALL. Of course, the Congress makes final policy in these matters. Congress may entertain it if it may. But I simply say the Department should stick with the national park concept. This is a concept that is unique in the whole world, and we have pioneered in this field in the whole world. We are having an international parks conference in this country this spring. I wonder if I may—

Senator METCALF. May I ask the Secretary a question on this point?

Senator BIBLE. Yes.

Senator METCALF. Mr. Chairman, I have been paging through this report of the committee.

Senator ANDERSON. Of the Governor's committee?

Senator METCALF. Of the Governor's committee, which was submitted for the file by Senator Moss, and I find here exhibit C-8, an editorial from the Deseret News of March 7, 1962, and I want to call this to the attention of the Secretary while he is on the stand:

It will be recalled that last fall—

I am reading from the editorial—

after a conference in Utah between Secretary Udall and Governor Clyde the two men agreed on four guiding principles. They were:

- (1) The area included in a park should be of true national park stature.
- (2) The park area should be no larger than necessary.
- (3) Traditional national park restrictions on land use and activities should be maintained within the true national park area.

and it is this part that I wish to ask about:

(4) A buffer zone should surround the true national park, allowing full use of oil and mineral development and other uses, but with these activities carefully planned to minimize damage to scenic values.

Now, that is the end of the quotation.

Then I skip a couple of paragraphs:

This would limit the size of the park to the scenic areas most worthy of national park status. All areas included would be connected with a highway, with right of way itself of 600 feet or more—

and so forth, which would indicate that last fall in agreement with Governor Clyde you rather went along with the proposition that is going to be presented by Senator Bennett.

Secretary UDALL. No, not at all, Senator. The Governor and I were in agreement, and if I can get him to just take one further step and agree that it should be a contiguous area and we should take the canyons in, this is basically the whole argument, there is no disagreement between us at all.

What I was talking about, what I apparently had in mind, apparently he had in mind something else, was the area embraced by the blue, this buffer area, and we are doing this right now.

What he wants to do, of course, is to shrink it in further, and this is essentially the difference, except that if you are going to have a little park up on the rim, but not take in the canyon, this is something completely new as far as national—

Senator METCALF. Your concept of what the Deseret News calls the true national park area is the area that you have surrounded by the black.

Secretary UDALL. By the black.

Senator METCALF. Or roughly that area which is incorporated in Senator Moss' bill.

Secretary UDALL. That is right.

Senator ANDERSON. Which is much smaller than the area that surrounds it, that recreation area that surrounds it in green?

Secretary UDALL. Seventy percent.

Senator ANDERSON. It went from 1 million acres to 300,000.

Secretary UDALL. I conceded. I have taken seven steps in the direction of compromise, and I asked the people on the other side to take three. This is about it.

Senator DWORSHAK. Mr. Secretary, was it proposed any time to include the entire 1 million acres within the blue boundary in the national parks?

Secretary UDALL. Senator, the National Park Service and these people like an ideal area, and this was their proposal and, frankly, I think the entire area is national park caliber, I agree with them.

I have conceded a good bit of my principles already, because I think the area belongs to all of the people, you and I, although we do not reside in Utah, we have about one one-hundred-and-eighty-millionth part of title to it, the same as everyone else does.

Mr. Chairman, I want to make one more point that I think is very crucial, and I want to disagree very flatly with the statement that Senator Bennett made. He said for the park proposal as embodied in the Moss bill to be enacted would be an unqualified disaster for the school children in the State of Utah.

This is a repetition of something which has been said many times.

Now, the question I want to focus attention on, because we proposed to spend millions of dollars developing this like we have developed Grand Canyon, Dinosaur and all the national parks, the University of Utah has said what income this would bring for the State. It is so remote now and the roads are so poor that you cannot even get into it. I want to ask this question, and I ask it in all sincerity of the Senator and of the Governor, and I hope they will reply: What did this land area, these 330,000 acres, what did they bring in last year to the people of the United States?

Senator BIBLE. I think we both asked this, and the Governor, I understand, is going to give us the answer tomorrow.

Secretary UDALL. I want to give you the answer as I see it, Senator.

This area was combed with a fine-tooth comb for uranium. I think 10 years ago some of the people now who are saying this is a great area which has great potential mineralwise, would have said that the greatest uranium finds in the country are there. There is no active uranium mining in the park area at the present time.

The grazing fees that the Federal Government realizes in total from this entire area are the magnificent sum of \$2,700.

This is arid country, there is no water there. There is nothing there basically except whatever minerals are there, and the most superb scenery almost in the West.

Senator ANDERSON. The total from grazing is \$2,700?

Secretary UDALL. That is the total.

Senator ANDERSON. From these 300,000 acres?

Secretary UDALL. I am talking about the 300,000 acres, and I simply ask the question because the University of Utah people have said how many millions of dollars this will bring in tourism, and our people in some of the other States know the value of tourism. My State is completely converted to it. We do not consider Grand Canyon locked up. We consider it as receiving the highest degree of development that it can possibly get. It is one of the great economic assets of our State and, therefore, when they say "you are trying to deprive us of the potential of the area," what potential does it have? What did it bring in last year? What has it brought in to the people of the United States and the people of Utah in the last 10 years in terms of income revenues?

I ask this question and I think this is the real nub of the matter, and we have a proposal for a real national park.

Senator Moss' bill embraces it, and I think if we can just get everyone thinking clearly on this, I have enough respect for the Governor, he loves this country, he saw it with me, I think he will come over to the position of the Senator and that we will have a great national park in that area.

That is the note I would like to leave on.

Senator BIBLE. I realize you have to leave. Senator Metcalf, do you have a question?

Senator METCALF. I have one question. Have you made any survey or has your Department made any survey of the wildlife in your area so that you could estimate the deer, elk, and so forth population?

Secretary UDALL. Senator, there is very little water there, and the only wildlife there are deer. Most of the deer that are in the area, use it for winter range which is not used in the hunting season. This is not prime deer hunting country. We are being liberal when we say that the largest number of deer, if this many, that were killed last year numbered about 40. This is a fraction of what Senator Bible had in Great Basin, in the Great Basin area, and the one thing that I—

Senator BIBLE. Were, a fraction, I think we have 140 over there. This is a third of it. Fraction, I do not want you to get quite that many deer over in Nevada because I have had a problem.

Senator METCALF. Certainly you had no problem such as was created by the Yellowstone Park?

Secretary UDALL. No, there is no game management problem.

Senator METCALF. 15,000.

Senator ANDERSON. I want to get to Yellowstone. If we adopt the suggestion Senator Bennett has made, shouldn't we go back and revise Yellowstone and have Old Faithful and Devil's Hole, and two or three of those, and then have a buffer zone around it?

Secretary UDALL. That is the concept I am worried about.

Senator ANDERSON. What I am worried about—I was going to say this when Senator Bennett was here—he refers on his last page to Senator O'Mahoney, whom I respect, as we all do: he said that he became tired of Federal bureaucrats in Washington in 1953.

Didn't he stay in the Senate about 20-some years, and then after he made this pronouncement in 1950, wasn't he retired to private life in the next election?

I think this is true. I believe it is true. He was chairman of this committee when I served on it, and I know how strongly he resented these bureaucrats. I argued with him about some of these situations. He didn't think it was proper for me to come up and campaign for him in 1952, which I would have enjoyed doing, but I am sure he was defeated that year, and then when he renounced some of the heresy, he came back in 1954. [Laughter.]

Secretary UDALL. Senator, one of the great conservation accomplishments of President Theodore Roosevelt was the Antiquities Act of 1906, and I disagree profoundly with Senator Bennett on it. I think it is one of the greatest lasting monuments of Teddy Roosevelt. He saved the Grand Canyon as a result of that. It would have been taken by miners—in fact, a man who later came to the U.S. Senate

staked the whole rim with mining claims, and they took him to the Supreme Court to throw him off.

The area in the Teton area in Wyoming was saved as the result of the Antiquities Act, and the people of Wyoming who fought it 15 years ago are now the greatest beneficiaries, and they know that the action taken was right.

Senator BIBLE. I think the Senator from Idaho had a question.

Senator DWORSHAK. Mr. Secretary, is there any prospecting for minerals other than uranium in this million-acre area?

Secretary UDALL. Yes, Senator. There was an oil rig drilling right there when we were right there in July. Mind you, this is the real argument to my way of thinking for a true park, and why we are not excluding the oil people. Incidentally, there is oil activity here; they hit, apparently, a small field in here. We are going to exclude it, but most of this country that we narrowed it down to is so rugged—I would say 80 to 85 percent of it is so rugged, there are no roads, you cannot get in anyway. This area, I understand, you cannot get in with a jeep. The Needles area, you can only get into with a jeep.

So you understand what would be involved in getting down here with a rig to engage in exploration. It is such rugged country that it will never be explored anyway.

Senator DWORSHAK. With your record of mountain climbing you could get in there, couldn't you?

Secretary UDALL. Well, we did. [Laughter.]

Senator MOSS. Well, there have been, I think, 10 dry holes drilled in this area.

Secretary UDALL. Yes, in the park area.

Senator BIBLE. In addition to that, the substitute offered by Senator Moss protects any valid claim that is there. If I had a patented mining claim right now there in this area I can go in there any time and work it.

Secretary UDALL. The same as in your bill.

Senator METCALF. Wasn't the testimony that all of this was under oil lease, and those leases would be protected, as I understand it?

Senator MOSS. Virtually all.

Senator LONG. Mr. Chairman, just a brief question.

References have been made at different times to Yellowstone. What is the comparative size of your proposal here and Yellowstone?

Secretary UDALL. Yellowstone, Senator, is one of the great large parks, original parks, 2.2 million acres, and this we propose is 330,000, so it is very small. This is half the size of the Grand Canyon, for example, roughly.

Senator LONG. The Nation would be infinitely poorer if those who planned Yellowstone had cut it down to one-seventh.

Secretary UDALL. That would be my opinion, Senator, and I think this has a great potential, this southern Utah country. I am fascinated by it. The Rainbow Bridge, the Powell area; I think if we were to create, I mean, give it the status it should have and create the additional national parks that are warranted in that area, maybe some day we could build this road that Senator Bennett talks about, and it would be warranted, and we would link it up with the adjoining States.

But I think the logical step-by-step approach is to create a great new park here, develop it according to national park standards.

Senator BIBLE. Thank you very much, Mr. Secretary, for a very, very effective presentation.

(The prepared statement of Secretary Udall follows:)

STATEMENT OF STEWART L. UDALL, SECRETARY OF THE INTERIOR

Mr. Chairman and members of the committee, it is a pleasure to appear before you in support of a proposal to establish the Canyonlands National Park in the heart of superb landscapes of southeastern Utah.

In this age of burgeoning population and urban sprawl, the rapid appropriation of open space each day removes a bigger percentage of the land left available for public recreation. The report of the Outdoor Recreation Resources Review Commission points out the problems that face us and their urgency. We must act soon if we are to leave adequate room to breathe as part of the heritage of our descendants. The necessary action involves, of course, all levels of government and all types of open space. There must be the playgrounds and the green spots in the cities and towns, the county parks, and the State parks. There must be, as well, the recreational opportunities provided on lands that have other uses as a primary function. But for some 90 years the ultimate in inspirational outdoor recreation—the ultimate in refreshment of the spirit—has been in our national parks.

Around the world the words "Grand Canyon," "Yosemite," "Crater Lake," "Sequoia," and "Yellowstone" are known and have a well-justified appeal.

Canyonlands belongs among them. For Canyonlands has all of the distinctive qualities of a great national park. It is our good fortune that the quality of the canyon country surrounding the confluence of the Green and Colorado Rivers has remained essentially unspoiled.

It is harsh country and since the days of the Indian and the earliest explorers it has been a country seldom visited and little used. Locked beneath lofty cliffs and cut by tortuous canyons, it has been landscape viewed from a distance—landscape easier to avoid than to enter. It is not farmland. It has no merchantable timber. Its rivers, sunk far below the land surface, lead inexorably to roaring rapids. Its fantastic profusion of scenic features have been available, with difficulty and sometimes even with danger, to only a tiny few.

First, a word about what we think should be preserved, and then some thoughts on how it could best be done.

The Canyonlands region is a rather definite physiographic unit bounded by the bold highland that thrusts south toward the junction of the rivers, the rim of orange cliffs on the east and west, and the Dark Canyon Plateau on the south. In the middle of this basin the waters of the Colorado River join with those of its largest tributary, the Green. The rivers here flow deep in narrow canyons, and their inner gorges divide the Canyonlands into three parts. The three divisions are distinct, although scenically related, and are not reachable at all directly one from the other. Each contains features not found elsewhere, and in total the Canyonlands Basin probably contains the most varied assortment of redrock canyons, weathered erosion remnants, and panoramic vistas in the world.

Between the rivers the land is sharply stair-stepped. Sheer-walled canyons tributary to the river have eaten into the nearly level surface of the plateau, and in one place two have come so close to meeting that only a 40-foot neck joins the surface of the main upland mass with its southern extension, the Island in the Sky. From the rims of the island are many superb views down to the rivers, and from its tip, at Grandview Point, the entire sweep of the Canyonlands is seen.

In one arm of the Island in the Sky the core of Upheaval Dome displays eroded and contorted sediments pushed upward by a slat dome. Hundreds of feet below the rim a mezzanine surrounds the Island in the Sky and extends to the rim of the inner canyons. Its edge is crisply etched and scalloped, and below the inner rim lie basins, each different and visually exciting. Of course, Standing Rock Basin with its chocolate-colored slabs and pinnacles is best known.

West of the rivers is the wildest and least-known section. Below the Orange Cliffs, themselves dissected by long canyons, a broad bench slopes gently toward the river canyons. It is surmounted by buttes of sandstone, and by smaller individual remnants of underlying layers that punctuate the great sweep of wilder-

ness. This is the Land of Standing Rocks. Into this platform has been worn a complicated network of lesser canyons, called the Maze.

Southeast of the rivers the superb viewpoints of Hatch and Harts Point look down on the jumbled erosional forms of the Needles. In that region, below the skyline orange cliffs, there are three major scenic subdivisions. The Needles proper are perhaps most fantastic—their spires and strangely bulging pillars unmistakable from afar. West and southwest of the Needles is an arc of parallel-walled sunken valleys, called the grabens, so geologically young that active faulting may still be going on. East of the Needles is the architecturally carved drainage of Salt Creek and its tributaries—bluff walls, sheer faces, twisting stream channels, arches, fins, and abundant evidence of prehistoric Indian occupation.

This, then, is the Canyonlands, combining many of the outstanding features of Zion, Bryce Canyon and Grand Canyon National Parks—and all of it fully worthy of national park status. I strongly recommend that within this area there be established a Canyonlands National Park. There have been many suggestions as to the proper size of the area. I reaffirm the recommendations of this Department's report on S.2387 made on January 31 of this year, which would establish a park of some 332,000 acres. The boundary recommended in that report would enclose only the heartland of this extraordinary area. It is, in my opinion, the very minimum area which a true park should embrace. It would include the Needles; most of Salt Creek and several of the grabens; rivers, artifacts and petroglyphs of archeological interest; the Island in the Sky and the point of land between the rivers, and enough of the Land of Standing Rocks to include the Maze and some of the erosion remnants on that side. This boundary would also protect within the park the inner canyons of the Green and Colorado Rivers along their courses past the Island in the Sky. One small adjustment of the boundary would eliminate the very head of Lake Powell from the southwestern corner of the park. This area should be developed according to time-tested standards of the National Park Service. The Department's report recommends the construction of approach roads and judiciously located park roads within the area itself to make the inspirational values accessible for the people of our country. Careful development of roads, trails, and necessary visitor facilities will enhance the attraction of the area, and will also properly reserve parts of it in wilderness status.

Most of the proposed park area consists of such rugged terrain that mineral exploration is not possible, but the mineral values are reasonably apparent. Potash deposits thin out under the northeast corner of the proposed park, and present exploration is focused farther north and east. Many hundreds of uranium claims have been staked in the area, but few were ever productive and nearly all have been abandoned. One producing oil well has recently been brought in in the extreme northeast corner of the proposed park; otherwise tests throughout the area have not been successful. I recommend that the valid existing rights to mineral and oil and gas production be protected, but that the park itself not be left open to indefinite exploration.

Present grazing privileges—which are seasonal and highly limited—would be retained.

The economic study prepared by the University of Utah makes clear that the highest use of the Canyonlands, as a national park, would also have the most beneficial effect on the economy of the surrounding region. Tourism is the soundest base the economy of any region can have. Experience has shown that the establishment of any new national park is of great economic assistance to the surrounding area. Canyonlands would be no exception as the Utah University study has demonstrated.

One more word about intangible values of a Canyonlands National Park. A compelling attraction of the area is that the great vistas from the rim will introduce the park visitor to the area—and then he will easily be able to move down into the midst of highly varied scenery. This unique park will have a greater attraction for more people for a longer time than will most others. Let us, then, to provide immediate benefits for this generation—and a splendid heritage for future generations—establish the Canyonlands National Park now, before it is too late.

Senator BIBLE. The committee will be in recess until 2 o'clock this afternoon.

(Whereupon, at 11:50 a.m., the committee recessed, to reconvene at 2 p.m., this same day.)

AFTERNOON SESSION

Senator BIBLE. The committee will come to order.

We completed the testimony this morning of the Secretary of Interior. I think we only have four witnesses, but if we do not complete them we will recess about 3:30 until 10 tomorrow morning when we will hear Governor Clyde.

Our first witness this afternoon is Mr. Conrad Wirth, the Director of the National Park Service.

Mr. Wirth, I see you are accompanied by Frank Harrison and Bob Barrel. Thank you very much.

Do you have a prepared statement, Mr. Wirth?

STATEMENT OF CONRAD L. WIRTH, DIRECTOR, NATIONAL PARK SERVICE; ACCOMPANIED BY FRANK E. HARRISON, SPECIAL ASSISTANT TO THE DIRECTOR; ROBERT BARREL; AND KARL LANDSTROM, DIRECTOR, BUREAU OF LAND MANAGEMENT

Mr. WIRTH. No; I have not, Senator. I relied on the Secretary to make the statement for the Department.

Senator BIBLE. And he has done that?

Mr. WIRTH. He has done that.

I thought, if it is your wish, I could, perhaps, make a few statements as to how we went at this, on principles, and also to try to answer any questions you might have.

Senator BIBLE. Very fine. You might just proceed to briefly highlight the reasons for the selection of this area, why you arrived at 332,000 acres and not 340,000 or 400,000 or a million or 250,000 or 120,000. Tell us how you arrived at your conclusion.

Mr. WIRTH. There is one statement I would like to make, I think, which I believe might clarify something which was stated this morning, if I may.

Every since the establishment of the Park Service back in 1916, every national park established has been established by an act of Congress.

Every park established has been submitted to the committees of Congress, and they have very carefully gone into the studies and reports, and have defined the boundary lines of these parks. They have done it through the process of many hearings.

I think this is all good. I feel, in establishing these parks, that was the way to do it, and the way that it has been done and should be continued at present.

I think everybody who has anything to say should be heard. But I most sincerely hope that when Congress acts it will act by establishing a park or not establishing a park in accordance with the findings as to the boundary lines, and so forth, rather than to leave it an open end to be adjusted, and so forth and so on, and by outside committees.

Senator BIBLE. Well, I would go along with that statement. In the last couple of years, as you well know, we are developing some familiarity with the problem of national parks, national seashores, and we had first the Cape Cod National Seashore. We had many, many problems when that started out. It was too large an area, and then they shrunk the size of it, and then they allied some compatible uses

of it, and we went out to Point Reyes, Calif., and we had a different problem, even though the Park Service was not completely satisfied with the end result, and it was, in my considered judgment, a sound determination, and based upon the facts and the different interests that we had.

We have done very much the same thing at Padre Island which is pending on the Senate calendar at this time.

Mr. WIRTH. I feel that way. Everybody has an opportunity—

Senator BIBLE. I think we have to make a final determination. I do not think we can loose-end these parks. It either should be or should not be a national park.

Mr. WIRTH. That is right. There is one other thing I would like to try to answer, and that has to do with the question of the term "locking up" an area. I realize it has been used several times this morning, but the policy of establishing what we often refer to as the crown jewels—the great scenic areas of America—as part of the national park system, is not locking up anything but it is making available for a particular purpose. Congress established a certain land classification for a purpose, and that is what the national parks are.

That has been substantiated by Congress many times, and in the latest substantiation of it maybe not by Congress as yet, but certainly by a committee set up by Congress, namely, the Outdoor Recreation Resources Review Commission, they further enunciated in their report, and recognized areas of outstanding scenic beauty as areas that should be preserved for the use and enjoyment of the people.

There are many benefits. You would not call it a multiple use, and I am not talking about the multiple use principle which has been established by Congress, but there is no conflict in our mind between setting a national park aside and the principle of multiple use where multiple use would apply.

We feel very strongly that there are many multiple benefits from a national park. First, you are preserving something almost intangible for human benefit, and that certainly is a value.

It has a tremendous economic value. That is another thing that came out in the National Recreation and Resources Review Commission that has not been fully recognized by many people before. In our leisure time activities and the visiting and enjoying of these things there is really an economic value as well as a great personal inspirational value, and I do not take credit for this concept, but it has been stated, and many times that, after all, there are a certain number of clothes that we can wear, an individual can wear, and a certain amount of food a person can eat, and beyond that point you get into another field which is your recreational activity or leisure time, and that is a growing economic factor in the United States.

It does not necessarily apply to the national parks alone. It applies to others, to States and the other agencies of the Federal Government such as the Forest Service, the State forests, State parks, all of them, and private enterprise has an interest in it, too, both as to land and as to serving the public.

But the character and the purpose of the national parks are still just as sound as the day they set aside Yellowstone and the day they established the national park system, Congress did, and enunciated the same principle that was established in 1872.

The most recent one was the Recreation Resources Review Commission Report which enunciates that same principle again at this time.

There are only 30 national parks in the whole system. The rest are monuments, historic and so forth, scientific areas, and the selection has been a long, tedious job, and a job that has been given very careful consideration. We want to keep that high standard.

We in the Park Service feel and have felt for a number of years that this particular area, the Canyonlands, is national park caliber. There have been studies, I have been in the Service since 1931 and I remember studies that have come in from Roger Toll years ago, when he was Superintendent of Yellowstone, and he went out on special studies.

One was about this great Canyonlands, and it is really just coming to the forefront now in a sizable unit to classify fully as a national park.

So I want to emphasize that fact because we have looked into this and studied it very carefully, and it is not an overnight proposition. It has been given very careful study, and the pictures you saw here today will give you a full example of what it is.

So then, to follow through on the Secretary's statement this morning, it is true, as far as we in the Park Service are concerned, we do not feel this area is sufficiently large to do the full job.

This, in our opinion, is the absolute minimum. In fact, there are several sections that I would like to see added to it. I know there are other complications involved and other things have to be taken into consideration also.

We have tried to do that in all of our studies in the last several years, where we have asked for economic studies to find out from sources outside of our own Bureau an analysis of the effect of this park in this area, not that it is the deciding factor, but what are we running into and what are we upsetting, if anything else, in another field of economic development, and we have gone outside the Service to be sure that we get an objective view of this.

I might say that we have here the economic study made by the University of Utah, and it is quite definite. Before they could finish it up, they wanted to know what our boundary was because that was important in making their determination, and that is why it was, perhaps, a little late getting in because we were working on the exact boundary line, what we felt it ought to be in order to properly justify the park.

It is interesting to note, too, that Dr. Harline, who is also on the Governor's committee here that made the report, but based—

Senator ANDERSON. Did he come out with the same economic answer in the Governor's report that he came out for you?

Mr. WIRTH. Many of the charts and things used are in here. I do not know what the final answer is because this is his report here on the economics. I think there are other things which came into play, other than the economic value in making this, but this is a pure economic study which we did not influence; we asked for it and paid for it. It was made by the University of Utah through Dr. Harline, and it goes into the minerals, it goes into the wildlife, and goes into everything pertaining to this area.

Senator ANDERSON. Does it indicate what sort of deer hunting there is up there?

Mr. WIRTH. Yes, it does. It goes into some detail—there is sort of a summary on page 128. It goes into fish and game. It says here that there is reported to be a small population of mountain sheep; a rather abundant number of, fairly large number of, mule deer along the river bottom; and a substantial population of chukkar partridge. The State fish and game commission has indicated an active interest in the possible arrangement of control of hunting in the proposed park area. This is primarily because of their concern in the management of game, particularly of the deerherd.

The actual number of deer killed within the area of the proposed park is not known. It is thought likely to be relatively small. There is a considerable deer population, however, to the southeast of the Utah area, and it is reported that because of the migratory habits of the animals the southern portion of the park is used as a winter feeding ground.

It has been pointed out that if the park remains a game preserve so that hunting pressure is created to force some deer into the park, in the hunting season, it will be difficult to regulate the size of the herd in southeast Utah.

The result, it is feared, would be a herd buildup which would damage the range of the La Salle and the San Juan deer hunting units.

It states here that as noted above, the size of the deer population is not known. The estimate of those killed on the San Juan unit in 1961 was 9,653, and on the La Salle 3,197. These two units cover all the San Juan County outside of the Navaho Indian Reservation, and most of Grand County, because the kill statistics are for such large areas, they do not indicate the deer population within the proposed park but rather the magnitude of the deer population in the surrounding area.

The Utah Fish and Game Commission has recommended that a cooperative Federal-State arrangement be made as a means of best solving the game management problem and insuring the maximum economic returns to the State.

Senator ANDERSON. We had an estimate here this morning that about 41 deer had been killed in there.

Mr. WIRTH. We have an estimate from our Superintendent in the Arches area who knows this country well, and he says the best he can give us is an estimate of about 40 deer killed. The hunting, as he indicates is in the southern section, this is the winter range that the report talks about, where they have the winterfeed down in this section, it extends outside of the park, and also up here in this section is where most of the deer are.

There are some that come in through the river, but this is pretty rough country, and there is very little feed. This is in the winter range which the deer are not in during the hunting season, and most of the kill is taken up in this northern edge.

Senator BIBLE. What is this 4,000 figure; what does that relate to?

Mr. WIRTH. That includes the full section over here and over there; is that correct?

Mr. BARREL. Yes.

Senator Moss. If I may interrupt, to the southeast of the park lie the mountains that are high and have forage on them, and that is a very prolific deer area.

Mr. WIRTH. That is correct, and when the snow gets heavy they do come down here when there is water for the winter range. If they are not forced down, they do not come down that far.

Senator ANDERSON. Certainly if there are only 41 deer harvested in the season, or something comparable to that, it is not what you would call a hunter's paradise, is it?

Mr. WIRTH. No, and I do not think the fish and game commission really call it that or try to paint that picture. I think their statements indicate they are more interested in hoping to bring back, according to the Governor's report, mountain goats, and also to introduce exotic types of birds, and so forth, in this area for hunting purposes.

In fact, the fish and game commission so states in the Governor's report, I think. Mountain sheep, I am sorry.

Senator ANDERSON. Barbary sheep, that type?

Mr. WIRTH. Mountain sheep, bighorn.

Senator BIBLE. Does the Department approve section 7 as in the proposed substitute of Senator Moss of February 7? This is the one that provides for the cooperative agreements between the Department of Fish and Game of the State of Utah and the National Park Service. As I understand it, this is looking toward a managed hunt certain seasons of the year within this particular area.

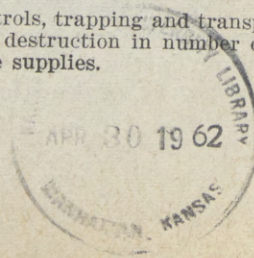
Mr. WIRTH. Well, we have given this problem of the managed hunt an awful lot of study, Senator. We consulted Wyoming and Montana in the northern Yellowstone elk area last June, and the take we made this winter was agreed to as a proper approach instead of a public hunt. It is dangerous up there even if we did have a public hunt because we are in a high plateau and cold weather, and so forth.

There have been some questions between ourselves and other conservation agencies outside. I have an excerpt from a letter here which I have not had permission to read into the record, but I am sure the individual who wrote it would not object. It is from the National Wildlife Federation dated February 23, and deals with the whole question of how are you going to handle the game in the park. The National Wildlife Federation includes quite a few agencies, and this person writing the letter is an officer of the agency, and I do not think he means that it is the final policy of the federation. Anyway, he got into a controversy with our Superintendent in Yellowstone regarding hunting and the Superintendent raised questions, and he has replied to them, and he says as follows:

Quite a number of months ago most of the national conservation organizations met in Washington, D.C., to discuss this very problem. No doubt you already had the opportunity of reviewing the comments of these organizations. But, for your information, I would like to review a few of the pertinent conclusions.

(1) We all agree that there should be no recreational hunting in the national parks. We are all in agreement that most large national parks contain surplus population of big game animals responsible for destruction of vegetation, soil and watershed conditions.

(2) We all agree that the natural biological controls, trapping and transplanting, have proved ineffective in controlling surplus destruction in number of big game and bringing them into balance with forage supplies.



(3) It was, therefore, concluded that the removal of surplus animals by shooting might be necessary in order to preserve the scenic and natural beauty of the park area—

and that is what we did in Yellowstone.

(4) We are all in agreement that the shooting should be done under the strict supervision of the National Park Service.

Now then it goes on, and I shall not read the whole thing, but those are the basic principles we are talking about. The rest of it is the question of disagreement between the various organizations on just how to handle that management problem.

So what I am saying to you, sir, is—and I cannot speak for the Department because it has not prepared the final report on this amendment that you asked a question about—that is one of our big major problems, and one which we have got to face, how to manage the hunt and manage it properly.

Senator BIBLE. That still is not responsive to section 7. Are you for it or are you against it? Section 7 is the one that sets up the control, management for —

Mr. WIRTH. I am against it from the standpoint that I think we should go ahead and manage our own problems. We will consult, as we have, with the States on all their programs, like we did in Yellowstone.

Senator BIBLE. Section 7 makes it rely upon a joint recommendation of the Governor and the Secretary.

Mr. WIRTH. Well, section 7, of course, is the same principle as in Teton. But the Teton is a different story than here. In Grand Teton, one part of the park, the Buffalo Fork area is right across a migratory route of the big South Teton elk herd, which summers partly in the park, but mostly in the national forest, and migrates down to an enclosure set up for winter protection. It takes care of some 7,000 elk each winter, and it is on that migratory route when they come through the park just for a few days that this provision operates.

Now, the law provides that we, the Secretary and the Governor, will agree on whether there should be a take or not.

Some years we have had takes, other years we have agreed not to have any, and we are bringing—

Senator BIBLE. This is a take of what, deer, buffalo?

Mr. WIRTH. No, elk.

Senator BIBLE. Entirely elk?

Mr. WIRTH. Elk; although some of the hunters come out with some of the others sometimes if you don't watch them.

We have issued 2,000 permits or have received 2,000 names of good hunters recommended by the State, to take. About half of them come in to get their permit, and I think the most we have ever taken, in any one year, has been 187.

Senator BIBLE. Averaged over how many years?

Mr. WIRTH. Ever since 1951 through 1961.

Senator BIBLE. That is 10 or 11 years.

Mr. WIRTH. Yes.

Now, that is our experience. That is a different principle, sir. It is right in the migratory path. They are not elk that normally are in the park, or deer that would be in the park. They are animals

that are out in the summertime and out in the wintertime, and they come through twice a year. I think that is an entirely different problem, and I think if we manage our parks properly we have got to consider each one individually because we are now in a developed country. We have got to take those things into consideration, and that is what we are trying to do in our management program.

Senator BIBLE. You are in a developed country where, in Grand Teton?

Mr. WIRTH. Yes, it is coming all around us, and that is why it is important to set out all these parks. There is going to be development into this section of the country, there is going to be an economic development; and if it develops like Teton and the Grand Canyon and others, we are going to have a lot of people around. The territory around there is going to be inhabited by people looking for hunting grounds which should be outside. If we let them in we have nothing left.

Senator Moss. Do I understand you, then, Mr. Wirth, to say that you recognize that the game animals at some place or other probably will have to be managed to save the animals themselves or the forage or both?

Mr. WIRTH. We do.

Senator Moss. But you prefer the method of having the Park Service itself destroy, I mean take, the number of animals necessary, rather than the route suggested here that it be worked out with an arrangement to let private hunters go in and do that job?

Mr. WIRTH. That is right. I will say our analysis of the situation at this particular area, Senator, is this: that there are not enough deer in here to ever get us in a real bad place on anything because the winter range is on the south end, and the only real hunting possibility is in the north end.

Senator Moss. Yes. But under the provisions of the bill, as amended, if the Secretary and the Director of the Fish and Game, did not find any surplus, then there would not be any open to hunting. It is only when they make that determination that there is a surplus of game that is necessary to be managed in order to protect the herd or the forage or both, that you go to the second step of issuing so many permits; isn't that so?

Mr. WIRTH. Well, that is what we do at Teton. That is the only place we do it.

Senator Moss. So in this area it would be only when you had the population get up, if it is no higher than it is now, it is not likely that there would be a hunt, but if it should go up with either deer or sheep or partridge or whatever else, to the point where you have this management problem, then you would have a mechanism for doing it by private hunters rather than the mechanism of having the park rangers thin them out?

Mr. WIRTH. There is nothing in the law at the present time that prohibits the Secretary from doing what this says right now.

Senator ANDERSON. Just a minute. Did you really understand his question here?

Mr. WIRTH. Yes.

Senator ANDERSON. Where he says you would do this by the park rangers?

Mr. WIRTH. Controlled.

Senator ANDERSON. You would control it, but you would not send them in with rifles to pick them off; you would let hunters come in, would you not?

Mr. WIRTH. No.

Senator ANDERSON. You would not?

Mr. WIRTH. It all depends on the circumstances. Now, we did in Teton. The hunters are doing it on a permit. They get a special permit from us, and they have to have the State license and they have to be recommended by the State as being good shots.

In the Yellowstone elk reduction, we did it ourselves. The reason we did it ourselves was because we wanted to do it properly. We tried to get the State to open the season up north of Yellowstone after they had once closed it down. We had a severe winter in Yellowstone, and the elk went out this year, and we had better than 2,800 elk outside in the hunting area, but the State felt it should not open up again.

But in there, at Yellowstone, at the elevation we are, it would be very difficult by the time the elk get down to that winter range to allow the public in there to hunt. It is a very severe country, and we have to go in on cats and it is dangerous. We feel very strongly that in that case we would have our problem with the hunters themselves. Perhaps we would be looking for hunters rather than elk in many cases.

Senator BIBLE. Your testimony, is this correct, with the exception of Grand Teton, the National Park Service manages and controls and takes the wildlife on the balance of the national park system, with the exception of Grand Teton?

Mr. WIRTH. That is right.

Senator BIBLE. This is completely managed by the National Park Service?

Mr. WIRTH. That is right.

Senator BIBLE. Without any relationship to the fish and game commission of the State in which the park is located?

Mr. WIRTH. That is right.

Senator BIBLE. So Grand Teton is the one exception?

Mr. WIRTH. That is right.

Senator BIBLE. What did you do in Cape Cod; didn't we write some exception?

Mr. WIRTH. Now, we are talking about the seashore area.

Senator BIBLE. All right, I will leave it with national parks.

Mr. WIRTH. I was talking to the national park subject. I would rather talk on the seashore. I think that is another case of management where you have a different problem. You have got a seashore that is mixed up with communities, and it is almost impossible in that small area to make the adjustment.

The agreement is with the State on the seashore that we will sit down and make arrangements in that connection because we just cannot adjust.

Most of that area is out of hunting bounds anyway because there are so many houses around it.

Senator BIBLE. But you have in the Cape Cod seashore bill, national seashore bill, a provision somewhat similar to the provision in the Grand Teton National Park.

Mr. WIRTH. It is much more liberal than the Grand Teton. It covers most any kind of hunting that would be in accordance with State regulations. But it leaves in the Secretary's hands the final decision. It does not make it a joint decision. I think if you are going to have a piece of property and a management under an individual or agency, it must be left in his hands and not require a joint decision.

They can consult, and we do that, and we did on our North Yellowstone elk herd reduction this year. We discussed the problem with both Montana and Wyoming to decide what to do, and we all agreed last July this was the way to proceed.

Senator Moss. Mr. Wirth, would it be fair to say this, that under our present national park system that in most of them you depend just on ranger management, if you have these wildlife problems.

But we do have one where you have this other provision for permitting hunters, licensed hunters, to come in to do the management and, therefore, if Congress should decide that this provision fitted the congressional mandate here, you have a pattern for following and doing this very thing that this calls for; is that right?

Mr. WIRTH. Well, Senator, that would be true, there is no question about it. If Congress passed a law that way that is what we would do.

I was trying to emphasize, however, that when it comes down to our basic 1916 act, the Secretary has full authority to manage this in order to preserve these areas in their present condition for the use and enjoyment of the people unimpaired, and our whole management policy is built around that. We know that people who are outside, no matter how good their intentions are, have other policies of their own because of other interests and, consequently, while we consult with them, we feel that we are charged with the responsibility in the area, and we cannot divide that responsibility up and still carry out and be held responsible for the job.

Our professional people and even the conservation organizations and many of the other organizations that are interested in the national parks, and other professional people, have made the study. If you are going to try to get it from a balanced ecological standpoint of management of your parks, you have got to make your controls. There was a time, Senator, and we must face the facts, when we were surrounded in our national parks by nothing but a lot of open land.

Senator Moss. That is right.

Mr. WIRTH. And the old theory of just letting nature go its course does not exist in many locations.

Senator Moss. That is right.

Mr. WIRTH. So consequently, as your predators are being supplanted by the human predators, may I say, you have got to make your adjustments. In the Yellowstone case we waited too long for a bad winter, the bad winter would drive them out in the hunting area, but the winter did not come, and that is why we had to step in and do it.

We have a balanced herd now. We took 5,000 head out of there. They were all distributed to various institutions around and to the Indians and others, and we have got a balanced herd there and we are going to keep it that way.

It is much easier to cut a twig off than it is to chop a tree down, and we hope to do a little bit of controlling every year, and the Secretary

has gone outside of the Service to get a special committee to assist us in analyzing these ecological balances so as to help formulate a management program.

Senator Moss. Had you had a provision like this in the Yellowstone Act and been faced with the problem that you had last year, you then would have issued 7,500 permits, say, expecting that 5,000 elk would be taken to accomplish what you had to do with the rangers, is that correct?

Mr. WIRTH. We could do it in Yellowstone now if it was decided to do it that way.

Senator Moss. I see. You have the power now, you think, to do it?

Mr. WIRTH. Oh, yes.

Senator Moss. But you have chosen the other way?

Mr. WIRTH. That is right. We have done it after consultation.

Senator Moss. This is then really a philosophical decision that Congress has to make.

For instance, in Utah we have nearly a half million hunters each year, and we kill well over 300,000 deer during the deer season in the State, and so hunting is a big and an important recreation activity in my State.

Mr. WIRTH. That is right.

Senator Moss. And it brings hunters from California and Texas and everywhere who come in there to hunt, and so you can understand why people who are charged with managing the game herds are concerned with the problem of whether this particular area will be managed, first, and second, if it is managed, will they be able to get the recreation feature out of it as well.

Mr. WIRTH. Well, let me say this, and I want to make it amply clear, I have nothing against hunters or fishermen or anybody else. In fact, that is one of the finest types of recreation which you can have. The only thing that we are talking about is the basic principle of a national park which is relatively small compared to the overall area of any State or of the Nation.

I think in the whole national park system there is less than 1 percent of the total area of the United States devoted to recreation areas under our jurisdiction. Those are the national parks, monuments, and so forth. Most of that land is land that has no other economic value; mountaintops, desert, geyser basins, and there is a lot here that has no economic value.

Its main economic value is the fact that it is a park and will attract people because of its great scenic value, and those are the things that are paramount, and to infiltrate—I am talking personally now, and I am, perhaps way off base—

Senator Moss. I think you were asked for your personal opinion by the chairman, and you can give your personal opinion.

Mr. WIRTH. If we can manage it on that sound policy, which I think is sound policy, which apparently Congress has in the past, and I interpret the report as interpreting the management of certain kinds of lands, then let us face the facts and manage it the way it is intended.

If it is decided that this land is not to be used as a national park for its best value from a good, sound, land planning, then we have got a different story.

But in our opinion, and that is the thing we are making a strong recommendation on, it is of national park quality and it is important to the Nation and to the State of Utah and everybody that it be preserved and managed so that it is a complete unit of great scenic grandeur with all the elements that go with it.

Senator Moss. I would agree with you fully certainly on the latter part of the statement, but the point where apparently we differ is when you come to the place where the wildlife must be managed in one of these parks. My bill and my philosophy say that you can take the road of permitting licensed hunters in the proper number, that has been decided in advance, to go in and do that management job and gain the recreation.

Whereas you say when you come to that problem the thing to do is to have the rangers go in and do it and give the game meat to welfare or something else. That is really about where the split is, is it not?

Mr. WIRTH. I am not trying to make a final decision on just how it would be done because I realize that each case has to be done differently.

If you came to me now—and I am sticking my neck way out—in connection with the overgrazing in Bryce of which we have been accused, I would say this. Bryce is a very narrow area, and there is as much overgrazing outside the park. We just have got a little bit of a rim there, and there is nothing we could do to control overgrazing in Bryce unless it is done outside on the same pattern.

I do not know whether I make myself clear. Bryce is such a small unit of the whole that what we do inside won't help, because the deer will come crowding in just as fast as they can because they are overgrazed around us.

Senator Moss. I see your point. Over the years, as we have developed in hunting and in controlling the deer herds, our fish and game people now have a rather scientific way of making a count at certain times of the year in areas and making a computation from that, and deciding what next fall they should permit by way of hunting in various areas, and our whole State is zoned into hunting areas, and in some areas you can take two deer, some you can get a permit and you can get a third deer even because they are areas which need to be hunted heavily; in others you can get only one deer; in a few areas around the cities and where it might be dangerous, of course, you cannot hunt at all.

But that is now something which has evolved into a very scientific pattern of managing the deer herd and, rather successfully.

What the philosophy is behind this is to apply some of that science to this particular area so that if, based on a count and on experience you would find that there is going to be a surplus of game in there in the ensuing year, that then in a measured amount you can permit a harvest of that to keep the thing in balance; that is what you should do.

Now, one thing that disturbs people in my State a great deal is we do not have very many elk, and as a result we have to have a drawing.

Senator METCALF. We will transplant some for you.

Senator Moss. Thank you, Lee; we will take everything you can send now.

Senator METCALF. If the Governor will accept that, I am sure we can transplant all the elk that you can take out of the Yellowstone Park.

Senator MOSS. I have no authority. I would personally do that because I can only draw every third year to see if I can go out hunting elk, and when our people read in the newspapers they are either going to slaughter 5,000 elk in Yellowstone, and they have been waiting 3 years to draw a permit for hunting elk in our mountains, they are not happy, and they say, "Golly, at least it could be better managed than that; there ought to be some way we could buy a license in Wyoming and draw in the pot and go out and hunt elk."

Mr. WIRTH. Let me substantiate Senator Metcalf here. To be perfectly frank, neither Montana nor Wyoming will take any more because they are overburdened with elk all around us.

Senator MOSS. We still do not have enough to go around.

Senator METCALF. You just put your order in and we will give you all the elk that you can take in the State of Utah.

Mr. WIRTH. As far as the deer are concerned, they are right next to us; we are just on the edge of it. You have got plenty, and there is no grazing. All the pastures are gone now for the elk.

Senator MOSS. I do not think elk would survive in this country, but we are talking primarily about deer down here.

Mr. WIRTH. I doubt from our reports and studies whether there are many deer outside of the fringes.

Senator ANDERSON. You do recognize in this Teton area the law specifically sets out that it is done in cooperation with the State, and then it says:

Such programs shall include the control, reduction of elk in such park by licenses issued by the State of Wyoming and deputized as rangers by the Secretary of Interior when it is found necessary for the purpose of proper management and proper protection of the elk.

Mr. WIRTH. The way that works is that every year the Fish and Wildlife Service, Forest Service, the State game and fish, and the National Park Service—all our biologists, and so forth—review the condition of the elk herd and how many they can feed down in Jackson Hole Elk Preserve where they bring them all down, corral them, and feed them all winter long.

We happen to be on the migratory path where they almost have to come through the park to get down to the Jackson Hole Elk Refuge. So the determination is made of how many have to be taken out in order to be able to feed them and put them in the cage down there.

When that is done, then if they decide that, perhaps, they can help themselves by taking some within the park, then we make a joint recommendation to the Governor and to the Secretary of Interior. Either one could say no. Then if they are both agreed, and they have never disagreed since this started, the Governor, through his game commission, transmits to the Secretary the names of whatever number of well-qualified hunters is agreed on, say, 2,000, who have State licenses.

The selected men appear at the ranger station, and each is given a paper deputizing him as a ranger to take one elk.

One year we lost more moose and bear than we took elk out of the park. I do not mind telling you because they could not get any elk,

they sneaked out a couple of bear and moose close to the boundary line, which we did not like very much. But that was not the fault of the State or anybody else. It was just that we did not have enough patrols to be sure they were not poaching on other types of game.

Senator BIBLE. Do we have further questions on the hunting facet of this problem?

Senator METCALF. Mr. Chairman, I want to ask a question.

Senator BIBLE. Senator Metcalf.

Senator METCALF. Mr. Wirth, of course, in Yellowstone one of the most interesting things is the hot water phenomena and Yellowstone Canyon. But you talk to tourists who have been in the park, and they skip over those things and talk about the delights of seeing the wildlife, bear and elk and moose.

Is there any problem about hunting such as you have in the Tetons or so forth or licensed hunting, as to frightening the wildlife away from areas where the tourists can enjoy them in the summer?

Mr. WIRTH. Senator, I am glad you brought that up because I meant to mention it, and I overlooked it.

I agree with you that one of the greatest delights in visiting the national park is to see the wildlife in its natural habitat. They are unafraid.

The moose in Yellowstone will graze within a few hundred feet; in fact, we are often afraid of the people getting too close to them. They pay no attention to them.

Elk are the same way. The resident elk that stay in the lower areas pay no attention to them.

In Teton we have resident elk also, and they are not shocked. When they stay all year around either, say, on the west side of Jackson Lake or the river, you can always go and see moose along the side roads, and that is one of the real delights.

Our definite feeling is that opening the place up to hunting will drive them out or make them fearful enough so they will stay away from humans. Maybe some of the bear should stay further away, but that is one of the things you put up with to get the other.

Senator Moss. May I comment on that, Mr. Chairman? I do not know so much about elk, as I indicated before.

We have a lot of deer, mule deer, in Utah, and in areas like around Fish Lake which is not too far from here. Other places like that you can see deer all through the summer and little fawns will wander into the cabin and you can see deer almost any time you look.

But when the hunting season opens there are nearly 1,000 hunters on that hill looking for deer, and it does not discourage them. The next year they are back there, and they are hunted every year and hunted heavily.

So I do not think you would chase them out except during the period the hunt is on. Of course, they become frightened and scatter away. But they will be right back just as soon as the season is over on deer.

Senator BIBLE. Might I try to make progress and get the hunting out of our system?

Mr. WIRTH. Very well.

Senator BIBLE. What has your experience been on Grand Teton with this joint management? Has it been a satisfactory one or unsatisfactory one? That is the only one you have in your complete

national park system. You say you take about 115, average 115 elk, off of the Grand Teton over the period of the last 10 or 11 years.

Has this caused you any great problem in joint management?

Mr. WIRTH. Well, it has not. I would not say it has caused us any great problem, Senator, and, as I say, 3 years ago we came in and said we ought to stop it, it does not do any good, and we kept it off for 2 or 3 years, and then we started it last year, and we tried it again.

I do not think, so far as Teton is concerned, it is so great because it is on the migratory route.

Second, there is a very definite question in many people's minds as to whether it has any real value as far as the control of that elk herd is concerned.

Senator BIBLE. Do you have any other game that is managed within this Canyonlands National Park of significance other than deer?

Mr. WIRTH. In Canyonlands?

Senator BIBLE. Canyonlands.

Mr. WIRTH. No. That is the only thing—

Senator BIBLE. A few mountain sheep, as I understand it.

Mr. WIRTH. They have talked about introducing exotics in order to bring up some other hunting in there. But we—

Senator BIBLE. What do you mean by exotics, the Hungarian chucker partridge?

Mr. WIRTH. Things like that. We, of course, prefer to keep it in its natural condition, to be a native bird rather than—

Senator BIBLE. Fishing is permitted at all times in national parks?

Mr. WIRTH. We have no trouble with fishing, at least I have heard of very few complaints.

Senator Moss. Mr. Chairman, I do have a letter that I received from Mr. Jiacoletti of the State Game and Fish Commission of Wyoming that was written to me on my inquiry to him as to how this Grand Teton worked out.

I will not read the letter except to say that it is both pro and con to some extent. But by way of explanation I would like to put this in the record at this point as the comment of the State game and fish commission.

Senator BIBLE. It gives us their version of joint management. That will help us resolve this problem.

(The document referred to follows:)

STATE OF WYOMING,
GAME AND FISH COMMISSION,
Cheyenne, March 5, 1962.

Hon. FRANK E. MOSS,
Senate Office Building, Washington, D.C.

DEAR SENATOR MOSS: I have received your letter dated February 22 in regard to your sponsorship of a bill to provide for the establishment of the Canyonlands National Park in Utah. We have reviewed the amended copy of this bill (S. 2387) and appreciate very much the opportunity to comment on the proposals therein.

As you are well aware, very restricted hunting occurs in Grand Teton National Park under the provisions of Public Law 787. Our experience in this matter certainly dictates the advisability of making positive that all lands to be included in the proposed park area are subject to public hunting if and when the need arises. Public Law 787 provides for public hunting in only a portion of Grand Teton National Park, which hampers game management to such a degree that proper harvest is obtained only with considerable difficulty.

Another point of utmost importance is that all game animals should be included in the huntable species, Public Law 787 provides for the killing of elk only. Game managers the Nation over know that the removal of one big game species and the competition created by them opens the door for population boom in other species.

The very recently displayed autocratic and high-handed attitudes of the National Park Service are of concern to this commission and the State officials of Wyoming. In order to fully protect the sovereignty of the State in which any national park is to be located, we would recommend that, in the event of a lack of agreement or controversial recommendations regarding hunting within the park, the requests of the State Fish and Game Department should receive priority consideration. We have found it necessary to hunt in Grand Teton National Park every year except two since the inception of Public Law 787. We feel that the effectiveness of this hunting has been limited due to the restricted area in which the law allows us to hunt.

We would also suggest that every effort be made to explore the possibilities of other methods to be used in allowing this hunting rather than the deputizing of hunters as park rangers. The system whereby applicants for park hunting permits must be approved by the Governor and Secretary of Interior is most cumbersome. It appears to us that certification of these applicants could be more effectively attained by granting the director of the State game and fish department and the regional director of the National Park Service the authority to grant such certification. The 1961 list was comprised of 2,000 names, and no registrations can be accepted until agreements reached at local levels have Secretary of Interior sanction.

The system as presently outlined requires that the date and lengths of seasons must be agreed to on the local level, but again the Secretary of Interior and Governor of the State must concur. This year our meeting with the National Park Service at Grand Teton will be held in mid-March. After agreements have been reached at this meeting, it is quite possible that it will be July before the Secretary of Interior takes positive action notifying us of his concurrence or lack of same on these recommendations. It is again felt that the authority to establish season dates and other pertinent regulations should be left with the director of the State game and fish department and the regional director of the National Park Service.

We feel that only by taking steps to assure that all the park area can be hunted, that all game animals be included in the huntable species, and that the State, as the responsible game and fish management agency, have the final say as to when and where the species will be hunted, can future national parks be established without receiving the criticism and scorn so recently heaped on Yellowstone National Park.

Again, we appreciate very much the opportunity to comment on your proposed bill; and we wish to extend to you our cooperation and offer of assistance at any time you have need for the same.

Yours very truly,

S. J. JIACOLETTI,

State Game and Fish Commissioner.

Senator BIBLE. You may move on. I suppose the next thing you should touch upon is mining within the area. This seems to be the second or the first, which is in the prime order of conflict. That is one of the big areas of controversy in this, the mining, oil and gas, uranium, gold and silver.

Mr. WIRTH. There again from a managing standpoint we prefer not to have anything. We have analyzed in mining all of the problems. We realize this whole area is covered with this thing. In fact, if there is an acre there that is not covered, why, it wouldn't make much difference if it was not covered because so much of it is covered. This legislation, under any conditions, protects all existing rights, and they are protected from that standpoint.

We would be very hopeful that if they did not find anything and felt it was a waste of funds to continue to pay the lease, 50 cents an acre I believe they pay, they would give them up, and we would be free from any possible exploitation in the future. That is my own personal reaction.

I feel they are fully covered now because they have got the whole thing under lease, both State and Government lands.

Senator BIBLE. Yes. But when the lease runs out what happens?

Mr. WIRTH. Well, the leases, if they are the usual type of leases, they do a certain amount of work and it is a renewable lease.

Senator BIBLE. Is this true of an oil and gas lease?

Mr. WIRTH. That is my understanding. Is that correct?

Senator Moss. It does not depend on work, I do not think, Mr. Wirth.

Senator BIBLE. Payment of the fee.

Mr. WIRTH. Payment of the fee, yes.

Senator Moss. Payment of the fee.

Mr. WIRTH. Yes. In other words, without buying them out, I do not think you can cut them off unless they want to be cut off.

Senator BIBLE. How realistic an industry is this within the Canyonlands National Park? Does the oil and gas industry there consist of a thriving industry? How much does it pay to the State, over the period of the last 5 or 10 years? How many producing wells do they have?

Mr. WIRTH. Well, within the park boundaries—

Senator BIBLE. Or the mines.

Mr. WIRTH. Within the boundary, and I can read here this section of the—well, here is a tabulation. As I understand it, since 1950 there is only one well within the area that is producing, and that is the one that just came in on the edge, which I understand your amendment would take out, which is fine with us.

Senator Moss. It would exclude it.

Mr. WIRTH. The other, some 10, are nonproducing. They have been drilled in various locations, but nothing has come out of them within the area.

There is some oil up above in adjacent areas, and according to this economic report here, and I would have to check it.

Senator Moss. I do not think we would be too much concerned with the adjacent area because we have no control over the adjacent area. I would be primarily concerned with the producing wells within the boundary lines as described to us this morning of the Canyonlands National Park.

Your statement is there is one producing well, and you are excluding that?

Mr. WIRTH. Senator Moss, adjustments of the boundary line, which we support there, would mean that there would be none within the area.

Senator Moss. I see here it makes note of the nonproducing wells. It only names 10 within a period of 10 or 15 years.

Mr. WIRTH. Yes.

Senator Moss. They are all dry holes.

Mr. WIRTH. They are all dry holes.

Senator BIBLE. They have been drilled to the proper depth?

Mr. WIRTH. And pulled out.

Senator BIBLE. Pulled out completely.

What other activity is there in the area?

Mr. WIRTH. The closest thing is potash, which is outside the boundary line, and I believe there is an item here which shows what it is.

It does overlap into a proposed section of the park, but most of it is—I think I can find it quicker—page 137 of that report, shows the potash deposits which come up like this, and this is the park, so it does cut across the northeast corner. The present potash digging is up here, between the park and Moab. But the potash deposit is, I would say, 90 percent of it at least, outside of the park boundary, just looking at the map.

There may be a figure here showing what it is, but that is my guess.

Senator BIBLE. What are the total number of men employed within this area in mining, oil, and gas exploration?

Mr. WIRTH. I read in here—

Senator BIBLE. Last year?

Mr. WIRTH. I think they would have a total payroll on this potash, if they go full capacity, I think it is 450. I think there are 250 there at the present time.

Senator BIBLE. Is that located within the boundaries of the Canyonlands?

Mr. WIRTH. It is outside.

Senator BIBLE. My question is inside.

Mr. WIRTH. There is none inside.

Senator BIBLE. There must be some prospecting within the boundaries of Canyonlands National Park. How much activity is there from Canyonlands National Park employmentwise?

Mr. WIRTH. If we take out that one section that the Senator is recommending, I do not know of any prospecting going on there at the present time.

Senator BIBLE. In other words, you do not have one single, solitary man working there in this area looking for gold, uranium, silver or platinum?

Mr. WIRTH. I would not swear to it.

Senator BIBLE. Is there any substantial number of men working there?

Mr. WIRTH. No.

Senator BIBLE. Has there been in the period of the last 10 years?

Mr. WIRTH. Not to my knowledge. I do not believe there is hardly anybody, Senator. I can try to run down some exact figures on it, but it is a hard country to get into, and there is not much prospecting.

Maybe Mr. Barrel can give you that answer better than I can.

Senator BIBLE. I just want an approximation. The only thing I am trying to develop is whether or not we have a situation here similar to the one we had over in Great Basin National Park where we have an exciting possibility of a beryllium discovery. This poses some problems for the Great Basin National Park because they are employing several hundred men in attempting to follow the outcroppings of beryllium and develop a mine.

Are they doing anything similar to that in this area in mining or in oil and gas over the period of the last 10 years?

Mr. WIRTH. I will ask Mr. Barrel here to answer that. He works out of the Santa Fe office, and knows this area well and knows most of the materials well. I would rather have him answer.

Mr. BARREL. To our knowledge, sir, there are potash prospecting permits within the boundaries of the proposed park, but there is no prospecting going on.

The potash thins rapidly in that direction. The present potash exploration is going on far in the northeast. In the last 10 years there has been considerable geophysical exploration for oil, that is seismic crews in the area, and there have been the 11 holes drilled to see if they could find something.

Again, to our knowledge, at the moment, nobody is drilling, and we have not recently seen any geophysical exploration going on. There may be some, but we do not know of any.

Senator BIBLE. Over the period of the last 10 years or a longer period of time, whichever you choose to use to try to indicate whether this is a mineralized zone or a zone that is rich in oil or gas, has this particular area ever been a producer of anything in the mineral line or the oil and gas line over the period of the last 10, 15, 20, or 25 years? How much has it produced?

Mr. BARREL. It produced a very few tons of uranium which were last removed in 1957, I believe. I can find the tonnage for you.

Senator BIBLE. We can refer to this and make our analysis later on.

Mr. BARREL. To my knowledge, that is all, with the exception of one oil well.

Senator BIBLE. You are excluding the oil well, so I think it is not proper to be counted as a part of the mineral resources of this area.

All I am trying to do is to get a picture in my own mind of what type of mineral wealth we are talking about within the boundaries of Canyonlands National Park.

Senator Moss. Mr. Barrel, this was very intensively prospected for uranium at one time, is that right, during the so-called uranium boom?

Mr. BARREL. It was, indeed; many hundreds of claims were staked there.

Senator Moss. But the last production that you know of, I take it from your testimony, is in 1957?

Mr. BARREL. Yes, sir; and it was very little.

Senator Moss. I see. All right.

Senator BIBLE. Has there ever been any gold production from this area?

Mr. BARREL. Not to my knowledge.

Senator BIBLE. Any silver?

Mr. BARREL. No other minerals, to my knowledge.

Senator BIBLE. Just this limited amount of uranium and the slight bit of potash?

Mr. BARREL. No potash removed from within the area.

Senator BIBLE. No potash removed from within the area?

Mr. BARREL. That is right.

Senator BIBLE. Is there any other type of wealth within this particular area, Mr. Wirth, other than mineral wealth?

Mr. WIRTH. There is a small amount of grazing.

Senator BIBLE. How many sheep and cattle graze within this area?

Mr. WIRTH. I have the exact figures here—I worked it all out last night. There were 18 horses, I know that—this is the number of cattle, there are 683 cattle, 6,436 sheep, 18 horses, total animal unit months, 11,865. Approximate revenue from leasing fees for the whole area, \$2,254.

Senator BIBLE. Now, is this a fairly consistent number over a period of the last 5 or 10 years; does it average out pretty well? You gave us the number last year. Is that a fairly average figure?

Mr. WIRTH. I would say it is. This is out of the economic report, and this is how they base—I do not see anything in here that gives the average, but I am pretty sure that is what it is.

Senator BIBLE. One of the provisions of the bill, if I am running some sheep or cattle within the boundaries of the Canyonlands National Park, I would still be permitted to do so if I were a permittee, for a period of 25 years, is that correct?

Mr. WIRTH. That is right.

Senator BIBLE. Then there is an additional provision—I can hold within the lifetime of my family and my heirs, is that right?

Mr. WIRTH. That is right.

Mr. HARRISON. Yes.

Mr. WIRTH. If the person who has it at that time is a member of your immediate family then he can hold it on for his lifetime.

Senator BIBLE. If we have a father and son who have permitted grazing rights in this area, then the father could sell to a stranger and he could give him a 25-year permit, is that correct?

Mr. WIRTH. That is the way I understand it.

Senator BIBLE. But if he would choose to use it for his lifetime he could use it for his lifetime, his son would have whatever rights accrue under the permit for the son's lifetime.

Mr. WIRTH. If he has a boy 10 years old and the father dies 10 years from now, the boy is 20, he can continue on until the length of his life, which may be 80 years old, I do not know how old.

Senator BIBLE. Yes. But if he sold to a stranger it would be a 25-year limitation.

Mr. WIRTH. That is right.

Senator BIBLE. I think this is exactly the same provision as in the Great Basin National Park. We have had a lot of questions asked about it, and I think the record should be very clear.

Mr. WIRTH. I think there is one amendment in here, I think the last sentence, Senator Bible, which refers to inholdings of land, ranches owned within the property.

Senator Moss. There are none, so that becomes inoperative.

Mr. WIRTH. That is right.

Senator BIBLE. I have no further questions of Mr. Wirth.

Senator Moss.

Senator Moss. I wanted to ask a question or two about the rivers that go through this park area, Mr. Wirth.

What would be the proposed management of the rivers so far as boating and permitting people to go on the rivers?

Mr. WIRTH. We would permit them, of course, to use the rivers for recreational purposes and fishing and things of that kind, traveling the river.

Mr. Moss. Would part of your development plan be the preparing of stopping places, camp sites, possibly—

Mr. WIRTH. Yes, sir.

Senator Moss (continuing). Rescue places in the event of difficulties?

Mr. WIRTH. Yes. Our preliminary sketch on which we based our estimate calls for a lodging and landing place on the river.

Senator Moss. One of the prime recreational possibilities, I think you would agree here, would be going down these rivers between these tremendous gorges.

Mr. WIRTH. It certainly would. I would like to say this about this particular area which your questions bring out in my mind, and we discussed it the other day in the office, and that was how does this area compare with the Grand Canyon.

May I just say this: This is in one sense the Grand Canyon stretched out where you can get down in it and look up the canyon much easier than you can at the Grand Canyon. I am not running down the Grand Canyon, but I am just saying it is a long trek down, and when you get down there you have very little land.

Here you go down, you have two shelves like you have in the Grand Canyon, but the first shelf is really outside, and the second shelf is in. Then you are down on the river in the canyon, and you look up at it and you have room, you have trails and you have more activity down in looking up as compared with the Grand Canyon, and I think that is an important element in this area as differing from the Grand Canyon. It has many, many of the same features, except it is like an accordion pulled out.

So you have more room right down in the canyon which is a very attractive and fine feature from our standpoint.

Senator BIBLE. Any further questions?

Senator Moss. Just one more.

Pursuant to my conversations with you and with other members of your Department over the past 2 or 3 months, have you examined the area within the black lines shown on the board there to determine whether or not some parts of that could be left out of the park area without eliminating some scenic area that you feel is part of the integrated whole?

Mr. WIRTH. Senator, we were told by the Secretary to get, see if we could not cut it down to 300,000 acres, in fact they gave us 300,000 acres to work in.

We tried our best; the best we can get it down to being 332,000 acres shown in that boundary line, after considering all of the various features.

We have not walked it, I will say, every inch of the boundary line so that we can say it is 100 feet this way or 500 this way. But we have got within there the rim of the features around the canyon, and we do not feel that there should be any further cutting of the boundary outside those in your amendment, but I do feel there should be an extension.

I won't get on to that because you did not ask that question.

Senator BIBLE. You testified to that on your chief examination that you would be very happy to get and to see it larger. He is asking if you would be glad to see it smaller, and you say "No."

Senator Moss. Thank you, Mr. Chairman.

Senator BIBLE. Senator Dworshak, do you have any questions?

Senator DWORSHAK. Yes. I am a little confused about the bill that was introduced, and providing that all locatable minerals subject to lease under the mineral leasing laws of the United States shall be subject to exploration and disposal under such laws and subject to such regulation as may be required for purposes incident to mining and removal.

Will that cause the Park Service any headache insofar as conflicting with the park as established?

Mr. WIRTH. That would open it up to the exploration if the leases are canceled, in my judgment. In other words, if you should operate it so that you should open it up for leasing, even if a person gave up his lease, then it would be available for somebody else to come in and do the same thing.

Senator DWORSHAK. You are not in favor of that provision?

Mr. WIRTH. We would much prefer not to have it. I am a little on the spot because I may be overruled by the Department.

Senator DWORSHAK. Aren't you going as far afield as I tried to point out, without any prejudice to my good friend from Nevada, when the Great Basin Park was established, that if you make allowances, concessions for continued mining operations, continued grazing, that you are establishing a new concept of park operations? Is that true?

Mr. WIRTH. Well, grazing has a limitation over a period of years, like this one.

Senator DWORSHAK. How about mining?

Mr. WIRTH. Mining, those are going mines that are there now, and it is somewhat like we have in other areas where we have in-holdings. There is hardly a national park that did not have some in-holding when it was first established, and we are gradually eliminating them.

Senator DWORSHAK. I am not acquainted with any of the area embraced within this proposed park, but it is possible you could develop a very profitable oil field down there, is that true?

Mr. WIRTH. According to the geological information we have, and this is difficult to answer, the indications are that it would not be. However, that is not always—

Senator DWORSHAK. Sometimes people are willing to invest their money and go beyond the geological reports, and frequently they do get good oil.

Mr. WIRTH. There is always the speculator.

Senator DWORSHAK. That would create quite a hazard or an operating difficulty, would it not, for the Park Service?

Mr. WIRTH. Yes, it would. We prefer not to have it.

Senator DWORSHAK. Is it not possible, and I appreciate that Senator Moss is the author of this bill, and probably is better acquainted with the local conditions than I am, but the future prospects may be, I read about, on the one hand, the extensive uranium deposits in Utah, and then the underdeveloped oil fields, and so it is within reasonable bounds to assume that there could be some vast oil potential down there that would make it quite difficult to operate this area as a park.

Mr. WIRTH. Yes.

Senator DWORSHAK. I can sympathize with the people of Utah on both sides of this issue. On the one hand, they want to preserve the recreation and national park benefits for future generations and, on the other hand, to make it possible for reasonable economic developments which are quite essential to the economic growth of the State.

Mr. WIRTH. Yes. That is one of the reasons, sir, why we had the State University give us the report on it because we felt we ought to take into consideration all the foreseeable economic values in making our presentation to the Congress as to this area.

Senator DWORSHAK. Of course, being Director of the Park Service, I assume you are aware that there is a conflict between economic and

potential development and the recreational and national park aspects, and you would be inclined to favor the national park concept.

Mr. WIRTH. If I did not, I should not be Director.

Senator DWORSHAK. That is what I assumed. You are taking a position that is entirely sound so far as the Park Service is concerned.

Mr. WIRTH. Yes.

Senator DWORSHAK. I think that is all the questioning at this time.

Senator BIBLE. May I ask just a couple more questions? I do not know if the record is clear on it. There is no cost for the acquisition of the 332,000 acres; is that a correct statement?

Mr. WIRTH. That is correct. But I think we have no exact record that it might be more in amount of land, but I do not want to leave the impression that it would be. I do not think there will be.

Senator BIBLE. That is assuming that you can work out an exchange?

Mr. WIRTH. That is right.

Senator BIBLE. There are 26,000 or 30,000 or 35,000 State acres in the park that could be exchanged for lands outside of the park?

Mr. WIRTH. Yes.

Senator BIBLE. One further question. Do I understand that the total overall estimated cost of development of this area is not to exceed something in the neighborhood of \$17 million?

Mr. WIRTH. That is correct.

Senator BIBLE. Senator Dworshak?

Senator DWORSHAK. I am not sure about those holding mineral rights and applications where they have to pay an annual fee per acre. Is there any limit as to the time that they can hold these lands?

Mr. WIRTH. I checked into that and the information is that there is no limit. Is that correct?

Senator BIBLE. I think that we should have that in the record, because I do not believe that is correct.

Senator Moss. I think that there is a limit.

Senator BIBLE. The question is, if you hold an oil and gas lease, is it renewable; for how many years can it be held by the payment of 50 cents annually? That is Mr. Carl Landstrum, the Director of the Bureau of Land Management.

Mr. LANDSTRUM. The Mineral Leasing Act provides that the maximum period is 10 years. However, there are one or two instances where it is possible to extend the mineral operations for 2 years.

Senator DWORSHAK. And that makes it 12 years altogether?

Mr. LANDSTRUM. Twelve altogether. In other instances, there is a segregation of the leases to two or more parties by assignments to the other parties. This again makes for a 2-year extension of the lease if it is segregated. I am thinking now of the leases that existed under the former provisions of the bill. And under the 1960 act that was changed, so that the 2-year extensions are no longer in order. And it is 10 years straight.

Senator BIBLE. That is it.

Senator DWORSHAK. Just one more thing. According to the testimony of Secretary Udall, to permit the normal development there will be no further leasing in that area, within the area of the proposed park. Did he not testify to that extent? That such does not conform to the high public value of the land. How do you interpret that?

Mr. LANDSTRUM. We are required now, as I believe, on oil and gas, to renew oil and gas applications. That is a part of it. And this is the 1960 National Park Act which requires that the Secretary will not make any further leases.

Senator DWORSHAK. What about the interim between now and the possible creation of the park?

Mr. WIRTH. The Senator is talking about the new acreage. That is the only one.

Mr. LANDSTRUM. I know of no withdrawal at this time on the acreage area. And at the present time we cannot issue new oil and gas mineral leasing in the acquired area. The authority is not there. However, if this point were established as proposed in the proposed legislation that action thereafter would prevent that.

Senator DWORSHAK. Did not the Secretary on September 26, 1961, announce that he had sent instructions to the Bureau of Land Management and the National Park Service which would require an interim management program covering 1 million acres, "to protect the areas of the proposed Canyonlands National Park." This press release stated that the Bureau of Land Management is to deny any public land application in the area which does not conform to the highest public use of the land. Is that in effect now and will it remain in effect until such time as there may be the creation of a park?

Mr. LANDSTRUM. Yes, sir, that land management is in effect. However, the Mineral Leasing Act is still applicable. A person may apply for gas or any type of mineral leases. If the application is rejected by the land office, it is subject to appeal to the Secretary. The application would be held in regular order as we would in any other way.

Senator DWORSHAK. Under such circumstances he could conclude that there would be no justification for precluding any applications.

Mr. LANDSTRUM. The Secretary could conclude that at any time. The statute does that.

Senator BIBLE. I have one question that I would like to ask. As I understand it virtually all of this land that is in the Canyonlands National Park is now under oil and gas lease. I think that is what the record shows.

Mr. LANDSTRUM. Yes.

Senator BIBLE. Now, suppose that I have an oil and gas lease that has 8 years to run. I understand you to say that I can absolutely hold that oil and gas lease by the payment of 50 cents per acre up to the period of 10 years. Is that a correct statement?

Mr. LANDSTRUM. Yes, the statute gives you that authority.

Senator BIBLE. Now suppose that 5 years from now I discover oil and then ask for a renewal. Do you cut me off then?

Mr. LANDSTRUM. The Leasing Act provides for that if oil and gas is discovered in paying quantities the lease is extended as long as the oil or gas is being removed from it.

Senator MOSS. Could I ask this, indicative of the fact that there is continuing activity under these leases, it would be this well that was drilled in February of this year, the one that we have been talking about up in the corner, is that not true?

Mr. LANDSTRUM. That is true; yes, sir.

Senator BIBLE. Senator Metcalf?

Senator METCALF. Some of this land, as I understand it, and if there are no inhome leases, so that there is no private land.

Mr. WIRTH. That is right.

Senator METCALF. Some of this land belongs to the State, though?

Mr. WIRTH. Yes.

Senator METCALF. I do not know what the provision for the State leases are, but those provisions would be continued, would they not, under the terms of the bill—all of the rights acquired under State leases? We can, probably, get it from the Governor when he testifies tomorrow. They would be continued, as I understand it, under the provisions of this bill.

Mr. LANDSTRUM. In response to the earlier part of your statement, there are no inhome leases in the nature of unpatented mining claims which are real property. Those claims, of course, would have to be recognized under the terms and would be honored.

Senator METCALF. What would happen if they continued to pay and continued to do the necessary development work, but failed to patent the claims? Would you continue to permit them to operate, to hold those mining claims, or go into it as we have under the legislation in the national forests and try to set some of them aside?

Mr. LANDSTRUM. I would answer that this area is no different than any other area with respect to unpatented mining claims. The obligation of the burden rests upon the Government, however, in the instance of the necessity of adjudicating the validity of such claims. Until the Government brings contest proceedings or condemnation proceedings, the rights of the mineral claimants are there against the United States forever. There is no termination date.

Senator METCALF. That clears it up.

Mr. LANDSTRUM. It is forever, the mining claim.

Senator METCALF. Would this proposed legislation authorize the condemnation of mining claims or those other inholdings?

Mr. LANDSTRUM. I would prefer to refer that to someone else.

Senator MOSS. I do not believe so.

Senator METCALF. As I read it I would not think so. I think maybe it should be clarified here.

Senator BIBLE. I would like to have that clarified for the record. I made a statement on the floor when I was handling the Great Basin National Park, even though condemnation was not written into the act, certainly, if the mining interfered with the use of the national parks for the presumably higher purpose that the right of condemnation would follow. Do you not have a right to condemn?

Mr. WIRTH. Unless specifically denied, the right of condemnation does apply we have been told right along.

Senator BIBLE. I wish that you would supply that for the record, because I am quoted as saying that, and I hope that I am right. If you can support me with some good legal opinion it will make my opinion correct.

Mr. WIRTH. They give me the same answer, the lawyers do.

Senator BIBLE. Let us furnish for the record that information. I think this will answer the question. I think it is an important one, because someone will say, "what if you want to condemn and take this patent claim which is a fee simple title out of the in-holdings, can you do so by condemnation?" My opinion is that you can, but I wish that you would have your lawyer give us the answer.

Pardon the interruption.

(The information will appear in part II of this hearing.)

Senator METCALF. I think that clarifies my question: That is what I wanted to find out. Thank you.

Senator BIBLE. Senator Long, do you have some questions?

Senator LONG. In this discussion we have jumped from Utah up to Montana. And I would like to ask Mr. Wirth about Hawaii. Are you familiar with the land on the big island, up in the Mt. Kilauea and Mt. Hualalei area?

Mr. WIRTH. I have been up there.

Senator LONG. Do you suppose that Montana elk would do well up there?

Mr. WIRTH. I do not think they would last long. I think it would be better to bring them down all butchered up.

Senator LONG. We have kept the deer away from the big island as much as possible. We have deer on two islands.

Thank you.

Senator BIBLE. Thank you very much, Mr. Wirth, and your staff can furnish a legal opinion on this.

The next witness, I think we will have two more witnesses this afternoon—is Mr. Pomeroy, representing the American Forestry Association.

We are glad to have you with us as a witness. Would you please identify yourself and give us your statement?

**STATEMENT OF KENNETH B. POMEROY, CHIEF FORESTER,
AMERICAN FORESTRY ASSOCIATION**

Mr. POMEROY. Mr. Chairman and gentlemen of the committee, I am Kenneth B. Pomeroy, representing the American Forestry Association. This is a citizens' organization, containing some 33,000 members. These people have a mutual interest in conservation of the Nation's natural resources.

The proposal to establish a Canyonlands National Park is of interest to us because southeastern Utah contains geologic, historic, and scenic features of national park caliber. These features should be preserved. All uses that would alter the natural appearance of the area, or defile its prehistoric Indian relics, should be excluded.

The park should be limited in size to the area necessary for protection of the unique qualities of the region.

If the intent of this proposal is to develop a multiple-use project in which grazing, hunting, mining and similar uses would be permitted, then we oppose designation of the area as a national park. Such uses are not in keeping with traditional standards for national parks as laid down in the Secretary of Interior's instruction of May 13, 1918, to the first Director of the National Parks. Secretary Lane said:

"The national park system as now constituted should not be lowered in standard, dignity, and prestige by the inclusion of areas which express in less than the highest terms the particular class or kind of exhibit they represent.

Senator BIBLE. Thank you very much, Mr. Pomeroy.

Senator DWORSHAK?

Senator DWORSHAK. Mr. Pomeroy, what would you do if you had the authority to preserve the recreational, geological, and scenic fea-

tures resources of this area—would you establish a park or proceed upon some other basis, recognizing as you do the single purpose use?

Mr. POMEROY. We feel that there is something special if the area is going to be called a national park within these historic terms that have been developed that should be upheld.

If it is the intent to have all types of leases in the area, then we think that we ought to call it something else, whether national land reserve or recreational area, or some other term, but do not call it a national park.

Senator DORSHAK. Do you know much about this particular area?

Mr. POMEROY. I have not been in the specific area, but I went in through the State and talked with a number of people who are acquainted with it and am taking their judgment and saying that it is a high-caliber land.

Senator DWORSHAK. Is it of a high caliber?

Mr. POMEROY. Yes.

Senator DWORSHAK. You have heard the discussion about the mineral and oil leases there. Do you think that it is compatible to have oil development within the boundaries of a national park?

Mr. POMEROY. No.

Senator DWORSHAK. That is all.

Senator BIBLE. Are there any further questions?

Senator MOSS. Mr. Pomeroy, who makes the policy for the American Forestry Association? I am a member so that I thought that I might ask.

Mr. POMEROY. In 1953 we held a congress in Washington, attended by a great number of people and developed a program for the American Forestry Association. This program then went to all of the membership, and it was endorsed in total by 93.4 percent of the members.

Since then we have developed a special policy pertaining to recreation and parks which our directors adopted this past February. And a new congress is scheduled for 1963 here in Washington. So that these policies are the expression of the entire membership.

Senator MOSS. This particular one is that of the directors, as you say?

Mr. POMEROY. Yes.

Senator MOSS. Well, now, did you appear in opposition to the Great Basin National Park?

Mr. POMEROY. I submitted a statement in opposition to it, yes.

Senator MOSS. Did you appear in opposition to Cape Cod?

Mr. POMEROY. We supported Cape Cod. We also supported Point Reyes, Calif.

Senator MOSS. You felt that it was all right to have some other secondary uses in those areas, then?

Mr. POMEROY. We felt that there were special circumstances there, yes.

Senator MOSS. How did you stand on the project at Padre Island?

Mr. POMEROY. We did not submit any on Padre Island. We contacted a great many of our members in Texas and never found any particularly enthusiastic about it, so we did not submit any statement either way.

Senator Moss. You were not for it or opposed to it. Padre Island, as you know, has oil and gas production on the island?

Mr. POMEROY. I know.

Senator Moss. Your position, as I take it from this, is that even if you are convinced that this is of national park caliber, you still would not have it a national park if there is any other secondary use in the area at all, is that right, sir?

Mr. POMEROY. In essence, yes. If you are going to mine the area, certainly, you are going to alter the appearance of it. I think that your amendment that you offered at the beginning of your statement to exclude the area where they are producing oil wells, I thought that was very good and was very sympathetic to that.

Senator Moss. If it were possible to control the other secondary uses to the point that they would not impinge on the primary use, which is scenic and geologic in recreational use, as a philosophical thing would you still oppose it?

Mr. POMEROY. I do not think we would, if they are not going to alter the appearance.

Senator Moss. If they do not alter the appearance or damage any of the park that would be used for recreation or scenic view and so on?

Mr. POMEROY. If I might digress?

Senator BIBLE. Yes. He opened up the question. You answer it any way you want to.

Mr. POMEROY. The chairman of our Public Lands Committee is the dean of the School of Natural Resources at the University of Michigan. The committee is composed of outstanding people nationwide. It has been the feeling of this group, in observing the various parks proposals that have come up in the past several years that there was a general tendency to loosen the standards and to let go, and this particular group does not feel that this is correct. That was the reason for the policy adopted in February and the reasons we are here before you now.

Senator BIBLE. Do you not think, though, that it is almost inevitable because of the fact that our land is so much more populated now, we have oil and gas leases on practically everything that is in the public domain, mining prospects and things of that sort, so that we can no longer just carve out a Yellowstone Park where there is nothing there, and if we are to move at all for any more parks we almost have to make some accommodations with those existing facts?

Mr. POMEROY. You are quite right. I did not realize, and I know that our committee did not know that the entire area was covered by leases. This was news to me.

Senator BIBLE. Thank you, sir.

Any questions, Senator Long?

Senator LONG. No questions.

Senator BIBLE. Senator Metcalf?

Senator METCALF. No questions.

Senator BIBLE. Thank you very, very much for your statement.

Our next witness will be Mr. Kimball. We will then have one other witness after Mr. Kimball. I will ask Senator Moss to preside as I must leave for a 3:30 appointment.

Senator Moss (presiding). You may proceed.

STATEMENT OF THOMAS L. KIMBALL, EXECUTIVE DIRECTOR,
NATIONAL WILDLIFE FEDERATION

Mr. KIMBALL. Mr. Chairman and members of the committee, I have a written statement that I would like to submit for the record, and to take what few moments I have allocated to me to make a few extemporaneous remarks about the wildlife management policy as it has been developed for the national park system.

Senator Moss. This will appear in its entirety in the record, and you may make such other remarks as you care to do.

Mr. KIMBALL. Mr. Chairman, I heard with interest, considerable interest, testimony this morning from other witnesses on the number of deer, that were harvested from the proposed Canyonlands Park and, also, from the Great Basin Park which, in essence, I felt minimized the wildlife potential in these areas. And for consideration of the committee I would like to point out that this relatively small number of animals taken is really not a true indication of wildlife management potential for these areas. For example, deer and a good many of the other wildlife species increase in geometric proportions.

If relatively small numbers of certain species are not harvested regularly the populations begin to build up and build up to the point where you have excessive numbers destructive to range conditions. I think the committee should be interested enough, in this particular problem, to request that the Park Service furnish the committee with population estimates of game on presently established parks, the trends in big-game population, and whether in their opinion there are excessive numbers present destroying certain park values. I am sure you are familiar with, Senator Moss, with Zion and Bryce which are comparable country. There were very small populations of deer at the time these parks were established but they now have troublesome excessive deer populations. The deer have increased to the point now where overgrazing has definitely been determined, and there is and has been for many years a problem of removal.

I predict that the same wildlife management policies of complete protection, if they are continued, in Canyonlands Park, if it is created, or practically any other park in the West, without some plan for the management and control of big-game species will produce the same problems of excessive populations and the need for some type of control will develop.

I would like to point out the main differences of policy between the National Wildlife Federation and the present wildlife management policies in the parks.

First of all, we would agree with the Secretary and with Mr. Wirth, Director of the Park Service, that determination of wildlife management policies should be made solely on the basis of protecting park values. We conclude that is in the public interest to recognize that one of the great attractions to the parks are the opportunities for the visitors to see wild animals relatively unafraid.

A goodly number of the park visitors enjoy this as one of the primary reasons for visiting the parks. And we would like to see any policy that is developed be developed in a manner that would retain this aspect.

As an example, in the Yellowstone Park, when that great park was established many years ago by President Roosevelt, one of the

reasons for its creation was for the protection of the elk herd in addition to the natural and scenic beauty of the area. Poaching and indiscriminate killing of the elk prior to that time had reduced the populations. And yet in 1915 President Roosevelt noted that there were about 5,000 elk too many on the Yellowstone. For the record I would appreciate the opportunity to submit a copy of President Roosevelt's letter.

(The letter referred to follows:)

NEW YORK CITY, January 7, 1915.

Mr. C. SHELDON,
New York, N.Y.

MY DEAR SHELDON: That report seems to me to be all right. Curiously enough, I have just written for the Outlook an article on "Conservation of Wild Life" of which I am having a copy sent to you. I note you bring out well the point that ought to be brought out, namely, that while our first duty is to conserve wildlife yet that where, as with the elk of the Yellowstone and the deer of Vermont, the animals are now multiplying to an excessive degree, it is wise to encourage their killing by sportsmen. The only suggestion I have to make as to your report is that you should emphasize the need of a heavy killing of elk that have their summer homes in the Yellowstone Park. If they are not killed, they will die of disease and starvation; and there will be infinitely more misery. Under no circumstances will the shipping of elk to other places be an adequate solution. This shipping should be encouraged; but for some years to come from 5,000 to 10,000 elk can be killed yearly with great advantage to the herd.

Sincerely yours,

THEODORE ROOSEVELT.

He suggested the removal of between 5,000 and 10,000 elk by shooting after a period of trapping and transplanting and other means of removal attempted to do this job and failed. Now after over 40 years, there is still a need to remove 5,000 elk from Yellowstone Park to bring the herd in balance with the forage supply. We concur with whatever action is necessary to protect park values, to bring big game numbers into balance with forage supplies, to actually protect the scenic and natural beauties of the area, to protect the soil and range and the watershed conditions, but we disagree with the procedure that has been employed in the removal. This removal procedure is the main point of disagreement with the Park Service wildlife management policy. We feel that public participation should be used as a management tool in the removal of the necessary animals and it should not be done solely by Federal officers. Any individual who is a qualified outdoorsman is perfectly capable of taking direction in the removal of animals the same as a Federal officer, so that we are hopeful that in this proposal and any future park proposals that this wildlife management policy will be so spelled out by the Congress.

As Mr. Wirth stated, the National Park Service now has the authority to make such a policy of allowing public participation to aid them in the removal. They have seen fit not to do this.

I would like personally to support section 7(a) of your proposed bill, Senator Moss, which spells out the procedure calling for a cooperative program between the State and the Federal Governments and to provide for the use of the public in any removal program which is determined as necessary to protect park values. If Canyonlands is to be designated a park, it should have the protection, the complete protection, as afforded other parks.

And in answer to Senator Dworshak's question we feel there should be protection from mineral entry, from grazing as well as from recrea-

tional, public hunting, but if and when a determination is made that the removal of wildlife is necessary for the protection of park values the public should be allowed to assist in the removal.

Senator Moss. Thank you very much, Mr. Kimball. We appreciate very much your statement.

Senator Dworshak, do you have any questions?

Senator DWORSHAK. I am just wondering whether you would care to give us your views on the proposal sponsored by Senator Bennett. I understand that he is proposing that these three pink colored areas be established as separate park sites and that the intervening areas not have the status of national parks. I do not know whether they will be recreation lands or reserve lands or what. What would be your reaction to that proposal?

Senator Moss. I think that Senator Bennet said that now he would favor the larger green areas and not just the pink areas.

Mr. KIMBALL. This area here [indicating].

Senator DWORSHAK. I see.

Mr. WIRTH. He said this area here [indicating].

Senator Moss. It would not be the whole amount, but much larger than the pink areas.

Senator DWORSHAK. What would he do with the intervening areas, leave them in there, in their present status?

Senator Moss. Not entirely. He would control them to some extent by calling them a recreational area where mineral entry would be permitted.

Senator DWORSHAK. I see.

Mr. KIMBALL. I would like to make this point, Senator, so far as the National Wildlife Federation is concerned, if the Congress in its wisdom decides upon a national park designation, it should receive the total protection that is afforded other parks. I mean, that there would be no mineral entry, no grazing.

Senator DWORSHAK. A single purpose concept?

Mr. KIMBALL. Yes. If you are going to call it a park. If you are going to permit mineral entry and you are going to graze it, if you are going to permit recreational hunting, then, it should be called a national scenic area or a national recreational area or some other designation. This would distinguish it from a national park and multiple recreation use should be permitted.

Senator DWORSHAK. In other words, you are quite reluctant to make any concessions to violate the single purpose concept?

Mr. KIMBALL. When you call it a national park, yes. There has been an effort to resolve some of these conflicts by creating a buffer zone surrounding the area to be described as a park. These buffer areas could be called a national recreational area, and grazing, mining, and so forth could be permitted. And we think this is the wisest approach, if you plan to have that type of use.

Senator ALLOTT. Mr. Kimball, as I understand your remarks and your written statement, what you and your organization are primarily interested in, and correct me if this is not right, is the preservation of the strict park concept, that you feel, however, the strict park concept should be the same with whatever portion of this or all of it if it should be adopted?

Mr. KIMBALL. That is correct. Any portion designated as a park.

Senator ALLOTT. Do I detect also in this that you are concerned lest the basic principle of national parks as we have known them, which has been modified so recently by the Department of Interior be retained to the single concept?

Mr. KIMBALL. That is correct.

Senator ALLOTT. And this is really your main point of concern?

Mr. KIMBALL. No. I would not say that, Senator Allott. Our main basic concern deals with the wildlife management policy in all of the parks, that is, both the present and those that will be established in the future.

Senator ALLOTT. I did not hear Mr. Wirth testify this afternoon. I have, also, had other committee meetings going on today. Do you know, is there enough forage available in this country that if the wildlife were protected that the wildlife would be presently unlimited; in other words, could you expect a fantastic multiplication?

Mr. KIMBALL. I think in the case of deer and other ungulates this is very apt to happen. If we can use the experience of other parks, even in similar locations and similar areas of the country we could expect that under complete protection there would be a buildup of big game numbers. And as I stated before, I would predict there would be some need of control or removal before too long an extended period would pass, in order to protect the limited forage in this particular area.

Senator ALLOTT. It was stated this morning that all of this, or substantially all of this was under oil and gas leases. Do you know how much of this area is under grazing?

Mr. KIMBALL. Mr. Wirth could probably answer that better than I, but it would be limited to the river bottoms. I think the Secretary testified that the annual grazing fees amounted to something over \$2,700 annually. So it could not be very much.

Senator ALLOTT. I will get that from Mr. Wirth.

Senator MOSS. Senator Long, any questions?

Senator LONG. No questions.

Senator MOSS. To sum it up, Mr. Kimball, you testified that you think this ought to be managed on the basis of a single-purpose national park, like the old parks, with the one exception of controlling the wildlife by using the public; is that about the only difference?

Mr. KIMBALL. That is right, but only if it is designated a park. I would like to even clarify that, in that I feel that the determination of the removal of surplus animals should be made by the Park Service on the basis of protecting park values and not on the basis of providing recreational hunting. In other words, if Congress designates an area as a park, obviously the intent is to protect natural and scenic beauty and not to provide more intense recreation and hunting, but in case an overpopulation of game develops—and I predict that it will develop in this park and in practically any other park that may be established in the West, under a complete sanctuary concept—that removal programs will be necessary, and when this happens qualified outdoorsmen should be permitted to assist in any removal program designed to protect park values.

Senator ALLOTT. Under no circumstances would you advocate public hunting and recreation?

MR. KIMBALL. No wide-open public hunting as similar to other Federal lands or State lands on the outside. I feel that this would not be in the public interest if the area is established as a national park. Recreational hunting should be permitted if an area is established as a national scenic or recreation area.

Senator Moss. You would subscribe, generally, then, to the section 7 provision—I guess it is section 7.

MR. KIMBALL. That is right. I think this handles that situation very nicely wherein it provides for the public to assist in the removal program, and as I read the language the Secretary would still make the determination as to the need for such action. The only difference over present procedures would be a congressional directive to utilize the licensed hunter or the public to assist in the removal program, rather than to depend solely on Federal officers.

Senator Moss. Thank you very much, Mr. Kimball. We appreciate your coming here and staying with us all day long. It has turned out to be a rather long hearing.

(The prepared statement of Mr. Kimball is as follows:)

STATEMENT BY THOMAS L. KIMBALL, EXECUTIVE DIRECTOR, NATIONAL WILDLIFE FEDERATION

MR. Chairman, I represent the National Wildlife Federation, an organization composed of affiliates in all 50 States and the District of Columbia. These affiliates are made up of individual conservationists who, together with other supporters of the National Wildlife Federation, number an estimated 2 million persons.

From the personal point of view, I am a native of Arizona and have served as administrative head of State wildlife agencies in both Arizona and Colorado. As a result of this background, I am quite familiar with problems of land management in the West.

The National Wildlife Federation long has advocated the protection of the public interest in lands or waters which have exceptional values for recreation or education. This is particularly true of lands already in Federal ownership. We believe it is essential that such areas be set aside as early as possible to meet present and future needs of the public. My organization, therefore, applauds the vigor and dedication with which this subcommittee has given direction and leadership to the establishment of parks, monuments, seashores, and recreation areas. We are well aware of the field trips and investigations which members of the subcommittee have taken to become acquainted with the various proposals.

The National Wildlife Federation has been encouraged tremendously at the emphasis given the need for additional outdoor recreational areas by the Outdoor Recreation Resources Review Commission, the President, the Secretary of the Interior, and leaders in the Congress. We believe these areas should be set aside in accord with definite principles and objectives, however, and these were recommended by our organization in annual convention at Denver, Colo., earlier this month:

"An expanding human population is making ever-increasing demands upon natural resources. All types of the varied public outdoor recreational opportunities, essential to the health and well-being of the populace, must be provided for even in the face of competing demands. Adequate and suitable public recreational opportunities can be assured through coordinated and cooperative long-range planning.

UNITS OF THE NATIONAL PARK SYSTEM

"(1) *Established class A parks and monuments.*—The National Wildlife Federation believes that the unusual and outstanding natural scenic and historic objects of established national parks and monuments must be preserved. Wildlife resources within national parks and monuments should be managed so as to prevent damage to assets of scenic and natural beauty, leaving them unimpaired for the enjoyment of future generations. Improper management of cer-

tain wildlife species is, and has been, inadequate to protect the natural beauty, productivity of the soil, and watershed values within some parks and monuments.

"(2) *Proposed new units.*—(a) The National Wildlife Federation recommends that all areas proposed for inclusion within the national park system be fully evaluated by impartial and unbiased authorities, and only those truly of unique national significance be designated as parks or monuments. Areas so designated then should be accorded full protection from conflicting uses, including mineral exploration or mining, lumbering, and grazing.

"(b) Suitable areas with important recreational potentials not deemed of national park or monument caliber should be established with the intent of serving the broadest possible range of public recreational usage, including such activities as skiing, waterskiing, motorboating, and hunting. Under any administration, either by a new recreational agency or the National Park Service, hunting and fishing should be permitted under provisions of laws of the State or States concerned. Such areas should have designations other than national parks or monuments and be managed in accordance with multiple-use principles when other uses are not in conflict with the primary function of public recreation."

The foregoing, we believe, constitutes sound principles which would be endorsed by a majority of conservationists.

Mr. Chairman, the proposal under consideration here today does not agree with the previously mentioned policy in two respects: First, section 4 of the substitute bill permits the continuation of grazing; and, second, section 5 provides for mining under certain restrictions. To some considerable extent, these proposals parallel those in the Great Basin Park bill, to which we also objected. The National Wildlife Federation, therefore, recommends the Canyonlands area be set aside under some designation other than as a national park, possibly as a national recreation area for which a wider variety of recreational uses can be permitted. These should include hunting under provisions of State law, as outlined in S. 3004, Senator Engle's proposal for the Whiskeytown National Recreation Area in California.

If the committee believes the area merits designation as a national park or monument, then it should be given true status as a national park or monument. This would exclude the conflicting commercial uses of grazing and mining, as the harvest of timber already is prohibited. It is our conviction that national parks and monuments should be closed to recreational hunting but we also believe that the necessary control of wildlife can be provided best by the method outlined in section 7 of S. 2387. This also is essentially the same as Senator Moss proposes for Dinosaur National Monument in S. 3007.

Particularly with respect to an area of the size of the Canyonlands proposal, involving more than 300,000 acres of Federal and State lands, there may be merit in considering a zoning procedure such as that recommended by the ORRRC report. Under this arrangement, outstanding features could be offered the highest type of protection usually associated with parks and monuments with adjacent, perimeter areas opened to wider ranges of uses. We, however, feel quite strongly that standards for national parks and monuments should not be compromised.

Thank you, Mr. Chairman, for the invitation to make these observations.

Senator Moss. We have one more witness. Mr. Harnsberger is a member of the executive board of the Izaak Walton League of America, Inc.

We appreciate your being here and we will appreciate hearing your testimony now.

STATEMENT OF REYNOLDS HARNSBERGER, MEMBER, EXECUTIVE BOARD, THE IZAAK WALTON LEAGUE OF AMERICA, INC.

Mr. HARNSBERGER. Mr. Chairman and members of the committee; the Izaak Walton League of America appreciates this opportunity to present its views on S. 2387 in regard to the establishment of the Canyonlands National Park in the State of Utah, as proposed by Sena-

tor Frank E. Moss in the nature of a substitute for the original bill bearing the same number.

I am Reynolds Harnsberger, member of the executive board of the Izaak Walton League of America, which has its national office in Glenview, Ill.

The league is a national citizen organization dedicated to conservation and wise use of America's natural resource wealth, its soil, woods, water, and wildlife. League membership comprises a cross section of the thinking public that is conscientiously concerned with perpetuating America's great tradition of respect for the Godly inspired serenity of the outdoors.

The league has a 40-year history of interest, concern, and activity in support of the principles, purposes, and policies of the national park system. During these years there has been an almost endless succession of problems threatening the national park system, stemming from individuals, groups, or interests which would exploit and despoil national park areas for selfish purposes, or from other well-meaning groups who would exploit and despoil them in the mistaken belief that they are acting in the public interest.

Contrary to a widely held but erroneous belief, it is not in the public interest to have our national parks serve all outdoor recreation needs. The implicit concept and philosophy of setting them aside for special purposes as spelled out in the act of 1872 which established Yellowstone, and the 1916 act establishing the national park system, make this abundantly clear by direct language.

The question is whether the national park system will continue to serve its high purpose or will be distorted from such high purpose by impossibly trying to be all things to all people.

This bill, S. 2387 (substitute motion), under provisions of section 7 would permit hunting in the proposed Canyonlands National Park under the joint authority of the Governor of the State of Utah and the Secretary of the Interior through the operations and recommendations of the Department of Fish and Game of the State of Utah and the National Park Service.

That this section of the bill imposes some restrictions and regulations on hunting in the proposed Canyonlands National Park in no way changes the fact that such restricting regulations add up to a retreat from national park principle. Indeed, such proposals present a crystal-clear example of the "quiet crisis" facing the national park system, about which Interior Department Secretary Udall, himself, has warned the American public.

This hearing will determine far more than whether hunting shall be permitted in the proposed Canyonlands National Park in the State of Utah. It will determine whether the entire concept of self-government by the majority, instituted by the American people when the Constitution was adopted, shall prevail.

Through all legal channels, the people have had laws created giving the National Park Service the right to regulate natural conditions in national parks. Nowhere is there a provision for a small but very voluble and well-financed and organized group to upset this power and thwart the will of the people.

The Secretary of the Interior—in fact, the Kennedy administration as a whole—has seen the overall national problem of providing

both the quality and the quantity of outdoor recreation opportunities with a burgeoning population with increasing leisure and mobility requires. The administration has pledged to act positively and imaginatively on a national scale in finding solutions to the problem that will increase quantity without lowering quality. For this we commend them, and hope that in local areas such as this, their policy will not be countermanded.

The administration has clearly voiced its support of an expanded national park system and has acted to help bring this about. For this we commend it, as we do the sponsor of this bill.

The administration, in all its pronouncements, has stressed the principle of quality and selectivity in recreation opportunity, and has spurned the easy path of seeking quantity along with its attendant mediocrity. For this we commend it.

It comes as something of a shock, consequently, that in the establishment of a new national park, a compromise away from principle and policy is indicated by S. 2387 (substitute motion).

It is important here to emphasize again that the membership of the Izaak Walton League is a cross section of all outdoorsmen, not just fishermen. Most of our members are also hunters, as a survey shows. Their interest in hunting varies from the nearby "back 40" to trips to foreign lands.

League members not only hunt for their own pleasure but for years have worked assiduously at National, State and local levels to better relations between sportsmen and landowners, to encourage the various agencies concerned in setting up standards by which hunting shall be governed, to establish clear-cut policy for hunting on public lands, to educate the public for the need of trained resource management personnel, and in a variety of other ways to improve and multiply the opportunities for hunters. It has fought not only to achieve such goals but also to retain them when the need arose.

We have had an opportunity to observe public hunting in a national park. This has taken place in the Grand Teton National Park where certain hunting privileges were established when the law establishing the park was passed. The overall results have definitely not been such as to warrant the inclusion of more national parks into the national park system under similar conditions.

Thus, our attitude is not one of being opposed to public hunting as such, or against those who do hunt—we are a part of those who do hunt.

Rather our attitude is one of being willing to accept some limitation, to impose some self-restraint, in the interest of the true general outdoorsmen and ultimate public goals aimed at preserving some natural areas. League members have always demanded and willingly accepted the regulation and restraint which the national park system requires to perpetuate its quality.

As hunters we willingly accept and abide by the regulations which sound game management requires to perpetuate wildlife population and the opportunities for quality sport hunting afield. We do not want to hunt everywhere.

As travelers of the wilderness and primitive places, we have insisted on the exclusion from them of roads and comfort-serving facilities, even though this may necessarily curtail the number of trips

we can make to them and the length of our stay. Such self-restraint is essential to perpetuate the very values, the quality of experience, for which we go to them.

As park enthusiasts, we have insisted upon the limiting of access roads and asked for their most meticulous planning so as to preserve the high values of unspoiled nature for which parks were established. Without such self-restraint, how otherwise could we hope to preserve the values?

As hunters, we are willing to accept such regulations as will protect the opportunities for other forms of quality outdoor experiences.

Frankly, we do not believe that section 7 of S. 2387 (substitute motion) is in keeping with the national park system. This is our basic position. Otherwise, we commend the intent of the bill.

We strongly feel that the National Park Service should be entrusted with the administration of the parks under its control in a manner which is designed to follow out the principles established in the act of 1916.

This, or any other effort to delegate the powers of the National Park Service, is not in the public benefit. Such "chipping away" would eventually destroy the power of the National Park Service to adequately serve the reasons for its inception. The number of hunters who would be benefited would be as a "drop in the bucket" compared to the usage of the general public.

We would strongly suggest that section 7 of S. 2387 (substitute motion) be dropped from this bill. If this proves to be unacceptable, we then suggest the title of this bill be changed to some other designation than that of a national park.

We, in the Izaak Walton League, do not believe there is any other choice within park principle. National park areas should be protected from some uses and we are willing to restrain ourselves and restrict our own hunting activities in full cooperation with that objective.

The National Park Service has already successfully opposed such hunting in the parks. If the National Park Service is forced to reverse itself by the inclusion of the proposed Canyonlands National Park (together with its concurrent hunting regulation) it will amount to undermining the authority of the National Park Service in the established performance of its duties. We do not believe that periodic pressuring is the proper way to govern in a democracy.

We, therefore, urge as strongly as we can that this section 7 be stricken from this bill, S. 2387 (substitute motion), or that the title of the bill be changed to exclude it from the national park system.

Again, may I thank you for this opportunity to present our views.

Senator Moss. Thank you, Mr. Harnsberger. You heard Mr. Kimball's testimony to the effect that game, when it is not subject to predators or other limiting factors, tended to multiply in geometric ratio, he said. So do you recognize that principle that there might be a growth of game to the point where there would have to be some management?

Mr. HARNSEBERGER. That happens in many areas where there is an overpopulation of game animals. From the testimony I have heard here today there are some few deer in the area, but we are standing on the principle in this particular park—this is a magnificent area—

Senator Moss. You have seen it?

Mr. HARNSEBERGER. I have never seen it.

Senator Moss. I hope that you do get to see it. It is magnificent. Your organization would prefer management of the type that has been applied in Yellowstone, for instance, management that would follow the Grand Teton pattern?

Mr. HARNSBERGER. We feel that is sound. The authority is there for them to harvest the crop in an orderly manner, and we feel that we would do that in the best judgment of the park superintendent and so forth.

Senator Moss. You seem to feel that the principle of no hunting in the parks has been established by the will of the people and that if Congress should now choose to do otherwise it would not be the will of the people. Was it not the Congress that established it in the first place?

Mr. HARNSBERGER. Of course, that is true.

Senator Moss. Thank you, sir.

Are there any questions, Senator Dworshak?

Senator DWORSHAK. Apparently, you have not commented on the provisions of the bill which would retain the oil and gas activities, at least, maintain and preserve the applications which cover almost the entire area. What do you have to say as to that? Is that a true reflection of your single-purpose park concept?

Mr. HARNSBERGER. I feel our attitude would be the same on that in regard to the exploiting of any minerals or anything in the national parks. We are on record on that.

Senator DWORSHAK. You entirely ignore that aspect of this, as did Mr. Kimball.

Mr. HARNSBERGER. I am very sorry. I just came in last night to come up here, to bring this. I have not had a chance to go into more detail.

If there is anything further we can furnish, we will be happy to furnish it.

Senator ALLOTT. I would like to follow Senator Dworshak's line of questioning just a bit further. Most of this land is public land, either State or Federal although most of it is Federal, and most of it is under lease. It stands to reason that these companies or individuals, whichever they might be, leased these acres in good faith and, undoubtedly, have done a tremendous amount of research, that is, geological research in connection with these leases. How would you handle these people?

Mr. HARNSBERGER. Sir, that is a real problem, a real administrative problem.

Senator ALLOTT. Somebody has to do it.

Mr. HARNSBERGER. They have got to be taken care of, there is no doubt about it. They have rights. They would have to be taken care of. They have contracts.

Senator ALLOTT. You have the problem of how do you arrive at the value, for one thing. Eventually, I presume that most or many of these leases will terminate, provided they do not get production in the meantime, but somebody has to answer this question, whether it is you or some of us on the committee.

Mr. HARNSBERGER. That is, certainly, something that has to be taken care of. I recognize that. I would be mighty happy to have our people work something up on it. Other than the general policy, we are opposed to mining operations or prospecting in parks.

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Senator ALLOTT. I understand that. I am in sympathy with that. I think that we ought to preserve the true park status of parks and try to keep them on the basis that we have traditionally known them to be. I am in sympathy with your point of view, but we are talking now about creating a park where there are a lot of other things. We have problems like this that we have to solve.

Senator DWORSHAK. You leave the impression that the Izaak Walton League is in favor of the park with the elimination of section 7, is that correct?

Mr. HARNSBERGER. Yes.

Senator DWORSHAK. Then you completely ignore this question of the mineral development?

Mr. HARNSBERGER. Yes. I am sorry I cannot give you a better answer.

Senator MOSS. Senator Long, any questions?

Senator LONG. No questions. It is a very fine statement.

Senator MOSS. Thank you, Mr. Harnsberger. We appreciate your coming here with this.

I have received a letter from Mr. Devereux Butcher, indicating that he could not be here to testify, but would like his statement placed in the record. I therefore submit it to be part of the hearing record. Mr. Devereux Butcher is editor of the National Wildlands News.

(The prepared statement of Mr. Devereux Butcher is as follows:)

STATEMENT OF THE EDITORS OF NATIONAL WILDLANDS NEWS

The editors of National Wildlands News are convinced that the area in southeastern Utah, at and in the vicinity of the junction of the Green and Colorado Rivers, proposed by S. 2387, to be established as Canyonlands National Park, is of such wilderness quality and scenic magnificence as to merit commitment to Federal care under the National Park Service, provided the area be not less than 332,000 acres, as suggested, and rounded out to include an adequate belt of land along the west bank of the Green, north of the confluence with the Colorado River, and a similar belt along the east bank of the Colorado north of the confluence. We make this recommendation so as to preserve the scenery and retain the unblemished wilderness character of the country along the full length of both rivers inside the proposed park.

We urge that section 4 be amended to allow no extension of time for the grazing privileges, beyond the 25 years prescribed on page 4, lines 3 and 4.

We recommend that section 5 be amended to limit mining in the area to any patented claims already being worked commercially at the time of the bill's enactment. It is our understanding that none of the minerals known to exist in the area is in short supply. It would not be in the public interest, therefore, to permit further mutilation of the park landscape by authorizing an extension of mining activity within the area.

We regret that the bill would keep the park open to public shooting. We wish to point out here, as we have many times before, in this regard, that there is no use more inconsistent with national park objectives than the public shooting of wildlife in National Park Service areas. To authorize this activity in the parks, monuments, and other areas in Park Service care ignores the principle that they—the great parks and monuments in particular—are inviolable sanctuaries for native wildlife. To authorize wildlife killing in them under the guise of a need to control ungulate populations by gunners deputized as park rangers does not lessen the impact on his basic national park principle.

There is no legitimate excuse for authorizing gunners to help control park and monument wildlife. The National Park Service already has congressional authority to do this itself, through the National Park Service Act of 1916. The Service, through its field personnel, has shown itself to be fully competent to do this in a number of parks, notably in the reduction of elk in Yellowstone National Park this past winter.

Some years ago, Grand Teton National Park was opened to public shooting under this guise. Today, recognizing that they have a "toe in the door," gunners are pointing to this congressional error as a precedent for opening other Park Service areas to the same misuse. That they managed to keep the recently established Cape Cod National Seashore open to their pastime indicates that those in authority have not profited by the Grand Teton fiasco.

It is being said that the gunning fraternity now is so strong that it is able to prevent the establishment of a national park unless it is kept open to shooting. The gunners never have been able to stop national park establishment, and we do not believe they can do so now. While they are well organized and vociferous, and are backed by the multimillion-dollar arms and ammunition industry, it should be remembered that they do not represent the national viewpoint in matters relating to national parks. The gunners are outnumbered by the vast majority of our people who enjoy wildlife for its own sake and want to observe it unmolested and unafraid in the national parks. Wildlife subjected to shooting is wary and difficult to see, and national park visitors should not be thus deprived of the pleasure of seeing it in these sanctuary lands which afford the best opportunity to observe wildlife. The national interest should be the deciding factor in all such matters relating to our national parks and monuments, and not the whims of any local or special-interest group.

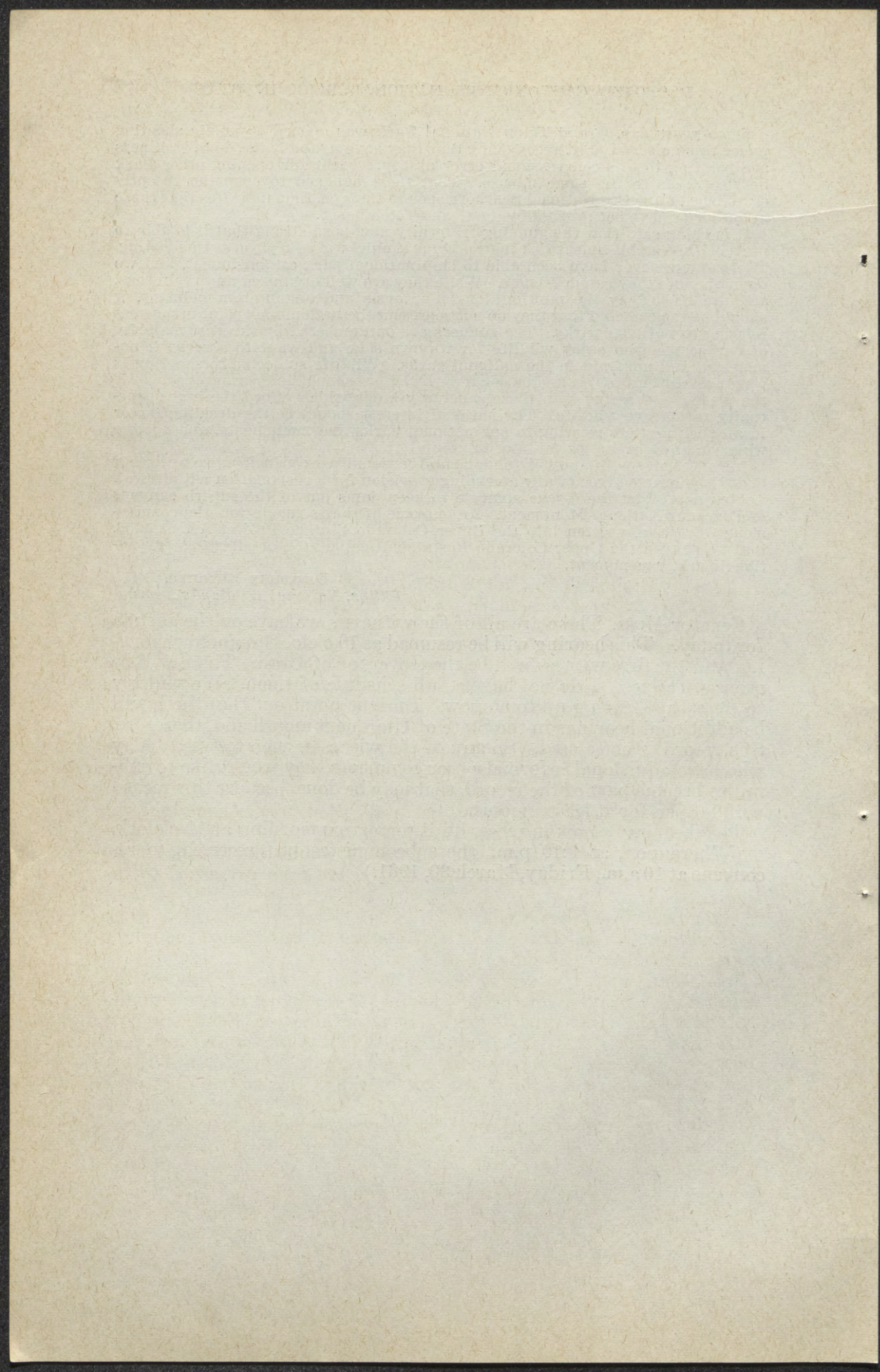
In conformity with another fundamental national park principle, we urge that S. 2387 be enacted free of any amending provision for a reclamation withdrawal. Let us not forget the 6-year struggle to keep dams out of the superb canyons of Dinosaur National Monument. An outcome of that struggle was the congressional directive, written into the Upper Colorado Storage Project Act of 1956, that no dam in the Upper Colorado Basin shall be built in or affecting any national park or monument.

DEVEREUX BUTCHER,
Editor, National Wildlands News.

Senator Moss. These are all of the witnesses we have on the agenda for today. This hearing will be resumed at 10 o'clock tomorrow morning and the first witness will be the Governor of Utah. There will be other witnesses. I do not have a full schedule of them. We will try to clear this hearing up tomorrow. I might point out that there will be additional hearings in the State of Utah next month and, therefore, this record is not closed. So any of the witnesses who testified today who have additional information or comments they would like to submit to become part of the record, that may be done, because this record will be open for at least a month.

This hearing is now in recess until tomorrow morning at 10 o'clock.

(Whereupon, at 4:10 p.m., the subcommittee was recessed, to reconvene at 10 a.m., Friday, March 30, 1961.)



PROPOSED CANYONLANDS NATIONAL PARK IN UTAH

FRIDAY, MARCH 30, 1962

U.S. SENATE,
SUBCOMMITTEE ON PUBLIC LANDS
OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The subcommittee met, pursuant to recess, at 10:05 a.m., in room 3110, New Senate Office Building, Senator Alan Bible (chairman of the subcommittee) presiding.

Present: Senators Bible, Anderson (chairman of the full committee), Moss, Long of Hawaii, Metcalf, and Dworshak.

Also present: Robert Barrel, National Park Service; and Benton J. Stong, professional staff member.

Senator BIBLE. The subcommittee will come to order.

Our first business this morning is S. 2387, pertaining to establishing the Canyonlands National Park in Utah. The first witness will be the distinguished Governor of the State of Utah, Governor Clyde.

We will be very happy to hear from you, Governor. If you have anybody that you would like to have accompany you to the witness table bring them along.

Governor CLYDE. Thank you, Mr. Chairman.

Senator BIBLE. It is good to have you with us. We have your prepared statement and your full statement will be incorporated in full in the record.

You may proceed in any way you like. You may either highlight or go through the complete statement.

Governor CLYDE. Thank you; if I may, I would like to talk off the cuff and try to clarify some points that have been presented to the committee.

Senator BIBLE. Very well.

Governor CLYDE. And to add such additional information as might be developed as we go along.

Senator BIBLE. I would hope, if I might indicate, as I did to the witnesses yesterday, I hope the comments would be directed to the substitute that was introduced by Senator Moss on February 7 of this year, rather than the original bill that was introduced last year because there have been some refinements and changes, and I think it makes it easier for the committee to work against one document rather than interchange a number of documents.

Governor CLYDE. Thank you. That is my purpose.

Senator BIBLE. Thank you, Governor.

STATEMENT OF HON. GEORGE D. CLYDE, GOVERNOR OF THE STATE OF UTAH

Governor CLYDE. Mr. Chairman, in order that I might set the background of my experience, I would like to just point out that for more than 30 years I have been responsible for land and water developments in the State of Utah from all angles, and I have a personal firsthand experience with our land and water resources as a result of plane trips, ground trips, snow trips, trips down the river, trips down the Canyonlands, and on August 8 I appointed a committee of citizens in the State of Utah representing a cross section of all of our people, to study this problem of the national parks and the tourist and recreation business in Utah.

Subsequent to that time I appointed a State agency committee, and these committees in the State of Utah are all bipartisan. These committees, were the authors of this report which you have in your hands. I requested these committees to seek all of the available sources of data in Federal and State agencies from industrial representation and civic groups, from State institutions and from agricultural and livestock groups in order that we might get and have available to us the factual data necessary to resolve a problem of that kind.

Senator BIBLE. At this point as you heard yesterday this report was made part of the record by reference, the report to which you referred.

Governor CLYDE. Yes. I would like to comment briefly on the land-ownership in the State of Utah because I think it has a bearing on this proposed legislation.

The total area of the State is approximately 54 million acres. But only 20.05 percent of that is in private ownership and only about 6 percent additional is in State, local and municipal ownership, making a total in private and local government of 26.22 percent.

I might say then that roughly, the State of Utah is but a quarter of a State, because 73.78 percent of it is in Federal ownership at the present time.

Senator BIBLE. Well, you are doing much better than the State of Nevada under that measuring stick. We are 12 percent of a State.

Governor CLYDE. That is right. We are a little ahead of you but not very much. [Laughter.]

Furthermore, only 5 percent of the State of Utah is arable or ever will be arable; 95 percent are mountains and deserts.

I think we should keep those figures in mind because they do have a bearing on the future of the State of Utah and its people.

The point I want to make is that we cannot depend on agricultural development and the development of livestock to support the rapidly expanding population in the State of Utah.

But fortunately, the other 95 percent which constitutes, which consists of mountains and deserts is a veritable storehouse of industrial raw materials of all kinds.

Now, that brings us up to the point of the express bill, S. 2387, which proposes to take out of the Federal lands largely 300,000 acres for the purpose of creating a national park, the Canyonlands National Park.

Senator BIBLE. Are we in substantial agreement that the total amount to be taken out by 2387 is 332,000 acres and of this, something

in the neighborhood of 26,000 to 34,000 acres, depending upon whether or not you count the riverbeds are actually State lands, is that a substantially correct statement?

Governor CLYDE. Mr. Chairman, may I point out one thing on that map?

Senator BIBLE. Certainly, you may proceed in any manner you like.

Governor CLYDE. If you will refer to this map I have drawn in solid black lines the proposal which was made by Mr. Udall which as I understand was 332,000 acres—

Senator BIBLE. That is correct.

Governor CLYDE. The Moss bill, 2387, as I understand it, comes downriver on both sides and comes around here making a total of around 300,000 acres.

Senator BIBLE. My understanding was that on the amendment that the Senator from Utah suggested yesterday that he made his acreage conform with the higher figure of 332,000; is that correct?

Senator Moss. The amendment does now conform with the outer black boundary with two exceptions, it took some acreage out of the northeast corner about 1,100 acres up there, and it took some acreage out of the southwest corner where the reservoir—no, the southwest, where the reservoir might impinge to make certain there is no impingement on the reservoir.

Governor CLYDE. You will recall the withdrawal for the Reclamation Bureau comes up, way up in the park but the water does not come that far. I don't know just how far it comes but it comes up here a substantial distance.

But with those explanations where it is 330 or 332—

Senator BIBLE. On that one point you are in fairly close agreement. How about the amount of State land that you have?

Governor CLYDE. Now, the amount of State land, and the State land is represented by these blue squares, the State lands in all categories, the land which the Park Commission owns, the lands which the State has received patent—the lands which the State will receive patent upon survey, and the total is approximately 36,000 acres including the riverbeds in these two areas. So the total areas are around 36,000 acres of State interest in that area.

Senator BIBLE. But that figure, Governor, includes the land under the riverbeds; is this correct?

Governor CLYDE. Yes.

Senator BIBLE. This possibly accounts for the difference in the figure used by the National Park Service and the figure used by you?

Governor CLYDE. As I remember the land in the riverbeds is about 6,000 acres roughly.

Senator METCALF. Mr. Chairman, may I clarify that a little bit?

Senator BIBLE. Certainly, Senator Metcalf.

Senator METCALF. Governor, I am reading from this economic study of the proposed Canyonlands National Park.

On page 22 where it says—

At the present time either the Utah State Land Board or State Park and Recreation Commission hold title to about 26,778 acres.

Governor CLYDE. That is correct.

Senator METCALF (continuing) :

including an estimated 5,681 acres of riverbed under the navigable portion of the Green and Colorado Rivers. There are an additional 9,670 acres in school land sections whose title has not passed to the State so this 36,000 acres includes that 9,670 acres in school lands.

Governor CLYDE. Yes, sir; making a total of 36,000-plus.

Senator METCALF. Yes, 36,000.

Senator BIBLE. Might I ask just one question, Governor, about the 5,631 acres of riverbed land?

Is the law established that acreage of riverbed streams vests in the States; is this the law of the land?

Governor CLYDE. Yes, sir, that is the law of the land.

Senator METCALF. Mr. Chairman, has this document been put in the files?

Senator BIBLE. Yes, it was adopted yesterday by reference and made a part of the record.

Governor CLYDE. Now, Mr. Chairman, I would like to now refer to these two reports.

Senator BIBLE. Very well.

Governor CLYDE. Both of which you have, and both of which I accept as being factual, and rather informative, and I think we can rest on them. I have only one personal comment. I think some of the assumptions and the estimates of return are a little bit optimistic. But that is a point I don't want to argue, because—

Senator BIBLE. That is a question of judgment, I guess, Governor, and as long as the facts are here, what we are trying to find are the areas of agreement and disagreement because then it would be the committee's job to try to reconcile these differences.

Governor CLYDE. That is right.

In assigning to my committee and by the by, the University of Utah report was prepared by the department of business research at the request of Mr. Udall, the Secretary.

Senator BIBLE. Yes, sir.

Governor CLYDE. We are proud of that department. I want you to know we have a lot of confidence in it. I think the information contained in these two reports will form the basis of the resolution of many of the problems which are coming before us.

When I made the assignment to the Utah committee, which as I pointed out before is a bipartisan group, I asked them to determine the impact on the economy of the State of Utah, if such a park was established, either as a national park or as a national park surrounded by recreational areas.

I asked them to determine whether a small park or parks limited to single use or a large park with permissive multiple use would be best for the State or the Nation. I asked them to make recommendations as to the size of the area or areas as to the authorized uses and I asked them to determine or to consider alternatives to a national park in the present framework of definition of a national park.

And I asked them to determine what consideration should be given to know mineral and other deposits, fish and game, water and power, grazing, within the established boundaries of a national park. I asked them to determine if and how the State's interests in its school land which I pointed out here, and its other resources within the boundaries of the park would be protected.

I asked them to see that the State's water laws and its jurisdiction over its fish and wildlife are recognized and protected, and I asked them to see that Utah's peace and boating laws are recognized within the boundaries of the park and I asked them to determine how Utah's tourist potential can best be developed without infringing upon Utah's present and potential economy.

You see we are not dealing with the immediate alone. We must look ahead, and the leadtime which must be taken into consideration in these days is not 2 or 3 years but it may be 50 or 100 years.

I asked them how best to develop and protect and use and to determine the recreational values and at the same time provide for exploration, development and use under regulation of all other valuable resources in the area.

I would like at this point, Mr. Chairman, to make this point fully and completely clear: I have always been in favor of the development of national parks, monuments, refuges, wilderness systems, to preserve those unique and superb items of our resources for the enjoyment of the people, but at the same time, I cannot close my eyes to the fact that we have an economy to support, not only in the State but in the Nation, and therefore, we must use judiciously and effectively all of the resources that we have, and that is my purpose in appearing before your august body to discuss these problems in order that we might develop, create, operate and maintain these unique and superb areas for the use of the people, but at the same time to the limits which are commensurate with the purposes opened up for development the resources which will be so badly needed as our population increases.

Senator ANDERSON. You start off, Governor, by saying it was a bipartisan commission.

Governor CLYDE. I said the Utah committee which is composed of tourist and recreation council, the parks and recreation commission, the land board, and the fish and game department are all bipartisan boards and commissions in Utah.

Senator ANDERSON. I thought you said this committee that made the study was a bipartisan commission.

Governor CLYDE. No. These are the boards of these respective committees. I wanted the best judgment I could get from all sources.

Senator METCALF. Mr. Chairman, I am not quite clear.

That is the committee that is listed in the Forward of the report of March 1962?

Governor CLYDE. Yes.

Senator METCALF. And you have just listed the chairman, as I see it, and all the members of the various commissions are also part of that committee; is that correct?

Governor CLYDE. The chairman constitutes the committee, but the chairmen are the directors of these bodies and they are responsible to these governing bodies.

Senator METCALF. And you are saying that, for example, the Utah Fish and Game Department who is headed by Harold S. Crane, is a bipartisan—

Governor CLYDE. He is the director of a bipartisan board; yes, sir.

Senator METCALF (continuing). Department. I understand.

Senator BIBLE. The board itself has no membership on this committee other than through its director?

Governor CLYDE. That is correct.

I would like to discuss the findings of this group as they relate to this problem which is before us in 2387 which proposes, as I understand this legislation, to create a national park within the boundaries presented for park purposes, but it would be modified and diluted by providing for nonconforming uses within the boundaries of the park.

Senator BIBLE. I think that is substantially a correct statement.

The bill presented by Senator Moss does dilute some general concept of the national park by permitting grazing for a limited period of time, for example, and does permit—gives validity to existing patented mining claims and permits the continuance of exploration on those now in existence, and then section 7 suggests some type of cooperative agreement between the Utah State Fish and Game Commission and the Federal Wildlife Service, if this—or National Park Service, if that is what you mean by modified?

Governor CLYDE. I would like to talk about it.

Senator BIBLE. Yes.

Senator Moss. Governor, you are proceeding on the assumptions that the provisions of this bill would not be approved by Congress and you are assuming they would approve something else, is that correct?

Governor CLYDE. Well, you are putting words into my mouth.

Senator Moss. Well, let me put it another way and I certainly don't hope to do so.

Would your position be that if Congress approved the bill as now written that then your objections would not apply?

Governor CLYDE. That is correct.

If the Congress approves it.

Senator Moss. I see. All right.

Governor CLYDE. That is correct.

(The following letter was subsequently submitted in amplification:)

STATE OF UTAH,
OFFICE OF THE GOVERNOR,
Salt Lake City, April 6, 1962.

Hon. ALAN BIBLE,

Chairman, Public Subcommittee on Interior and Insular Affairs, New Senate Office Building, Washington, D.C.

DEAR SENATOR BIBLE: I have reviewed the record of my testimony given before your committee relating to S. 2387 on March 30, 1962. I hereby request that a portion of my recorded testimony be corrected, in the manner and for the reasons which I set forth immediately hereafter:

The material to be corrected is on page 178 of the report of hearings on S. 2387 for March 30, 1962.

In the discussion leading up to the section to be specifically considered, Senator Moss discussed my views on his bill (S. 2387) and I protested that he was putting words into my mouth.

The transcript (uncorrected) follows:

"Moss. Well let me put it another way, and I certainly don't hope to do so. Would your position be that if Congress approve the bill as now written that your objections would not apply?

"CLYDE. That is correct—if Congress approves it.

"Moss. I see, all right.

"CLYDE. That is correct."

To explain my desire to make a correction, let me refer to the mimeographed statement I submitted to the committee. Beginning at the bottom of page 7 of that testimony and continuing through page 8 and onto page 9, I outline my reasons for believing the provisions of S. 2387 to provide multiple use in the

proposed Canyonlands Park are inadequate. Briefly summarized, the listed reasons were:

1. Doubt that the Congress would approve the bill as written;
2. Objection to the latitude given the Secretary of the Interior to control by administrative decree; and
3. Objection to the limiting of any and all provisions for multiple use to practices existing before establishment of the proposed park.

The exchange with Senator Moss had been entirely on point No. 1 (the question of congressional approval). When I made my answer to Senator Moss (as quoted above from the record), I was thinking only of this point. Reading my answer over, I see that it might be misunderstood to imply that *all* of my objections would be removed if the Congress would approve S. 2387 in its present form.

I therefore request that the portion of the transcript quoted above be corrected to read as follows:

"MOSS. Well, let me put it another way, and I certainly don't hope to do so. Would your position be that if Congress approve the bill as now written that your objections would not apply?

"CLYDE. That is correct only to the point of one specific objection—my objection that I feel the Congress is unlikely to approve S. 2387 as it now stands.

"However, I should still object to making resource development subject to administrative decision instead of being written into law.

"My objection on the grounds that provisions for multiple use would be restricted to rights established before creation of the park, with no provision for future discoveries or developments, would also stand.

"Finally, let me say this: While the question of resource development might be solved either by designating a small park, with full national park restrictions, or a large park in which multiple use would be permitted, my own opinion is that the first alternative is greatly to be preferred. I am opposed to reducing established national park standards—if parks are limited in area to land of genuinely national park stature with full multiple-use development permitted in surrounding areas." (End of corrections to record.)

I thank the chairman and the committee for their courtesy in permitting me to make this correction to the record of my testimony.

Yours sincerely,

GEORGE D. CLYDE, *Governor.*

Governor CLYDE. Now, I would like at this time to elaborate on that point just a moment, because we have two issues before us, one is the issue of creating a national park and diluting it by nonconforming uses within it.

Senator BIBLE. Will you define "nonconforming uses" in your own words so that somebody might know what Governor Clyde means when he says "nonconforming uses."

Governor CLYDE. The development of a mining claim.

Senator BIBLE. Or hunting?

Governor CLYDE. Yes, sir.

The other is we preserve inviolate the basic principle of the national park and I think that you men are all familiar with the history of the development of the national park, and it's unique, it is something special. It is not an ordinary thing. You will recall that when national parks were first created everybody wanted one, and it began to appear that they were going to put a park in everybody's back door for the purpose of having the advertising out of the name, and that prompted the definitions for the national park criteria in the selection and they said, we will have to preserve these, and someone said the other day there were only 30 parks in the United States.

Senator BIBLE. That is correct. I think 29 in the last published—and one seashore makes it 30.

Governor CLYDE. They carefully selected these areas. They have not been promiscuous about it.

Therefore, we have two things before us: One is the creation of a national park within which we permit these nonconforming uses, and I call that dilution for the sake of a better term.

The other is that we limit the area to the unique criteria involved, and we do not allow these nonconforming uses. Those are the two things we are dealing with.

Senator DWORSHAK. How would you make it conform completely?

Governor CLYDE. I beg your pardon?

Senator DWORSHAK. You say you want to have a concept of a Canyonlands National Park which conforms with the general image or pattern which has been established in the operation of national parks in the past.

How would you make this proposal conform to your original concept or the original concept of national parks?

Governor CLYDE. Mr. Senator, may I develop that as I go along as part of the answer here that I want to bring out?

Senator DWORSHAK. Certainly.

Senator BIBLE. Certainly, we will let you proceed with your case in chief and we will not interrupt you, Governor, until you have presented your views and then we will question you.

Governor CLYDE. I would like to speak just briefly on the scenery and I don't think there is any doubt, these beautiful pictures that were here yesterday, no one questions the unique superb portions of that area which is under consideration, so as far as scenery there is no question about it.

Senator BIBLE. I was going to say it is clear to the Chair this is one area in which everybody seems to be in complete agreement. So we are starting—

Governor CLYDE. Now grazing, it has been pointed out to you and I don't need to develop it, grazing is limited. It is not extremely important to this issue because of the magnitude of it, it is very small. But when we come into this question of hunting, we get into another area, which I think we should develop, and there was some information delivered yesterday which I took the liberty to check last night with my fish and game department and they tell me that the deer herds for this area come from the south, the Abajo Mountains are down here, and they come in from the east, and the La Sal Mountains on here, they are a long way, it is true, but the migration from the winter to summer range is extreme, and they told me the kill in 1960 was around 7,000 head and that the kill in 1961 was around 10,000 head.

Senator BIBLE. Governor, might I interrupt just there so we might clarify this and I am going to depart from my earlier statement because, as you move from grazing to hunting, questions suggest themselves and if you don't mind, I will ask you at that point—you say in 1960 they took 7,000 deer and 10,000 in 1961, but from what area?

Governor CLYDE. That is two points I wanted to develop.

The Blue Mountains are down here, the Abajos, and the La Sals are up here, and then are some mountains out west here, and the deer migrate from the winter range to the summer range. When the snows come in the mountains they come into this winter range and that is Nature, Nature forces them down there. The kill is usually outside the boundaries of the park because during the hunting season,

the deer are not in the winter range, but if the hunting is not permitted in this area, the minute they start to shoot in the fall, the deer will go into sanctuary, and you people who have hunted, know that very well.

They will move into the sanctuary, and you can't get them, and then someone said yesterday that these deer multiply by geometric ratio instead of arithmetic ratio and you get overloading of your capacity, the deer soon start to eat this out and during the winter they die.

Senator BIBLE. Governor, might I ask a question at that point? The testimony we had yesterday, or the evidence we had yesterday, was to the effect that the best—that the best counts available of the number of deer taken from within the area of the proposed Canyonlands National Park—was something in the neighborhood of 41 deer in 1961.

Are you in agreement with that figure or do you disagree?

Governor CLYDE. Yes, because the deer are not down in this area in the hunting season.

Senator BIBLE. Yes, but you take a total of 10,000 deer from the area of the south and north. If your premise is sound it would drive all these deer in the Canyonlands, why didn't it do it last year? Why weren't more deer taken then?

Governor CLYDE. Because the hunting season in the fall, the ranges are still open and the snows have not come to drive the deer down. When the snows come deer have to move in to get food.

Senator ANDERSON. Governor, just a minute. I don't know that the deer can read notices, "This is a national park." They jump fences, go where they please, why didn't they move in there when the guns began to bang; that is when you said they would go?

Governor CLYDE. They did move in there.

Senator ANDERSON. They did last year?

Governor CLYDE. Yes.

Senator ANDERSON. How did they get 41 out of there?

Governor CLYDE. But if you prevent hunting against them they can't come down here in this area.

Senator ANDERSON. Isn't the area where they travel to the east of that park?

Governor CLYDE. Yes. They travel all the way around it but the point is you are creating a sanctuary here.

Senator ANDERSON. They don't know that.

Governor CLYDE. Oh, yes; they do.

Senator ANDERSON. The deer notice it?

Governor CLYDE. Oh, yes; they do, they soon find it out.

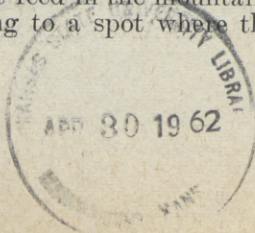
Senator ANDERSON. You have been hunting different kinds of deer than I have. [Laughter.]

Governor CLYDE. But the point is this migration, and that is the only point I want to make, is there is a migration of the deer herd.

Senator ANDERSON. Don't they follow the natural places where there is foliage where they can eat, do they go around a dry desert in order to get away from the hunters?

Governor CLYDE. That is the reason they go down here in the winter because the snows are so deep they can't feed in the mountains.

Senator ANDERSON. You are pointing to a spot where they don't go, don't they go way east to that?



Governor CLYDE. Well, the Blue Mountains are here, and the La Sal Mountains are here.

Senator ANDERSON. And they follow down the outside edge?

Governor CLYDE. There are a few deer that follow the river and live there, a few. The point is if you get great migrations which go into a sanctuary which can't be hunted then you will get a movement here which will overgraze the limited feed which is limited.

Senator ANDERSON. If you only got \$2,700 from grazing fees, how many grazing is in there?

Governor CLYDE. You are talking about the cattle now.

Senator ANDERSON. Well, don't deer eat the same things about what cattle eat?

Governor CLYDE. That is the point. The forage in the winter range is not large, and it can be easily overreached. You remember the condition in Yellowstone when they had to go down there and kill the deer because they were starving to death because the snow was so deep.

Now the snow gets deep on the Blue Mountains, too, and they move down. My only point is we should do something and I think it can be worked out in this legislation, to provide for management of that deer herd so that it will not be permitted to overgraze the area of the winter range.

Now, there is no water in here, that was brought out. No permanent streams of any kind. Where do the deer get their water? There is a little snow around in pockets, that is where they get their moisture. But it is limited, but you see this can be quickly overgrazed, and overreached if we don't have some management and that is all I am pleading for is that we arrange in whatever legislation we have, to provide the management which will prevent the situation which developed in the Yellowstone National Park.

Senator BIBLE. Might I ask a question at that point, Governor?

If some type of management was worked out for the control and management of the deer herd within the confines of the proposed Canyonlands National Park, would the bill then be satisfactory to you, sir, as Governor?

Governor CLYDE. Yes, sir.

Senator METCALF. As section 7 is written at the present time, is the bill satisfactory?

Governor CLYDE. No, it is not satisfactory as written because I don't feel that the public should be barred from participating in a managed hunt and the public is barred in this because only those who can secure a permit and be deputized will be permitted to go in there and hunt.

Senator MOSS. Governor, I know you are familiar with the system we have in the State now, where when we have in an area an agreement to take a certain number of deer, we then have some kind of a drawing and those who draw get the permit.

Governor CLYDE. That is right; if you will make this a drawing I will agree with you; this is not a drawing.

Senator MOSS. This is to be done under the Utah Fish and Game Department.

Governor CLYDE. But the Secretary has to deputize the men to hunt.

Senator MOSS. After they have been designated by the Fish and Game?

Governor CLYDE. Supposing they don't deputize?

Senator MOSS. You mean after he reaches an agreement you are going to assume that an officer of the Federal Government is not going to do what he agreed to?

Governor CLYDE. But the agreement does not specify that individuals will be deputized.

Senator ANDERSON. You said you would be satisfied if there was a drawing.

Governor CLYDE. Yes.

Senator ANDERSON. Now, the Utah Fish and Game Commission is going to run it. Are you telling us they will not have a drawing?

Governor CLYDE. Under this law the Utah Fish and Game doesn't run it.

Senator ANDERSON. I thought you said they did?

Senator METCALF. Yes.

Senator BIBLE. I think in fairness to the Governor, it is a cooperative.

Senator METCALF. If we can make language so that the Utah Fish and Game Commission runs it, and has control of a drawing or a lottery or some way to designate the number of hunters that they estimate can take the necessary deer out of the park in order to make the herd so that there won't be any erosion and overgrazing, then would you be satisfied with the legislation?

Governor CLYDE. Yes, if this thing is so drawn, the language is so written that we rule by law and not by regulation, then I agree.

Senator ANDERSON. Can I read you a section of the law?

Governor CLYDE. Yes.

Senator ANDERSON (reading):

Such program shall include provisions for the controlled reduction of wildlife in such park by hunters licensed by the State of Utah and deputized as rangers by the Secretary.

Doesn't that indicate that the State of Utah is going to pick out who the hunters are?

Governor CLYDE. I wouldn't say so.

Senator ANDERSON. You wouldn't.

How would you draw it so that you would know it? When that says the State of Utah is going to do it and the Secretary then is going to deputize them, how would you improve on that language?

Governor CLYDE. Well, I am not an attorney, Senator.

Senator ANDERSON. Neither am I, that is why we both can speak freely. [Laughter.]

How do you write it to make it plainer than that?

Governor CLYDE. Mr. Senator, I think it should be written so that this places within the limits of the drawing that you specify, as Senator Moss has pointed out in the State of Utah, that it cannot be overruled by any individual, I don't care who it is, by selection.

Senator MOSS. Governor, may I read further?

The plan, as Senator Anderson pointed out, must be worked up by the Secretary and the Department of Fish and Game and then it says:

The Department of Fish and Game and the Secretary shall, upon the approval of any such plan, issue separately but simultaneously, such appropriate orders and regulations as are necessary to carry out those portions of the approved plan that fall within their respective jurisdictions.

Now, that is mandatory. They shall issue the orders to carry this out.

Governor CLYDE. Yes, but there is nothing in here which even says the State of Utah has got to draw these numbers.

Senator METCALF. How is the State of Utah going to conduct—you are casting doubt then upon the way in which your own fish and game commission is going to conduct this harvest of game?

Governor CLYDE. No, I would just like to write into this legislation so that it cannot be ruled by regulation but is ruled by law.

Senator ANDERSON. Governor, you believe in following precedents, don't you, a little bit? You believe that something which has been tested and found to work a certain way is all right, don't you?

Governor CLYDE. I am quite practical.

Senator ANDERSON. All right.

If there was written into a Wyoming law a provision that applies to the State of Wyoming, "Such program shall include the controlled reduction of elk in such park by hunters licensed by the State of Wyoming," does the State of Wyoming license those elk hunters?

Governor CLYDE. I suppose they do, but what happened?

Senator ANDERSON. If you take the same language and put it in this bill to protect it.

Governor CLYDE. How come they had to kill 5,000 head of elk in the Yellowstone?

Senator ANDERSON. You are wondering about deer coming in, why can't they kill deer this way?

Senator METCALF. The Senator is reading the Grand Teton law and not Yellowstone.

It went into Yellowstone, into Montana, and this is the law that applies to Grand Teton.

Governor CLYDE. I see.

Senator ANDERSON. All I say is this is language taken from a working and workable law, why do you distrust it?

Governor CLYDE. Well, I would like to have it clarified.

Senator ANDERSON. I am happy to agree with you.

Governor CLYDE. Mr. Senator—

Senator ANDERSON. If you want to take this and say, there shall never be anybody who shall stand up in any place and say that the State of Utah doesn't completely dominate and a few things like that, it is language that sounds nice, but it doesn't mean anything different than this.

Governor CLYDE. The point is this is ruled by regulation. This says that the Secretary has got to depute these. The State fish and game department has got to license them. In the State of Utah anybody can get a license.

Senator ANDERSON. I am only trying to find out.

Senator MOSS. Not anybody, but—

Governor CLYDE. Yes, any qualified hunter can get a license.

Senator ANDERSON. I am only trying to find out why you distrust what is already working. This is from the Grand Teton legislation. This language is copied from it. There is no safer rule in legislative procedure than to follow something which is established and working and you know how it works.

In the State of Wyoming, the Park Service deputizes these people automatically. They don't get the nomination of the State of Wyoming and say, "John Jones, I wonder what his eyesight is, I wonder what his hunting experience is."

They stamp them automatically and deputize them. That is what the law says they should do. Why should it be different in Utah?

Governor CLYDE. Does the law say they stamp them automatically?

Senator ANDERSON. No, the law says this is what they shall do. Is the language not comparable?

Senator MOSS. It is comparable. That is where it was taken from, Senator.

Governor CLYDE. The language is probably comparable to the thing you are reading there, the Wyoming law. I don't question that, Senator.

Senator ANDERSON. I say this is the Wyoming law.

Governor CLYDE. The only thing I question is the Secretary and the Fish and Game Department pick these people who are going to do the hunting.

Senator ANDERSON. Well, you said you wouldn't mind if they did it by drawing. Do you think—Wyoming does it satisfactorily, do you think the Utah people are so stupid that they can't do it as well as Wyoming people do it?

Governor CLYDE. I don't think so.

Senator ANDERSON. So do I. If it works well in Wyoming why can't it work well in Utah.

Is there some long political hand that would stop it from working?

Governor CLYDE. It would work in Utah.

Senator ANDERSON. Why not say if it works well in Wyoming in Grand Teton and if it works good there and if it works as well there we will have just as good administration in Utah.

Governor CLYDE. It is a problem.

Senator MOSS. This goes on in section (c), Governor:

After the approval of a plan for any year calling for the controlled and managed reduction by the method prescribed in this act of wildlife within Canyonlands National Park, and the transmission by the Department of Fish and Game to the Secretary of a list of persons who are qualified and experienced hunters and who have proper hunting licenses issued by the State of Utah, the Secretary shall, on or before July 1 of that year, cause to be issued, without charge, orders deputizing the persons whose names appear on such list, in the number specified by the plan, as rangers for the purpose of entering the park and assisting in the controlled reduction plan.

And then it goes on to say that the hunter may remove the carcass of the animal he kills in accordance with the plan.

I don't know how you could make it more mandatory on the Secretary. It says when they have decided how many deer they need to reduce or whatever other wildlife they need to reduce then the State of Utah shall furnish him the list. We have got to depend on administrative people in Utah to furnish the list.

Once they have furnished the list, the Secretary shall deputize them without charge to go ahead and do the job. I don't know how you could make it more mandatory.

Senator ANDERSON. Would you submit to the committee language which you think improves it?

Governor CLYDE. I will get an attorney to try to take a try at it. I am not writing legislative language.

Senator ANDERSON. A great many attorneys would say, "If something works well already we will copy language that we know is good."

Governor CLYDE. Why haven't other States than Wyoming adopted this thing?

Senator ANDERSON. They don't have the same problem.

Governor CLYDE. This was the testimony that was submitted yesterday.

Senator ANDERSON. By whom?

Senator MOSS. I put that letter in the record by Mr. Jiacoletti.

Governor CLYDE. Mr. Chairman, I do have a letter I received from Mr. Jiacoletti, from the State game and fish commission written on my inquiry, and I would take it from this testimony that there was at least a question of a doubt as to validity of the Wyoming law.

Senator ANDERSON. Did he object to the way the elk was handled?

Senator MOSS. As I recall—

Governor CLYDE. I haven't seen the letter.

Senator ANDERSON. That is a little important, isn't it?

Senator BIBLE. I think we should see what the letter says, let's read it into the record. If we have it available we will read the letter and we will see what it says.

Senator ANDERSON. If he wants more things covered than elk that is something else again.

Senator MOSS. I remember one thing he wanted to extend it to other species of wildlife.

Senator BIBLE. This is the letter to which we are referring. I think if we read the letter into the record then there will be no question as to what the record said.

Senator ANDERSON (reading):

DEAR SENATOR MOSS: I have received your letter dated February 22 in regard to your sponsorship of a bill to provide for the establishment of the Canyonlands National Park in Utah. We have reviewed the amended copy of this bill (S. 2387) and appreciate very much the opportunity to comment on the proposals therein.

As you are well aware, very restricted hunting occurs in Grand Teton National Park under the provisions of Public Law 787. Our experience in this matter certainly dictates the advisability of making positive that all lands to be included in the proposed park area are subject to public hunting if and when the need arises. Public Law 787 provides for public hunting in only a portion of Grand Teton National Park, which hampers game management to such a degree that proper harvest is obtained only with considerable difficulty.

Another point of utmost importance is that all game animals should be included in the huntable species. Public Law 787 provides for the killing of elk only. Game managers the Nation over know that the removal of one big game species and the competition created by them opens the door for population boom in other species.

The very recently displayed autocratic and high-handed attitudes of the National Park Service are of concern to this Commission and the State officials of Wyoming. In order to fully protect the sovereignty of the State in which any national park is to be located, we would recommend that, in the event of a lack of agreement or controversial recommendations regarding hunting within the park, the requests of the State Fish and Game Department should receive priority consideration. We have found it necessary to hunt in Grand Teton National Park every year except two since the inception of Public Law 787. We feel that the effectiveness of this hunting has been limited due to the restricted area in which the law allows us to hunt.

We would also suggest that every effort be made to explore the possibilities of other methods to be used in allowing this hunting rather than the deputizing of hunters as park rangers. The system whereby applicants for park hunting

permits must be approved by the Governor and Secretary of Interior is most cumbersome. It appears to us that certification of these applicants could be more effectively attained by granting the director of the State Game and Fish Department and the regional director of the National Park Service the authority to grant such certification. The 1961 list was comprised of 2,000 names, and no registrations can be accepted until agreements reached at local levels have Secretary of the Interior sanction.

The system as presently outlined requires that the dates and lengths of seasons must be agreed to on the local level, but again the Secretary of Interior and Governor of the State must concur. This year our meeting with the National Park Service at Grand Teton will be held in mid-March. After agreements have been reached at this meeting, it is quite possible that it will be July before the Secretary of Interior takes positive action notifying us of his concurrence or lack of same on these recommendations. It is again felt that the authority to establish season dates and other pertinent regulations should be left with the director of the State Game and Fish Department and the regional director of the National Park Service.

We feel that only by taking steps to assure that all the park area can be hunted, that all game animals be included in the huntable species, and that the State, as the responsible game and fish management agency, have the final say as to when and where the species will be hunted, can future national parks be established without receiving the criticism and scorn so recently heaped on Yellowstone National Park.

Again, we appreciate very much the opportunity to comment on your proposed bill; and we wish to extend to you our cooperation and offer of assistance at any time you have need for the same.

Senator BIBLE. I think the letter speaks for itself.

Any further questions on the problem or further comment on the problem of hunting?

We have moved into the hunting provision of the proposed bill that is before us.

Senator ANDERSON. You recognize this bill does what he is talking about, permits control of all species, not just elk.

Governor CLYDE. I recognize that, but I also recognize a shortage here which I think is expressed in this document, in S. 2387 which says nothing can be done on the management without joint approval.

Now, what happens, and I don't know the answer to this, but what happens when the Secretary or the State should refuse to approve, then we are stymied and that is what happened in Wyoming, isn't it, according to Mr. Jiacoletti?

Senator MOSS. No, it is not quite, Governor.

Senator ANDERSON. This is a law passed, you realize people have to live under laws when passed by Congress.

Now, the Congress might have made a mistake. That is what he is objecting to in the administration.

Senator MOSS. He says two things. They have included only part of the park and he would like all of it in, Congress has included only elk and he would like all of it in, Congress says the Secretary has to approve that and he would have it done at the region instead of the Secretary.

He would like to have it done prior to the 1st of July. Those are the things that he complains about.

Governor CLYDE. I think the language which would include those things would improve it.

Senator MOSS. Maybe July 1 is too long to wait but I know we don't have our drawings before summertime out there and I would doubt that we would be licensing a great many hunters earlier than the 1st of July. We don't hunt until October.

Governor CLYDE. I am only interested in getting a practical, workable solution.

Senator BIBLE. We will try to work this out ourselves, Governor, along that same direction and I think what might be true of Grand Teton might not apply with the same force in the canyonlands.

Governor CLYDE. That is true.

Senator BIBLE. Because there are different areas and certainly testimony, at least I have heard so far there are doggone few deer in the area and practically no other game. If this can be corrected, I think the letter should be made clear, if I might give just one other thought, following the suggestion of the chairman of the full committee, Senator Anderson, I think it would be advisable if you, through your Attorney General or some other legal officer, furnish some other language, language in your opinion, that in your opinion met the objection of hunting in the Canyonlands, that is the point which we are directing our attention to.

Governor CLYDE. The director of the fish and game department, Mr. Crane, has told me personally and it's in the Utah report, I am sure, this is one of the big deerherds in the State of Utah.

Senator ANDERSON. In the park?

Governor CLYDE. Yes, this herd we are talking about right here.

Senator ANDERSON. That is not in the park.

Governor CLYDE. But it migrates, you see, across. I said the deerherd—

Senator ANDERSON. It might be this way but not this way.

Governor CLYDE. Well, it goes all around.

Senator BIBLE. I wish you would get from your fish and game commissioner your version of this case; we seem to be in considerable conflict as to whether or not there are or are not any great number of deer within this Canyonlands Park.

I don't know whether there are or not. I haven't been there. But I wish we would try to clear up that point and your State fish and game commission obviously is the correct authority to indicate how many deer are there.

Governor CLYDE. Yes, I will try to do that.

Mr. Chairman, may I go on now?

Senator BIBLE. Certainly.

Any further questions on this hunting section?

Senator Moss. No.

Governor CLYDE. Thank you.

Now, gentlemen, we talked the other day about values of lands in the park.

I would like to make this comment, that this park and this area is so rugged and so inaccessible and has been for years, that it is not yet fully and completely explored. It is true that those blue squares as you can see represent the State lands, so there are a lot of State lands in there.

I would like to point out to you with reference to the oil and gas, these lines [indicating] represent the structure in which we find oil and gas, and you can see them with reference to the park area.

Now, it is anybody's guess as to what is actually in this area, but we do know this, that the big Lisbon field is over here. The Aneth field is

down here; recently a well came in right in that general location of 600 barrels per day. A well drilled down here by Shell Co. some years ago; it was plugged and abandoned. That has 39 feet of oil showing in the core. They are now going back in and redeveloping and re-drilling in this area. I don't know what they will find.

There is something coming in from the south. This doesn't mean anything unless you know the history of oil and gas development in the State of Utah. When I studied geology not too many years ago, all of the geologists told us there would never be any oil or gas found in the State of Utah, never.

They said this river had cut such a deep gorge across that level that had there been any oil there it would have been drained out a long time ago.

Less than 5 years ago, the big Aneth field was discovered. It was discovered a little before that but they had to drill 170 dry holes in that area before it was fully discovered. Now, the Lisbon field has been discovered within 5 years.

We found a well here, we have some wells up here. So I think it would be unfortunate if we should make a decision today to take that land out of possible development on the ground of the values that are there now; I think we cannot afford to treat so lightly the resources which belong to our posterity as to say that we are going to tie them up and not let them be developed. So I say the values here—

Senator METCALF. Just a moment.

The bill does not tie these oil resources up; does it, Governor?

Governor CLYDE. I beg your pardon?

Senator METCALF. The bill does not tie them up. Doesn't the bill protect the oil leases?

Governor CLYDE. It says at the discretion of the Secretary.

Senator MOSS. No.

Governor CLYDE. There is your problem, you see. This is again a rule by law that we are a little bit afraid of, rule by regulation we are a little bit afraid of.

Senator MOSS. We have regulations at the discretion of the Secretary in the Taylor Grazing Act, in the Oil Leasing Act, all these things. This language is taken from standard sections of the law that have been applied to the Secretary over many, many years, and as far as I know the Secretary of the Interior has not abused this discretion that we gave him for special purposes such as spacing and unitizing and so forth, any more than he has abused this grazing permission we gave him in the Taylor Grazing Act at the discretion of the Secretary to restrict the amount of grazing.

These things have to be written into the law and we have to provide that officials of the U.S. Government comply with the law, and if they don't, Governor, I am sure that Senator Moss and Senator Bennett and Congressman Peterson and Congressman King will see that they do; that is our business.

I just can't go along with this distrust of Federal officials to carry out the intent and the purpose of Congress.

What does the law say? It says that all the mineral deposits now under patent and subject to leasing shall be subject to exploration and

disposal under the general mineral leasing laws of the United States.

Governor CLYDE. At the discretion of the Secretary.

Senator MOSS. No, subject to general regulations for the control of activities deemed necessary for what, to preserve the scenic, scientific, and recreational values of the area.

Now, he has to apply that standard. That is the standard that is given to him. What we really are trying to resolve here is a regulation so that you can have the primary use of this area as a national park, and everybody has agreed in this room for 2 days it is superlative and should be, but there are some secondary uses that might be made of the area.

We put in the law that those rights that are there are preserved and they may be transferred, and may be exploited with only this limitation, that they not impair the primary use of the park.

Governor CLYDE. That is the decision of one man.

Senator MOSS. That is the decision of the Secretary of the Interior.

Governor CLYDE. You see the Congress under that kind of legislation abrogates its responsibility for the development of the Nation's resources. It places it in the hands of one man.

Senator MOSS. I think, then, Governor, what you are really arguing that we just take this whole area and make it a national park and allow nothing in and, of course, I don't understand that.

Governor CLYDE. No.

Senator MOSS. I would think we would try to move on to this slight use, additional use.

Governor CLYDE. I have a deep feeling that the national parks should be kept inviolate basically.

Now, we are getting away from it. As I pointed out before, there are two issues, two possibilities here. One is to keep the park inviolate. If we do that we have got to make it small in order that we might develop these other resources.

The other is to do as you propose, and maybe that is the thing to do, but if you do it as you propose, then we dilute the park stature.

Senator MOSS. Perhaps, then, really what we should find from your testimony, Governor, is to have you designate what parts of this you want to leave out.

Governor CLYDE. That is what I would like to do.

Senator MOSS. I see.

If we could get that. It might be helpful if we could get that.

Governor CLYDE. I wanted to talk about this because there is a feeling on the part of a lot of people that there is nothing there now and, therefore, we should do this thing.

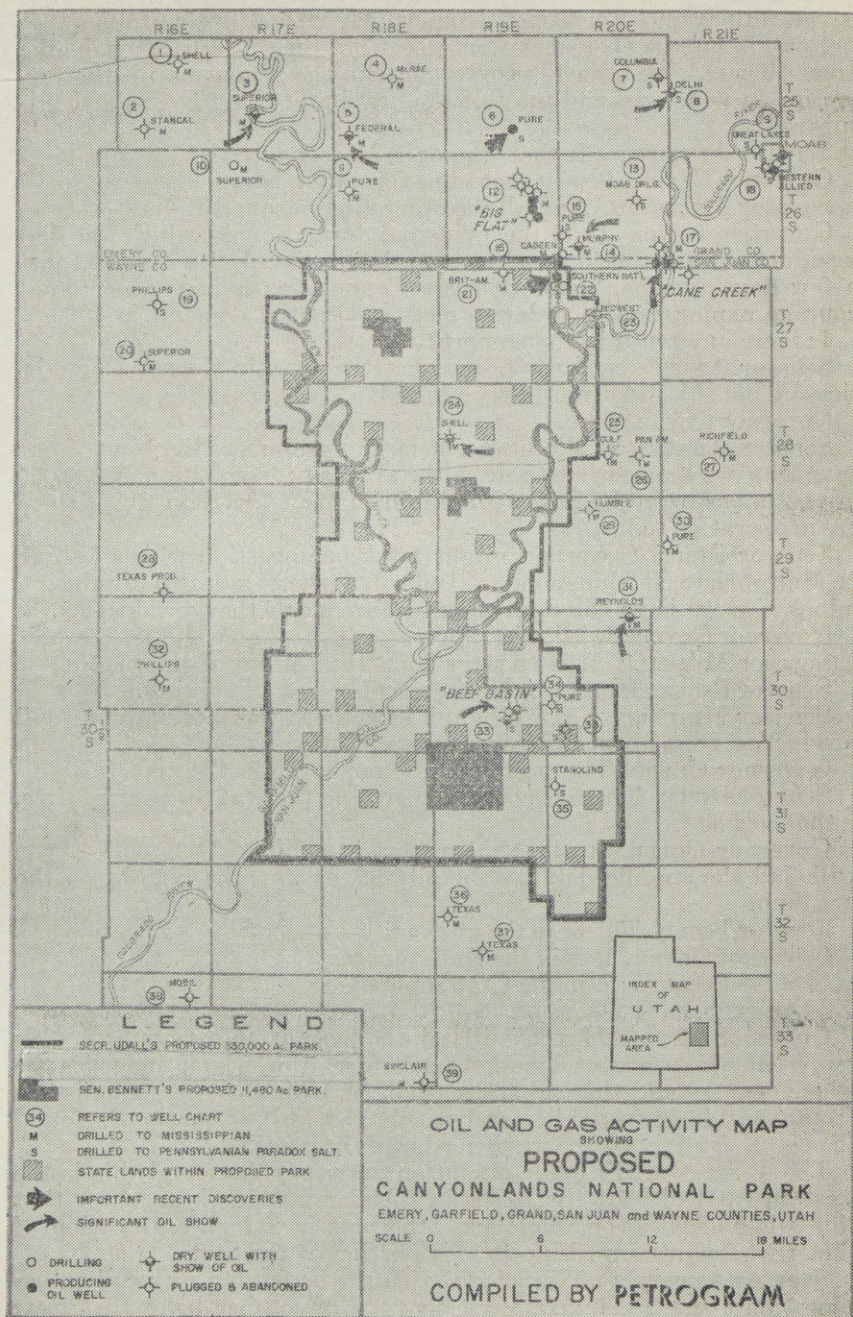
I think we ought to recognize what the potential is as well as what is actually there because this country has not been developed.

Senator MOSS. Mr. Chairman, before we leave this oil and gas, I have a very interesting document prepared by the Oil & Gas Association, all about Canyonlands. It includes an interesting map that I would like to make part of the record because it included all of the wells drilled in this area.

Governor CLYDE. I would like that, too.

Senator BIBLE. Without objection that exhibit will be made a part of the record.

(The map appears on the opposite page.)



Governor CLYDE. If I could show you another map here and before I talk to this I want to call your attention to the yellow area. That is the Shinarump Formation from which we get our uranium.

Now, it is true there have only been two mines operating in the area. There have been 10 prospects. But the Shinarump is the formation in which we find most of the uranium in this Western Hemisphere.

Senator ANDERSON. Is that where the Miveda mine is?

Governor CLYDE. It is in that same formation here.

Senator ANDERSON. And all the other mines around Indian—

Governor CLYDE. It is the principal formation in which we find uranium and I was told, you know this better than I, Senator, that just a few days ago the Atomic Energy Commission is beginning to encourage exploration in order to meet a potential demand in 1960.

Is there any truth in that report?

Senator ANDERSON. I can't say what the Atomic Energy Commission did but if it did it was badly advised.

Governor CLYDE. I see.

Senator ANDERSON. We have got more uranium rolling out of our ears than we know what to do with. We have something like 2,000 mines that came in the Rocky Mountain Plateau, less than 100 of them are in operation today.

Senator BIBLE. Governor, might I ask one question which I think is appropriate at this point? Indicated there are two producing mines, can we have the figures as to how much they produce?

Governor CLYDE. It is in the report.

Senator METCALF. It is on page 26 at the bottom of the page.

Senator BIBLE. Page 26, is this correct?

Senator METCALF. Yes. Where it says there was a relatively small production from about five mines in two locations.

Governor CLYDE. The production is not large in the area.

Senator BIBLE. There is nothing operating there at the present time, is that correct?

Governor CLYDE. In the Utah report in exhibits D-1 to D-3, you will find the specific data on the oil and gas, on the potash, on the uranium.

Senator BIBLE. This is in the university—

Governor CLYDE. It is in the Utah report.

Senator BIBLE. It is in the Utah report.

Thank you.

Governor CLYDE. If you will take a look at this map here, this represents the western edge of the salt formation which underlies the whole country and that salt formation, according to the geologists is from 4 to 14,000 feet thick, and within that salt formation is found the potash, and this is the western edge of the potash.

The Texas Gulf Sulphur operation is over in here and this is the western extremity of that deposit. And my point is to show that this salt underlies the whole area, the potash underlies a portion of the area; the uranium is up in this portion of the State.

Senator ANDERSON. Weren't there in the beginning of uranium exploration a great many of what they called gopher holes that were developed that were mined out in a very short time?

Governor CLYDE. Yes, just little pockets of uranium-bearing material and they lasted 2 months.

Senator ANDERSON. You know that Miveda and the mines surrounding that produced 80 percent of all uranium that was taken out of the State.

Governor CLYDE. That is correct. I was at that mine the other day.

Senator ANDERSON. I have been all through it.

Governor CLYDE. Now, Mr. Chairman, if I might proceed now with this map before us which shows the proposed Canyonlands National Park and Recreation Area as suggested by the Utah committee.

Two things have happened to it.

One you will notice the strips have been placed across the top. That is to enable the Dead Horse Point Park to expand a little bit here and give it a little working room. There is a little job kept on that end to preserve this upheaval bottom in park status. There are three distinct areas here. The north or confluence area, which is separated from the other two just as effectively as if it were 50 miles away because you can't cross that canyon with any reasonable means of getting across.

The western area, which is also isolated can be reached only from the west side, and there is the southeastern area which is larger still but which can't be reached from either of the other two.

Therefore, we must get access to those areas from the north to the north area, from the east to the southeast area and from the west to the west area.

Now, this is the reason why I think this matter of contiguity is not so important because here we have three areas that are not contiguous by access. They are contiguous by physical being.

Now, it is proposed that in this area that the item down here that they take 55,000 acres, approximately, out of that section and put it into permanent park status, and they approach it on the east here to a road which is now built to Squaw Flat, a pretty good road, one which can be relatively easily be made into an all-weather road.

Senator ANDERSON. Governor, would you identify which proposal this is?

Governor CLYDE. This is the Utah Committee, this is the one I endorse and support.

Senator METCALF. Governor, I think we should make the record a bit. That is the area in the lower southeast corner of the park?

Governor CLYDE. Yes, sir. That is between the river here and this outer boundary.

Senator BIBLE. May I understand the recommendation of the Utah Committee as given to us by this committee appointed by you. It is that an area be created not to exceed 310,000 acres?

Governor CLYDE. In total.

Senator BIBLE. In total.

Governor CLYDE. Yes.

Senator BIBLE. Of that 310,000 acres, 102,000 acres would have full national park status, and that the balance of 110,000—

Governor CLYDE. 208,000.

Senator BIBLE. 208,000 acres would have a different type of status as a national recreation area. Is that the Utah proposal?

Governor CLYDE. Yes.

Senator BIBLE. And the 102,000 that would be administered as a national park composed of the three different areas, one in the south-east section of 55,000 acres, is that correct?

Governor CLYDE. There would be 55,000 acres coming out of this area. Now, the boundaries have not been defined because we think they should be defined in the field to get the areas that are really superb, about, that would be an area consisting generally of Squaw Flats, Devil's Pocket, and Chesler Park. And the Elephant Butte, and this would be a contiguous area.

Senator BIBLE. That would be a contiguous area. In addition to that, and further to the west and slightly to the north you will have 25,000 acres?

Governor CLYDE. 25,000 acres in a park here.

Senator BIBLE. Would that be contiguous with the first created park?

Governor CLYDE. Yes. That is the Land of Standing Rocks over there. That is another contiguous area.

Senator BIBLE. Is that contiguous with the area in the southeast?

Governor CLYDE. Yes. I am sure these two would be physically joined.

Senator BIBLE. Are they neighborly or contiguous? Can you walk from one to the other and still be in a national park?

Governor CLYDE. You cannot walk from one to the other because you cannot get across the gorge.

Senator BIBLE. Could I fly over it?

Governor CLYDE. Yes. You would be physically joining.

Senator BIBLE. What you are saying is that you are creating 80,000 acres of national park in the southern portion of the canyon?

Governor CLYDE. That is right.

Senator MOSS. That would include the gorge?

Governor CLYDE. That would include the gorge.

Senator MOSS. Thank you.

Senator BIBLE. In addition to those 80,000, you might create another 22,000-acre area and give it park status in the north area.

Governor CLYDE. And these would not be contiguous. There would be three or four areas there, and if I might—

Senator ANDERSON. Since this was the report, could you give us a map on which, say, a map which is drawn that way? Is there a map here which shows these three pieces of isolated areas tied together by a buffer zone?

Governor CLYDE. If you will look on exhibit R-1, exhibit R-1 shows the proposal in black. It does not show the break-up of the pieces in the north, nor does it show the specific boundaries within the lower southeastern section and the western section.

Senator ANDERSON. Help me out. If you do not know where the boundaries are, how do you know it is contiguous?

Governor CLYDE. Well, I know the boundaries are—I know the two pieces, I know the area well enough to know that the two pieces of land, Standing Rocks and Needles, are contiguous. The only thing that separates them is a gorge, and the gorge is included.

Therefore, wherever this boundary comes in here it would be contiguous on the west side where the gorge is because the gorge will be included.

Senator ANDERSON. If the gorge is included, why don't you put it all in one package?

Governor CLYDE. Because there is a lot of area in here which is not park status. Let me show you, Mr. Chairman, if I may, at this point—

Senator ANDERSON. If there is an area in there that is not park status, then leave it out because it is not contiguous.

Governor CLYDE. Let us take a look at these two charts.

Senator BIBLE. So that we may have some identification, could you suggest what you are referring to?

Governor CLYDE. Yes. Gentlemen, this picture here is a picture looking northeasterly toward the LaSalle Mountains. These are the LaSalles back here, and I can show you on this map.

Senator ANDERSON. That is the far eastern section of the area?

Governor CLYDE. Yes, sir. The plane was in this general location here, and looking in this direction.

Senator METCALF. That is just south of Squaw Flat.

Governor CLYDE. It is in that neighborhood, yes.

Senator BIBLE. The picture was taken just south of Squaw Flat.

Governor CLYDE. In this neighborhood, and looking in this direction.

Senator BIBLE. Looking in a northeasterly direction.

Senator MOSS. At what altitude? Do you know, Governor, what altitude in the air this was taken?

Governor CLYDE. I do not know the altitude. I do not know the altitude they were flying, but it was fairly low to get that detail. This is what I class as not park stature. This is just good grazing land.

Senator ANDERSON. Nobody is proposing putting the LaSalle Mountains in the park, are they?

Governor CLYDE. No. But they are proposing putting this in here. This is the picture here.

Senator BIBLE. And the finger is indicating a section just northeast of Squaw Flat.

Governor CLYDE. If you were flying a plane, and you look in this direction, this is what you would see. This is the kind of country which constitutes a lot of the area which is within the boundaries of the proposed Canyonlands Park.

Senator ANDERSON. Do you intend to put that in the national recreation area?

Governor CLYDE. That would be in the national recreation area.

Senator ANDERSON. What would they play out there?

Governor CLYDE. They would hunt, for one thing. They would ride horses. There is a lot of recreational activity. They would boat on some of those portions of the gorge excluded. We do both of those under some conditions.

But in addition to the recreation, Senator, it would permit the development and the exploration of these resources. That is all I am pleading for. We should not include this in the park.

Let us take a look at this picture by comparison. This is the Upheaval Dome. This is in the park, and that is park stature, and it should be included. That is my only point, that we should not put into these areas in national parks anything except that which has

stature of a national park, and then we should permit the development for all uses, including recreation.

Senator ANDERSON. You are familiar with Yellowstone, are you not?

Governor CLYDE. Yes, sir.

Senator ANDERSON. Are all the things there the equivalent of Old Faithful Geyser, or are there long stretches just like you have got there in that picture?

Governor CLYDE. I suspect—I have not been in the back country, because I do not think very many people get in the back country in Yellowstone National Park, at least they do not tell me that they have—I suspect there is a lot of area covered with timber which has no particular uniqueness such as Old Faithful Geyser and the Canyon of the Yellowstone, and some of the other great features.

I think the question might legitimately be raised as to whether or not we are doing the right thing.

Senator ANDERSON. I have been in some of that back country, and I think it is timbered and, as you say, it is not unusual in its view, all of it. But we have wrestled with this problem before.

Mount McKinley National Park in Alaska, I have been through a lot of it that I do not think is of exact park excellence, but you need portions of it in order to have a good national park.

Governor CLYDE. I grant that. I am practical on that.

Senator ANDERSON. If we are to do this sort of thing here, we ought to take some sort of examining device and examine all of our national parks and see how much could be cut out because it could be, from just having the scenic feature.

Governor CLYDE. When the showdown comes, and we need these resources, I think we ought to develop them, and that is my only point here.

I do not think we ought to do anything now that will forever stop us and forever is a long time.

I know the time is running by, Mr. Chairman, but there are one or two other things I would like to touch on.

Senator BIBLE. You are making a very fine presentation, which is very helpful, in trying to secure your viewpoint.

Governor CLYDE. Now, with this graphic material before us, I think I can rather specifically state the recommendations, the thing that we feel would be the right thing to do, and again I come back to these two alternatives.

We want a park, to keep it inviolate or we want a park which will permit nonconforming uses.

Now, then, we feel, the group that made this report feel—I have met with many of our people in groups in Utah—that the National Park Service should be given overall supervision of an area to be known as the Canyonlands National Park and Recreation Area, and we just add those two words to Senator Moss' bill, an area not to exceed 310,000 acres, and of this area not more than 102,000 acres be zoned as a national park under the act of August 25, 1916, which defines this thing and, as amended and limited to single-purpose use.

The remaining 208,000 acres be administered as a national recreational area, and this will require new legislation, I am sure, because we have not done this before. But I do not think that should bar us from doing it now if we find, if the Congress finds, it is the thing to do.

The details of administering and otherwise would have to be defined in the authorizing legislation, and would have to provide for multiple use as herein defined and recognized by Utah State rights with respect to land, particularly.

A fair exchange of State lands and rights in the total area would have to be provided. Zoning and selection of land should be approved only after field surveys by qualified representatives of both the State and the Federal Government.

I believe in cooperation, and I think we have gone a long way on the basis of cooperation, and I think we are reasonable people in that we can join and should join in the resolution of these problems which are vital to all of us.

Approximately 22,000 acres on the north end of the confluence there, north of the confluence, approximately 22,000 acres would be eliminated to give the State park some room. That is the strip on the top of that map; and roadside strips, where possible, should be in corridors which would not be over 1,000 feet wide.

Now, the purpose of that is to preserve for all of those on the ground this image of wilderness, the image of protection, so that we do not get undesirable uses established; that disposition of the State school lands and the riverbed lands within the proposed area be taken care of, and that the legislation which is now before the Congress, as I understand it, to transfer or to make selections out of the Lisbon field, would certainly be appreciated by the State of Utah.

Now, that is another piece of legislation, but I think——

Senator ANDERSON. The Lisbon field is a producing field?

Governor CLYDE. Yes, it is a producing field.

Senator ANDERSON. There is a great deal of drilling going on now?

Governor CLYDE. Yes. You see, there are 600,000 acres of unsurveyed land in the State of Utah, and we are rapidly reducing that as fast as we can. That is a cooperative program with the Government.

Senator ANDERSON. If we took some of the lands of the Lisbon area now, would the mineral rights go with it?

Governor CLYDE. I understand they do.

Senator ANDERSON. Are there approved mineral lands?

Governor CLYDE. That is my understanding. You see we have to get selections and get selections approved.

There again it is a matter for the Secretary under the laws which control his office with respect to minerals to make or reject or to approve those applications.

Senator MOSS. Well, he is bound by the law, though, to exchange essentially or basically equal land.

Governor CLYDE. Yes.

Senator MOSS. We recognize that.

Governor CLYDE. Yes. That raises the question of what are equal lands. How are you going to tell it over here where you are moving out which has not been explored, you do not know what the value is. You move over into Lisbon and, why, we do know what the value is.

I do not know how to work that out, but it should be worked out.

Senator METCALF. We have worked it out in other areas. The State of Montana made an exchange of lands with the Secretary of the Interior in Glacier Park, and the Federal Government took State lands that were school lands in Glacier Park, and in return received

lands outside of the park, and so these things have been worked out before.

Governor CLYDE. It is being done all the time.

Senator METCALF. Yes.

Governor CLYDE. My only question is, Do we have enough information when we have to go underground to get it to give us the basis for selection?

Now, with respect to the area north of the confluence, that will involve four or five rather small pieces. We want to get the Upheaval Dome, we want to get Grandview Point, we want to get the Standing Rock Basin, and we want to get Upheaval Bottom and others.

Senator ANDERSON. Wouldn't the one show it more easily, the map sort of to the back of you there?

Governor CLYDE. Yes. Upheaval Dome is here, Grandview Point is here, the neck where they propose to put the headquarters, it is here; the Upheaval Bottom is here, and there may be some other here [indicating].

Senator MOSS. Standing Rock Basin.

Governor CLYDE. And Junction Butte. Those would all be included in these areas.

Now, the interesting thing about this is that this is subject to early improvement because that road which comes in from Moab is now a usable road, and it would not be too expensive to build an all-weather road in there and make this country accessible, and if that were built, using the principle of the corridor, this whole thing could be brought into operation rather quickly.

The testimony the other day was that they are setting aside \$17 million to develop this park and, as I remember, they are going to take 20 years to do it.

Senator BIBLE. He said he was not sure of the exact length of time. He said it was impossible to predict that. Some of that depends upon the appropriations which Congress might go along with somewhat slowly.

There I was under the impression he said he thought it could be done in 7 or 8 years.

Governor CLYDE. But all of these things take time. We cannot do it tomorrow.

I think people should realize it takes time. But, if we can get a plan and work toward that plan, we will pretty soon find ourselves with the objective at hand.

Senator ANDERSON. Go back to that offer he made; he talked about giving you \$17 million. The question that comes to my mind is, Why don't you take it? Isn't that quite a little bit of money?

Governor CLYDE. It is a lot of money. But you know how far it would go if they wanted to build a road across this canyon. It will take about, I imagine, to get it down into those gorges and back, about \$1 million a mile.

Senator MOSS. I do not believe his plan envisaged any road across the canyon.

Governor CLYDE. That is correct. But someone asked yesterday, they wanted me to get an answer as to how far would \$17 million go to build roads. I did just a little mental calculation, and some of the

country I am familiar with in crossing that gorge, I am sure you could not do it. My point is, this is within our reach, reasonably to do that now, and also this one down in the south is within our reach, because access is the most expensive and the most time consuming.

Therefore, if we could take what we have and build on it, we could get into this area, get into this area, and that area is a longways away, gentlemen.

Senator ANDERSON. What you recommend is very similar to the Bennett bill, a little more acreage, but very similar to the Bennett bill.

Governor CLYDE. In principle, it is very similar to the Bennett bill.

Senator ANDERSON. In the Bennett bill it was looking like there were two areas separated. You see that yellow—no, down below. This portion here [indicating] is separated from the other piece over there on the side.

Governor CLYDE. Yes. You see these are three separate pieces.

Senator ANDERSON. Which are the contiguous ones now?

Governor CLYDE. Well, the contiguous, now under the Utah plan would be these two down in this area, this one here and this one [indicating]. But this boundary here probably would not be—in other words, this area would be reduced to a total of not more than 80,000 acres.

Senator BIBLE. That would be one parcel, a contiguous parcel?

Governor CLYDE. Then there would be 22,000 acres up here in park stature.

Senator BIBLE. That would be noncontiguous?

Governor CLYDE. Yes, park stature.

Senator ANDERSON. How do you get 22,000 acres in those pink spots up there?

Governor CLYDE. These pink spots are the Bennett proposal. Those two total 11,000 or 12,000 acres.

Senator ANDERSON. That is why I asked you, Are you going beyond the Bennett proposal?

Governor CLYDE. Yes, much farther.

Senator ANDERSON. 102,000 against 12,000.

Governor CLYDE. Yes; 102,000 against 12,000. So that my point is we can reach these developments in these two areas almost immediately.

Senator ANDERSON. The one you mentioned there that is going to be the 22,000 acres, I thought you said that is where Shell had drilled an oil well and was opening it again.

Governor CLYDE. Shell has drilled an oil well right here down near the confluence, right down here [indicating].

As I say, I do not know what the boundaries of these are because the field work has not been done to select them. All we have done is totaled this out. I can give you the specifics on the breakdown for corridors and roads.

Senator ANDERSON. Is this picture off as to where the Shell well is located? I thought that was the Shell well up here.

Governor CLYDE. This is the confluence up here.

Senator MOSS. That is on top.

Governor CLYDE. This is down near the confluence; that is the one I am referring to.

Senator ANDERSON. Then this map is no good. This is a map put out by the Oil and Gas——

Senator BIBLE. It is the one just put in the record.

Senator ANDERSON. We thought it was a good one, put in by Petrogram, 1962. That is the one you said you were glad to have in the record.

Governor CLYDE. This is the well here. Let me see, that is the location right there [indicating].

Senator ANDERSON. What I am trying to say, I cannot apparently express it——

Governor CLYDE. But that is below—it is not up on a flat peak.

Senator ANDERSON. If I can follow lines, in my eyes it is close to Grandview Point.

Governor CLYDE. Down below Grandview.

Senator MOSS. On top is where it is.

Senator ANDERSON. That is in the area where you are talking about. How would Shell like that?

Governor CLYDE. I am not sure of it.

Senator ANDERSON. Let us get a ruler——

Senator BIBLE. So that we may faithfully reproduce this for the record——

Governor CLYDE. You see the boundaries have not been placed.

Senator ANDERSON. You want to take those lines right across here [indicating].

Governor CLYDE. I agree with it. I do not know what was on it.

Senator BIBLE. The Chair is going to have great difficulty in reproducing this in the written record for the reporter, so if we can make some designation and put it on the map and——

Senator ANDERSON. I only want to say, Mr. Chairman, if there is a reproduction of the map in the record which is offered by the Senator from Utah a moment ago, called the Petrogram on March 1962, it will show some zigzag lines which come down to, I hope the proper term is, a narrow waist, and the narrow waist is very visible to the eye, and it is below the location of the Shell well in this map, and that would place it above and in the area of the 22,000 acres that were going to be the top portion of the park.

I ask you what you want to do with that in a national park? Do you want to eliminate that or include it?

Senator METCALF. This is a pure park area.

Governor CLYDE. Yes. I stand on my position that if we are going to rest on the pure park areas, then it would have to be eliminated, that is all there is to it.

Senator METCALF. That is right.

Governor CLYDE. That is the principle that I have a belief is right.

Senator ANDERSON. You recognize things we recognize, that occasionally you have to do damage to a little bit of exploration in order to have the right kind of a park.

Governor CLYDE. I do not deny that.

Senator METCALF. Well, now, the same might be true insofar as hunting in that southern park.

Governor CLYDE. Yes, that is correct. We have got to give and take on these things. There is no hard and fast line that you follow.

My point is that if we can get all the information and then sit down

and look at it, I think we can come up with a reasonable solution which would resolve this problem.

Senator BIBLE. Why don't you be seated, Governor?

Senator Moss. On this park out there in the southeast corner, the Needles area that you say you would like for a pure park, isn't that the area where you said the deer herd wintered and, therefore, had to be controlled?

Governor CLYDE. That is correct, and that is one of these places, as Senator Anderson pointed out, where you have got to give.

Senator Moss. So they would run in there at the shot of a gun and multiply.

Governor CLYDE. We would have a situation like we had at Yellowstone; we would have to work out some way to correct it, that is my only point.

Mr. Chairman, if I might summarize—

Senator BIBLE. Certainly.

Governor CLYDE. As a final point in this Utah committee recommendation, I recommend that the final boundaries, the final decision on boundaries and zones, not be made from maps and guesses but that they be made by experienced and qualified men covering the ground in the field.

This is of long-range importance, and I do not think we ought to quickly go into this thing and do this or do that.

I heartily endorse the recommendation that a team jointly representing the State of Utah and the National Park Service go over the ground, fix the exact boundaries in accordance with broad principles here outlined, and also those obviously dictated by the terrain itself, and that has to come into the picture, and on the basis of these field studies and of other factors developed in the study and report of the committee of the State of Utah, State agencies, I believe that new legislation should be drawn to meet the essential objectives.

These objectives are as follows:

1. That national park designation for the minimum area necessary to include land of true park stature; and
2. Assurance of full multiple-use development in the recreation area, which would be the land in the approximately 300,000 acres of overall development, but which is not of true national park stature.

It would obviously be desirable to incorporate into the proposed legislation itself clear definitions of what is meant by the terms "multiple use" and "recreation area" as they would be used in the bill, and I strongly urge that these definitions be incorporated in the proposed legislation.

I think you have been very generous with me, Mr. Chairman, in letting me talk to you. I appreciate it very much.

That concludes my testimony.

Senator BIBLE. Your prepared statement will be placed in the record at this point.

(The statement is as follows:)

STATEMENT OF GOV. GEORGE D. CLYDE, GOVERNOR OF UTAH

Chairman Bible and honorable members of the Public Lands Subcommittee of the Senate Committee on Interior and Insular Affairs, let me express my appreciation for this opportunity to appear before you and present my views on the subject now under consideration: The proposed Canyonlands National Park, to be located in southeastern Utah.

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UTAH, KANSAS

By way of establishing my position at the outset, and particularly because there has been a great deal written in the press, some of it misleading, let me say right now that I am here to recommend that Canyonlands Park be created. I am definitely in favor of the park, and not opposed to it.

However, I do have some objections to S. 2387 as it is now drawn, objections which might be met by amendment of the present bill, or perhaps better met by substituting a new bill. I shall endeavor to make my position clear, in as brief a time as possible.

The major point of difference between myself and S. 2387 as now drawn is in the matter of total area to be given national park status, with the many restrictions on resource development which this entails. I realize, of course, that S. 2387 contains certain provisions relating to resource development within the proposed park, but I do not believe they are adequate to protect Utah's legitimate interests, for reasons on which I shall touch briefly in a few moments.

In order that you may all clearly understand the problem we face in Utah, permit me to make a rapid summary of the ownership and management of Utah lands. Utah has a total land area (excluding water surfaces) of 82,339 square miles, or roughly 52.6 million acres. We rank 11th among the 50 States in area, which would at first glance appear to give us a lot of land for all our needs.

But of that land, less than 13 million acres, or a little more than 24 percent, is in private ownership and therefore, subject to State and local property taxes. In other words, we are trying to operate as only a quarter of a State, in the matter of property tax base. In addition, we have some 3.4 million acres, about 6.4 percent of our land, in State ownership, reserved for the support of our public schools. The rest of our land surface is in Federal ownership and/or management of one kind or another.

About 24½ million acres, 46.5 percent of our total land area, is public domain, administered by the Bureau of Land Management of the Department of the Interior. Almost 8 million acres, nearly 15 percent of our land area, is in national forests. More than 1.9 million acres is in military reservations and more than 1.8 million acres in Indian reservations, the two categories together accounting for more than 7 percent of our land area. Finally, we have a little more than 301,000 acres, slightly over one-half of 1 percent, of our land encompassed in 10 national parks and monuments and 1 historic site. Under terms of S. 2387, our total acreage in national parks and monuments and historic sites would be more than doubled by the creation of Canyonlands.

This, in itself, might at first glance appear not to be too serious, but when all the factors in the problem are considered it becomes a matter for real concern. To provide a full understanding of the situation, let me briefly outline some others of the special conditions under which we must operate in Utah.

Utah, with its extremely rugged terrain and semiarid climate, has a land surface composed about 95 percent of mountains and deserts. Only 5 percent of our land is arable, even in theory, and in the course of the 114 years of permanent white settlement less than 3 percent has been brought under the plow. The maximum we can ever hope to cultivate, under ideal conditions and with every drop of available water developed and utilized, is 5 percent of our land. This very obviously precludes any thought of supporting our population on an agricultural economy.

Our prosperity, our very existence, depend on the development of other resources, which we fortunately possess in considerable variety and abundance. The mountain slopes and many of the barren, semidesert lands which cannot be cultivated, grow varieties of forage which can be harvested by grazing animals—and in no other way. Much of our land surface is underlain by minerals, both metallic and nonmetallic, the development of which provides an important part of our economic base.

And here let me point out that the development of this mineral wealth is not merely a matter of concern to the people of Utah, but one of immense and strategic importance to the Nation as a whole. These minerals constitute an important national resource. A very few years ago, when we were frantically seeking domestic sources of uranium, the Colorado Plateau country furnished our major source of supply, with many of the largest mines being developed in the very region with which we are concerned in these hearings.

The importance to national security of having these large supplies of fissionable materials within our own borders, so that we do not have to depend on foreign sources of supply and dangerously long supply lines, can scarcely be exaggerated.

Within the last 5 years, southeastern Utah—again the very area which we are

discussing here today—has attracted worldwide attention as the “hot spot” of petroleum development on the North American Continent. Still more recently, Utah has come into the spotlight as a producer of the latest “wonder metal,” beryllium, vital ingredient of the heat-resisting alloys that are essential to the construction of rockets, missiles, and spaceships. We have immense known reserves of oil shales and asphaltic sands, of phosphates, potash and magnesium, of coal, and of varieties of metallic and nonmetallic minerals too numerous to mention. And no one knows what varieties or quantities of still-unknown or still-unevaluated mineral treasures may lie beneath our soil which may suddenly assume unexpected and perhaps critical importance. By way of illustration, let me point out that geologic maps of Utah of 60 and more years ago noted the presence of uranium, which at that time was regarded as a curious phenomenon without much practical use. At least one resource map mentioned uranium as “occasionally useful in the manufacture of paints.” By the best expert judgment of that day, uranium might have been written off as something of little value and therefore expendable. How different a picture developed a half-century later, when all the world was frantically seeking uranium and our whole future hung in the balance.

I shall not belabor the point, but I hope I have made clear the basis of our concern for the proper development of our mineral resources, for the sake both of our Utah economy and of the economy and security of the Nation.

Lying in the very heart of the Colorado Plateau mineralized country, the proposed park area takes on special significance. And let me point out in passing that the placing of large areas of potential mineral land in national park status is a serious thing for the State of Utah, which is already, as I have shown, predominately in Federal ownership. Utah receives at least a partial return from grazing and mineral leases and royalties on lands administered by the Bureau of Land Management and the Forest Service, but none at all from material resources locked within the boundaries of national parks.

I recognize, and fully acknowledge, that a national park is itself a valuable resource, to the State and to the Nation. Parks are resources which not only possess esthetic values, but also bring material returns in the form of tourist trade to the areas in which they are located. The people of Utah are genuinely grateful for, as we are justifiably proud of, the magnificent scenery which lies within the borders of our State, and we recognize the returns in tourist dollars which we receive from our existing parks and monuments and which we should undoubtedly receive from the proposed superb Canyonlands Park. Nevertheless, we keenly feel that we should proceed with the development of all of our resources, the scenic, recreational, and esthetic and also the mineral, grazing, and other tangible resources which we possess. While fully recognizing that in certain limited areas scenic values are unique and take precedence over all others, we at the same time know that we must base our overall development on the broad concept of multiple use of our lands.

To pinpoint what I mean by the term “multiple use” let me quote a definition developed by a special committee of Utah State agencies which I appointed to make a study of the Canyonlands question and of which I shall have more to say later.

“Multiple use, as we envision its application to the Canyonlands area, is a balanced and integrated use of all of the resources (including scenic, geologic, scientific, and recreational in its broadest conception, fish and game, mining and nonmineral, gas and oil, grazing, water, and power development). It does not necessarily mean that all uses will be realized in the same location at the same time. However, uses which do not conflict should be realized simultaneously. * * *

“* * * It is opposite to single or limited-purpose use. * * * It may change in response to the discovery of new resources or the development of old ones. Adjustments also may result from the reconciliation of conflicts.” I realize, as I mentioned earlier, that S. 2387 contains certain provisions for multiple use, but I consider them insufficient protection for the immensely valuable resources involved, for the following reasons:

1. There is no assurance that the provisions contained in the present version of the bill would be accepted by the Congress. In fact, I believe there is substantial evidence that Congress would not accept major departures from established policy and practices within the boundaries of an actual national park. Proponents of the national park system are understandably concerned when such departures are proposed, fearing the effect such precedent might have on the entire established park system. In expressing my doubt that Congress would

accept the multiple-use provisions of S. 2387, I am in no wise doubting the sincerity of the author of the bill, Utah's esteemed junior Senator, but merely taking stock of practical realities.

2. The provisions which are contained in S. 2387 are entirely dependent on administrative decision by the Secretary of the Interior and offer no firm assurance of the kind that would be necessary to permit large-scale exploration and/or development. There is no assurance of consistency or continuity of policy. In saying this, I am not casting doubts on the consistency of the present Secretary or his Department, but merely pointing out the obvious fact that if S. 2387 became law it would in course of time be administered by many different Secretaries whose basic policies might agree or might differ sharply one with another.

3. The provisions of S. 2387 relate only to mineral and other rights existing before the act takes effect. There is no provision for future development whatever, and even those holding valid existing rights could be estopped from the pursuit of their established enterprises at any time by administrative decision based on nothing more solid than an opinion that such action is "deemed necessary to preserve the scenic, scientific, and recreational values of the area."

I have indicated that the proposed park area lies in the heart of the heavily mineralized area of the Colorado Plateau. I should now like to discuss with you some specific indications of mineralization within the proposed park boundaries, and the relation of known or strongly indicated material resources to the areas of prime scenic value.

It was precisely to determine these things that I appointed a special committee of Utah State agencies. The committee's assignment was to make a factual study and analysis of all of the factors in the problem, and to prepare recommendations of this solidly factual basis.

I believe the committee did an excellent job of carrying out its assignment, and I am pleased to offer the report and recommendations of this representative, bipartisan Utah group, representing technical State agencies dealing with the various subject areas directly concerned with the Canyonland's proposal, for the consideration of this subcommittee of the U.S. Senate. I am sure you will find it contains much information of value.

Let us first briefly consider the report to the Utah committee of William P. Hewitt, director of the Utah Geological and Mineralogical Survey and professor of geology at our State university.

Professor Hewitt points out that the northeast corner of the proposed Canyonlands Park is currently the center of petroleum activity in the State. This overlay to the map showing the outlines of the proposed park, as suggested by Secretary Udall and as proposed by Senator Moss in S. 2387, may help you to visualize the situation.

The Lisbon and Big Flat fields, whose connection of line runs directly past the northeast corner of the proposed Canyonlands boundary, has already provided some producing wells and is regarded as one of the most promising petroleum structures under exploration in this part of the world. The most recent producing well is actually within the proposed park borders.

You will note that four known anticlines cross the east border of the proposed park and extend some distance into the area outlined by S. 2387 and the Secretary's somewhat larger recommendation. All of these show interesting promise, particularly in a region of known petroleum production.

Over the years, a number of exploratory wells have been drilled, both inside the proposed park area and on lands immediately surrounding it. Until the comparatively recent discoveries in the Lisbon-Big Flat area, none of them produced commercial quantities of oil, though quite a number gave indications of high promise. But lest any area's petroleum potential be written off on the basis of a few "dry holes", let me remind you that Utah's billion-barrel Greater Aneth field had more than 150 "dry holes" before its first producing well. And the tremendous advance in geologic knowledge and drilling techniques which has come in very recent years makes it inadvisable to write off the potential of any promising area on the basis of earlier tests, especially of limited tests.

I want to call attention also to an anticline structure which enters the park area from the south and runs into the needles country. Of this I shall have more to say in a moment.

Canyonlands is also in the heart of the uranium country. The fabled Big Indian field is just a few miles to the east; three major producing fields are a short distance from the south boundary of the proposed park, and the San

Rafael swell country is just north of the park. As the map shows, a considerable portion of the northern part of the proposed park is known to be underlain by the shinerump formation, the main uranium-bearing strata in Utah.

At the moment, uranium is not in heavy demand, but the best authorities agree that when this metal is allowed to go on the open market, for nonmilitary developments, in a few years time, there will be another concerted drive for production and we shall need all we can get.

Virtually all of the Canyonlands area—all except a small area in the extreme southwest corner—is underlain by the salt beds of the prehistoric Paradox Sea. The salt, deeply buried, constitutes a layer 7,000 to 14,000 feet thick, which itself has little or no commercial value. But within the beds of common salt lie extensive deposits of potash and magnesium which are very valuable and may have immense strategic importance. Professor Hewitt points out that many geologists consider Utah to hold the major sources of supply of these important materials on the North American Continent. The map shows the location, in the northeast quarter of the Canyonlands area and extending to the nonpark lands northeastward where the Texas-Gulf Sulphur Co. has already launched a multimillion dollar potash development program.

These are the most spectacular of the known petroleum and mineral indications, but there are many others which I shall not attempt to discuss in detail. I do ask you to remember that the mineral potential of this area is largely unknown and that the things I have just pointed out may be only a fraction of the total when complete studies are made. I also ask you to note that most of the known resources are located predominantly in the northeast quarter of the park area, a fact whose significance should become apparent shortly.

Grazing has for years been carried on in the Canyonlands area, and the investment and livelihood of a number of livestock operators are vitally concerned. S. 2387 makes some provision for continuing grazing practices where already established, but once again all operations are made subject to administrative decree and the existing privileges are limited in a number of ways.

Of serious concern is the wildlife question. We are all, I am sure, keenly aware of the recent fiasco with the Yellowstone Park elk herd, and desirous of avoiding any sort of repetition. I submit that we could easily sow the seeds of a comparable disaster by hasty action in the Canyonlands area. Three Utah big game herd units come into the park area, and taking a proper harvest of game animals in this remote area, has required careful management under existing conditions. In each year over the past decade, it has been found advisable to arrange special hunts in addition to the regular season hunt, usually allowing permitholders on the special hunt to take two animals apiece, in order to keep the mule deer herd from expanding in excess of the carrying capacity of the range—which, as you all know, results in mass starvation of the animals. If hunting were barred, or severely restricted, in the park, such a disaster could not be long delayed.

Since the *Yellowstone* case hit the headlines, earlier versions of S. 2387 have been amended to provide for hunting within the Canyonlands park, but I and the staff of the Utah Department of Fish and Game have been unable to see how the provisions in the current version of the bill could be effectively administered. I strongly urge that big game management in the park be placed under the direction of the State department of fish and game, and that hunting activity be dictated by the considerations of sound game management.

I have outlined some of the major objections to S. 2387 in its present form. Let me now outline the changes which I would like to see made.

My proposal is entirely based on the recommendations of the special committee of Utah State agencies and their factual study, to which I have already referred. Let me here state for the record that the findings and recommendations of the committee were at some variance with the views which I myself held earlier; but I am happy to accept the committee recommendations as the product of an objective and intensive study, and I urge you to give them full consideration in the same light.

The committee recommendations, which are illustrated by the map I now put before you, are for a total area of about 310,000 acres to be developed as a national park and recreation area under the jurisdiction of the National Park Service. This overall area is only slightly smaller than that proposed in S. 2387, but under my recommendation only a maximum of 102,000 acres would be placed in national park status, subject to normal national park

restrictions, the remaining 208,000 acres to be designated as a recreation area and left open to full multiple-use development.

The 102,000 acres (approximately) of national park land would be made up as follows:

1. As nearly as can be estimated from the suggested development of proposed Canyonlands National Park by the National Park Service, there will be a total of approximately 65 miles of road outside the areas recommended by the committee for zoning. The committee, after much deliberation, concluded that the road rights-of-way and the road-side strip should be 1,000 feet wide wherever possible. 7,650 acres—total acreage in road rights-of-way outside zoned areas. This is calculated on the basis of 121 acres per mile of road.
2. A compact unit in the Needles area, including Chesler Park, Virginia Park, Druid Arch, Castle Arch, Angel Arch, Tower Ruin and the intervening areas, all in San Juan County and in one unit. Approximately 55,000 acres. This will include the administrative sites within the area, as well as the four-wheel-drive roads and sites on which improvements may be developed.
3. A compact unit in Ernie's Country and the Maze (Land of Standing Rocks) in Wayne and Garfield Counties. Approximately 25,000 acres.
4. Standing Rock Basin (Monument Canyon). Approximately 4,720 acres.
5. Grandview Point, including all of the high mesa from the junction of the road to Upheaval Dome south to and including Grandview Point and Junction Butte. Approximately 3,840 acres.
6. An administrative site at The Neck. 640 acres.
7. Upheaval Dome and surrounding area. 3,840 acres.
8. All of the area on the high mesa west of Upheaval Dome road, from the junction of the Grandview Point road to Upheaval Dome. 1,280 acres.

The 1,000-foot right-of-way should take care of the zoning of the east rim from the park entrance on the north to the junction with the Upheaval Dome road.

You will note from the map before you (based on maps in the bound committee report) that most of the known mineral resources of the area lie in the northeast quarter of the overall Canyonlands area, which under the Utah committee recommendations would be placed in the "recreation area" status and subject to full development under the multiple use policy. But I call your attention to the interesting geologic formation known as an anticline, a likely indication of oil and gas fields, that enters the park area from the south and runs into the Needles country itself. No attempt has been made to "zone out" this formation at the expense of prime scenic country, country of unquestioned national park stature. In such an area, all of us consider that the scenic and esthetic resource takes precedence.

What, then, is the character of the country which the Utah committee recommends be left out of the park proper and placed in multiple-use "recreation area" category? I have here two pictures which I think clearly answer that question.

One aerial photograph shows Upheaval Dome, an area of outstanding scenic importance in the northern part of the Canyonlands proposal. This would be a part of the national park proper, both under terms of the Utah committee recommendation and the terms of S. 2387. It is easy to see that this is truly outstanding scenic country.

But can the same be said of this expanse of sagebrush-covered desert in the other picture? I think not. If this is national park country, then hundreds of thousands of square miles of drab western desert should be given national park designation.

And where is this sagebrush country? Precisely on the eastern edge of the park area as outlined by the Secretary of the Interior and by S. 2387—and

typical of the area which the Utah committee recommends be placed in the status of a recreation area open to multiple use.

I think these two pictures tell their own eloquent story, and I commend them, along with the Utah committee report and recommendations, to your most serious consideration.

In closing, let me emphasize a final point in the Utah committee recommendations:

That the final decision on boundaries and zones not be made from maps and guesses, but rather by experienced and qualified men covering the ground in the field. I heartily endorse the recommendation that a team jointly representing the State of Utah and the National Park Service go over the ground and fix the exact boundaries in accordance with the broad principles here outlined and also those obviously dictated by the terrain itself.

On the basis of these precise field studies, and of the other factors developed in the study and report of the Committee of State Agencies, I believe that new legislation should be drawn to meet the essential objectives, which are:

1. National park designation for the minimum area necessary to include land of true park stature; and

2. Assurance of full multiple-use development in the recreation area, which would be the land in the approximately 300,000 acres of overall development but which is not of true national park stature.

It would obviously be desirable to incorporate into the proposed legislation itself clear definitions of what is meant by the terms "multiple use" and "recreation area" as they would be used in the bill. I strongly urge that these definitions be incorporated in the proposed legislation.

I thank the honorable chairman and the members of the committee for their courtesy in hearing me at this time.

Senato BIBLE. Thank you very much, Governor Clyde. You have been a very patient witness. You have expressed your viewpoint very well and faithfully.

It seems to me, I understand exactly what you are saying. The problem narrows down, as I see it, as I understand this explanation, to simply a method of administration.

In other words, you are taking 102,000 acres out of this Canyonlands National Park and you are giving it complete park status without grazing on it, without any mining or prospecting on it, without any hunting on it, and within the same area you are carving out an additional 208,000 acres, and you are putting a different standard on that than you are on the 102,000.

It would occur to me, just thinking out loud, that mostly the substitute offered by Senator Moss appears to do this for the entire area because it does permit grazing which, we admit, and it also permits mining and exploration, and gives full recognition to mining claims now in existence, valid mining claims.

Governor CLYDE. Sure.

Senator BIBLE. And, No. 3, attempts to work out some type of a cooperative hunting arrangement within the area, within the entire area, on which you have indicated that you would furnish some suggestions.

So it does not seem to me that you are very far apart when you look at this whole picture.

Governor CLYDE. I do not think we are. I think we are getting closer.

May I make one further comment? The thing I have just proposed is the principle of zoning which the country has accepted for generations, the principle of designating areas for specific uses. This is an extension of that same basic principle.

Senator BIBLE. Governor, I certainly appreciate every bit of your testimony.

First, the chairman of the full committee might have some questions, and then I am going to call on Senator Dworshak, No. 2.

Senator ANDERSON. I only have one general question. This change and reduced size which involves 80,000 acres in one area, and 22,000 acres separated from it in another area, and then some other type of lands which you call recreation lands which can just as well be called forest lands or any other kind of lands, you would recognize that as not a national park, would you not?

Governor CLYDE. Yes.

Senator ANDERSON. Except for the 80,000 acres and the 22,000 acres, the rest of it is just something left out of the national park which has a wholly different status.

The mere fact that it is included in the bill and called a recreation area does not change it from ordinary Taylor grazing land or ordinary forest land, does it?

Governor CLYDE. Except in this respect: The population explosion is so intense, as expressed by President Kennedy recently, that we need very badly a managed recreational area or managed recreational areas, in this country, and I think that we must begin now to accelerate the management and controls of our resources.

This is an example of the new departure into the realm of recreation.

We have recreation there. Lake Mead is surrounded by one. Lake Powell will be surrounded by one, which will impinge, by the way, on the lower part of this area.

Senator ANDERSON. Glen Canyon will be surrounded.

Governor CLYDE. That is Lake Powell, you see. I think the President is right in that we should now begin to marshal these things under management, and that is the reason I proposed that this management go into the National Park Service, because they are in that business.

It could be managed by BLM or the Forest Service or create a separate agency by which it should be managed.

Senator ANDERSON. What I am trying to say is that we have a system of management of recreation in national forests, and we have recreation in areas managed by the Department of the Interior, and all you're saying is that we will mark it differently, a little differently, on the map.

Governor CLYDE. No, it would be the same management.

Senator ANDERSON. What you are saying is that it should be 80,000 acres in its lower section, and 22,000 above, and that would have true national park status.

Governor CLYDE. That is correct.

Senator BIBLE. The Senator from Idaho.

Senator DWORSHAK. Yes, Senator.

I think, coming from the State of Idaho, contiguous to Utah, I know something about the philosophy of your people.

It is difficult for me to understand how you can reconcile developing this concept of 330,000 of park development and, at the same time, reserve the potential economic development at that area.

You say in your statement on page 4 that within the last 5 years southeastern Utah, again the very area which we are discussing here

today, has attracted worldwide attention as the hotspot of petroleum development of the North American Continent, and on the succeeding page you refer to the concern of your State regarding the mineral resources and development which is so essential to the State's economy.

Now, I cannot understand—I know you have a great State—but having heard the testimony on behalf of the establishment of many of these parks, I cannot understand—I hope you can enlighten me—as to how you can set up this great national park, most of the land of which in the area, the land area of which, is already under oil and gas leases that run 10 years, and if they bring in this oil, based on your forecasts as the hotspot in the petroleum industry, you can visualize the hundreds and hundreds of oil rigs in there producing wells that will go on indefinitely.

Isn't the basic thing involved in this whether you people in Utah want to play for a living or whether you want to work for a living and play when you have already had some income? Explain that to me.

In Idaho we cannot play until we first develop our resources and earn a livelihood, because, while we are going toward the utopia where we will not have to work over a few minutes every week—we will play the rest of the time—I think that point is far beyond reach today.

Are we going to develop these resources or are we going to play all the time?

Governor CLYDE. Mr. Senator, the plea that I have been making is to point out to you the potential resources that must be preserved for development.

Senator DWORSHAK. Can that be accomplished within the purview of a national park system?

Governor CLYDE. We think that if the national park is limited in size to an area commensurate to national park purposes, and the balance of the area reserved for full and complete development, we will go pretty well along the road to accomplish what you have in mind.

Senator DWORSHAK. You have got 55,000 acres in that lower right-hand—

Governor CLYDE. Yes. There are around 55,000.

Senator DWORSHAK. Would you dedicate that to single-purpose park use or would you permit multiple use in there?

Governor CLYDE. With minor modifications—

Senator DWORSHAK. Is there any potential oil development in that area?

Governor CLYDE. If you will remember, this anticline is very, very deep. That is a structure which indicates this might be there, but it is more remote than this up here where we find this oil.

Now, these are problematical. These are the potentials. We might get into the potash thing as well as the oil. But my point is this: We have got to decide as a people whether we want to preserve a portion and develop the balance.

Now you know the trend today; it is not the trend to play. But our population is increasing so rapidly and our workweek is decreasing, and this Nation is on wheels, and we are building an Interstate System of Highways which will let us go coast to coast.

Senator DWORSHAK. All right.

At that point, how many people have gotten into this area that would be embraced by these 330,000 acres?

Governor CLYDE. They have not yet.

Senator DWORSHAK. How many, three or four? Secretary Udall's party, and who else?

Governor CLYDE. No. My point is this: We can drive to these points right now.

Senator DWORSHAK. There is a road from Moab into that area?

Governor CLYDE. There is a road from Moab into Grandview Point.

Senator DWORSHAK. How many persons have traveled to that point?

Governor CLYDE. The traffic is quite heavy.

Senator DWORSHAK. It is? How many miles is it?

Governor CLYDE. About 27.

Senator DWORSHAK. How many?

Governor CLYDE. Twenty-seven.

Senator DWORSHAK. Is it that few? Is that all?

Governor CLYDE. Yes. This is a long road from Monticello into here.

Senator DWORSHAK. How many miles?

Governor CLYDE. I would say it is 60 miles, at least, from Monticello.

Senator DWORSHAK. People use that road?

Governor CLYDE. Yes, they use it.

Senator DWORSHAK. I am in sympathy with the general concept of preserving these recreational areas. But I do not think we can have a multiple-purpose use and a park concept that is practical and effective.

If you want a real park area, as we have known parks over the years, then you have to foreclose this economic development.

Governor CLYDE. That is the reason I am trying to keep those areas as small as possible. That is the purpose.

Senator DWORSHAK. I was at another committee meeting the Defense Appropriations Subcommittee, and I did not hear all of your testimony. I will read the record and study it so that I will know more about what your views are.

Governor CLYDE. The objective here is to meet as nearly as we can two objectives: First, to preserve our heritage in the form of parks. We need to do some of that. I am for it.

Senator DWORSHAK. I share your concern. I am in accord with that.

Governor CLYDE. At the same time, I want to see developed to the maximum these material resources which are so essential to our economy.

Let me add another thing—

Senator DWORSHAK. You really think uranium and potash and oil are important to your economy in Utah?

Governor CLYDE. We do. We will take all we can get of it.

Senator DWORSHAK. I am surprised. [Laughter.]

Governor CLYDE. If we have a park here, and let us take that site right there, and we want to build a road to it and the park purpose is the only objective, we are not going to have the same pulling and support for that road as we would have if that road served also the industrial development of the area, and then we have two groups pulling for it. Then you have the general recreation outside the park, and you have got a third group that uses the same road.

Senator DWORSHAK. Is there quite general agreement on the part of those who testified on both sides on this legislation that this middle area, that Grandview Point, that section is quite remote, it is not likely that you will have roads built for many years, and that it may take many generations before there will be development in that particular section?

Governor CLYDE. You can drive a passenger car to Grandview Point today.

Senator DWORSHAK. Over what road?

Governor CLYDE. Over this road to Moab.

Senator BIBLE. I think it was the southernmost area, Senator Dworshak, which has been indicated it would be some time before it was developed.

Governor CLYDE. This here is extremely rugged, and it will be a long time—

Senator DWORSHAK. If these two roads from Moab and Monticello are developed to higher standards, it will make possible the accessibility and the full use of all of the resources of those two areas, north and south?

Governor CLYDE. It will make them more accessible, but still we do not get in from Squaw Spring here. There is no road into Needles as yet. Let me point out one other thing.

Senator DWORSHAK. That area has been there a good many years, though, and it probably will be a good many years longer if we do not get involved in atomic warfare; we do not have to get this full park development within the next decade, and it seems to me we can look into the future many, many years, and be planning gradually for the utilization and development of the full potential of all this area.

Governor CLYDE. I am sure this area in southern Utah would not be anywhere near as far along as it is now had it not been for uranium because they had to bulldoze roads into it.

Senator DWORSHAK. Where are the uranium deposits?

Governor CLYDE. The uranium deposits are up here. The whole thing is the Shinarump formation.

Senator DWORSHAK. Quite a little production?

Governor CLYDE. There have been only two producing claims, but ten prospects.

Senator DWORSHAK. But you have no other uranium deposits?

Governor CLYDE. Oh, yes. The big Mevida.

Senator DWORSHAK. None in that?

Governor CLYDE. No, no uranium, and this is the salt formation, the extremity.

Senator DWORSHAK. Do you have any potash development?

Governor CLYDE. The potash development is right there.

Senator DWORSHAK. Are you producing it?

Governor CLYDE. The Texas Gulf Sulphur is going in now.

Senator DWORSHAK. Where will that go?

Governor CLYDE. About 20 miles from Moab up the Colorado River up in this section right here, and that is dropping a shaft down 3,000 feet and then they will go down and mine that deposit.

Senator DWORSHAK. It seems to me that ought to be a valuable asset to the people of the State.

Governor CLYDE. Extremely valuable.

Senator DWORSHAK. You do not frown on that?

Governor CLYDE. No.

Senator DWORSHAK. You do not think we ought to play footsie there in that whole development for the next 100 years. Aren't your people like our people in Idaho, they have to earn a living and have to make a livelihood before they can spend a lot of time on recreation?

Governor CLYDE. Senator, I am proud of my people and their rugged individualism and their willingness to work. But, at the same time, all work and no play makes Jack a dull boy.

Senator DWORSHAK. They are not dull in Utah, so they must have done a little playing, too. I think that is all, Mr. Chairman. [Laughter.]

Senator BIBLE. Any further questions, Senator Dworshak?

Senator DWORSHAK. I will read the record.

Senator MOSS. Governor, to clarify my mind on the record, your proposal does not include any of the river gorges, with the possible exception of where these two lower blocks might come together; is that correct?

Governor CLYDE. I would not say that, Senator, because we do not know what the prospective boundaries are, and that is the job of the examining body to go out and pick out the choice sections and delineate them, and then put them in.

I do not think from any map or picture we have the ability to make those selections.

Senator MOSS. With the number of acres that have been recommended in each of these general areas, it would not be possible to take in the river gorges up above, would it?

Governor CLYDE. Yes, it would be possible in sections, yes. What about this section right here, Standing Rock Basin?

Senator BIBLE. Pointing to the Grandview Point.

Governor CLYDE. I am sure we could get that one.

Senator MOSS. It might go down as far as the river in Standing Rock then.

Governor CLYDE. It could. It could get down to the Green on Upheaval Dome here.

Senator MOSS. If it did that there would not be anything left for Grandview Point, would there, in acreage?

Governor CLYDE. Yes. There is considerable acreage there.

Now, mind you, these figures, I want to make this clear, the very nature of the arrival at 80,000, which is the sum of 55,000 and 25,000, was made from the best information we could get from aeriels, from field trips. But they are not definitive, and I would not like to be bound to say that we have got to put 55,000 acres here and 25,000 here, and not make any change. The object is to select the areas which are of park stature.

Senator MOSS. Well, this is a floating thing still then. You want to have 55,000 in the southeast and 25,000 in the Standing Rock, and then have 21,000 up above; is that right?

Governor CLYDE. That was arrived at in this way: That it is the consensus of opinion of the group who studied this thing that 55,000 acres will cover the unique things we want to preserve in this general area; 25,000 in this general area, and 22,000 in that general area.

Senator Moss. Well, then, I come back to my question: With only 22,000 up above, would it be possible to take in either or any part of the river gorges?

Governor CLYDE. Yes, I think so.

Senator Moss. You, of course, heard Secretary Udall and Mr. Wirth testify yesterday that the National Park Service has been studying this area for many years?

Governor CLYDE. Yes.

Senator Moss. And, in fact, have prepared some brochures and other things showing it, but your idea is that we start again now with another study to decide what should be in and what should be out?

Governor CLYDE. I think when you resolve this question as to whether you want to retain park stature, with nonconforming uses, or whether you want to take park stature and dilute it, when you resolve that question, that is the time to send your men into the field to pick the areas according to whatever definition you want to apply.

Senator Moss. So if the Congress would not accept the bill that we are now considering, then you would go back and start over again and start looking for a lesser area; is that right?

Governor CLYDE. Well, if you want to look at the history of this thing again, remember your first bill followed the rivers, so that one-half the river was outside and one-half was inside.

Senator Moss. The far bank was outside.

Governor CLYDE. That is right.

And the Secretary came along and squared it up and took everything in the river clear through the park, and then we modified this thing again and took another look at it. I suppose we could make changes forever.

Senator Moss. I do not want to be misunderstood. I think the duty of this committee is to make changes as they see fit, but I am trying to find out what your recommendation is.

One thing I wanted to comment on: You talked earlier in your testimony about the only way in, being by these roads from the north and from the east, and the possibility of one from the west. But don't you recognize that the principal points of access now are those great rivers that people come on, going into the area by river?

Governor CLYDE. What great rivers?

Senator Moss. The Colorado and the Green. People go on them in boats.

Governor CLYDE. Yes, and we have seriously considered the hazards of that in the State of Utah. Unrestricted traffic on the Colorado River is not a child's play; it is a hazardous occupation.

Senator Moss. And, therefore, if people are going to boat on the river it should have some sort of control and emergency service.

Governor CLYDE. I grant that. That is the reason for putting both these areas under control regulation. That has been one of our problems. You have been out there, and you have seen it where the seismographic squads have gone in and cut swaths, management charts. We need management control, but we need to be permitted to develop the area.



Senator MOSS. Thank you.

Senator BIBLE. Senator Metcalf.

Senator METCALF. Governor Clyde, you have been a most helpful witness, and I, as one member of the committee, have a new and better idea of some of the problems involved as a result of your testimony.

Governor CLYDE. Thank you.

Senator METCALF. I also want to compliment you on this economic study of the University of Utah.

Governor CLYDE. I think they have done an excellent job.

Senator METCALF. Yes, sir. I think you can take the pride you expressed in it.

Mr. Chairman, I would like to put into the record apropos of what the Senator from Idaho, who was talking about some of the economic values out of this economic study that is a part of the file, as part of the record at this point, summary table No. 1 on page 17, and summary table 2 on page 18, which is the survey of the tourist expenditures that can be anticipated when this becomes a park.

Senator BIBLE. Without objection, that will be made a part of the record.

(The documents referred to follow:)

SUMMARY TABLE 1.—*Number of visits and estimated expenditures of visitors to Canyonlands National Park for the 5-year construction period and the first 20 years of the operation period*

Years	Percent increase over previous year	Number of visits (thousands)	Estimated expenditures ¹ (thousands of dollars)
5-year construction period:			
1st year.....		10.0	140.0
5th year.....	84.6	120.0	1,680.0
Total 5-year construction.....		840.0	3,570.0
Operation period:			
6th year.....	108.3	250.0	3,500.0
7th year.....	40.0	350.0	4,900.0
8th year.....	25.0	437.5	6,120.5
9th year.....	15.0	503.1	7,043.8
10th year.....	10.0	553.4	7,748.1
15th year.....	5.0	726.7	10,173.2
20th year.....	5.0	927.4	12,983.8
25th year.....	5.0	1,183.6	16,571.0
Total 1st 20 years of operation period.....		14,988.6	209,834.9
Grand total 1st 25 years (combined construction and operation periods).....		15,828.6	213,404.9

¹ Based on average length of stay of 2 days and average daily expenditures of \$7 a day.

Source: Bureau of Economic and Business Research, University of Utah.

SUMMARY TABLE 2.—*Economic effects of National Park Service and tourist expenditures associated with the proposed Canyonlands National Park*

[Thousands of dollars]

Expenditures and income	Con- struction period, 5-year total	Operation period				Grand total, 1st 25 years (con- struction and op- eration periods)
		6th year	15th year	25th year	20-year total	
National Park Service expenditures:						
1. Construction expenditures.....	6,548.1	(1)	(1)	(1)	(1)	6,548.1
2. Personal income ² directly created by construction expenditures (24 percent of line 1).....	1,551.8	(1)	(1)	(1)	(1)	1,551.8
3. Wage and salary expenditures of the National Park Service on operations.....	609.5	³ 200	³ 250.0	³ 250.0	4,940.0	5,559.5
Visitor expenditures:						
4. Total expenditures by visitors to new park.....	3,570.0	3,500	10,173.2	16,571.0	209,834.9	213,404.9
5. Personal income ² directly created by tourist expenditures (27 per- cent of line 4).....	965.0	945	2,746.8	4,474.2	56,656.1	57,621.1
Personal income created by park and visitor expenditures:						
6. Total personal income created di- rectly (items 2, 3, and 5).....	3,126.3	1,145	2,996.8	4,724.2	61,606.1	64,732.4
7. Total personal income directly and indirectly created (item 6 $\times$ 1.8).....	5,627.3	2,061	5,394.2	8,503.6	110,891.0	116,518.3

¹ Not possible to estimate at this time.² Wages and salaries, rent and profit of unincorporated enterprise.³ Arbitrary estimate.

Source: Computed by the Bureau of Economic and Business Research.

Senator METCALF. I would also like to make a part of the record beginning on page 147, 148, and 149, this question of alternate uses of the park area, where they discuss the question of the value in oilfields. They assume a certain oilfield, and then point out that the amount that would be returned to the State of Utah will probably be greater if it were developed as a park.

Page 147, page 148, and to the bottom of page 149.

Senator BIBLE. Without objection, the indicated pages will be made a part of the record.

(The documents referred to follow:)

THE QUESTION OF ALTERNATE USES OF THE PARK AREA

The bill proposing the park provides for nonconforming uses of land within the proposed park by its provisions with respect to grazing and by applying the general mining laws concerning minerals subject to location as well as minerals subject to lease (such as petroleum and natural gas).

It is not the province of this report to suggest the extent to which one possible use of the resource area may lessen the value of other uses, since conclusions of this sort rest on judgment as to the effect of, say, mining on scenic values or on

other values which the National Park Service is charged with preserving. The economist has no particular claim to expertness in this realm of nonquantifiable and nonmonetary judgment.

Where interdependence of the variables is not involved, statements can, however, be made. This is to say, when alternative uses rather than joint uses are considered, the present probable value of the alternatives can be estimated. This should not be taken as a recommendation of exclusive use but merely as statements if only exclusive use is considered. It was stated earlier, for example, that the value of another Aneth oilfield, if discovered in the park, could be calculated. If such a discovery were certain, the economic value, it was noted, would be about \$156 million. Since the existence of a large producing oilfield is uncertain it has a value based upon past discovery experience of \$4.4 million.

Thus if the choice were between developing a national park in the area or leaving it open to petroleum exploration and development, there is the question: Which would be the better use from the point of view of the local community? If a very large oilfield were certain, the income benefits which it might create within the first few years of its existence would be greater than the proposed park. On the other hand, if the existence of an oilfield is not certain, the proposed park would produce more local benefits in the first 6 or 7 years of its existence than the value of the uncertain oilfield.

The case may be stronger than that, however. Even if it were certain that the oilfield existed, the park might be a better alternative in the long run. One would need to measure the income stream produced by both over a given period of time. An oilfield of the magnitude of Aneth would produce, during its development and economic life, about \$156 million of State and local benefits (see table 5.6). About half of these benefits (\$78 million) would accrue to the State (royalty payments, severance tax, and corporation franchise tax) and the balance (\$78 million) to the local area (property taxes and wage and salary payments). On a relatively modest scale of operation, the local income produced by the park during the period of construction and the first 25-year period of operation would amount to about \$65 million, but in another 3 years, with no increase in use, it would have produced an amount equal to the \$78 million and could be expected to go on producing income into the indefinite future. The foregoing assumes that visitors, in the number estimated, will in fact come to the park, and that no war or other emergency interrupts their visits. If the visitor estimates prove high it would take longer for the income stream from tourist spending to equal an oil and gas development. If actual park visits should prove to be higher than estimated visits, the economic impact of park attendance would be even greater than indicated. The same type of comparisons between park-generated income and oil development income could be made for other possible minerals such as potash or uranium.

Naturally, the optimum situation would be to have both mineral development and the park, if neither one decreases the value of the other. Since there are varying schools of thought on the subject, as noted at the beginning of this chapter, it seems certain the question will be examined carefully in the ensuing months.

Senator METCALF. Governor, how big is this Dead Horse Point Park up there that Senator Moss is going to cut out?

Governor CLYDE. We have about 7,000 acres in State ownership now. That does not include this tier along here which includes several school sections.

Senator METCALF. You and Senator Moss and Senator Bennett are all in accord that that part should be cut out for State development.

Governor CLYDE. Well, I cannot speak for Senator Moss or Senator Bennett, but it is my understanding that that is the case.

Senator METCALF. Senator Moss yesterday submitted an amendment to cut that part out, and you have plans for State development of that part so far as the State is concerned.

Governor CLYDE. Yes. It is underway now.

Senator METCALF. Thank you very much.

Senator BIBLE. Any further questions?

Senator Long.

Senator LONG. Mr. Chairman, I have attended all of these hearings on national parks and seashores, and this one is decidedly the most interesting one. It seems to me if this body acts, as I am certain it will when the information is all before it, or all the information that can be made available, wisely, I think we will be making history and doing something that is going to bring unending joy to the people of the United States including, I hope, an increasing number from the State of Hawaii.

Thank you, Governor.

Senator BIBLE. Thank you very much, Governor.

Again I want to express my own personal appreciation for the splendid presentation that you have made and the contribution you have made to working out this problem. We have been wrestling with these park problems for a number of years.

We always find that it is fundamentally a problem of acreage. Some want them one size and some want another size. But we have had uniformly good luck in working out these knotty problems, and I feel absolutely confident we will work out 2387.

Governor CLYDE. Thank you, Mr. Chairman. I am at your service at any time I can be of any help.

Senator BIBLE. Thank you. You have been very helpful.
Congressman King.

STATEMENT OF HON. DAVID S. KING, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF UTAH

Mr. KING. Mr. Chairman, I do not have a statement prepared. This was prepared at the last minute in order to accommodate itself to evidence that was brought out yesterday and for that reason it was prepared in some haste last night and early this morning.

Senator BIBLE. You may proceed in your own manner.

Mr. KING. I am grateful, Mr. Chairman and members of the subcommittee, for the opportunity to appear on behalf of S. 2387 in its amended form as the same has been introduced by the distinguished junior Senator from Utah, Frank E. Moss.

I am the sponsor of a corresponding bill in the House of Representatives, H.R. 8573, as is my distinguished colleague from Utah's First Congressional District, the Honorable Blaine Peterson.

I have listened carefully to the statement presented by Hon. George D. Clyde, and I congratulate him on the interest which he has painstakingly shown in this matter.

I have read the report prepared by the special committee appointed by him to investigate the feasibility of creating a Canyonlands National Park, which report is signed by Chester J. Olsen, one of the distinguished authorities on such matters in the State of Utah. The report is carefully prepared and patriotically motivated.

Governor Clyde's position is based upon a high degree of solicitude for the mining interests in Utah.

May I make it clear that I share this solicitude. Mining accounted for \$87 million in personal income in Utah in 1960 or 5 percent of the State total. Mining is still an important segment of our economy and promotes economic stability.

Governor Clyde's position showed solicitude for the oil producers, and I share that solicitude. The record already contains references to the extent of our dependence upon this important industry.

Governor Clyde's position shows solicitude to the cattlemen, sheepmen, hunters, conservationists, and all of those who might have conflicting interests in the proposed park. I congratulate Governor Clyde on bringing these matters out into the open.

I share with him his concern over these conflicting interests, and express with him the hope that the action taken will be on the highest possible plane and will accomplish the greatest possible good for the greatest number of people over the longest period of time.

I might add that those who are not natives to our State have a tendency sometimes to look upon it as a vast playground. They forget that this is our livelihood, our survival.

These vast stretches of what to outsiders might appear to be sheer desolation, scorched and scarred by time, this is our home, and we may be excused for wanting to defend it.

The spirit of the report of Governor Clyde's committee was certainly fair and reasonable. It recommended a hybrid system departing from conventional procedures and, hopefully designed to make everybody satisfied.

The recommendations were made in good faith. They recommended that some 102,000 scattered acres of national park be selected, based upon their judicious deployment over the entire area, the same being interlaced with other areas to be designated as recreational areas, which would accommodate themselves to multiple and nonconforming use. This idea intrigued me and seemed to me to offer a possible approach.

So in the spirit of fair play I went to the map of Canyonlands to see what I could work out in my own mind by way of implementation of the Clyde proposal. I, too, was acting in good faith.

It was in front of this map, however, that I ran into trouble and saw how difficult it would be to translate the Clyde proposal from generalities into specifics.

Here on an enlarged map, and I might add that the map merely recalled to my mind what I have already seen since I have visited this area, I saw portrayed one of nature's fairest diadems, a cluster of jewels tenderly fashioned, ingeniously sculptured by the hand of God.

Like other jeweled masterpieces, each gem had its place, and each place its gem, nothing superfluous and nothing missing.

Not in all the world has nature so lavishly endowed a 500-square mile plot with such unique and such multifarious splendor.

Here in the high center was the Cullinan diamond—I am borrowing the expression of the British crown jewels now—the Cullinan diamond, so to speak, of the Canyonlands National Park, the Island in the Sky area, with its breathtaking panoramic overlooks, taking in 5,000 square miles of one of the most amazing conglomerations of red, purple, gray, and white rocks to be found on the face of the earth.

Dead Horse Point, just outside the park but overlooking it, Grandview Point, Upheaval Dome, the Neck, these symbols of scenic wonderment will some day take their place beside Angel's Landing, Old Faithful, and Inspiration Point.

Laced around this gorgeous display like a band of golden filigree is the White Rim, an esplanade or intermediate bench, which will some day afford one of the most unusual scenic drives in existence.

Then we have the two great rivers, the Colorado and the Green, running throughout the whole, tying it together like two great silver cords.

The steep canyon walls and precipitous escarpment and inaccessible ledges are found throughout this area.

Then, to the south, a cluster of jewels, pearls, rubies, and emeralds that bear such earthly names as Squaw Spring, Castle Arch, Druid Arch, Ernie's Country, Angel Arch, Imperial Valley, the Needles County, et cetera. Every acre of the park seemed to be jam-packed with one or more of nature's loveliest treasures.

Now, my problem and your problem is how do we slice up these 330,000 acres, this 330,000-acre park, into a three- or four-piece 102,000-acre park with interlacing buffer zones, and how do we do it in such a way as to preserve its artistic integrity as well as its administrative feasibility.

Do we cut this jewel in half? Do we sever the silver cords that bind it together? Do we start plucking out these pearls and rubies one by one? Do we bring in seismograph crews, blasting equipment, bulldozers, and heavy-duty machinery to level in 60 minutes what nature took 60 million years to build?

Do we proceed on the theory that the park is too big, that nature has been too profligate with her bounties and has given us more than we can use?

I might add here moreover that many of these formations are extremely fragile. Already during man's scant but extremely destructive century in this area several natural formations in adjacent areas such as Venus Goblet have been destroyed beyond redemption.

Mother earth can protect herself reasonably well against the depredations of the hostile climate, rain, wind, snow, and freeze, but against the vandalism of irresponsible men she has only one real and consistent ally, and that is the National Park Service.

The question seems to be, therefore, whether we are going to have one fine integrated park of which we can be justly proud, a veritable queen to take her place in the royal sisterhood of national parks, or are we going to have a patchwork of little acreages, irregular scraps and fragments, petty monuments to man's timidity?

I agree with Governor Clyde 100 percent that not one pebble should go into the park that is not beautiful, unique, attractive to our tourists or to scientists or to nature lovers or artists or some legitimate segment of our society.

I differ with Governor Clyde in only one respect, if indeed there is a difference. I believe that every bit of the proposed park does meet this test, and I would like to ask those who differ with me to abandon generalities and to walk up to the map and point to one specific area and say, "This area is unworthy of park status."

Senator BIBLE. Well, right at that point, the Governor did exactly that in discussing a picture which is right there.

Mr. KING. Yes, Mr. Chairman.

Senator BIBLE. Of course, you would like to make a comment on that because you said to be specific, and I would like to have you do that.

Mr. KING. I would be happy to. I have, Mr. Chairman, an expert who will, which I am not—

Senator BIBLE. We can call him this afternoon.

Mr. KING. It would fit in right here perfectly since I am dealing with this problem, and I believe in 3 minutes he could throw light on this matter, with your permission, and I would like to call or have the Chair call, pardon me, Mr. Robert T. Barrel of the National Park Service, who is prepared—

Senator BIBLE. Mr. Barrel was a witness before us yesterday when Mr. Wirth and Frank Harrison appeared, so we are glad to welcome him back.

You do not have to be resworn.

Mr. KING. Mr. Barrel, if you would comment on two matters, first, on the picture that has already been identified as exhibit—

Senator BIBLE. I do not know that we gave it a number, but the reporter, when he runs these exhibits down, does give them a number, and it is the one showing the La Sal in the background, and which was taken from an airplane, and it is pointed roughly northeast, and the picture was taken approximately in the neighborhood of Squaw Flat, if I understand correctly.

Mr. KING. If you would comment on that and, in your opinion, as one who is acquainted with this area, and you might put your background into the record also, and if you could comment also from your examination of the picture what you think, what area you think this picture covers, you may do that. Would you do that?

Senator BIBLE. He testified what area it covered unless there is some disagreement as to whether it does or does not cover that area. He said this picture was taken from an airplane roughly in the neighborhood of Squaw Flat, and the picture was taken pointing northeast toward the La Sal.

I think that is the testimony. Are we talking about the same thing?

Mr. BARREL. Not quite, sir.

Senator BIBLE. All right, go ahead.

STATEMENT OF ROBERT BARREL, CHIEF, PROPOSED PARK STUDY SECTION, NATIONAL PARK SERVICE, REGION 3, SANTA FE, N. MEX.

Mr. BARREL. I, too, have flown the area, and I have been on the ground in that vicinity, in the vicinity of where Governor Clyde is talking about.

Senator BIBLE. Why don't we bring it here so that the committee members can see it. I always like pictures.

Mr. BARREL. In my firm opinion none of the area in this picture is within the proposed boundary of the national park. It is my firm opinion that this shows the surface of Hatch Point. May I point to it on the map?

I believe that picture was taken from the air from the general vicinity of Squaw Flat, but a little farther to the northeast, taken in that direction.

Senator METCALF. Northeasterly.

Mr. BARREL. The foreground of the picture is somewhere on the surface of Hatch Point. None of the places which rim Hatch Point and the other points are shown in the picture. The surface of the ground here is apparently grass and pinion juniper. There is relatively little pinion juniper along the Indian Creek drainage area, and I am certain in my mind that none of the area within the proposed boundary of the park is shown in that picture.

Mr. KING. Mr. Barrel, if the picture had been taken west of Hatch Point, and looking out toward the mountain as it does, would the Hatch Point cliffs be visible in the picture?

Mr. BARREL. Indeed they would. It is the picture, perhaps, this was taken slightly west of Hatch Point, but at an angle such that the bottom of the view does not quite take in the sheer cliffs which rim Hatch Point. If it were taken farther to the west, even the cliffs of Hatch Point would show very distinctly.

Mr. KING. Since you are commenting on the specific boundaries of the park and attention has been called to the southeastern general boundary and area of the park, might you indicate while you are at the map whether there are features of significance or of beauty in this general southeastern area?

Senator BIBLE. The witness is using a pointer and is pointing to the southeast section and is keeping within the designated boundaries as shown on the map.

Mr. BARREL. There is an area filled with——

Senator BIBLE. Southeast section.

Mr. BARREL. Filled with features of great park value, such features as Angel Arch, the drainages of Salt Creek and the Horse Canyon and Tower Ruin, and Castle Arch, not shown on this map, all, as well as slightly farther to the west, the heart of the Needles proper are within this southeast corner of the park.

Mr. KING. Do you feel then if the easternmost boundary were to be drawn in a bit toward the west, in other words, if we were to slice off a substantial portion of the eastern margin of the park, would that be excluding items that you think are of significant value and of park status?

Mr. BARREL. It certainly would. It would immediately eliminate many features of intense park value.

Mr. KING. All right, thank you.

May I ask—I keep forgetting, thinking I am in court now.

Senator BIBLE. We are going to try to run this as a judicial determination anyway.

Senator Moss. He has been identified, and we know his background.

Mr. KING. Some reference was made to the general area designated by Governor Clyde in the southern portion of the park which would be included in his proposed park and which would take in the Chesler Park area to the east of the river, and the Land of Standing Rocks to the west of the river.

Did you measure this out to find out whether you could include both of these areas within the acreage allotted to them under Governor Clyde's proposal, and make them contiguous?

Mr. BARREL. Yes, sir. The green lines enclose areas of the acreage given in Governor Clyde's proposal.

Senator BIBLE. What acreage is that, 55,000 acres?

Mr. BARREL. I believe so.

Senator BIBLE. Or 80,000?

Senator MOSS. It is marked on this map.

Mr. BARREL. 55,000 acres within this green line, and 25,000 within this green line.

Senator BIBLE. Very well.

Mr. BARREL. I was, as a park planner, unable to make the two areas contiguous without——

Senator BIBLE. I can understand what you are saying. You could not get 80,000 acres out of the 120,000 or the 140,000, whatever it is there. That is what you are saying.

In other words, you could not make them contiguous and get the whole area in there because 80,000 could not go in there.

Mr. BARREL. Yes.

STATEMENT OF HON. DAVID S. KING—Resumed

Mr. KING. Mr. Chairman, let me make it clear at this time my own thinking is far from inflexible on this point. I certainly do not pose as an expert on this region, and it may be that this subcommittee, enlightened by the testimony that comes before it, may find there are some marginal areas that do not meet park standards.

My thinking is flexible, and if such areas are found, of course, my position would be that they should not be included in the park, but my testimony is that such examination as I have been able to make of it, and I have seen about half this area in person, the rest I have examined on maps, and such as I am able to see, I find very little, perhaps one or two small areas, but very small, they might be debatable, but, in essence, I would say that the proposed park as it has been defined, is essentially that the boundaries are proper, that they do encompass an integrated area.

The report of Governor Clyde's committee says that we should be more concerned with quality than quantity, and I might add not as much quantity as one would think, 330,000 acres, a little over 500 square miles may sound like a lot. But actually it is only a scant 15 percent of the area of the mighty Yellowstone, and 38 percent of the combined Grand Canyon National Park and Monument.

It represents only six-tenths of 1 percent of the area of the State of Utah.

But back for a moment to the statement that we should be more concerned with quality than quantity. I agree 100 percent, and I believe the proposed Canyonlands area is all quality.

This area has 330,000 acres of the most stupendous, variegated, awesome scenery still remaining outside of a national park in the United States. Nor is any portion of it essentially duplicative of any other portion.

If you want the scenic grandeur of the Grand Canyon you have it. If you want sheer perpendicular canyon walls, viewed either from the top or from the half-way point or from the bottom, like in Zion Canyon National Park, you have that, too.

If you are an artist and want fantastic colors and shapes to captivate the imagination, you have them in abundance.

If you are an archeologist or a paleontologist or a geologist or a biologist or zoologist, you have enough to keep you busy for a thousand years.

If you are a sports enthusiast and want aquatic sports, you have that.

If you are a father of a large family and want a place to camp with your family in the good old American tradition, the park has that.

If you are a hiker, a nature-lover or just a plain misanthropist and want to get away from it all, the park can still take care of you.

Before we cut anything out—

Senator BIBLE. I think you have a lot of misanthropists here, but you are all right. Go ahead, Congressman. You are doing very well. You are selling your case in good shape.

Mr. KING. Thank you. Before we cut anything out of the park and open it up to commercial exploitation with the threat of permanent injury, I would remind you of this fact. When we say that we own this territory, we mean that in the technical sense. But in a broader sense we are stewards of this property, custodians for this and for all future generations yet to come. This is particularly true where the land contains irreplaceable natural wonders.

Who speaks for the generation to arrive in 50 or 100 years if we do not? We are the only voices advocating what they have. What would this phantom generation say if it were here today? Mr. Chairman, I will tell you what they would say. They would say exactly what you would have said if, by some magic you could have been transported back to the year 1872 when the Yellowstone National Park was being created.

You will remember that it, too, had been staked out for unrestricted minerological development. The Grand Canyon of the Yellowstone was about to become a mining camp, scarred with dumps and tailings and forever ruined for future generations. What would you have said knowing what you know now if you had sat in on the hearings for the creation of this great Yellowstone National Park?

Well, that is exactly what future generations would say if they were here today.

I would like to take this opportunity to congratulate the junior Senator, Senator Moss, for presenting this bill. I consider his actions here to be statesmanlike. I feel that this is pointing in the right direction, and understanding that there is still a degree of flexibility in my thinking, to adapt itself to the facts as they will come out before this committee, subject to that, I heartily endorse the Moss bill, and feel that it is definitely pointing in the right direction.

May I take a moment just to say a word or two, members of the committee, on the economic impacts of the park upon the State of Utah.

Referring again to the Harline report to which reference has been made several times, it is pointed out that here in the development of this Canyonlands National Park is the promise of a great economic boom to the State of Utah.

The figures developed by Dr. Harline and his associates are that over a 25-year period there will accrue to the State of Utah some \$213 million in tourist travel and in investment by the Federal Government, in salaries and all of the other accruals that will come to the State

through this investment in the park, \$213 million over a 25-year period.

This, of course, is a very, very substantial sum in anybody's language, and to southern Utah this could mean the difference between economic boom of the first magnitude and, on the other hand, their remaining in a condition such as they are now, in which they definitely need some assistance.

But may I further point out that this figure is predicated on the assumption that we have a park of the first magnitude; that we have a park of which we can be proud, a large park, an adequate park, a park that can be properly advertised along with the other major parks in this general area.

Based upon that proposition, these great economic returns would come into this area which is, as we all know, in need of assistance.

I believe the figures are that some 10 or 12 counties in southern Utah have actually lost population over the past 30 or 40 years.

I might also, Mr. Chairman, at this time make a brief reference to the amendment submitted by the distinguished senior Senator, Senator Bennett, with regard to the exchange, the in-lieu exchange, of lands between the State of Utah and the Federal Government.

May I refer to the amendment in the nature of a substitute which was offered on March 28 by Senator Bennett, and which was discussed by him before this subcommittee yesterday.

The Senator's proposal is in the nature of a large-scale exchange of lands between the State of Utah and the United States. I had not seen the Senator's proposal before yesterday, and I do not know how this proposal originated.

There is merit, of course, in the idea that the State of Utah should improve the position of its State lands. But let me offer one word of caution as to the particular arrangements suggested by Senator Bennett.

His proposal envisages that the State would execute a quitclaim deed to the United States conveying State lands in the area in exchange for lands in the Lisbon mineralized area in San Juan County.

I would urge careful study of the laws of the State of Utah in this regard. Section 65-1-15 in the State code contains the following provision concerning the reservation of coal and other mineral deposits in lands belonging to the State, and I quote:

And, provided further, that when making indemnity selections, using vested school lands as a base, the board may release to the United States the State's mineral interests in the base lands, provided the State acquires the mineral interests in the selected public domain.

The legislature in this 1959 enactment used the term "indemnity selections," and did not use the term "exchanges."

The term "indemnity selections" undoubtedly is a term of art referring to existing Federal statutes. Whether the Utah Land Board could execute a valid quitclaim conveying minerals as proposed by the senior Senator is, therefore, open to question.

In any event, without any regard to the present Canyonlands National Park area or proposals, I am informed that Utah could, under existing laws, using State lands elsewhere as a base, validly apply to the Department to acquire some of the public lands and mineral interests in the Lisbon mineralized area, as State school indemnity selections.

Of course, public lands which are now producing minerals could not be obtained and, of course, the State would have to offer to the United States from its selection base areas which themselves are mineral in character; and, to the extent that the public lands selected in the Lisbon field are on a known geological structure of a producing oil or gas field, the base would have to be on an oil or gas structure.

But the important point is that the base lands offered by the State in a valid indemnity application need not in any sense be as valuable as the lands selected. The lands selected could be many times more valuable than the base lands offered by the State.

This is true under the present provisions of the law, 43 Utah Code, section 852. This is the provision under which the State land board recently obtained title to a portion of the Cane Creek potash field just to the northeast of the Canyonlands area in a transaction with the Bureau of Land Management.

Therefore, the proposal made by the senior Senator from Utah is not the only way available to the State to proceed toward acquiring at least some of the public lands in the Lisbon area, and there is no extreme necessity for burdening the Canyonlands Park legislation with the exchange proposal.

I offer this as a tentative approach to this problem, not suggesting that this is my definitive opinion because obviously this matter will have to be gone into in some depth.

Concluding, Mr. Chairman, although I have brought out the economic arguments I would not be honest if I inferred that that was our main argument in favor of the creation of Canyonlands. It is not.

Our main argument is that here is a plot of unique beauty. It is so glorious, so refreshing to the soul that to fail to conserve this area, to preserve it for ourselves and our posterity would be, to me, an insult to nature and an offense to Him who so lavishly brought out this beauty upon us, but with the applied admonition to guard it and to protect it carefully.

Perhaps today our combined courage can rescue one more little plot of ground from the onward crush of civilization. Perhaps today we can create one more small sanctuary for those souls who still believe that man does not live by bread alone. Thank you.

Senator BIBLE. Thank you very, very much, Congressman King, for a very, very effective presentation.

I have known of your dynamic work and leadership in this field for some period of time, and I want to commend you for it.

You have been very, very helpful to the committee, and I have no specific questions to ask at this time. I think the suggested amendment or the suggestion that you made about the amendment or exchanges does pose some problems, technical problems, that certainly the staff will go into very thoroughly.

I have no questions.

Senator Moss. Congressman King, that was a very good statement, and I appreciate it.

Senator Dworshak raised the question whether we in Utah worked for a living or always just played for a living, and I suppose the Governor's answer was right, that we do have to work like everybody else. But we are quite interested in getting people to come into our State to see our wonders and to play there; is that right?

Mr. KING. Yes. I appreciate your raising that point, Senator. I was going to comment on it. I might say, incidentally, that this so-called play area, which really is not play, it is more communing with nature, but whatever label you want to put on it, this is not essentially for Utahans. I am told that the State of California within the next 15 or 20 years will have something like 25 million people. It will be the largest State in the Union. My guess is that probably 60 percent of all those visiting the park will come from California, and I think it would be much better that they come here than stay in that very, very congested area for their recreational purposes. They certainly need to get out and commune with nature.

I might also say that putting one of these things together is far from play. There is a tremendous amount of work and diligence that goes into this. This involves motel operators, it involves restaurants, it involves the travel agencies, and I might almost say this is big business. It is big business in a sense, and this would mean a tremendous amount to the State of Utah.

Senator MOSS. I purchased the April issue of Holiday magazine, and I see that the State of Utah has paid its good, hard-earned money to put a colored advertisement in there telling everybody about the different world of Utah. So apparently we are interested right now in getting people to come to the State. Thank you very much.

Senator BIBLE. Any further questions, Senator Metcalf?

Senator METCALF. Well, Mr. Chairman, I have no questions. I am delighted to have my old colleague from the House over here testifying on something that we both have a great and longtime interest in. I do want to say with respect to the playing, that I hope also that the people of Montana, en route to that unique playground that they have down in Nevada, will stop off for some recreation here in this park.

Senator MOSS. It is different.

Senator BIBLE. I noticed the Golden Circle. Maybe it is more properly called the Silver Circle.

Senator LONG, you might as well get a plug in for Hawaii.

Senator LONG. Other than to say that these millions in California are in the habit of going West or they would not be there, I hope before they turn back East that a high percentage of them will go on to Hawaii where we also have some very attractive nature. It is a wonderful presentation you have made.

Mr. KING. Thank you very much.

Senator BIBLE. Thank you very much, Mr. Congressman. We will be in recess until 2 o'clock.

(Whereupon, at 12:30 p.m., the subcommittee recessed, to reconvene at 2 p.m. the same day.)

AFTERNOON SESSION

Senator BIBLE. The subcommittee will come to order.

Our first witness in the afternoon session is Lynn Fausett of Salt Lake City.

We are delighted to have you here, sir. We have noticed your faithful attendance throughout the hearings, and we have also seen some of your paintings.

STATEMENT OF LYNN FAUSETT, ARTIST, SALT LAKE CITY, UTAH

Mr. FAUSETT. I am here mainly as an artist, sort of an expert in esthetics. Also, I was born and raised in this area, which is on the edge of this great desert area and, first—well, I studied mining engineering, and although I did not complete a course, I understand geology, and before World War I, I switched to mining.

First, I would like to say that the view from the rim from Dead Horse Point on down to Grandview and some over the Green River is one of the most magnificent panoramic views that I have ever seen.

I have talked to many people who have seen the view at the Grand Canyon, and nearly all of them will say that they prefer the view from the rim between Dead Horse Point and Grandview.

You notice in recent days in the news or recently in the news the President's committee appointed to try to develop tourism from foreign countries into the United States, that they took a poll, and in their poll, Grand Canyon was chosen as the top tourist attraction in the United States, which tends to show that people, once they know about it, like this kind of country, such as the Canyonlands will be.

Now, the Dead Horse Point—10 years ago when I painted the first pictures from Dead Horse Point, I do not believe you could find one out of two or three thousand people in Utah who knew what it was, or what was there, or anything about it.

In only 10 years it has become one of the most-talked-of points of interest in Utah, which tends to show that Utah is very little known, the scenery in Utah.

Now, Utah has about 37 million acres of wilderness, and you cannot go very far in any of that wilderness without coming onto very spectacular scenery and very varied scenery, and it happens that this Canyonlands Park is uniquely situated and located to acquaint visitors from all parts of the country and introduce them to this vast open area that is not only in Utah but Colorado, Nevada, Arizona, and the surrounding States.

This happens, I believe, to be a very key point in making the public acquainted with this area where there is wonderful recreation and very varied kinds of recreation and varied kinds of scenery.

Can I step over to this map [indicating]?

Senator BIBLE. Certainly.

Senator MOSS. There is a pointer here, Mr. Fausett, if you want to use it.

Mr. FAUSETT. The Transcontinental Highway goes through this area, not too far up, to Moab, which will be one of the superhighways, and the plateau that comes down between the Colorado River and the Green River, there is a relatively flat plateau, and the road can be built over that flat plateau. That will be inviting for the average person who was inexperienced in the mountains and in the rough country and would take a ride down onto the rim of this plateau in a very short time.

It is only a matter of 30, 40 miles off the Transcontinental Highway, and there they would get their first view into this magnificent country, and not only from that, from those points, you can see 100 miles in a good many directions, and give them a taste of the country, make them acquainted with it.

Now, those who have any adventurous spirit, and my experience is that about 50 percent of them will want to come back time and time again, some of them become converts to this red rock country, as we call it, and they spend a lot of time there.

I would like to go back to when I first came back to Utah after 20-odd years, after World War I, and 20 years after study in New York City.

I came home in about 1940 through Utah. My youngest brother, also an artist in New York with me, stayed in New York and wandered up into Vermont where he bought a home, spent his winters there, and he has a studio in New York.

He became president of the Vermont Art Association, and in 10 years he had built, with the help of the people in the community and the other artists, one of the finest art centers in the United States.

In 1940 Vermont's tourist business was \$40 million to \$50 million a year, and Utah's was \$50 million a year.

In 1950 Vermont's tourist business was \$750 million a year, and Utah's was \$75 million a year. I got interested because I was sort of a leader of the artists in Utah—

Senator BIBLE. I am wondering if that is a correct figure, the \$750 million. I do not mean to question the figures. That sounds like a tremendously high figure.

Mr. FAUSETT. It was hearsay to me, but where I first heard it quoted was about 1950 when in Salt Lake City we were planning Pioneer Memorial Park, and some planners came out from the East to help us plan that park, Pioneer Village, and the first place was there that I heard that figure quoted. I understand—

Senator BIBLE. The figure just sounded high to me. I do not think we need labor the point, and certainly the various bureaus in Vermont would have the exact figure, and in any event it is a big figure.

Mr. FAUSETT. I am not a statistician.

Senator BIBLE. It just sounded high to me. This is a lot of people visiting an area. I would think you would have one or two too many zeroes on there, but I am not sure.

Mr. FAUSETT. I have seen it in the papers in New Jersey, which is now above \$1 billion a year.

Senator BIBLE. A billion visitors, you mean?

Mr. FAUSETT. No.

Senator BIBLE. \$1 billion?

Mr. FAUSETT. Yes, dollars.

Senator BIBLE. You are talking in terms of dollars spent?

Mr. FAUSETT. Yes.

Senator BIBLE. I see. I thought you said visitors.

Mr. FAUSETT. I said dollars spent.

Senator BIBLE. I misunderstood you. I thought you meant 750 million visitors. You meant \$750 million spent.

Mr. FAUSETT. Yes.

Senator BIBLE. I think the statistical part of this has been pretty well developed. I think the most effective—I think you are undoubtedly one of the most effective, if not the most effective, witness for the Canyonlands National Park in the beautiful work that you have painted. I think this tells the story of its beauty and its grandeur and scenic attractions better than parading witnesses in and out of

here all day long. I am just sorry we cannot incorporate all those pictures in the record.

Mr. FAUSETT. If I have a statement, that is it on the back of that catalog.

Senator BIBLE. Well, your pictures give graphic evidence of the beauty. I want to say they are wonderful pictures. Incidentally, how long does it take you to paint one of the large ones? How long would it take you to paint that?

Mr. FAUSETT. About a month.

Senator BIBLE. About a month on this picture here?

Mr. FAUSETT. But I had to go down there and spend a week to get the material before I painted the picture.

Senator BIBLE. Do you take a photograph and then paint it from the photograph?

Mr. FAUSETT. That one I did. That one I painted from five or six photographs. You could not possibly photograph that.

Senator BIBLE. I see.

Mr. FAUSETT. I had to assemble these photographs and paint it as if I were way back here. Actually I am painting the ground I was standing on.

Senator BIBLE. Well, your exhibit was breathtaking and beautiful, and is the best witness I know for the grandeur of the scenic attraction of this park, Mr. Fausett, and I sure want to commend you for it.

If I had the means I would like to buy some of the exhibits. [Laughter.]

Mr. FAUSETT. The only part I want to point out is that this would be a very accessible park. It would be the means of introducing eventually millions of visitors to this vast area of wilderness, and it would be the greatest economic thing that could happen to Utah.

Senator BIBLE. I am sure it would be excellent. I come from desert country, as you well know, and I know that the tourist attraction at Lake Mead, for example, which is a beautiful, beautiful area there, at Boulder Dam, and on down to Davis Dam, the tourists build up each and every year, and they do spend a great, great amount of money.

This indicates that I just misunderstood you. I thought you were talking about visitors, when you were talking about dollars.

Mr. FAUSETT. Dollars.

Senator BIBLE. And this table which has been handed to me by the staff, Mr. Stong of the staff, indicates that in 1959 the tourists actually spent \$654 million in Vermont, so you were correct and I was wrong, and I am glad to have that correction noted in the record.

This indicated in that same year in Utah the tourists spent \$102 million. This was in 1959. This is the official tabulation, this is the AAA compilation.

Thank you very much.

Mr. FAUSETT. I am not a statistician.

Another point I wanted to make was that since I have been back to Utah in the last 15 years I have attended committee meetings of the Utah State Legislature. I talked to the Governor personally 3 years ago trying to urge them to do more about building up this possible tourist business, and I cannot see in the foreseeable future where Utah will make on its own effort a real effort to promote this tourist business, and I think this park would be one of the greatest economic values, one of the greatest things that could happen to Utah.

Senator BIBLE. Thank you very, very much, Mr. Fausett. You are an excellent witness.

Senator Moss?

Senator Moss. I have no questions other than to say that I certainly would like to have introduced Mr. Fausett to begin with, but I was a little tardy in getting to my chair.

As the committee knows and the record should show, Mr. Fausett is a leading artist of Utah, one of our greatest artists, and, as the committee has seen in the hearings yesterday, some of his beautiful paintings attest to the beauty of this area.

But in addition to being an outstanding artist and coming here to display for us his art in conjunction with these hearings really, he is also one who over the years has been one of the most forward looking people in the State on this business of opening up areas for tourist visits, and what he has testified to today are things that he has been working on himself for 20 years, 30 years, and as far back as I can remember in the State of Utah, and it owes him a great debt. It owes you a great debt, Mr. Fausett.

Senator BIBLE. Senator Metcalf? Senator Long?

Thank you very much, Mr. Fausett.

I see that Congressman Peterson has come into the room, and I will be very happy to hear you right now, Mr. Congressman.

**STATEMENT OF HON. M. BLAINE PETERSON, A REPRESENTATIVE
IN CONGRESS FROM THE FIRST CONGRESSIONAL DISTRICT OF
THE STATE OF UTAH**

Mr. PETERSON. Mr. Chairman, after due deliberation, I decided that maybe my statement should go into the record when the field hearings are held down in my district in Monticello and Moab.

I may say this, though, I am vitally concerned with the creation of this park, and as far as I am concerned, 100 percent behind the administration on what is sought to be accomplished here.

Senator BIBLE. Thank you very much, Mr. Congressman. Certainly there are going to be field hearings. I think they are set for the latter part of April, and it would be wonderful if you were out there and testified at that time.

Mr. PETERSON. Thank you very much.

Senator BIBLE. Our next witness is Mr. Michael Nadel of the Wilderness Society.

Mr. Nadel?

**STATEMENT OF MICHAEL NADEL, ASSISTANT EXECUTIVE
SECRETARY, THE WILDERNESS SOCIETY**

Mr. NADEL. Thank you, Mr. Chairman, for the opportunity to present this statement in behalf of the Wilderness Society in general support of the proposal to establish a Canyonlands National Park in the State of Utah. My name is Michael Nadel. I am assistant executive secretary of the Wilderness Society, a national, nonprofit, conservation organization founded in 1935 for the preservation of wilderness areas, for the investigation of wilderness areas, and for education of the public in regard to the scientific, historical, esthetic,

and recreational values of wilderness. We publish the *Living Wilderness* magazine, of which our executive secretary, Dr. Howard Zahniser, is editor.

Mr. Chairman, if point were needed to emphasize the dramatic and extraordinary beauty of the area proposed for a Canyonlands National Park, that point was achieved in the paintings by Mr. Lynn Fausett which have been on exhibition these past few days in the Old Supreme Court Chamber of the U.S. Capitol.

The eerie formations, spires, terraces, bluffs, and natural sandstone amphitheaters in which one might expect to see played out a desert midsummer night's dream, are like something from an outer world, with hues like muted sunbursts. An other-than-natural sense is pervasive in this fantastically beautiful land where strange intersecting geological patterns were woven by elemental forces of wind, water, sand, and the inscrutable action of time.

It is a fine thing indeed to have these paintings, to render on canvas the magnificent wonder of this strange land.

Yet on canvas alone, this land could only be a memory.

If it is protected, preserved, and cherished—this land could live, even through the slow mutations of added centuries, for the families of man to enjoy and be inspired.

Thus we congratulate the distinguished Senator from Utah, Frank E. Moss, for the presentation of his bill to encompass some of the finest features of this fairy-like land within a proposed Canyonlands National Park.

The Wilderness Society warmly endorses this proposal. In so doing we must also recommend the elimination of section 5 in the substitute S. 2387 which would permit mining, and section 7, which violates the wildlife sanctuary principle of national parks; and we would suggest that the parkway standards referred to in section 6(c) are likely to be too elaborate for appropriate use with regard to a national park.

Section 5 would apply the U.S. mining and mineral leasing laws to the proposed park. This is, of course, inconsistent with park policy. There is no indication that an emergency exists, and thus it has not been established that there is any need for this provision. Should an emergency arise to make it necessary in the public interest to permit mining, Congress or the President have it in their power to act in accordance with public necessity.

Section 7 of the substitute S. 2387 would provide for controlled reductions of wildlife populations by licensed hunters deputized as rangers "when such reduction is found necessary," and so forth.

The practice of wildlife management for control of excess wildlife populations is accepted as it is presently conducted in areas throughout the United States outside national parks and other restricted areas, and as carried out in the national park system under the administration of the National Park Service.

However, as stated in another connection by the director of the Wilderness Society, Dr. Olaus J. Murie—himself a wildlife biologist of international recognition—we are under a responsibility to recognize the restrictions with regard to hunting which are an integral part of the national park system as it was envisioned and established.

Dr. Murie said:

As for hunting in national parks, there are a great many people who feel that we should keep a few areas where there is no hunting and no "management" for a single purpose, where natural forces have an opportunity to operate in the original ecological situation, and where people can come to see and enjoy that kind of environment. Also, it should be pointed out—

Dr. Murie said:

that many hunters, who are still imbued with the ideals of true sportsmanship, also like to come to such sanctuaries armed only with a camera, or simply to enjoy that kind of environment.

In conclusion, then, we urge the establishment of a Canyonlands National Park that like other national parks will be maintained as a sanctuary for wildlife as well as for its scenic splendor.

Senator BIBLE. Thank you very much, Mr. Nadel, for a very effective statement.

Any questions?

Senator Moss. Thank you, Mr. Nadel. I think it is an excellent statement, too.

This section 6(c) to which you referred is the one that has to do with the building of access roads into the area, and I would ask you if you recognize the fact that this is very remote country now, and without the building of some access roads it will not be readily accessible to the general public as we expect our national parks to be. Do you know that?

Mr. NADEL. Yes, Senator. The objection is not to the access roads but, perhaps, to what we would like here, perhaps, a clarification of what is meant by roads constructed in accordance with park standards, because they could be roads like the George Washington National Parkway, which are constructed according to national park standards, but which would probably be highly inappropriate in an area such as this.

Senator Moss. I see.

Well, of course, this is the general authorization, legislative authorization, to the Secretary, but it is coupled with his preliminary plan of the National Park Service, preliminary plan that they have already released, showing the construction of roads generally of the hard-surfaced type into the park, into the central park of the administration area. But beyond that this primitive roads and trails of the various kinds which, I suppose, we have to trust the Park Service to do in its management of the area in accordance with their usual practice.

Mr. NADEL. That kind of park and that kind of trail would be very satisfactory.

Senator Moss. I see that you are completely opposed to any game management by any system of permitting hunting within the park at any particular time.

I wonder if you recognize the fact that with the reduction of predators and other natural causes there does come a period of time when wildlife expands so rapidly that it destroys itself as well as the vegetation surrounding it. Are you aware of that fact?

Mr. NADEL. I am familiar with that, Senator Moss.

I believe that the Park Service seems to be coping with that kind of a problem in Yellowstone Park, and apparently, according to the

reports, doing it very effectively without the introduction of outside hunters for the purpose of wildlife management.

My experience in New York State, for instance, has been that where you do have a situation and bring in hunters under a drawing or lottery system, for instance, to accomplish a wildlife management purpose, that purpose never just seems to be accomplished because a good many hunters, and I have hunted for many years, very many years, a good many hunters for some reason or other do not like to get too far from the road and get into the areas where the wildlife reduction has to be made.

In my own experience for myself I have hunted miles from the road, and I have enjoyed it. But, unfortunately, the average hunter does not avail himself of the opportunity to get far into the country and is ineffective as a wildlife management tool.

Senator MOSS. Well, I would have to invite you to go hunting in Utah where we get so far from the road that we lose hunters if we ever have a snowstorm during the hunting season.

But I appreciate your point of view. People in my State feel that the management of the game in Yellowstone has not been effectively done, and that it could be much improved. But I appreciate very much your testimony, Mr. Nadel.

Senator BIBLE. Senator Metcalf?

Senator METCALF. Mr. Chairman, the witness has testified to 2387, which is Senator Moss' bill. But in the course of these hearings a suggestion has been made that, perhaps, Senator Bennett or someone else is going to introduce an amendment that would provide for about 100,000 acres in three separate areas.

I wonder if you would address yourself to that proposal.

Mr. NADEL. I do not think that I could comment on that off-the-cuff, Senator Metcalf, without having had the opportunity of studying his proposal in some detail.

Senator BIBLE. It might be well if you would take a look at it, this will be made available to you, and our only purpose is to see what type of viewpoint you have if you shrunk the park up from 332,000 to 102,000 and made that a national park, and the balance a recreation area.

What would be the official position of your society on that?

Senator METCALF. Perhaps they would like to submit a statement.

Senator BIBLE. I think they should. The record obviously is going to be kept open for some period of time because the field hearings are just about a month from now, so you will have adequate time to do it, and if you would analyze what Senator Bennett has said on his proposal, what Governor Clyde has said on his proposal, and make your comments on it that would be appreciated.

Mr. NADEL. I would be very glad to do so.

Senator BIBLE. Thank you.

Senator METCALF. That is all.

Senator BIBLE. Thank you.

Mr. NADEL. Thank you.

Senator BIBLE. Our next witness is Mr. Smith, executive secretary of the National Parks Association.

Mr. Smith, we are very happy to have you with us.

I see you have a rather lengthy statement. It will be incorporated in full in the record, and I would appreciate it, in the interest of time—this hearing has been running 2 full days now, and we will have 3 full days in the field—I would appreciate it if you would just highlight your main points, and if you would do that.

Mr. SMITH. I will try to do that, Senator.

Senator BIBLE. I have scanned it, and I see the points you are making and I think as you get into grazing and as to fishing and hunting and as to mining some questions may suggest themselves. But if you could highlight it it would be appreciated.

**STATEMENT OF ANTHONY WAYNE SMITH, EXECUTIVE
SECRETARY, NATIONAL PARKS ASSOCIATION**

Mr. SMITH. All right, I will do the best I can. I appreciate the invitation to come here and present my recommendations. I will just omit the references to myself here and to the National Parks Association.

I do not want to omit, however, my expression of commendation to Senator Moss for having introduced this legislation, and Congressmen King and Peterson in the other House.

This is a very fine contribution to the program of the enlargement of the national park system. The system needs to be enlarged and, in passing, if I may also compliment the Secretary of Interior from this forum, and be happy that the President of the United States has also indicated an interest in this kind of thing.

In view of the sponsorship, in a few sentences here, Senator Bible, if I may, I think I can go more quickly by reading them.

Senator BIBLE. Very well.

Mr. SMITH. In view of such sponsorship, and the undoubtedly excellent purposes which inspired the introduction of this measure, one regrets the necessity of being compelled to recommend against the reporting or passage of this measure in its present form.

To make the reasons for this adverse recommendation clear, I would draw your attention first of all to the provision of the National Parks Act of 1916 which states the purposes of the national park system in very precise language:

* * * the fundamental purpose of the said parks, monuments, and reservations * * * is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

We refer to the expression "unimpaired" there as the nonimpairment clause of the National Parks Act. As a matter of fact, it is much older than that. It goes back 90 years now. You will find it in the language that set up Yellowstone National Park.

This is one of the fundamental concepts. It has been the concept on which our national park system has been administered, and time and time again, Congress has set up new areas, and it has specified that they are to be administered under the policies of the National Park Act.

So that you might say that the administrative policies that have been followed here over the past 90 years have time and time again been confirmed by this Congress as being fundamental.

Not since the very beginning of the national park and the national park system has sport or recreational hunting been permitted in the national parks. Recently, it is true, exceptions have been admitted in respect to the national seashores which have been or may be created by Congress, but these are in areas of already established adverse use, such as the heavy settlement on Cape Cod, and a distinction can readily be drawn between such areas and the great primeval national parks and monuments, thus making it feasible to maintain the established policy in these major reservations, so you see we are making some progress, not since the very beginning of the national parks and the national park system has sport or recreational hunting been permitted in the national parks.

Senator BIBLE. I suppose there is a qualification there as far as the Grand Tetons are concerned, although you may distinguish that and call it "navy" hunting or something like that.

Mr. SMITH. I come to that.

Senator BIBLE. You come to that?

Mr. SMITH. Because this is really what we are talking about in the discussion of this bill.

Senator BIBLE. Yes, you are on the hunting provision.

Mr. SMITH. But with that exception and with the exceptions of situations like Cape Cod, which we do not call a national park, we call it national seashore, we call it that precisely for the reason of making a distinction here so that we do not break down the standards in the national parks.

Senator BIBLE. Well, I do not think Cape Cod—I think there are other distinctions in the fact that we allow hunting on Cape Cod. I think it more properly follows the Cape Hatteras pattern as a seashore just as Padre Island is following it, and as Point Reyes is following it.

Mr. SMITH. That is what I meant, sir.

Senator BIBLE. I do not think hunting is the other distinction. There are certainly other distinctions inherent in the seashore bills.

Mr. SMITH. Quite right. In other words, this is a completely different class of area.

Senator BIBLE. That is right.

Mr. SMITH. And we do not pretend there to try to maintain the high standards of Cape Cod National Park classification that we do elsewhere.

As a result of this firm interdiction against hunting, in general, in the national park system, the result has been highly beneficial. First of all, a number of important scientific reservations have been created within which biological scientists may observe the native fauna and flora of this continent in their original condition. This is extremely important from a scientific point of view, because it gives a point of comparison whereby the origins and nature of the plants and animals outside the parks can better be understood. The parks provide, if you please, an ecological control, for purposes of scientific observation and experimentation. As our manmade civilization spreads throughout the continent, these control points become rare and exceedingly valuable.

In the second place, as a result of these policies, the parks are places where men, women, and children from the four corners of the country

can approach animals on a completely different basis than anywhere else, because with such management the wildlife becomes relatively tame and will draw close enough to be seen and enjoyed by people under natural conditions. This is an experience which is increasingly rare for an urban population; we have reached the point where great numbers of city children have never seen a horse or a cow, let alone a deer, elk, moose, hawk, or eagle. Our city environments in this respect have been confining us to ever narrower perspectives, and our parks offer an important remaining escape. In the parks, people can see the animals at close range, can photograph them, and can even indulge in the time-honored, albeit officially disapproved, practice of feeding them. Then, we comment that there is plenty of room in this country for hunting. We recognize the fact that the predators having been eliminated, there is a problem in the national parks of controlling surpluses, and we draw your attention to United States Code, title 16, section 3, which contains the sentence that the Secretary of the Interior may also provide in his discretion for the destruction of such animals and of such plantlife as may be detrimental to the use of any such parks, monuments, or reservations.

In other words, the Secretary of the Interior, the National Park Service, has full statutory authority to control the wildlife populations in any of the parks by its own personnel. It has used this authority from time to time.

More recently, the Park Service has adopted and made public a statement of policy in this matter of the management of wildlife populations which we quote on page 6, which I will not read in detail but, in effect, it says that if there are extreme cases where the Service cannot manage the wildlife populations, including the ungulate populations by use of its own personnel, if in such cases it becomes necessary to seek additional help, the Service can employ temporary personnel or otherwise enlist the services of selected persons to work with and under the direction of park rangers in achieving the desired reduction.

This, in its context, is a statement that there will be very few cases where this necessary. But if it does become necessary they will hire temporary rangers or they could under this, as a matter of law, as I see it, enlist the services of selected persons; they could at this point go out and bring in licensed hunters from the State and deputize them. They would not even have to deputize them.

Now, this is the present policy under which the Park Service is operating. But it is restricted to a very tight kind of situation where they cannot do it otherwise, and many of us believe that there are no situations, there are no situations where the surplus population cannot be handled by U.S. Government rangers.

Senator BIBLE. You would be opposed, then, to the provision of section 7 of the bill, 2387, as proposed by Senator Moss. You do not believe in a controlled hunt.

Mr. SMITH. We would go for Senator Moss' first bill, which did not have this section in it.

Senator BIBLE. What is your real objection to a controlled hunt? I get caught in the middle between the position that the National Parks Association takes and the position that the Fish and Wildlife people take. If you have a drawing for a certain number of deer to come out of Canyonlands or any other national park, and you do it,

well, at the end of the season, which is the normal deer take, I guess it is September, October, something like that, and October in Utah I am advised—does permitting 500 deer hunters to go into the Canyonlands National Park on a selective basis, by drawing, does that do disservice to the park? Is this going to damage the Canyonlands Park?

Mr. SMITH. Yes, it will.

Senator BIBLE. How is it going to do disservice?

Mr. SMITH. This is what my statement is addressed to, and I think the quickest way may be just to proceed.

Following the issuance of this memorandum, the National Parks Association by action of the board of trustees in November endorsed the statement and recommended to the Secretary of the Interior that it receive the official stamp of approval of the Department of the Interior.

As contrasted with this policy, certain of the State game commissioners in a few States have been urging that excess wildlife populations be reduced by permitting sport and recreational hunting in the national parks.

Now, this is a proposal that has been advanced by the executive committee of the International Association of State Game & Fish Commissioners. It has been advanced by the Western Association of State Game & Fish Commissioners.

Senator BIBLE. By the individual State and game commissions where you have national parks?

Mr. SMITH. Yes, and it is a proposal to permit sport and recreational hunting in the parks. I am talking about opening the parks to hunting as such. Short of that, of course, these same people have been advocating various steps which would lead in that direction, and this is one of them.

It appears that in at least one or two instances such commissioners may have permitted the overhunting of elk or other ungulate populations in their own States to the point where they must now seek new worlds to conquer. They may be covering their failure to handle their own responsibilities properly by pretending that such sport or recreational hunting in the national parks would be wildlife management. This tends to discredit sport and recreational hunting as a wildlife management tool in the national forests and on private lands; indeed, it tends to discredit the term "wildlife management" entirely. This little group of game commissioners, relatively small but vociferous, presses not only for the use of sport and recreational hunting in controlling surplus ungulate populations, but for introduction of such hunting in the national parks generally for sport and recreational purposes as part of what it terms "the multiple use of our national parks." To adopt any such policies would be to overthrow nearly a century of wise tradition in national park management which has been confirmed after careful consideration and many hearings time and time again by the Congress. There can be little doubt that this tradition is embedded in the customs of the American people and that it has their firm and fundamental approval.

Senator Moss. You fear, I take it, the foot in the door really, that I think this amounts to.

Mr. SMITH. Senator, it is more than a foot in the door. I think that as experienced politicians you should have a clear idea of what is happening here. This is an organized assault upon 90 years of tradition

in the management of wildlife populations in the national parks, and I recommend to you that you look into that question and confirm or disprove it to your own satisfaction. But this, being what it is, and I am quite certain that this is what is happening, people should have in mind that once it begins to move there is going to be a tremendous outcry against it. All the women's organizations in this country, for one thing, the garden clubs, are going to be up in arms against it.

Senator BIBLE. We get it from that side and then we will get it from the side of those who carry rifles and sell shells on the other side. You have got us in kind of a rough barrage.

Mr. SMITH. If I were in your position, Senator Bible, I would take what might come to me from the rifles more so than from what would come to me from the women's clubs. [Laughter.]

Senator MOSS. I agree with you, it is less dangerous.

Senator BIBLE. In 25 years of experience, I have dealt with both groups, I put them pretty equal. I think they are both equally potent.

Mr. SMITH. Now, of course, you should not overlook the conservationists either.

Senator BIBLE. Now you have thrown in another group on me, so you go right ahead, Mr. Smith.

Mr. SMITH. When you get the women and conservationists together heaven help the poor fellow against us.

Senator BIBLE. Well, there are a lot of women hunters, and I take women on my side any day. So you just go ahead with your next two paragraphs, because you point out the two things that have happened on this management control, one in Grand Teton, and the other in Yellowstone. I want to see how you analyze those.

Mr. SMITH. We have an excellent analysis, the possibility of analysis here.

With respect to the control of surpluses, we now have two bodies of experience which confirm the soundness of the general National Park Service policy of management by Service personnel. One of these bodies of experience consists of the record of management of the southern Yellowstone elk herd in Grand Teton National Park, where outsiders have been employed as deputies by the Service under the provisions of special legislation governing Grand Teton National Park which constitute an unusual exception to the established national policy.

The record which has accumulated over 11 years shows that public interest in participation is not as great as anticipated and that a significant number of the outside hunters do not follow essential regulations for good conduct in the woods. Poaching on all wildlife is becoming an increasingly serious problem.

Senator BIBLE. Was this abused in this Grand Teton? I heard Mr. Wirth say something about it, that they killed one mule or donkey beside the elk?

Mr. SMITH. I have a paper here which I would like to offer as an exhibit in a moment, if I may.

Senator BIBLE. Surely.

Mr. SMITH. Harvest success as a percentage of permits utilized was only 21 percent in 1957, 19 percent in 1958—in other words, these fellows who went out there to do this job of controlling the elk, did a 21 percent job in 1957, 19 percent in 1958, and 28 percent in 1961, and I think that was the highest, and was a mere 6 percent in 1962.

Only about half of the hunters requesting permits use them. The experience indicates that this experiment has been entirely unsatisfactory.

Now, I would like to offer as an exhibit—the committee can pick this up any time it wants to from official sources—

Senator BIBLE. You can just offer it as an exhibit. Just tell us what it states.

Mr. SMITH. All right. It is a statement by Mr. Robert H. Bendt of the National Park Service, a paper read at the 27th North American Wildlife and Natural Resources Conference in Denver, Colo., on March 12 of this year on the Jackson Hole elk herd. It has in it the information that I have just recited.

Senator BIBLE. Very good.

Mr. SMITH. It has further statements to the effect that the outside hunters are completely—well, it does not say completely, but obviously they are very difficult to manage in the park.

They cannot understand why they cannot be permitted to take their jeeps all over the park regardless of the effect of the scenery. None of them want to make any effort to get their kill out any more.

The thought that you go in on foot some place and get your animal and get him out, a couple of you together, by whatever rig you have to rig up, this was the way it used to be done. Nowadays you have to bring your jeep or maybe a pickup truck to do the job and to tear up the terrain and, in general, mess up the situation.

In addition to that, it was stated at the session at which this paper was presented that a substantial number of bear and deer were killed in addition to the elk during this hunt.

Now, I do not know whether you call that poaching on other animals. It is just destructive. It is useless, it is a ridiculous kind of killing, and if it is the kind of thing that we have to put up with in the national forest, then, for heaven's sake, let us not import it into the national parks.

I am looking for these tables here, but I have given the essence of the matter.

Senator BIBLE. May we have that for inclusion in the record?

Mr. SMITH. Yes, I will be very glad to submit it.

Senator BIBLE. I think you are next going to draw a contrast in experiment in the Yellowstone National Park.

Mr. SMITH. That is right.

(The document referred to follows:)

THE JACKSON HOLE ELK HERD IN YELLOWSTONE AND GRAND TETON NATIONAL PARKS

(Robert H. Bendt, National Park Service, Washington, D.C.)

For many years the elk herds of the Yellowstone region have been subjected to considerable thought, many studies, reports, committees, and controversies. This kind of attention, however, has been given to many elk herds in the United States because they passed through periods of early abundance, then depletion, and then restoration through protection, transplanting, and management. Now populations are near optimum and above in much of their present habitat.

Of the greatest importance in the early 1900's when most elk herds were endangered were the native herds of the Yellowstone region. In this area of the Rocky Mountains there existed at that time not only the largest remaining elk numbers, but the largest unsettled area of public land in the form of a national

park and several national forests, that were best suited to the perpetuation of elk in large numbers in their natural habitat. Of an estimated 70,000 elk for the entire United States at that time, 40,000 to 45,000 were found in the Yellowstone region. Fortunately, recognition of this animal's value by many States and conservation organizations was then responsible for improved protection programs of original remaining elk herds, and the beginning of restocking programs using trapped animals from Yellowstone National Park's northern herd. Since 1892, a total of 10,478 elk have been trapped and transplanted from Yellowstone's northern herd alone with most requests to the National Park Service being received from the State game and fish departments between 1910 to 1930.

Many of these early restocking programs were disappointing in that sometimes the introduced elk did not increase to expectation, or increased beyond expectation with accompanying problems of control, damage complaints, and competition with other species. Problems with elk that State game departments experience are usually quite different from those of the National Park Service, but I think that many will agree that elk generally create some conflicts with other land uses no matter where they occur.

While the Jackson Hole elk herd has presented various problems ever since it became nationally known in 1910, the National Park Service's active responsibilities with this herd did not begin until Grand Teton National Park was created in 1929. It was shortly after this that studies of both the spring and fall migrations of elk in Grand Teton were initiated. By 1943 these studies had been expanded and a track counting transect established across the northern end of Jackson Hole Valley. The objective of this transect was to obtain as much information as possible on where and when the migrations took place, the factors that might affect elk migrations, and the numbers of elk using a particular migration route. Interest in this situation data increased greatly around 1945 when enlargement of Grand Teton National Park and the National Elk Refuge was being considered. Many people familiar with the problems of the Jackson Hole elk herd thought that any enlargement of the refuge and park would pose an additional problem in the control of this elk herd.

During the period from 1945 to 1951 several important actions were taken by the Federal and State agencies in Jackson Hole concerning the future of this elk herd. In 1947 the Teton Game Preserve which had prohibited hunting since 1905 in the vast areas south of Yellowstone, west of the Continental Divide to the Idaho boundary and north of the valley was abolished by Wyoming and the U.S. Forest Service.

By 1950 the National Elk Refuge and Grand Teton National Park had been enlarged, using donated land and lands which were part of the Jackson Hole Monument. With changes in land status for the park, monument, and refuge, Congress passed Public Law 787, which included a provision for an elk control program in certain portions of Grand Teton National Park. This control program is designed to go into effect when the necessary reduction of elk cannot be accomplished in other areas, and when control measures are necessary for the proper management of this elk herd.

Specifically, the law provides for "a program to insure the permanent conservation of the elk within Grand Teton National Park with the use of qualified and experienced hunters licensed by the State of Wyoming and deputized as park rangers by the Secretary of the Interior, when it is found necessary for the purpose of proper management and protection of the elk." The need for the program is determined each year by joint field studies, and becomes effective when approved by the Governor of Wyoming and the Secretary of the Interior. Each such qualified and experienced hunter referred to the National Park Service by the State of Wyoming to participate in this program is specifically permitted to remove from the park the carcass of the elk he has killed as part of the plan. The lands concerned amount to approximately 20 percent of Grand Teton National Park, or about 100 square miles.

In addition, the National Park Service assists both the Bureau of Sport Fisheries and Wildlife and the Wyoming Game and Fish Department in making available to these agencies approximately 1,500 acres of land for the raising of hay for the elk winter feeding programs in the Jackson Hole area. Under this arrangement the Park Service provides the land, the National Elk Refuge irrigates and brings the hay crop to maturity, after which the Wyoming Game and Fish Department then contracts for the cutting and hauling of the baled hay to the various feeding grounds. By this cooperative arrangement over 23,000 tons of hay have been harvested from this land in Grand Teton National Park since 1952.

Almost all of the range used by the Jackson Hole elk herd is Federal land administered by the U.S. Forest Service, National Park Service, and National Elk Refuge. The Wyoming Game and Fish Commission is primarily responsible for management of the elk. These four agencies then all have a concern and responsibility for the Jackson Hole elk herd and its habitat. In 1958 these four agencies by formal agreement formed the Jackson Hole Cooperative Elk Studies Group. It includes an Advisory Council, consisting of the Administrators for these agencies, and a Technical Committee which is made up of the technicians actively engaged in the many field studies being conducted by the group. All agencies feel that significant progress is being made as a result of this cooperative approach to studying the Jackson Hole elk herd.

All of the early writings and reports concerning the Jackson Hole elk herd contain significant migration information and refer to the factors that contributed eventually to the complete elimination of the historic 100- to 200-mile migration which was characteristic for this herd. The hard winters of the 1880's, increased settlement of valleys, and intensive meat and elk tooth hunting were among the factors that eventually eliminated the original fall migrations of the Jackson Hole elk herd to the Green River and Red Desert areas. The last extensive migration of the Jackson Hole elk herd south out of the Jackson Hole-southern Yellowstone areas occurred in 1913. Therefore, those elk that did not migrate great distances and always remained during the winters in Jackson Hole have provided the initial stock for the herd that we are concerned with today. Efforts to perpetuate these particular elk then led to the first supplemental winter feeding programs and the original appropriations from Congress in 1912 to purchase land in Jackson Hole as a refuge for raising hay to feed a portion of the elk herd. Today the National Elk Refuge has approximately 24,000 acres of land administered by the U.S. Bureau of Sport Fisheries and Wildlife and feeds about half the elk of the Jackson Hole herd for half the year. However, contrary to most impressions, these elk obtain most of their feed by grazing and only when weather becomes severe are they fed baled hay. Annual numbers on the refuge during the fall, winter, and spring period have been averaging between 7,000 to 8,000 elk with the largest recorded population of 11,500 on the refuge during the deep snow season of 1955-56.

In migrating north from the National Elk Refuge in the spring many elk move through portions of Grand Teton to their summer range areas in Grand Teton National Park, the Teton National Forest and Wilderness Area, and southern Yellowstone National Park usually by the end of April and the first part of May, or as soon as the melting snow permits. Calving takes place the latter part of May and June and brings a very distinct pause in this migration. And it is in these sagebrush calving grounds that the calving cows separate from the bulls, "dry" cows and yearlings. As a result of this separation, the bulls either alone or in small groups, and the "dry" cows and the yearlings continue their northward movement and are the first arrivals on the high summer range. The wet cows and their calves arrive some 2 or 3 weeks later. Immediately after the calving in the valley, the migration again moves northward, but now it is on a much broader front because of the additional snow-free areas that have opened by the time the calves move.

Much of the Jackson Hole elk herd escapes summer range problems by dispersing widely over an abundant summer elk range of good quality. But, unfortunately, we are finding that not all of the elk are evenly distributed. Elk populations in several areas of the Teton Wilderness Area and southern Yellowstone National Park are many times larger than those of other sections of their summer range. These areas of heavier summer elk concentrations coincide, with few exceptions at the present time, with areas showing range damage.

In 1958 a reconnaissance trip by biologists of the agencies that were to participate in the Jackson Hole Cooperative Elk Studies Group spent several weeks observing range conditions and elk concentration areas. Accompanying this group were range specialists from the University of Wyoming who are also members of the technical committee. As a result of their recommendations to the Advisory Council, two 5-acre range exclosures were constructed in southern Yellowstone in 1959 and a third 5-acre fenced plot is scheduled for construction in 1962 in Grand Teton National Park. In addition to these range studies, the Forest Service has constructed several exclosures and several more are planned.

All these exclosure sites have been selected jointly by personnel of the cooperative study in order to eliminate possible site duplications. This coordinated approach has also allowed the selection of many more fenced range condition types than would be possible for any one of the agencies to construct

and study. These protected sites, as well as many other key areas, are presently being studied to determine their trend so that eventually we possibly may be able to predict what we can expect in the future for these fragile summer ranges.

Of real concern is the possibility that because of artificially wintering elk by feeding that the summer ranges are now becoming increasingly important as the limiting factor in supporting this herd. The research and management of the Jackson Hole elkherd is very important to the National Park Service because we provide sufficient land in Grand Teton to produce from 2,500 to 3,300 tons of hay annually for the winter feeding program. We are responsible for much of the spring, summer, and fall habitat used by the elk, and under the provisions of Public Law 787 we are able to conduct an elk control program within portions of Grand Teton when factual data support its necessity.

While the spring migration to the summer ranges follow a rather consistent pattern except for very minor differences in the time of year, such is not true for the fall migrations. The fall migration has wide variations in the time the elk move from particular summer range areas of southern Yellowstone, Grand Teton, and the Teton Wilderness Area. Of particular interest to us are those elk leaving southern Yellowstone areas where severe range conditions and elk concentrations occur, and the time and routes used when they pass through those areas of Grand Teton National Park where the elk management program can be allowed under Public Law 787. Techniques used for our cooperative migration studies with Wyoming in recent years have included several flights, ground observations of movements, track counting transects, and census counts on the National Elk Refuge throughout the fall migration period. Since 1959 the Wyoming Game and Fish Commission has been carrying on an elk neck-banding program using various colored identification bands for each winter range area to assist in determining migration routes, summer distribution, and the intermingling of the various herds on the summer range areas. The National Park Service is also conducting a neck-banding program with the northern Yellowstone elk herd since there we are vitally interested in its movements as well as its possibly intermingling with the Jackson Hole herd in southern Yellowstone.

From our migration studies, which began shortly after the original Grand Teton National Park was established, we have found that over a 26-year period the heaviest waves of fall migration of the Jackson Hole elk herd have occurred in November for 20 years, in December for 2 years, and in October for 4 years. This information becomes important when attempting to effect as large a harvest as possible when the elk management program is conducted in areas of Grand Teton National Park.

The influence hunting pressure exerts on a migration route has been studied but that has been difficult to evaluate. However, much information indicates that sufficient hunting pressure seldom can prevent intensive fall migration of this elk herd from eventually passing through established routes. However, there are exceptions and we have found that sometimes elk can be quite sensitive to disturbance by hunter activity. Nevertheless, in all instances, they have returned to their habitual migration routes several miles from their point of disturbance.

Too often the fluctuating number of elk using a particular route has been interpreted as a change in the migration route and that because of hunter activity those elk have been forced to use another area. In reality our studies show that such fluctuations reflect the cumulative harvest of elk along the particular route. An overharvest in some instances has completely eliminated those elk that have traveled that particular migration route. This development cannot only apply to individual migration routes but to an entire herd as in the case of the historic Red Desert migration of the Jackson Hole elk herd.

Based on our cooperative studies with the Wyoming Game and Fish Department an elk management program has been conducted under the provisions required by Public Law 787 each year from 1951 to 1958 in various portions of Grand Teton National Park. In 1959 and 1960 no control programs were recommended but several areas in the park were again opened to hunting in 1961. From 1951 to 1958, 1,200 special permits were made available to public hunters for participation in the elk control program in Grand Teton National Park. The number was increased to 2,000 permits in 1961. However, our increased number of permits last year in an attempt to obtain a larger harvest from the southern Yellowstone elk resulted in only 1,002 hunters reporting of the 2,000 permits requested and authorized.

During the 9 years in which public hunters have participated in the elk control programs, 11,600 special permits were made available and were requested, but only 5,866 hunters, or 50 percent, have reported. The success of their efforts has varied from 50 percent in 1955 to a low of 6 percent in 1952, when 455 hunters killed only 27 elk.

The total number of elk killed since 1951 is 1,610, or an average of 178 animals for the 9-year period.

TABLE 1.—*Special permit hunting—Grand Teton National Park*

Year	Season	Permits requested	Permits utilized	Elk killed	Percent harvest success
1951	Sept. 10 to Oct. 31	1,200	510	184	36
1952	Sept. 10 to Nov. 16	1,200	455	27	6
1953	Sept. 10 Nov. 5	1,200	568	112	20
1954	Sept. 10 to Dec. 12	1,200	600	104	17
1955	Oct. 20 to Nov. 20	1,200	624	310	50
1956	do	1,200	776	325	42
1957	Oct. 20 to Dec. 10	1,200	748	160	21
1958	Oct. 20 to Nov. 30 ¹	1,200	583	110	19
1961	Oct. 15 to Nov. 30	2,000	1,002	278	28
Total		11,600	5,866	1,610	
9-year average		50 percent		178	27

¹ Season originally to Dec. 15—State request for emergency closure.

The public interest in participating in the park's elk management program has not been as great as anticipated. A large number possibly only request a permit to utilize as a reserve in the event they are not successful in killing an elk during the regular season in some other favorite area.

It is necessary to restrict hunters to designated roads and established special camping areas. We allow them to use horses but these must be corraled and not allowed to graze. Campsites must be cleaned up and tent frames and corrals removed before the hunters check out of the area. We do not allow any other wildlife, including predators, to be killed in the special permit area of the park. Closed areas one-half mile wide along the main highways, and 1 mile wide around the large Jackson Lake Lodge developments are necessary. We also require all hunters participating in the program to check into the area for their permit and instructions and again at the checking station when they leave, if they were successful in killing an elk.

Generally, we have found the majority of the deputized hunters very cooperative in accepting the necessary regulations governing this type of special hunt. Disturbing us to an increasing degree, however, are those hunters whose actions reflect on the entire hunting fraternity. Some of their actions would be legal or overlooked in areas outside the park, but cannot be accepted because of policy in areas of the National Park Service. Many of their actions, however, are flagrant violations.

Some of the deputized hunters cannot understand why they are not allowed to drive their jeeps or motor scooters off the roads we must designate for use, or up the sides of the mountains to retrieve their elk. Far too many disregard these regulations. Their cleanup of campsites and removal of tent frames and corrals before their checkout from the management area, although a requirement of their appointment, is far too often disregarded.

With hunters having an excuse to carry guns and be traveling other park roads the poaching of all wildlife is becoming an increasingly serious problem in other areas of the park not open to the program.

Although these violations have not reached serious proportions as yet, the increasing disregard of the National Park Service's administrative and other responsibilities by many hunters does cause considerable concern. The fact that this sort of thing occurs almost everywhere cannot be used as an excuse for in a national park, where hunting is under special scrutiny, such behavior is even less acceptable than it would be anywhere else.

Our summer range and migration studies, our provisions for the use of deputized Wyoming hunters to participate in an elk management program in Grand Teton and making hay available from park lands for the winter feeding of many

of the elk in Jackson Hole stand as evidence of the National Park Service's interest in the Jackson Hole elk herd. We share the concern of all agencies participating in the Jackson Hole cooperative elk herd studies. We hope that these cooperative efforts will eventually develop the best possible program for the Jackson Hole elk, and give just recognition to all the objectives of the agencies involved.

Mr. SMITH. Now, a contrasting experiment was in Yellowstone National Park this year in respect to the northern Yellowstone herd, where a very necessary reduction of the herd was carried out by a small number of park employees, highly skilled in the woods, thoroughly responsible men, without any adverse effects, nor any substantial burden on the Public Treasury. This experience indicates that management by Federal employees is definitely the way to get this job done.

Reduction of a big herd like this, a big reduction that had to be made, is obviously going to create a certain amount of commotion, and people who do not want to see animals killed under any circumstances are going to dislike it, and those who want to have them killed only by hunters are going to play upon that kind of dislike, and I think something of that kind took place.

The fact of the matter was, this job was done by 10 rangers. It was completely done, and 80 percent of the animals were killed with one shot.

The meat went to the Indian tribes. The Indians were grateful to get it, and they said they could use twice as much.

Senator BIBLE. Well, it has certainly stirred up a controversy. I do not know where the exact truth of the thing lies, but we had many, many protests concerning this killing of the north Yellowstone herd.

Mr. SMITH. Turning to the provisions of the legislation before you, section 7 provides that any program for the management of the wild-life population within the proposed Canyonlands National Park would have to be developed jointly by the Department of Fish and Game of the State of Utah and the National Park Service, and recommended to the Governor of Utah and the Secretary of the Interior of the United States for their joint approval.

I think this may be, Senator Bible, the first time that this legislation—this kind of legislation—the language is picked up in the main from the Grand Teton Park legislation—

Senator BIBLE. This is correct.

Mr. SMITH (continuing). Has really been put under a microscope, and I would strongly recommend it to you, as a lawyer, that you put it under a high-powered microscope because there is a very great question in my mind as to whether this legislation is constitutional.

In other words, the Government of the United States is to surrender certain vital control over extensive Federal lands incorporated into a major national park. This is not a cooperative agreement, you understand. This is a "must."

The development of programs for the management of these lands in respect to wildlife is to be turned over, in part, to a subordinate administrative agency of a single State government.

Despite the fact that this region is entirely within the national land reserve, belongs to all the people of the United States, and will, if made into a park, still belong entirely to all the people of the United States, it is to be managed, not as a national park, but as a sort of hybrid State park instead.

I believe that the Governor used the term "hybrid" himself this morning. Note that this is not merely a provision for cooperation by the Federal Government with State agencies. We have plenty of Federal statutes authorizing and providing for such cooperation in many fields, often including Federal grants-in-aid. But the present proposal is quite different.

It will actually establish a veto power over the Federal management of the Federal lands in the hands of the Utah State Game Commission and the Governor of Utah, jointly or separately. The Government of the United States should not submit itself to such a veto.

Section 7 also provides that the jointly developed programs shall—the word is "shall," not "may"—provide for the controlled reduction of wildlife in this proposed park by hunters licensed by the State and deputized as rangers where reduction is found necessary. No discretion is permitted to the Secretary of the Interior or the Director of the Park Service to control excess populations by the use of park personnel; this work must be done by outside hunters.

Senator BIBLE. I would think that was true when the yearly plan was approved by the Secretary of the Interior. I read a sentence on page 10, line 4 through line 6 that says the yearly plan so recommended shall become effective when approved by the Secretary and the Governor. That requires joint approval and, as a lawyer, I would not know where you would end up if the Secretary of the Interior refused to approve the plan.

Do you think that would be enforcing the mandates?

Mr. SMITH. Suppose the Governor of Utah refused to approve the program. The Federal Government then is powerless to control the game herds in its own park.

Senator BIBLE. In this particular manner. This plan would not be put into effect unless you had the joint approval of both the Governor and the Secretary of the Interior is the way I read it.

Mr. SMITH. Well, I think we had better have a look at that because I am not at all certain that any residual power is left in the Secretary of the Interior unless a plan is developed.

Senator BIBLE. The author of the bill is here and maybe he would like to speak on the subject. I do not want to spend the balance of the afternoon arguing on a legal point because I think you have correctly stated it, that this is under a microscope, and this is certainly a controversial provision, I recognize that. I think the author of the bill recognizes that this is a controversial provision, and we are going to have to take a good close look at it, and you are sounding a tocsin, or warning, that we had better go carefully in moving into this area.

Mr. SMITH. I just want to direct your attention to the main legal points here as I see them.

These hunters are not to be licensed by the Federal Government, but by the State of Utah. They are to be deputized as rangers by the Secretary of the Interior, thus being clothed with the authority of a Federal official.

Normally, the selection of such officials would be entirely in the hands of the Secretary of the Interior or the Director of the Park Service, but such is not the case here, for section 7(c) provides specifically that the Utah Game Department will transmit to the Secretary of the Interior of the United States of America a list of persons who are qualified and experienced hunters, who have proper licenses issued

by the State, and the Secretary shall—the word is “shall,” not “may”—issue orders deputizing these persons, without charge, as Federal deputy rangers.

No discretion is granted to these high officials of the Federal Government; they are to take their marching orders from the Utah Game Commission. Indeed, the orders do not even pass through the hands of the Governor of Utah. Indeed, not only is there no discretion in regard to the disapproval of any individual, however objectionable, but the list must be approved in the number specified; no one named by the game commission can be rejected.

As if to make it clear that the purpose of the hunting is not game reduction, but primarily sport, this local hunter is to be permitted to remove the carcass of his skill from the scene.

Now, the provisions of the pending version of the proposed legislation in respect to wildlife management which I have just analyzed are taken almost verbatim from the provisions of the special law for Grand Teton National Park which I have also mentioned (U.S.C., title 16, sec. 273(c)). The experiment at Grand Teton constituted a radical departure from wildlife management principles applied elsewhere throughout the system. As I have said, it has not been successful. Yet it is now proposed to incorporate these same provisions in a new piece of legislation establishing another park.

This indicates the very great danger of establishing a precedent leading to the possible breakdown of established national policy. It will not do to pretend that incorporation of such provisions in the pending legislation will stop at this point. The plain fact that the Grand Teton program has been picked up and incorporated into the draft before you proves the contrary. If this program is imported into the proposed Canyonlands Park, it is just a matter of time until political pressures are mounted for its extension throughout the system. Rather than follow such a disastrous course, the Congress might well now consider the repeal of the unsuccessful and dangerous provisions permitting outside hunters to operate in Grand Teton National Park.

As long as provisions like those in section 7 remain in the pending legislation, most conservationists would appear to have no alternative but to oppose the legislation as a whole.

I might add that I think that if such legislation were passed with this provision in it, that many conservationists would urge that the President veto the legislation.

Senator BIBLE. I understand your position on section 7.

Now, you mention section 5 which deals with mining, and you state there that you object to having a mining provision in this act as well.

Mr. SMITH. I think we can pass over that quickly. Mining is an adverse use.

Senator BIBLE. And you feel the same way, and you have grazing, and that is an adverse use, you feel that is the same thing?

Mr. SMITH. Well, on a thing like this I would think it probably would be all right to cut it down to a reasonable time. This would permit a full lifetime of the grandchild of the person who now holds the grazing privileges. The grandchild might live in San Francisco or New York. But as long as he was alive this grazing privilege would persist. The grazing in there is not serious.

Senator BIBLE. I do not think it is, and I think grazing is the least of the problems we have to deal with.

Mr. SMITH. We ought to get it out.

Senator BIBLE. Yes.

Mr. SMITH. As far as the roads are concerned, I would like to make a similar comment to that made by Mr. Nadel of the Wilderness Society, of what is needed there is a little change in language. The term "parkway" has been used. The term "parkway" has come to mean a four-lane divided highway, free of landscape, or some other highway. This is a very controversial question in park administration, and many conservationists feel quite strongly that the kind of roads that should be built in the park are those that conform to the park environment, and they would wish to call them park-type roads.

With respect to the territory, it is my understanding that that green line out there represents what one specialist has called God's boundary of this area. That is your million acres, and why it should be cut down I must say I do not know. If the proposition is good, instead of the black line, why don't you really go for big ones, Senator Moss? I think you would have—

Senator Moss. The Governor won't let me.

Mr. SMITH. I think you would have all conservationists with you.

Senator Moss. The Governor won't stand for it.

Mr. SMITH. The Governor is one man; respect is a million. That would really do a good job. You would really have a park there, something on the order of Yellowstone or Grand Canyon.

Senator Moss. It would be nearly half as large as Yellowstone if we took the blue line in.

Senator BIBLE. We have three versions, a million acres, 332,000 acres, 102,000 acres, all those versions, and it will be up to the committee to determine the correct size.

This is a question of judgment.

Mr. SMITH. But I will cut this short by saying this: We see no purpose in setting this thing up as a recreational area, which is carte blanche invitation to the kind of adverse use that—

Senator BIBLE. Your objection is to sections 5, 6, and 7.

Mr. SMITH. And one thing which has not been touched upon here, the Governor mentioned it, as a matter of fact, is obviously that there would be an advantage for the industrial interests in the area, the mining interests particularly, to get Uncle Sam to put a lot of big road money, bringing the roads in as far as they could come at the Park Service budgetary expense, and from there on use that as a base to hop out and operate these mining claims, with the doors being left open to them.

So we would strongly recommend against cutting down territory, cutting down of it at all, and if I may, in conclusion, read my last two paragraphs, a realistic appraisal of this situation would appear to be as follows:

This region has magnificent scenic, geological, archeological, biological, and recreational resources. A great primeval national park could be established here which might well meet the highest standards for incorporation into the national park system. Presumptively, the sponsors of this legislation had in mind the establishment of that kind of a national park. No other policy appears to be compatible

with the complete protection of the peculiar resources of the region which is definitely desirable. But if such a park is to be established, the conflicting and hostile uses permitted by the present draft of this bill must be eliminated. As soon as we determine upon such a course, and take hold of a good basic proposal with determination, all the annoying problems introduced by pointless and undesirable compromise disappear.

Such is the clear-cut and decisive approach which I would recommend to the subcommittee, the full committee, and the Congress. Having great admiration for the high caliber of the congressional sponsors of this proposed legislation, I would think that such an approach might be what they likewise had in mind. I would venture to surmise that this would also be the very strong preference of the Secretary of the Interior and the President of the United States.

Thank you, Mr. Chairman.

Senator BIBLE. Thank you very much, Mr. Smith.

I have no questions.

Senator MOSS. No questions.

Senator BIBLE. Senator Long.

Senator LONG. No questions.

Senator BIBLE. Senator Metcalf.

Thank you very much, sir. I understand your position very, very clearly.

(The complete prepared statement of Mr. Smith follows:)

STATEMENT OF ANTHONY WAYNE SMITH, EXECUTIVE SECRETARY, NATIONAL
PARKS ASSOCIATION

My name is Anthony Wayne Smith. I am the executive secretary and general counsel of the National Parks Association, with offices at 1300 New Hampshire Avenue, NW., Washington, D.C. I am admitted to the practice of law in New York, the District of Columbia, and appellate courts; I am a specialist in natural resources management. I appreciate the invitation to submit my recommendations regarding S. 2387, substitute, to establish the Canyonlands National Park.

The National Parks Association is a private, nonprofit, public service, educational, and scientific organization established in 1919 by Stephen T. Mather, the first Director of the National Park Service. It has membership of more than 21,000 persons all over America who receive its monthly National Parks Magazine. Among the major purposes of the association is the protection of the national parks and monuments, the national forests, and nature preserves generally for esthetic, scientific, educational, and recreational purposes.

Senator Frank E. Moss is to be congratulated on the great interest and concern for the scenic resources of America which is indicated by his sponsorship of legislation to enlarge our great national park system.

We are all well aware of the desirability of such enlargement in view of the great growth in wealth, leisure, travel facilities, and population of this Nation. The scientific, recreational, wildlife, and scenic resources conserved in our national park system must from now on be preserved and protected with increasing determination if our national needs are to be met.

By the same token, Interior Secretary Stewart L. Udall is to be warmly commended on the great interest he has displayed in these matters and the leadership he has provided.

All of us are happy that the President of the United States has also sponsored a significant enlargement of the national park system as indicated in his recent message on conservation.

In view of such sponsorship, and the undoubtedly excellent purposes which inspired the introduction of this measure, one regrets the necessity of being compelled to recommend against the reporting or passage of this measure in its present form.

To make the reasons for this adverse recommendation clear, I would draw your attention first of all to the provision of the National Parks Act of 1916 which states the purposes of the national park system in very precise language: " * * the fundamental purpose of the said parks, monuments, and reservations * * is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations" (U.S.C., title 16, sec. 1).

You might say that the fundamental concepts incorporated in this statement of purpose are the principles of conservation and nonimpairment of natural conditions in the parks. These principles were merely confirmed by, and did not originate in, the National Parks Act. They were the fundamental principles of the management of the national parks for nearly half a century prior to the passage of that act.

Both before and after such passage, numerous other legislative enactments by the Congress have reiterated and confirmed the basic nature of these principles. They have been reaffirmed time and time again in the establishment of new national parks. Congress after Congress has reconfirmed these principles, as elaborated by administrative application, to the point where they can only be described as the established national policy of the United States of America.

The nature of the executive and administrative standards which have been approved in this manner by Congress time and again is well known. A number of these standards which are integral components of the established national policy in respect to parks would be violently breached by certain provisions of the present draft of the pending legislation. I wish to draw your attention to these breaches seriatim.

Not since the very beginning of the national parks and the national park system has sport or recreational hunting been permitted in the national parks. Recently, it is true, exceptions have been admitted in respect to the national seashores which have been or may be created by Congress, but these are in areas of already established adverse use, such as the heavy settlement on Cape Cod, and a distinction can readily be drawn between such areas and the great primeval national parks and monuments, thus making it feasible to maintain the established policy in these major reservations. Moreover, in these cases, firm control is retained in the hands of the Secretary of the Interior.

The principles of conservation and nonimpairment embodied in the National Parks Act have otherwise generally been interpreted as a firm interdiction against hunting. The result has been highly beneficial; first of all, a number of important scientific reservations have been created within which biological scientists may observe the native fauna and flora of this continent in their original condition. This is extremely important from a scientific point of view, because it gives a point of comparison whereby the origins and nature of the plants and animals outside the parks can better be understood. The parks provide, if you please, an ecological control, for purposes of scientific observation and experimentation. As our manmade civilization spreads throughout the continent, these control points become rare and exceedingly valuable.

In the second place, as a result of these policies, the parks are places where men, women, and children from the four corners of the country can approach animals on a completely different basis than anywhere else, because with such management the wildlife becomes relatively tame and will draw close enough to be seen and enjoyed by people under natural conditions. This is an experience which is increasingly rare for an urban population; we have reached the point where great numbers of city children have never seen a horse or a cow, let alone a deer, elk, moose, hawk, or eagle. Our city environments in this respect have been confining us to ever narrower perspectives, and our parks offer an important remaining escape. In the parks, people can see the animals at close range, can photograph them, and can even indulge in the time-honored, albeit officially disapproved, practice of feeding them.

This great, vast continent is for the most part open to sport and public hunting. It is still customary to permit hunting on privately owned farmland, woodland, and ranchland; if restrictions are being clamped down by the owners these days, hunters have it within their power to change this course of events by improving their standards of conduct. The national forests, even the wilderness areas, which are protected against timber cutting and roads, are available to any hunters who are still willing and able to make the physical effort neces-

sary to get out to the game. The no-hunting principle of nonimpairment of the wildlife resources in the national park system should continue to have congressional support.

Because the wolf and mountain lion have been hunted down throughout this land to the point of extermination and, because they are an important element in the balance of nature whereby the ungulate population was held in balance with its own environment, problems of managing the elk herds have arisen in a few of our national parks. Congress made wise provision for dealing with this situation in enacting the National Parks Act by authorizing control by the Secretary of the Interior in the following language: "He may also provide in his discretion for the destruction of such animals and of such plant life as may be detrimental to the use of any of said parks, monuments, or reservations" (U.S.C., title 16, sec. 3). Pursuant to this authorization for the destruction of detrimental surplus animals, the National Park Service has had occasion in the past to reduce wildlife populations to the extent absolutely necessary by the judicious use of its own personnel.

For purposes of the more precise formulation of such policies, the Director of the National Park Service recently submitted to the Secretary of the Interior a memorandum outlining the procedures being followed at present by the Service in this matter with a view among other things to the reduction of surpluses which were then serious in a few of the parks. The following passage summarizes these policies concisely:

"It is apparent that direct reduction is required to meet the immediate situation. The Service is confident that with adequate funds (actually only a modest increase in wildlife management funds is required), with the understanding and support of the many people who have expressed their interest in this problem, and with new vigor and determination on its own part, this situation can be brought under control rapidly, and with a minimum of disturbance, without recourse to public participation. If, in extreme cases, it becomes necessary to seek additional help, the Service can employ temporary personnel or otherwise enlist the services of selected persons to work with and under the direction of park rangers in achieving the desired reduction. Distribution of the kill to various institutions, but chiefly to Indian tribes, can take care of practically all of the surplus so removed. Other appropriate means of disposal will be investigated and utilized as required."

Following the issuance of this memorandum, the National Parks Association by action of its board of trustees in November endorsed the statement and recommended to the Secretary of the Interior that it receive the official stamp of approval of the Department of the Interior.

As contrasted with this policy, certain of the State game commissioners in a few States have been urging that excess wildlife populations be reduced by permitting sport and recreational hunting in the national parks. It appears that in at least one or two instances such commissioners may have permitted the overhunting of elk or other ungulate populations in their own States to the point where they must now seek new worlds to conquer. They may be covering their failure to handle their own responsibilities properly by pretending that such sport or recreational hunting in the national parks would be wildlife management. This tends to discredit sport and recreational hunting as a wildlife management tool in the national forests and on private lands; indeed, it tends to discredit the term "wildlife management" entirely. This little group of game commissioners, relatively small but vociferous, presses not only for the use of sport and recreational hunting in controlling surplus ungulate populations, but for introduction of such hunting in the national parks generally for sport and recreational purposes as part of what it terms the multiple use of our national parks. To adopt any such policies would be to overthrow nearly a century of wise tradition in national park management which has been confirmed after careful consideration and many hearings time and time again by the Congress. There can be little doubt that this tradition is embedded in the customs of the American people and that it has their firm and fundamental approval.

With respect to the control of surpluses, we now have two bodies of experience which confirm the soundness of the general National Park Service policy of management by Service personnel. One of these bodies of experience consists of the record of management of the southern Yellowstone elk herd in Grand Teton National Park, where outsiders have been employed as deputies by the Service under the provisions of special legislation governing Grand Teton National Park which constitute an unusual exception to the established national policy. The record which has accumulated over 11 years shows that public

interest in participation is not as great as anticipated and that a significant number of the outside hunters do not follow essential regulations for good conduct in the woods. Poaching on all wildlife is becoming an increasingly serious problem. Harvest success as a percentage of permits utilized was only 21 percent in 1957, 19 percent in 1958, and 28 percent in 1961, and was a mere 6 percent in 1952. Only about half of the hunters requesting permits use them. The experience indicates that this experiment has been entirely unsatisfactory.

A contrasting experiment was in Yellowstone National Park this year in respect to the northern Yellowstone herd, where a very necessary reduction of the herd was carried out by a small number of park employees, highly skilled in the woods, thoroughly responsible men, without any adverse effects, nor any substantial burden on the Public Treasury. This experience indicates that management by Federal employees is definitely the way to get this job done.

Turning to the provisions of the legislation before you, section 7 provides that any program for the management of the wildlife population within the proposed Canyonlands National Park would have to be developed jointly by the Department of Fish and Game of the State of Utah and the National Park Service, and recommended to the Governor of Utah and the Secretary of the Interior of the United States for their joint approval.

In other words, the Government of the United States is to surrender certain vital control over extensive Federal lands incorporated into a major national park. The development of programs for the management of these lands in respect to wildlife is to be turned over in part to a subordinate administrative agency of a single State government.

Despite the fact that this region is entirely within the national land reserve, belongs to all the people of the United States, and will, if made into a park, still belong entirely to all the people of the United States, it is to be managed, not as a national park, but as a sort of hybrid State park instead.

Note that this is not merely a provision for cooperation by the Federal Government with State agencies. We have plenty of Federal statutes authorizing and providing for such cooperation in many fields, often including Federal grants-in-aid; but the present proposal is quite different; it will actually establish a veto power over Federal management of Federal lands in the hands of the Utah State Game Commission and the Governor of Utah, jointly or separately. The Government of the United States should not submit itself to such a veto.

Section 7 also provides that the jointly developed programs shall—the word is “shall,” not “may”—provide for the controlled reduction of wildlife in the proposed park by hunters licensed by the State and deputized as rangers where reduction is found necessary. No discretion is permitted to the Secretary of the Interior or the Director of the Park Service to control excess populations by the use of park personnel; this work must be done by outside hunters. These hunters are not to be licensed by the Federal Government, but by the State of Utah. They are to be deputized as rangers by the Secretary of the Interior, thus being clothed with the authority of a Federal official. Normally, the selection of such officials would be entirely in the hands of the Secretary of the Interior or the Director of the Park Service, but such is not the case here, for section 7(c) provides specifically that the Utah Game Department will transmit to the Secretary of the Interior of the United States of America a list of persons who are qualified and experienced hunters, who have proper licenses issued by the State, and the Secretary shall—the word is “shall,” not “may”—issue orders deputizing these persons, without charge, as Federal deputy rangers. No discretion is granted to these high officials of the Federal Government; they are to take their marching orders from the Utah Game Commission; indeed, the orders do not even pass through the hands of the Governor of Utah. Indeed, not only is there no discretion in regard to the disapproval of any individual, however objectionable, but the list must be approved in the number specified; no one named by the game commission can be rejected. As if to make it clear that the purpose of the hunting is not game reduction, but primarily sport, this local hunter is to be permitted to remove the carcass of his kill from the scene.

Now, the provisions of the pending version of the proposed legislation in respect to wildlife management which I have just analyzed are taken almost verbatim from the provisions of the special law for Grand Teton National Park which I have also mentioned (U.S.C., title 16, sec. 273(c)). The experiment at Grand Teton constituted a radical departure from wildlife management

principles applied elsewhere throughout the system. As I have said, it has not been successful. Yet it is now proposed to incorporate these same provisions in a new piece of legislation establishing another park. This indicates the very great danger of establishing a precedent leading to the possible breakdown of established national policy. It will not do to pretend that incorporation of such provisions in the pending legislation will stop at this point. The plain fact that the Grand Teton program has been picked up and incorporated into the draft before you proves the contrary. If this program is imported into the proposed Canyonlands Park, it is just a matter of time until political pressures are mounted for its extension throughout the system. Rather than follow such a disastrous course, the Congress might well now consider the repeal of the unsuccessful and dangerous provisions permitting outside hunters to operate in Grand Teton National Park.

As long as provisions like those in section 7 remain in the pending legislation, most conservationists would appear to have no alternative but to oppose the legislation as a whole.

There are other provisions of the pending bill which must be regarded as unacceptable if Congress intends to adhere to the basic principles which have governed its directives to the executive branch in respect to national park administration in the past. One of these is the provision with respect to mining within the proposed new park, section 5. This section permits the continued exploration, location, entry, patenting, leasing, and removal of minerals, and incidental occupation and use of the surface for mining, subject to the possibility of regulation by the Secretary of the Interior, which seems unlikely to be feasible or effective. All existing mining rights are confirmed. No time limit whatever is placed upon these activities. The established national policy in these matters has been to exclude mining from the national parks, either immediately, as in most instances, or within a relatively short time, as in others. The reason is a simple one; if you are going to conserve the scenery, the forests, the streams, the wildlife, and the recreational potential for human beings, which is the purpose of the parks, you cannot have mining in the parks, because of its obviously and necessarily destructive effect on environment. As long as such provisions are contained in the pending legislation, unless Congress wishes to initiate serious precedents against its own century-long tradition of park management, it should decline to approve this bill.

A further feature of the pending draft which is completely unsatisfactory in terms of the established national congressional policy in respect to national parks and monuments is the provision permitting an undue continuation of grazing in the proposed park. This is section 4 of the bill, which requires the Secretary of the Interior to permit lessees, permittees, and licensees having grazing privileges to renew them from time to time. Note again that the Secretary will have no discretion; the provision is mandatory. True, there is a proviso that the privilege shall not be extended beyond 25 years from the date of approval of the act; but the proviso is qualified and states the Secretary shall—the word is “shall,” not “may”—permit any holder of such a privilege to renew it from time to time during his lifetime. He may also assign it to another person in his immediate family, who may, in turn, renew it from time to time during his lifetime. Thus a present holder of a grazing privilege might hold it for his lifetime and bequeath it to his grandson, who may be an infant on the date of passage of this legislation. There is a possibility that grazing privileges may continue for a period measured by a long lifetime, say 80 years or more, of a person not now actively engaged in livestock management.

Turning then to section 6, we find language which might seriously interfere with and break down established national park policy in regard to the type of roads which are suitable in our national parks and monuments. Access to these reservations for the purpose of enjoyment by the people is part of the policy established by Congress in the National Parks Act, and it is one of the basic principles in accordance with which the parks have always been and should continue to be managed. But it is quite a different thing to propose the construction of high-speed thoroughfares of the kind now usually referred to as parkways into or through national parks. The term “parkway” has come to symbolize the four-lane divided highway, or in any case a broad, straight, fast road cutting through the country; such traffic arteries are incompatible with the preservation of the scenic resources of the national parks.

It is true that section 8 of the bill specifies that the proposed park shall be managed pursuant to the principles of the National Parks Act, but up to this

point, the bill has been mainly preoccupied with the establishment of policies which are completely in conflict with the principles of the National Parks Act as laid down in the act and confirmed in many other national laws and by a century of established administration, which in turn has been confirmed repeatedly by Congress.

With respect to the territory comprised by the proposed park, you are doubtless aware that the Department of the Interior has recommended a somewhat larger maximum acreage than the 300,000 provided for in this bill. It would seem that the judgment of the experts who have studied this matter might well be acceptable, and the territory enlarged. Any portions of the Colorado River Canyon subject to flooding by Lake Powell, the reservoir which will rise behind the Glen Canyon Dam, should be excluded, in keeping with the policies of the Federal Power Act.

It is hard to know what recommendation to make to you other than the complete rejection of this legislation in its present form. The violation of our national policies and traditions in respect to parks, not to speak of established legislation, is so fundamental in half a dozen respects that no compromise on these points would cure the difficulty. If we do not intend to establish a reservation in which the peculiar natural resources of national parks are protected, then why should we establish such a reservation at all? In order to draw great crowds to the State of Utah, attracted by the magic of the name national park? In order to permit speculative real estate development in areas around the proposed park? In order to permit a small segment of game commissioners to launch an aggressive attack against the wildlife management principles of the national park system? And if we are to have all these adverse uses, why not permit the cutting of timber; and also, perhaps, some limited provision for residential and industrial purposes? And if this is the prospect, what is accomplished by the establishment of the new park?

If one considers the possibility of using the term "recreation area" instead of "park," one meets again with frustration, because this policy would be an open invitation to the intensive exploitation of the region of a kind which would destroy the wildlife, vegetation, streams, quietudes, solitudes, scenery, and outdoor recreational opportunities which presumptively we are trying to protect. The kind of thing which is worthwhile for the American people to preserve for themselves in the Canyonlands country cannot be protected if a multitude of conflicting uses is permitted or encouraged, even in the name of a recreational area.

It is barely possible that the current version could be salvaged by the use of the term "National Riverway," somewhat comparable to the notion of a national seashore, and by constricting the territory covered, so that one could provide a reasonable degree of normal and traditional protection for park values along the canyon. But it is to be supposed that the sponsors and supporters of this legislation had something more ambitious than a riverway in mind; even if our sights were lowered, in respect to area, we could not abandon all protection for the natural outdoor values of the region in the manner proposed by the pending bill.

A realistic appraisal of this situation would appear to be as follows: This region has magnificent scenic, geological, archeological, biological, and recreational resources. A great primeval national park could be established here which might well meet the highest standards for incorporation into the national park system. Presumptively, the sponsors of this legislation had in mind the establishment of that kind of a national park. No other policy appears to be compatible with the complete protection of the peculiar resources of the region which is definitely desirable. But if such a park is to be established, the conflicting and hostile uses permitted by the present draft of this bill must be eliminated. As soon as we determine upon such a course, and take hold of a good basic proposal with determination, all the annoying problems introduced by pointless and undesirable compromise disappear.

Such is the clearest and decisive approach which I would recommend to the subcommittee, the full committee, and the Congress. Having great admiration for the high caliber of the congressional sponsors of this proposed legislation, I would think that such an approach might be what they likewise had in mind. I would venture to surmise that this would also be the very strong preference of the Secretary of the Interior and the President of the United States.

Senator BIBLE. Our next witness is Dr. Smith. Your full statement will be incorporated in full in the record as if given, and I would hope that you would kind of highlight it because I think a tremendous lot of these objections are somewhat repetitious.

STATEMENT OF DR. SPENCER M. SMITH, JR., SECRETARY, CITIZENS COMMITTEE ON NATURAL RESOURCES

Dr. SMITH. I agree, Senator. Thank you very much.

I am just planning to mention two or three instances here in consideration of the committee's time.

I think they have done yeoman work in setting up 2 days of hearing and discussing this. I think it is a matter of extreme importance, and I am glad to testify.

I am Spencer Smith, secretary of the Citizens Committee on Natural Resources, and may I indicate as briefly as I can the position of our committee, without going into, as you indicated, Mr. Chairman, the unnecessary details which have been covered.

As we understand the proposals that are before the committee concerning boundary lines, there are a number—I am not sure that I have them completely straight—but it is my understanding that Governor Clyde's plan would have about 102 pure park acres, so to speak.

Senator BIBLE. 102,000.

Dr. SMITH. 102,000, I am sorry, pure park acres that would be somewhat in separate lots, and the other 200,000 acres would provide for recreation, multiple use and relevant activities.

Senator BIBLE. That is his proposal.

Dr. SMITH. Senator Moss, having presented two bills——

Senator BIBLE. We are working on the substitute so we can overlook the first one. The substitute is the one we are working on.

Dr. SMITH. The substitute would encompass approximately 332,000 acres and is represented on the map by the black line, I believe.

Senator BIBLE. That is correct.

Dr. SMITH. But in this bill there are sections which have not been discussed, and we certainly want to congratulate the Senator not only for this bill but for his long-term interest in this kind of activity as well as this entire committee.

Certainly we are in support of the 332,000 acres and, as it has been suggested, with some slight revisions.

The hunting provision, I think, has been adequately gone into for 2 days now. We certainly favor that the hunting, as far as conservation of animals or wildlife management, be undertaken by the policy of the Service as it now sees it, as it is now constituted, by professionally trained hunters.

I think this has been made relatively evident, the proper identification of the species, in order to avoid mistakes, the care and consideration of the area and usually the fact that they are more efficient in terms of the actual wildlife management.

With these three points I think it would lead us to the consideration that hunting under these circumstances should be carried out in this fashion.

The mining in terms of that which is available——

Senator BIBLE. At that point, so far as hunting is concerned, you are opposed to section 7 of the substitute bill?

Dr. SMITH. That is correct.

Senator BIBLE. Very good.

Dr. SMITH. For the reasons I mentioned.

Senator BIBLE. Yes, I understand.

Dr. SMITH. In mining, in terms of economic interests, both in terms of the study prepared by the University of Utah, and other evidences, it appears to be far less economical and, in the long term, than what the park might make.

So far as grazing, this does not seem to be a significant amount, but I do feel it should be properly phased out and controlled as we have stated on other instances.

I would like to call one point to the committee's attention that was mentioned by Senator Dworshak earlier this morning, and Senator Moss later commented on it, which was whether the people in Utah are going to play.

At the present time, according to the Council of Economic Advisers of the President, this play has become pretty profitable in the United States, and consists of about \$10 billion. Interestingly enough, just before, yesterday, the House Public Works Committee held hearings where they were discussing the President's standby legislation on capital improvements, which also include natural resources, and it was interesting to hear the Governor of Michigan in his testimony urge rather strongly that part of this was going to improve the recreational resources of Michigan, implying that some of their dependence on more industrial forms in the past might not be quite the source of income that recreational uses would be in the future.

Interesting also, recently in an economic conference trying to find out what happened to the economy in 1953, when it did bounce back rather unexpectedly in the summer, usually economists, I know being one, are pretty good in figuring out what happened 9 years ago, we got into difficulty when we try to figure out the future, 1953 it appeared to us that during the summer months the expenditures primarily in recreation were one of the reasons for the resurgence in the economy.

So these funds that people are spending for recreational purposes are big business indeed, and it would seem to me that areas would have this opportunity, that it could be very significant to the State economy as well as to the national economy.

I want to make one further mention and then I will leave. I think that our national park system has caught the fancy and imagination of the public. Somewhat ironic but, I think, their success is being part of their undoing at the present time. The concept of a national park is certainly quite different than a national recreational area. The latter is for different purposes.

It usually represents areas that should be protected and should provide for proper recreational pursuits, but does not meet the rather pristine and somewhat magical concept that the public has for national parks.

So almost every area that people want to preserve, they prefer to put a national park on it because certainly it has a greater drawing power of the public, and I think that is part of our difficulty.

I think really it would be a shame to make a recreational area out of this land. I think this Canyonlands is one of the real beautiful areas that we have left in these United States, and I would certainly like to

see it preserved under the existing considerations and standards of the national parks.

I think we are going to have more and more difficulty because of the demands of all of these recreational areas, and I think our problem of land classification is going to be difficult, and I should not have to tell the chairman of this committee that because I am sure he knows it better than I, but this, it seems to me, is going to be one of our real difficulties, and probably is going to challenge our thinking as to whether we really want to continue our areas under the national park standards we have set up.

I, for one, hope we do. These standards are man-made. It is not a pure and exact science. We have in the past made mistakes in classification both in rejection and acceptance. It just seems to me that we are going to have to be more careful and more watchful as to whether we are going to continue to have national parks with the high standard we have had in the past.

I hope we do, and my committee wants to express itself to this committee in that fashion.

Thank you very much.

(The prepared statement of Dr. Smith follows:)

STATEMENT OF DR. SPENCER M. SMITH, JR., SECRETARY, CITIZENS COMMITTEE
ON NATURAL RESOURCES

Mr. Chairman and members of the committee, I am Dr. Spencer M. Smith, Jr., secretary of the Citizens Committee on Natural Resources, a national conservation organization with offices in Washington, D.C. We appreciate the opportunity to appear before your committee to offer our views in regard to S. 2387.

We wish to say at the outset how very gratified we are that the distinguished Senator from Utah, Mr. Moss, and his cosponsors have initiated legislation for the establishment of Canyonlands National Park in the State of Utah. From every evidence available to our committee, the proposed Canyonlands National Park meets the standards necessary for an area to be designated a national park. Certainly the scenic grandeur of the area is equal to the most outstanding areas that are now included in the national park system. It also possesses many of the scientific and archeological features that are unique.

The National Parks Act of 1916, which sought to establish the standards to be used in the creation of additional national parks has served us well as a criteria for the development of the national parks system, as we now know it. The application of these standards is not an exact science and certainly there can be much discussion as to whether this park or that park completely qualifies or whether an area that has been considered, but not accepted as a national park, should have been accepted rather than rejected.

The national parks system has provided enjoyment to the people of our Nation by preserving the unusual, natural and scenic beauties. It is ironic, that in meeting this need the parks system has posed a threat to itself. Public interest in outdoor recreation, in visitation to these areas of wonderment have increased so considerably, and the attention of the public has come to focus on them so significantly, that the location of such a park has aided generally the surrounding economy. As a result, there is a great impetus on the part of many sections of the country to have included in the park system a particular segment of their lands or areas. Many of these areas are important to the recreational base of our country. They provide areas of great beauty, areas that offer fishing, hunting and many other varied activities. All of these areas, however, do not meet the standards of what has heretofore been considered a national park.

The effort to protect these recreational areas has been comparatively recent. The concept of a national recreational area, is therefore a new one and it does not have the same magic with the public as does the name, "National Park." This has presented conservationists and the Congress alike with a series of difficulties. It has been more difficult to obtain and maintain a recreational area, since the public as a whole has yet to fully appreciate the need for, and the care of such areas. On the other hand, there has been an effort to classify almost any

and all recreational areas, having a variety of uses not normally associated with that of a national park, as a national park. Thus the question we must face constantly is whether we want to maintain a land classification that clearly designates a national park as being something clearly distinct and different from a seashore or riverway recreational area, parts of the national forests and other areas that have a variety of recreational opportunities.

The temptation is great to establish a national park, even though part of the price in establishing such a park is to accept activities and uses that are generally inconsistent with park purposes. It has been urged that the times make it necessary and the failure to accept these other activities and uses will preclude saving the areas at all. It is far easier to state the difficulties than it is to implement policy, that will properly reconcile this apparent dilemma. Naturally, it is possible to establish a park where some activities generally inconsistent with park values are continued, when there is the possibility of phasing out such activities without permanently damaging basic park values. There will be times when this is necessary. The ideal state, of course, is to be able to achieve park status for areas which qualify without these types of activities.

In the instant case our position, as always, would be that the Canyonlands National Park be established as proposed in S. 2387, but without the provisions of mining, grazing, and hunting. If all of these provisions are allowed the question could properly be raised, "Why designate the area as a national park, why not a recreational area?" If such activities were allowed, would it not set a serious precedent for many of our existing national parks which were established to preclude such activities as being inconsistent with the basic purpose of establishing a park. If mining and grazing rights are in existence and run with the land, but can be phased out over a period of time without disservice to the park, then we feel the park should be established. This would be consistent with the objective of the park and to the best of our knowledge the grazing has not been a significant feature of the area, nor does mining appear to be of greater economic benefit to the area than the park itself. Certainly with our present knowledge of the supply of minerals, and with the alternate sources of energy coming on apace, it would seem to be prudent to exclude, insofar as possible relative to existing rights, mining activities. The most significant wealth, in terms of mining, appear to be that of potash, most of which lies outside the park.

The additional feature which has been under general consideration relative to this measure is that of hunting. We have been and are now opposed to public hunting in a national park. By hunting, I am referring to public hunting, either under State laws and licensing provisions, or under supervision and licensing provision of the administrator of the park. This is quite different from achieving a proper policy for wildlife conservation management in national parks. Certainly the control of wildlife in areas that require hunting should be handled without recourse to public participation. This has been done recently in Yellowstone National Park, by Park Service personnel and others specifically trained for such purposes. The question is often asked as to the difference between killing animals by park personnel or by the public.

We believe that park personnel and/or skilled hunters employed by them have the knowledge and responsibility to reduce only a particular species, which they are trained to identify. The possibility of mistakes is lessened greatly. Also, the general care of the surrounding areas, which are involved when any kind of hunting takes place, are more properly cared for by park personnel than could be expected by the general public.

It is our sincere hope that this committee, after their usual careful consideration will indeed authorize the creation of Canyonlands National Park in the State of Utah, but will exclude the hunting provisions, thus making it consistent with the activities of other national parks. We also hope that the grazing and mining activities will be excluded or phased out of any final park bill reported. If it is the strong desire of all concerned that these additional multiple-use activities be a part of any general administration of this area, then we would sadly recommend that the designation of a park be dropped. We say "sadly," because this area meets in almost every respect the basic standards for establishing a national park and being included in the National Parks System.

Senator BIBLE. Thank you, Dr. Smith.

Are there any questions?

Senator MOSS. No. Thank you, Dr. Smith.

Senator BIBLE. Thank you very much, Dr. Smith.

Our next witness is Pink Gutermuth.

We have your statement and I would be appreciative if you would simply highlight it. I think I know what you are going to say.

**STATEMENT OF C. R. GUTERMUTH, VICE PRESIDENT, THE
WILDLIFE MANAGEMENT INSTITUTE**

Mr. GUTERMUTH. I am going to say even less than that, Mr. Chairman. I think all the testimony by the conservationists has been with the thought and desire of one thing, and that is to preserve our great national park system.

We have had very few violations of it up until now, and my statement has brought this out.

The Atomic Energy Act and Mineral Leasing Act of 1954 have preserved it and made adequate provision for entering these areas in case of national emergency, and so on.

At the bottom of page 2 here I said that if the committee finds it necessary to open this area to mineral leasing, that we hope that it will not be called a national park.

At the same time, I have made suggestions in the back here that as another alternative we give consideration to the preservation of these more unique areas and then, perhaps, open the surrounding area to the uses that the committee feels simply must be done.

With regard to the hunting, let me say quickly that we feel that the National Park Service should be required, as it is now, to continue to keep the wildlife populations within the carrying capacity of the range.

We know that wildlife can destroy the range. We then would suggest that if the National Park Service determines that it cannot do this economically and reasonably with the facilities that it has available, and it must resort to the use of hunters, that then it be done something like this provided in this bill, and that is that a sensible plan be worked out that the hunters that enter there must be deputized by National Park Service and must be licensed, and so on, and that the controls be effected in that way.

But you will notice that in my statement I keep saying "that if hunting is determined to be necessary." We feel that there is no real reason why the National Park Service should not be able, under normal circumstances, to keep the wildlife within the carrying capacity of the range in most of these areas.

Senator BIBLE. But you also seem to be saying, Pink, if I understand you correctly, you have no objection to section 7, that could be used in an emergency situation if hunting were required.

Mr. GUTERMUTH. In an emergency situation if it is determined this is necessary. But we do want it done under the strict jurisdiction and control of the National Park Service. We feel they are the administrators of this property and that they should control it.

Senator BIBLE. Of course, section 7 makes provision for a joint effort on the part of the State and the Federal Government.

Mr. GUTERMUTH. Well, I feel that the language there should be scrutinized very carefully because of the thing that Mr. Smith mentioned does worry me a little bit.

I brought out in here that we feel that the deputizing of any hunters, if and when hunting is ever permitted, must be done under the control, and that the final word and discretion should be with the National Park Service, and our reason for that is we want control of these parks.

We just simply do not want them to be opened to the ordinary unrestricted public hunting. We do not think it is necessary.

Senator BIBLE. But it does seem to me that section 7 says this, or the intent is to say this, that if the National Park Service should determine that hunting was necessary within the Canyonlands National Park, then the Secretary of the Interior could initiate negotiations with the director of the Fish and Game Commission of the State of Utah and then they could jointly work out a planned hunting which would be pretty much in the nature of a drawing, and they go in there in a certain limited time and take out a certain number of deer upon a permit basis.

I think that is what section 7 is driving toward.

Mr. GUTERMUTH. That is right.

Senator BIBLE. As I understand you, if the conclusion is reached that hunting is necessary for the reduction of the herd, then the Wildlife Management Institute has no objection?

Mr. GUTERMUTH. That is right, except I brought out here that we contend that the responsibility first for the managing of this wildlife should be that of the National Park Service.

Senator BIBLE. I understand.

Mr. GUTERMUTH. They should be doing it if it is humanly possible and properly permissible for them to do it. They should do it under the operating procedure and authorization and appropriation they have. If they can do it, we contend they should do it.

Senator BIBLE. If they make a conclusion that they cannot do it and they do not want to do it as a management operation within the framework of the Park Service, then they could enter into negotiations with the Fish and Game Commission of the State of Utah and work out a plan of reducing this herd; is this your position?

Mr. GUTERMUTH. We want it under a deputizing system that is provided for.

Senator Moss. This is predicated, of course, on a finding that the reduction is necessary to prevent injury to the soil, plant life, or any wild or domestic animals dependent of the land comprising the park.

Mr. GUTERMUTH. That is right.

Senator Moss. Do I understand you then, Mr. Gutermuth, that you would prefer some small sections of park that are pure park and eliminate part of the surrounding area if we are going to have any other uses at all?

Mr. GUTERMUTH. We feel that the basic national park system should be protected and kept inviolate. Now we have a fear if you start on this thing that you place the entire system in jeopardy. Consequently, we feel that if the committee finds it necessary to permit these nonconforming uses in a portion of this area, then we want it not called a national park and go in, as I suggested in and toward the end of my statement, that they close these areas which are unique and that the committee feels can be preserved and maintained on these highest park standards, and then open the surrounding lands to these nonconforming uses under some kind of a regulated system and under a different name.

Senator Moss. Could you provide the committee with a description of the areas that you think should be left out of the park that are not of a caliber to be a park and, therefore, should be cut out? For instance, the Governor this morning testified that he thought there should be a pure park area down in the Needles, and then he found that that was the winter ground of the deer herd, the very thing he was worried about.

Then he thought that the Island in the Sky ought to be a pure park, and he found that is where the oil well is going to be, that he says will be opened up and retested.

So you run into these hard problems of deciding what to cut out and what to make pure park, and I would like to have some guidance on that because I have struggled with this for a year, reducing it to this, and I just do not know any part to leave out if we are going to cut any more off of the park, and if you have recommendations of parts that might go out, I would like to have them.

Mr. GUTERMUTH. Well, this would require a lot of doing, as you can well imagine, and while I have been over a goodly portion of this area I certainly would not be in a position myself personally now to make any recommendations along this line.

But I do think that using the good judgment of the State agencies and the recommendations of the Governor and the experts that we have in the Department of the Interior, certainly it should not be too difficult to determine the unique areas which have true national park caliber.

Senator Moss. That is exactly what I want.

Mr. GUTERMUTH. That is right; and that those areas should be then put into this true national park classification; and the matter that you may have a wintering ground for deer in that area does not concern me at all, because I say again, charge the responsibility for the managing of that area to the National Park Service. And, of course, if Congress would give them the money that it takes to do the job, just like they do with all of the other responsibilities that they have in the administration of property, they could take care of them; of the wildlife populations on those areas, and then, as I said, if it becomes necessary to ever open this area to public hunting because it requires more than the ability of the Park Service to do it, then it be done under this strict rule and regulation.

Senator Moss. Well, if you came to the final hard squeeze of whether you would have a park with some permissible secondary uses or no park at all, which way would you go?

Mr. GUTERMUTH. I do not think that we have to go to that kind of a real hard core decision.

I believe, for example, on grazing if they would eliminate or would restrict this grazing to, say, 25 years, clean it up like we have done before in areas of this kind, when you get into this matter of mineral leasing, it seems to me that if you have real mineral areas then, perhaps, they should be eliminated.

But in so much of this mineral exploration that they are talking about in this area there certainly is no knowledge that or no information that I could get right now that tends to put this into a high class of mineralization in this property except for a few spots, and those should be eliminated.

Senator Moss. It is all under mineral lease now. How do you deal with that? Those leases have as long as 10 years to run, varying lengths of time up to 10 years.

Mr. GUTERMUTH. I think we could tolerate it. We have done this in other places, particularly with national wildlife refuges, where we have put up these nonconforming uses for a while, but let us terminate them. Let us put a definite termination date on this so that ultimately what we are setting out to do, if we are going to create out of this area and if we are meeting here with the thought and effort of preserving this area, then our efforts should be for the ultimate preservation of the area. That is the point.

Senator Moss. I agree, and that is what we are trying to do, preserve the area.

We are trying to do it in the context of all the other factors that impinge upon it. Well, thank you very much.

Senator BIBLE. Senator Metcalf?

Senator METCALF. Just one question or one point anyway, Mr. Chairman.

Pink, you are not saying that in your opinion any of this area proposed of 330,000 is too large?

Mr. GUTERMUTH. Oh, no. We are for all of it and more, too, in fact.

Senator METCALF. That is what I thought. I just wanted to be sure.

Senator BIBLE. I must put an appendage on it. You are for it as a national park providing you do not have section 4, section 5 and section 7 in it, providing you do not have grazing, you do not have mining, and you do not have hunting.

Mr. GUTERMUTH. I would say that—

Senator BIBLE. You say if you have that you do not want to call it a national park; isn't that what you said?

Mr. GUTERMUTH. That is right. Let us call it something else.

Senator BIBLE. Then you do not have a national park. I mean, you cannot have both. You are saying on the one hand that, and this is the hard decision the committee faces, you are saying that you would like to have all of this area, whether you have it 102,000 or 150,000 or 332,000 or 700,000 as a national park. This you want. You say this is fine. But you also say you should have no grazing on it, you should have no mining on it, you should have no hunting on it, and if you are going to have any one of those three on it you should not call it a national park.

Mr. GUTERMUTH. That is right.

Senator BIBLE. So this is the hard core of the decision, then.

Mr. GUTERMUTH. Then the point is, Mr. Chairman, I do not think that we have to pin this down to this determination that it should be a national park.

The point I am making is we are creating, the Congress is, right now, recreational seashore areas; we are creating those. We have national monuments in this country, we have other classes of classifications of Federal lands that are accomplishing the things that we want; that is, preservation of the area, and varying uses.

The point is if we want this area set aside and preserved—

Senator BIBLE. As what?

Mr. GUTERMUTH. If uses are going to be nonconforming to the national park standards, then let us call it one of these other names so

that we are not placing the balance of our national park system in jeopardy.

Senator BIBLE. We have nonconforming uses in other parks, Mr. Gutermuth. You know that as well as I do. We have mining in the Alaskan National Park, and we have hunting in the Grand Tetons, and we have some nonconforming uses in others and, of course, we are going along in different concepts on Cape Cod, as you well know, and in Point Reyes.

We have got a hole in a donut.

Mr. GUTERMUTH. But, you see, we are calling them recreational and seashore areas; that is the point.

Senator BIBLE. No, we are not. We are calling them a national seashore park. The only distinction is that you call them seashores because they are on the seashores, and we call them lakeshores because they are on the lakes. But they meet the full criteria of national parks. They are within the—they are on the oceans and they are on the lakes.

Mr. GUTERMUTH. This is where then we come to a so-called meeting of minds on the very, very rigid determination, and that is we contend that these areas that are going to be set aside primarily for recreational purposes should be called recreational areas and should be called seashore areas and that sort of thing, and that these properties which are unique and which are like the Great Yellowstone and Yosemite and areas like that should be confined in their uses and called a park, and when we use that determination, a national park, that it shall be an area that is not going to be open to all of these nonconforming uses. This is to me a simple way of a solution to our problem.

Senator Moss. Well, the basic statement of purpose of the original National Parks Act includes recreation. That is one of the reasons we have—

Mr. GUTERMUTH. Not the kind of recreation though—

Senator Moss. You want to define "recreation," yes.

Mr. GUTERMUTH. Not the kind of recreation that we are talking about when we talk about an area like the Indiana Dunes State Park, which is my home State, and I know well, and which is not like the kind of recreation that we are talking about at Cape Cod or even at Point Reyes and places of that kind. We are not talking about that kind of recreation.

There has been a battle for as long as I have been in this work, which has been for almost a lifetime.

Senator BIBLE. That is right.

Mr. GUTERMUTH. To try to keep the honky-tonk type of recreation out of these basic parks, and this again is the sort of a continuation of what we were talking about here now, trying to preserve and keep these nonconforming recreational and commercial uses out of these areas that we are calling parks.

Senator BIBLE. I think I understand your position very well, Mr. Gutermuth. You have made a very effective presentation.

Senator Long?

Senator LONG. No questions.

Senator BIBLE. Thank you very much.

Are there any further questions?

(The prepared statement of Mr. Gutermuth follows:)

STATEMENT OF C. R. GUTERMUTH, VICE PRESIDENT, WILDLIFE MANAGEMENT INSTITUTE

Mr. Chairman, I am C. R. Gutermuth, vice president of the Wildlife Management Institute. The institute is one of the older national conservation organizations. Its program has been devoted to the restoration and improved management of natural resources in the public interest for more than a half century.

The institute has been a consistent supporter of the national parks system. Like other conservationists, the institute's staff has supported Mission 66 and all the other necessary programs and activities that have been initiated to protect and improve the parks so as to meet their primary objectives, which are set forth in the National Parks Act of 1916. The charge to the Secretary of the Interior in that act is, as you know, to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

This country's system of national parks, monuments, historic and other special areas is unequaled in the world. This enviable position has not evolved by accident. It has resulted largely because of the insistence of the people that the Congress and the Secretary of the Interior uphold the widely supported requirement that the national parks and monuments be administered as undisturbed natural areas. Nonconforming uses are not permitted in many parks and are discouraged in all. They have been eliminated or are being controlled closely in the few areas where such uses existed legally prior to the establishment of the park or monument. The fact that this is a wise and popular policy is attested by acts of Congress and by the opinions expressed on a number of crucial situations by a large segment of the entire citizenry. Attempts to gain special concessions in the national parks have been rejected without exception. Nonconforming uses that were allowed in some parks when they were created gradually are being eliminated over the years. National park administration always has been toward the exclusion of commercial uses of the resources, and the Congress has supported and given leadership to this administrative policy by protective language in the Atomic Energy Act, Public Law 703, and the Mineral Leasing Act, Public Law 585, both of 1954. Those acts prohibit mining and mineral leasing in national parks, monuments, and wildlife refuges, except when "the requirements of the common defense and security make such action necessary." Congress inserted this language in the two laws to make clear its intention that the parks and monuments are not to be subjected to the described activities except in the remote instance of dire national emergency.

S. 2387 would deviate considerably from this longstanding policy, however. Section 5 would hold the proposed Canyonlands National Park open in perpetuity for location, entry, patent, and leasing under the mining and mineral leasing laws.

A memorandum of September 14, 1961, to the Legislative Counsel, Office of the Solicitor, Department of the Interior, from the Director of the Bureau of Land Management, indicates the likelihood of greatly expanded mining and mineral leasing activity within the boundaries of the proposed national park. We find it difficult, Mr. Chairman, to envision how mining and mineral leasing could conform with the long-established principles for national parks administration. There is a widespread concern that a liberal provision of the type contemplated by section 5 will, in the long run, pose an extreme hazard to all national parks. The great body of past national parks legislation and administrative determination, in our opinion, necessitates that a decision be made now concerning the future extent of mining and mineral leasing activity in the area proposed in S. 2387.

If, in the judgment of the committee, the necessity for mining and mineral leasing in the area outweighs its longrun public contribution as a national park, then we urge that the Canyonlands area not be called a national park. We would not want to see a national park subjected to the commercial uses contemplated in S. 2387. If there is no other alternative, then eliminate those areas that must be kept open to mining.

Section 7 of S. 2387 provides for the controlled reduction of wildlife within the proposed park area whenever "such reduction is found necessary to prevent injury to the soil, plant life, or to any wild or domestic animals dependent upon the land comprising such park for sustenance." Conservationists throughout the land are aware of the problems created in some national parks by overpopulations of wildlife, particularly of large mammals which, like domestic stock, can irreparably damage the vegetation, hasten soil erosion, and cause other undesirable situations. An overprotective and unrealistic attitude toward wildlife in parks definitely can result in the destruction of other important park values.

The National Park Service very commendably and, after many years of indecision, finally took the necessary action this year to begin to control the elk in Yellowstone National Park. While the number of animals taken may have appeared excessive to inexperienced and uninformed persons, the reduction was necessary to bring the animals into numerical balance with available forage in the park. But the Park Service will have to continue this control from time to time to keep that undesirable situation from recurring.

It is realized that the topography and the winter weather situation in Yellowstone are conducive in some years to the type of control that was accomplished this past winter. This is not the case in all areas, however. Each park presents its own set of situations and, for that reason, each park should be surveyed regularly and its administration viewed individually. A number of agencies have pointed out the inaccessibility of the proposed Canyonlands area and the danger of overpopulation by deer in coming years. It would appear that the provision in section 7 for an annual review of the Canyonlands wildlife situation by the Governor of Utah, the State Fish and Game Departments, and the National Park Service and the authorization for the controlled reduction of wildlife, if and when necessary, by persons licensed by the State of Utah and deputized as rangers by the Secretary of the Interior, is a commendable arrangement, if hunting ever is needed in the park. On the other hand, the committee should charge the National Park Service with the responsibility for keeping the wildlife within the carrying capacity of the range. If hunters ever are needed, State licenses should be required as well as having each person deputized as a ranger. These should be the minimum requirements. The final decision on the deputizing of hunters in the national parks should rest with the Secretary of the Interior and, if hunting is permitted, it should be in compliance with State laws.

Perhaps the easiest solution, if the committee insists upon keeping the area open to hunting, grazing, mining, and mineral leasing is to call or name Canyonlands something other than a national park.

Another alternative that appears worthy of consideration would be the designation, within the area described in S. 2387, of the most attractive and valuable scenic, historical, and cultural areas as inviolate sectors, to be administered according to national park standards. The lands surrounding those central national park cores then could be zoned for a variety of uses, including commercial, perhaps along the lines of the zoning recommendations of the Outdoor Recreation Resources Review Commission. This would facilitate the economic development of certain of the lands, where they have an overriding interest, without infringement on or impairment of the scenic, cultural, and historical values of the more unique central areas that merit complete protection. Inasmuch as nearly all the land included in S. 2387 already is in public ownership, the opportunity for working out a satisfactory solution is enhanced considerably, should the committee decide to recommend such a course of action.

Senator BIBLE. Are there any further witnesses?

If not, we will stand in recess until we meet in the field on April 20, at Monticello, Utah, and we will take a look at this beautiful nature.

Senator Moss. May I put this editorial in the record? It was written for the Times-Independent of Moab, a city closely adjacent that, I think, sort of sums up the viewpoint of the people in that area.

Senator BIBLE. Very well, without objection the editorial will be made a part of the record.

(The document referred to follows:)

[From the Times-Independent, Moab, Utah, Feb. 15, 1962]

EVERYONE'S IN THE ACT

It has been more than interesting the past several weeks to see how many people outside southern Utah have made the proposed Canyonlands National Park their business. On the heels of announcements from the State Capitol that this group or that group opposes Secretary Udall's "huge" national park, come countercharges and contradictory statements from Washington.

Of particular interest in announcements over the weekend, were first, one by the director Utah's Fish and Game Department. Harold Crane decried the possibility that Canyonlands might be withdrawn as a national park in light of the National Park Service long-standing policy of wildlife preservation (as opposed to management). Several points come to mind. The first revolves around the particular necessity for great concern over wildlife in the proposed withdrawal area. Although San Juan County is one of the most famous deer hunting areas in the Nation, we question the importance of the Needles in particular in this regard. The second thought comes after reading announcements of amendments to the Canyonlands bill that would permit game management through controlled hunter harvest. The third thought is one that has plagued us for many years. Southeastern Utah has for years been exploited by the fish and game commission as hundreds of thousands of dollars have poured into State coffers from licensing of hunting on our ranges. And, practically nothing has been returned to develop other phases of wildlife management here. We do not deny that fish are planted each year in our almost nonexistent streams and lakes. We do not deny that a few Chukkar partridges have been planted from time to time, and we do not deny that the fish and game commission has one of the finest conservation officers in the State employed in our area. We do feel, however, that funds received from sportsmen utilizing our ranges have been poured into fish and game projects all over the State, with little return to the area. In other words, we seriously question the right of the fish and game director to make strong statements in regard to Canyonlands.

We still feel that there are possibilities of working out multiple use aspects on Canyonlands that will benefit Utah. We still feel that possibly some land might be cut from the 323,000 acre proposal. We still feel that Utah's rights and interests should be protected as jealously as possible. We still feel, however, that this area needs a development such as that which has been proposed under the Canyonlands bill, and we are completely worn out over the political charges and countercharges that have been recklessly thrown from both sides.

We feel that of all statements coming out of the State Capitol in the past weeks, one by tourist and publicity council director, James Cannon, has the most wisdom behind it. Mr. Cannon said that he did not feel that multiple use should be ruled out but that in any enacting legislation, "multiple use should not take precedence over the scenic and recreational advantages of the area."

In other words, multiple use and maximum use of the land should be sought. But if all attempts at compromise fails, and it comes to a decision of national park without multiple use or no national park at all, we have no alternative but to support the national park in its most restrictive form.

Senator BIBLE. Thank you for your patience, and I think we have been moving along pretty well.

(Whereupon, at 3:25 p.m., the subcommittee recessed, to reconvene Friday, April 20, 1952.)

