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GLEN CANYON NATIONAL RECREATION AREA

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HEARING
BEFORE THE
SUBCOMMITTEE ON PARKS AND RECREATION
OF THE
COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS
UNITED STATES SENATE

NINETIETH CONGRESS

SECOND SESSION

ON

S. 27

A BILL TO ESTABLISH THE GLEN CANYON NATIONAL
RECREATION AREA IN THE STATES OF ARIZONA AND
UTAH

JULY 24, 1968



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GLEN CANYON NATIONAL RECREATION AREA

WEDNESDAY, JULY 24, 1968

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

The subcommittee met, pursuant to call, at 9:30 a.m., in room 3112, New Senate Office Building, Senator Frank E. Moss presiding.

Present: Senators Frank E. Moss, of Utah, Clifford P. Hansen, of Wyoming, and Mark O. Hatfield, of Oregon.

Also present: Senator Quentin N. Burdick, of North Dakota.

Staff members present: Jerry T. Verkler, staff director; James Meek, professional staff member, and E. Lewis Reid, minority counsel.

Senator Moss. The subcommittee will come to order.

This is a meeting of the Parks and Recreation Subcommittee of the Senate Interior Committee.

The bill on which we will receive testimony is S. 27, to establish by statute and clarify uses and boundaries of the Glen Canyon National Recreation Area, the giant water recreation resource created in Utah and Arizona by the Glen Canyon Dam on the Colorado River, which forms Lake Powell.

S. 27 would establish a Glen Canyon Recreation Area of about 1,142,433 acres of land and water, somewhat smaller than the present recreation area of 1,196,500 acres now administered by the National Park Service in cooperation with the Bureau of Reclamation. The boundaries of the area established under the provision of S. 27 are identified on NPS map numbered LNPSW-100-GLC.

These boundaries extend northward, beyond the old ones, to embrace a section of The Maze not included in the extension of Canyonlands National Park. The new boundaries also exclude two tracts of public land withdrawn for reclamation purposes in the vicinity of Sit Down Bench and Warm Creek comprising approximately 7,836 and 4,946 acres, respectively. The location of these lands adjacent to both Lake Powell and nearby coal deposits make them adaptable for the development of steam powerplants, and, if development becomes feasible, the Department has indicated its willingness to negotiate leases for the lands needed. Two private concerns have expressed an interest in steam powerplant development in this area.

Lake Powell, with a surface area of 256 square miles, has already become a recreation magnet, attracting 400,000 visitors annually. About one-fourth of the Park Service development program is complete, and as the program progresses, and more of the area is opened up, the area will become even more popular.

Enactment of S. 27 will establish the recreation area by statute, and assure its continued existence and development. It will confer on the National Park Service appropriate police power to protect the area and the people who visit there.

Enactment of S. 27 will also assure continued authority to remove both leasable and nonleasable minerals from the area, and continued use of grazing permits, subject only to regulations by the Secretary of the Interior to prevent adverse effects from these activities upon the operation of Glen Canyon Dam or on the administration of the recreation area. Navajo Tribe mineral rights and the right to use certain lands are also protected.

The bill allows hunting and fishing in accordance with the State laws of Utah and Arizona. Since language on hunting and fishing in recreation areas which was satisfactory to all concerned was worked out this year in S. 444, the bill to establish the Flaming Gorge Recreation Area, I intend to propose, at the appropriate time, an amendment to S. 27 which will incorporate this language into this bill.

The estimated costs of acquiring the 160 acres of private lands within the recreation area boundaries is set at \$175,000, and State-owned lands may be acquired or exchanged only with State concurrence. Since authority already exists under the Colorado River Storage Act to operate the recreation area, no additional development costs or operating costs will result from passage of S. 27.

The Department of the Interior recommends enactment of the bill, with amendments. A copy of the bill and the departmental reports on it will be carried in the hearings at this point. This includes also a policy statement from the Department of the Interior on hunting and fishing on lands under its jurisdiction.

(The bill and reports follow:)

[S. 27, 90th Cong., 1st sess.]

A BILL To establish the Glen Canyon National Recreation Area in the States of Arizona and Utah

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to provide for public outdoor recreation use and enjoyment of Lake Powell and lands adjacent thereto in the States of Arizona and Utah and to preserve scenic, scientific, and historic features contributing to public enjoyment of the area, there is established the Glen Canyon National Recreation Area to comprise the area generally depicted on the drawing entitled "Boundary Map, Glen Canyon National Recreation Area", numbered LNPSW-1000-GLC, and dated January 1967, which is on file and available for public inspection in the office of the National Park Service, Department of the Interior. When the Secretary of the Interior finds that two tracts of land adjacent to the boundary of the national recreation area at Sit Down Bench and Warm Creek, comprising seven thousand eight hundred and forty acres and four thousand eight hundred and sixty-six acres, respectively, are not needed or used for powersite development, he may add the lands to the area by publication of a notice in the Federal Register, and from time to time he may make other boundary revisions in the same manner, but the total acreage of the national recreation area may not exceed one million one hundred and fifty-nine thousand acres.

SEC. 2. (a) Within the boundaries of the national recreation area, the Secretary of the Interior may acquire land and interests in land by donation, purchase with donated or appropriated funds, or by exchange, except that land owned by a State, political subdivision thereof, or an Indian tribe may be acquired only with the concurrence of the owner.

(b) When acquiring property by exchange, the Secretary may accept title to any non-Federal property within the boundaries of the national recreation area and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall

be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

(c) Nothing in this Act shall be construed to affect the mineral rights reserved to the Navajo Indian Tribe under section 2 of the Act of September 2, 1958 (72 Stat. 1686), or the rights reserved to the Navajo Indian Tribal Council in said section 2 with respect to the use of the lands there described under the heading "PARCEL B".

SEC. 3. (a) The lands within the national recreation area, subject to valid existing rights, are withdrawn from location, entry, and patent under the United States mining laws. Under such regulations as he deems appropriate, the Secretary of the Interior may permit the removal of the nonleasable minerals from lands or interests in lands within the national recreation area in the manner prescribed by section 10 of the Act of August 4, 1939, as amended (53 Stat. 1196; 43 U.S.C. 387 et seq.), and he may permit the removal of leasable minerals from lands or interests in lands within the recreation area in accordance with the Mineral Leasing Act of February 25, 1920, as amended (30 U.S.C. 181 et seq.), or the Acquired Lands Mineral Leasing Act of August 7, 1947 (30 U.S.C. 351 et seq.), if he finds that such disposition would not have significant adverse effects on the Glen Canyon project or on the administration of the national recreation area pursuant to this Act.

(b) All receipts derived from permits and leases issued on lands in the national recreation area under the Mineral Leasing Act of February 25, 1920, as amended, or the Act of August 7, 1947, shall be disposed of as provided in the applicable Act; and receipts from the disposition of nonleasable minerals within the recreation area shall be disposed of in the same manner as moneys received from the sale of public lands.

SEC. 4. The Secretary of the Interior shall administer, protect, and develop the Glen Canyon National Recreation Area 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, and with any other statutory authority available to him for the conservation and management of natural resources to the extent he finds such authority will further the purposes of this Act.

SEC. 5. The Secretary of the Interior shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the Glen Canyon National Recreation Area in accordance with applicable Federal and State laws, except that he may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish and wildlife management, or public use and enjoyment. Except in emergencies, any rules and regulations of the Secretary pursuant to this section shall be put into effect after consultation with the Arizona Game and Fish Department or the Utah Department of Fish and Game.

SEC. 6. (a) Designated National Park Service employees of Glen Canyon National Recreation Area may make arrests for violations of any Federal laws or regulations applicable to the area and they may bring the accused person before the nearest commissioner, judge, or court of the United States having jurisdiction in the premises.

(b) Any United States commissioner appointed for the Glen Canyon National Recreation Area may try and sentence persons committing petty offenses, as defined in title 18, section 1, United States Code, except the commissioner shall apprise the defendant of his right to elect to be tried in the district court of the United States, and the commissioner may try the case only after the defendant signs a written consent to be tried before the commissioner. The exercise of additional functions by the commissioner shall be consistent with and be carried out in accordance with the authority, laws, and regulations, of general application to United States commissioners. The provisions of title 18, section 3402, United States Code, and the rules of procedure and practice prescribed by the Supreme Court pursuant thereto, shall apply to all cases handled by such commissioner. The probation laws shall be applicable to persons tried by the commissioner and he shall have power to grant probation. The commissioner shall receive the fees, and none other, provided by law for like or similar services.

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

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., June 24 1968.

Hon. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs, U.S. Senate, New Senate
Office Building, Washington, D.C.*

Dear Mr. CHAIRMAN: This is in reply to your request for the views of the Bureau of the Budget on S. 27, a bill "To establish the Glen Canyon National Recreation Area in the States of Arizona and Utah."

The Department of the Interior, in a report it is submitting to the Committee explains the purposes of the bill and its background. The Department also recommends several amendments to the bill. The Bureau of the Budget concurs in these amendments.

The Bureau of the Budget would have no objection to the enactment of S. 27 if amended as recommended by the Department of the Interior.

Sincerely yours,

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., June 26, 1968.

Hon. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: Your Committee has requested a report on S. 27, a bill "To establish the Glen Canyon National Recreation Area in the States of Arizona and Utah."

We recommend the enactment of the bill, if amended as suggested herein.

The bill establishes the Glen Canyon National Recreation Area and describes its boundaries by reference to a drawing numbered LNPSW-1000-GLC and dated January 1967. Within the boundaries of the proposed national recreation area the Secretary may acquire lands and interests in land by donation, purchase with donated or appropriated funds, or exchange; state-owned or Indian lands may be acquired only with the concurrence of the owner.

The National Park Service presently administers public recreation on about 1,196,500 acres of land withdrawn from public entry or acquired for the Glen Canyon Reservoir project. This administration is pursuant to a cooperative agreement of April 18, 1958, with the Bureau of Reclamation, as revised on September 17, 1965. The boundary of the national recreation area established by S. 27 will include about 1,142,433 acres of land and water, by reference to the map numbered LNPSW-1000-GLC identified in S. 27.

The boundary depicted on the map runs adjacent to, but does not encompass two tracts of public lands withdrawn for reclamation purposes in the vicinity of Sit Down Bench and Warm Creek comprising approximately 7,836 and 4,946 acres, respectively. The location of these lands with respect to Lake Powell and nearby coal deposits makes them particularly adaptable to the development of steam powerplants. Two private concerns have expressed strong interest in this development. If the development of the power sites proves feasible, this Department will be willing to negotiate leases for the lands needed for power sites under authority of existing reclamation law. Provisions would be inserted in such leases to assure compatibility of the power site development with the national recreation area and to prevent air and water pollution. Section 1 will permit the additions of these lands to the national recreation area when they are no longer needed for power site development. With this addition, the maximum acreage of the area would be 1,155,139 acres.

The major features of the area are Lake Powell, with a surface area of 256 square miles (at the 3,700 foot-elevation) extending 186 miles along the Colorado River and 71 miles along the San Juan River; the striking Glen Canyon walls; and the remarkable arches, bridges, coves, and numerous wild areas. With these features and the opportunity for a variety of recreational uses, such as, fishing, swimming, boating, water skiing, picnicking, and sightseeing, it is expected that Glen Canyon will be comparable to Lake Mead as a tourist attraction within a few years. With about one-fourth of the development program completed, the area is already receiving about 400,000 visitors annually.

Section 2(c) provides that nothing in the bill shall affect the mineral rights reserved to the Navajo Tribe under section 2 of the Act of September 2, 1958 (72 Stat. 1686), or the rights reserved by the same section to the Navajo Tribal Council with respect to the use of those lands described therein in "Parcel B". Since section 2(a) of the present bill provides that Navajo tribal lands can be acquired only with the concurrence of the tribe, and section 2(c) protects the tribe's mineral interests, as well as the rights reserved to the Navajo Tribal Council with respect to the use of certain lands, we believe that the tribal interests are adequately protected.

Section 3(a) provides continued authority to permit removal of nonleasable minerals in a manner prescribed by section 10 of the Act of August 13, 1939, as amended. Leasable minerals may be removed under the 1920 Mineral Leasing Act and the Acquired Lands Act, if the Secretary finds that such disposition would not have adverse effects on the purpose of the Glen Canyon Reservoir project or the administration of the national recreation area. It also provides for the disposition of the receipts from all mineral leasing activity within the national recreation area. Similar provisions have been adopted by the Congress in the Act of November 8, 1965 (79 Stat. 1295), establishing the Whiskeytown-Shasta-Trinity National Recreation Area.

Section 5 of the bill permits hunting and fishing, in accordance with State law, but the Secretary may designate zones where, and periods when, no hunting or fishing will be permitted for reasons of public safety, administration, fish and wildlife management, or public use and enjoyment. These regulations, except in emergencies, shall be effective after consultation with the proper State authorities. The new fish and resident wildlife policy statement recently adopted by this Department would apply to this area. A copy is enclosed for your convenience.

Under the Act of February 6, 1905 (33 Stat. 873), and the Act of March 2, 1933 (47 Stat. 1420), officers of the National Park Service do not have authority to make arrests in the national recreation areas, whereas they do have such authority in the national parks. National Park Service lacks the power to enforce the regulations, applicable to national recreation areas, which are designed to protect the areas. Section 6(a) will give the Department the needed authority.

United States Commissioners do not, as a general rule, have authority to try cases unless the United States has assumed exclusive or concurrent legislative jurisdiction over the lands involved. At the present time the United States exercises proprietary jurisdiction over the lands within the recreation area. This would be unchanged upon enactment of the bill. Subsection (b) will extend the trial authority of United States Commissioners to the lands within the Glen Canyon National Recreation Area. The need for such authority is specifically recognized in the Act of October 8, 1965 (78 Stat. 1039), concerning the administration of the Lake Mead National Recreation Area.

Map numbered LNPSW-1000-GLC identified in S. 27 does not include certain lands and facilities surrounding the Glen Canyon Dam which are administered by the Bureau of Reclamation and which should now be included within the boundaries. In this regard, however, the measure should provide that administration for project purposes of lands and facilities necessary therefor will remain unchanged. We recommend that the map reference in S. 27 be amended to reflect this boundary revision, which would increase the acreage within the area by 5,785 acres to 1,148,218.

To carry out our recommendation we suggest the following amendments to section 1 of S. 27:

1. On page 1, lines 10 and 11, change "LNPSW-1000-GLC, and dated January 1967" to "LNPSW-1000A-GLC, and dated February 1968."

2. On page 2, line 12, change "fifty-nine" to "sixty-five."

In order to allow continued administration of needed areas for reclamation purposes, we suggest the following amendment to section 4 of S. 27:

1. On page 4, line 18, delete the period, substitute a colon and add:

"Provided however, That nothing in this Act shall affect or interfere with the authority of the Secretary of the Interior granted by Public Law 485, 84th Congress, second session, to operate Glen Canyon Dam and Reservoir in accordance with the purposes of the Colorado River Storage Project Act for river regulation, irrigation, flood control and generation of hydroelectric power."

The purpose of this amendment is to insure the operation of the Glen Canyon Dam and Reservoir under existing authority.

We estimate the cost of acquiring the 160 acres of private lands within the national recreation area at \$175,000. Since authority already exists under section 8

of the Colorado River Storage Project Act (70 Stat. 105), for the development and operation of recreation facilities at the Glen Canyon Reservoir, no additional development or operating costs are attributed to this legislation.

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.

GENERAL POLICY STATEMENT RE FISH AND RESIDENT WILDLIFE ON INTERIOR LANDS

A. In all areas administered by the Secretary of the Interior through the National Park Service, the Bureau of Sport Fisheries and Wildlife, the Bureau of Land Management, and the Bureau of Reclamation, except the National Parks, the National Monuments, and historic areas of the National Park System, the Secretary shall—

1. Provide that public hunting of resident wildlife and fishing shall be permitted within statutory limitations in a manner that is compatible with, and not in conflict with, the primary objectives as declared by the Congress for which such areas are reserved or acquired;

2. Provide that public hunting, fishing, and possession of fish and resident wildlife shall be in accordance with applicable State laws and regulations, unless the Secretary finds, after consultation with appropriate State fish and game departments, that he must close such areas to such hunting and fishing or restrict public access thereto for such purposes;

3. Provide that a State license or permit, as provided by State law, shall be required for the public hunting, fishing, and possession of fish and resident wildlife on such areas;

4. Provide for consultation with the appropriate State fish and game department in the development of cooperative management plans for limiting over-abundant or harmful populations of fish and resident wildlife thereon, including the disposition of the carcasses thereof, and, except in emergency situations, secure the State's concurrence in such plans; and

5. Provide for consultation with the appropriate State fish and game department in carrying out research programs involving the taking of fish and resident wildlife, including the disposition of the carcasses thereof, and secure the State's concurrence in such programs.

B. In the case of the National Parks, National Monuments, and historic areas areas of the National Park System, the Secretary shall—

1. Provide, where public fishing is permitted, that such fishing shall be carried out in accordance with applicable State laws and regulations, unless exclusive legislative jurisdiction* has been ceded for such area, and a State license or permit shall be required for such fishing, unless otherwise provided by law;

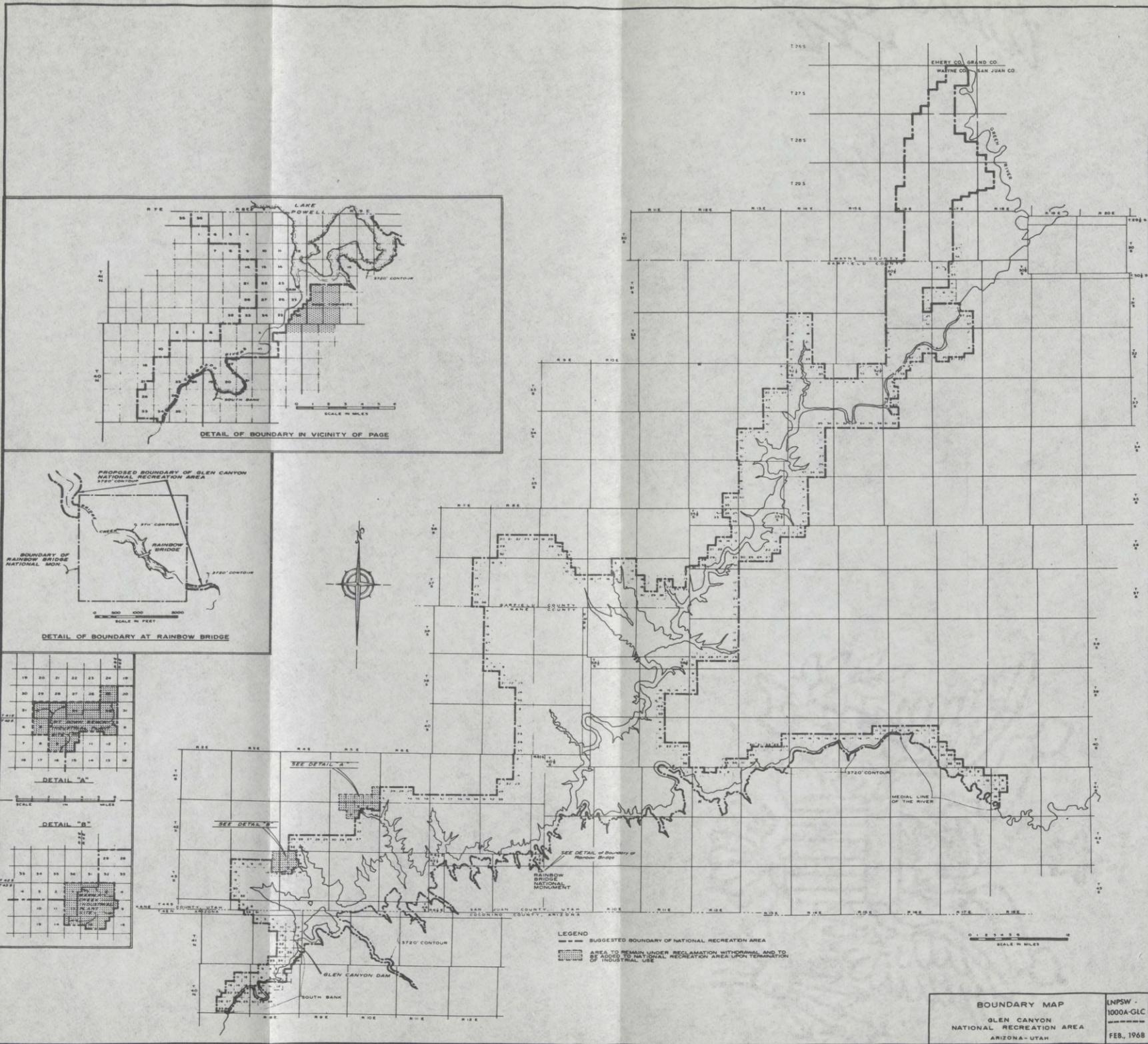
2. Prohibit public hunting; and

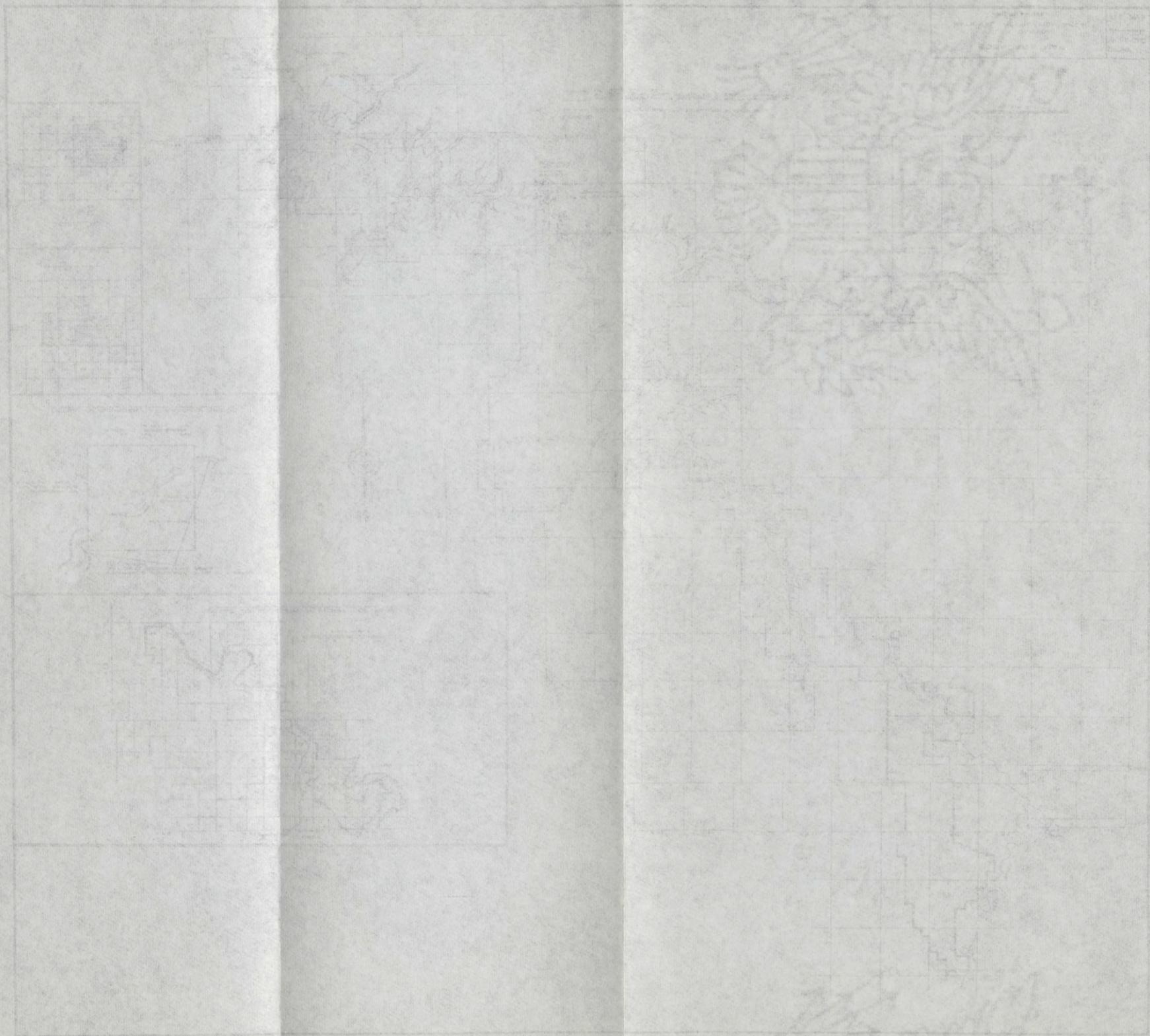
3. Provide for consultation with the appropriate State fish and game departments in carrying out programs of control of over-abundant or otherwise harmful populations of fish and resident wildlife or research programs involving the taking of such fish and resident wildlife, including the disposition of carcasses therefrom.

In any case where there is a disagreement, such disagreement shall be referred to the Secretary of the Interior who shall provide for a thorough discussion of the problems with representatives of the State fish and game department and the National Park Service for the purpose of resolving the disagreement.

Senator Moss. We are pleased to have with us this morning the Deputy Director of the National Park Service, Mr. Harthorn Bill, the Assistant Director for Legislative Affairs, Mr. Frank Harrison, and Mr. William Brigle, who is the superintendent of the Glen Canyon

*The term "exclusive legislative jurisdiction" is applied to situations wherein the Federal Government has received, by whatever method, all the authority of the State, with no reservation made to the State except the right to serve process resulting from activities which occurred off the land involved. This term is applied notwithstanding that the State may exercise certain authority over the land, as may other States over land similarly situated, in consonance with the several Federal statutes. This term is also sometimes referred to as "partial jurisdiction."





National Recreation Area, and who has come to Washington for this hearing.

Would you gentlemen like to come to the table and sit together. Then if we have questions we want to pose to any one, we will have you right there.

We will begin with Mr. Bill.

STATEMENT OF HARTHON BILL, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, ACCOMPANIED BY ASSISTANT DIRECTOR FRANK HARRISON AND WILLIAM BRIGLE, SUPERINTENDENT OF THE GLEN CANYON NATIONAL RECREATION AREA

Mr. BILL. Mr. Chairman and members of the committee, we are appearing before you today to convey to you the support of the Department of the Interior for S. 27, with certain amendments to which I will refer later in my testimony.

Pursuant to cooperative agreements with the Bureau of Reclamation, the National Park Service has been administering public recreation activities at Glen Canyon on 1,196,500 acres of land which had been withdrawn from public entry or acquired for the reservoir project. The recreation area proposed by S. 27 would include about 1,142,433 acres of land and water.

Glen Canyon has been described as a land of blue-green water; deep, clear, watery fingers winding between steep walls of sandstone; through scores of narrow side canyons into high mesas.

The lake formed by Glen Canyon Dam is the central feature of the area, having a surface area of 256 square miles at the 3,700 foot level and extending 186 miles along the Colorado River and 71 miles along the San Juan. The magnificent scenery, the sense of big country, the colorful canyon walls, arches, bridges, and coves offer a fine variety of recreation activities. As many as 400,000 people a year are now visiting the area. In 1965 Glen Canyon was recommended for national recreational area status by the Secretary's Advisory Board on Parks, Monuments, and Historic Sites.

At this point, Mr. Chairman, I would like to discuss briefly two areas of land, totaling about 13,000 acres, which are not proposed for inclusion within the recreation area at this time.

Senator Moss. Maybe Mr. Brigle could take his pointer so that the committee could be oriented. Would you mention the number on the map so we may refer to the record?

Mr. BRIGLE. This is 1000-A-GLC.

Senator Moss. Thank you. You may proceed, Mr. Bill.

Mr. BILL. These public lands are located advantageously with respect both to Lake Powell and to nearby coal deposits so that an excellent possibility exists of developing steampower plants.

Senator Moss. There are two parcels that we are concerned with?

Mr. BILL. Yes.

Should this prove feasible, the Department could negotiate leases with private enterprise for such lands under existing reclamation law, with due regard for compatibility with the recreation area, and the prevention of air and water pollution. Section 1 of S. 27 provides for the addition of these lands to the national recreation area when they are no longer needed for powersite development.

We believe that the rights of the Navajo Tribe will be adequately protected by the legislation. Mineral rights of the tribe will not be affected and no tribal lands can be acquired without the concurrence of the tribe.

Senator Moss. The Navajo Reservation stretches all along the southeast side up to San Juan; is that correct?

Mr. BILL. Yes, sir.

The legislation permits hunting and fishing in accordance with State law, but subject to secretarial designation of times when and zones where such activities may be limited if they conflict with public use and safety, or with administrative or wildlife management needs. The Department's fish and wildlife policy, as outlined in a letter dated June 18, 1968, to the International Association of Game, Fish, and Conservation Commissioners, would apply to Glen Canyon. This policy has been arrived at as the result of extended discussions between Department and the association, among others.

Senator Moss. Could I interrupt you there?

In my opening statement I indicated that, since a great deal of work had been done on the wording finally adopted for Flaming Gorge, I thought it advisable to use that same language in this bill so far as fish and game are concerned.

Are you familiar with the Flaming Gorge language and, if so, is that acceptable to the Department?

Mr. BILL. It is a disclaimer. It doesn't affect the State or Federal so that that language would be satisfactory.

Senator Moss. Thank you. You may proceed.

Mr. BILL. We would like to supply the committee with exact acreage figures for the Sit Down Bench and Warm Creek areas obtained as the result of a recent survey. These should be 7,836 and 4,946 acres, respectively, in place of the 7,840 and 4,866 acres referred to in the bill.

There are 160 acres of private lands within the area which would be required.

Senator Moss. Where are those?

Mr. BILL. At Lees Ferry.

Since authority already exists for the development of facilities for the Glen Canyon project, no additional costs for this or for operations are attributed to the legislation.

Senator Moss. Thank you, Mr. Bill.

What you are saying is that the recreation area is already operating under an interdepartmental agreement and already has a budget—

Mr. BILL. This is correct.

Senator Moss. For development and operation; and so you don't foresee any change in that if this legislation were enacted?

Mr. BILL. There would be no change. The present arrangement would be continued and the requisite staffing and development would normally follow.

Senator Moss. What, if any, advantage is there to enacting legislation as against just continuing the way we are doing now?

Mr. BILL. This would give us the authority to operate under law rather than under agreement.

Senator Moss. Can you tell me, Mr. Brigle, any instances where you have been hampered or inhibited in your management of the recreation area by reason of the fact that you only had administrative authority and have no legislative basis on which to operate?

Mr. BRIGLE. Thank you, Mr. Chairman.

I believe that the most critical aspect of this is the extension of trial authority for U.S. Commissioners. At the present time we do not have the legal authority to enforce rules and regulations in the area. Therefore, we must rely on the State and local courts for handling any of our law enforcement situations. This requires a great deal of travel by our rangers to the communities of Kanab or Monticello or Blanding. It takes them away from their jobs for up to a day at a time due to the long distances. With the establishment of the area by statute, hopefully we would have a resident U.S. Commissioner to proceed with these law enforcement cases that we do have and are having and will have at a speedier rate and it will certainly aid administration greatly.

Senator Moss. And the number of visitors, from the testimony, has now reached about 400,000 a year, which means at times you have a pretty high population on or around that lake.

Mr. BRIGLE. Yes, sir. In fact, I might add to that that as of the month of June we were 105 percent above what we were last year in visitation. The public is certainly beginning to find Glen Canyon. It has received some very fine publicity and popularity, as well it should, and I dare say that we see nothing but heavy visitation for the next few years ahead of us.

Senator Moss. Would it be your testimony that it would greatly facilitate the management if you were legislatively established with law enforcement powers and with other directions that the statute would give you for recreation area operation?

Mr. BRIGLE. Absolutely, sir.

Senator Moss. Could I ask you about the proposal now to add a section onto the recreation area that goes up west of the Canyonlands National Park. How much of this is now in the administrative agreement and how much more is added by this proposal?

Mr. BRIGLE. None of the present area is within the withdrawal boundaries at all. Right at the present time this is being administered by the Bureau of Land Management. Actually the withdrawal boundaries come into this particular area on the map so that we are not administering this highly scenic area at the present time.

Senator Moss. If that were added to the recreation area it would add some additional supervisory and maintenance problems for you. How extensive would that be?

Mr. BRIGLE. Well, we think that these problems will be minimal. We feel that we have a very wonderful area here to develop. It complements extremely well the proposed addition to Canyonlands National Park and we feel that, due to its close proximity to the administrative unit of Canyonlands, administration could be shared jointly here with the Superintendent of Canyonlands.

Senator Moss. You and Mr. Bates Wilson, Superintendent of Canyonlands, are in the same Federal family and get along pretty well; is that right?

Mr. BRIGLE. Yes, sir.

Senator Moss. If this new section were in the recreation area, it would be administered in close cooperation with the National Park Administration in the Canyonlands National Park; is that right?

Mr. BRIGLE. That is right, sir. In fact, we have already gone to the point of discussing development programs—the type of develop-

ment that would be added here, the type of management that would be most agreeable to this particular section.

Senator Moss. Now, could you build those overlooks and campsites and other developments that are planned for that extended area and still not be hampered by grazing permits that may exist?

Mr. BRIGLE. We think so. In fact, this is happening throughout the recreation area now. As you know, grazing is permitted throughout the area with the exception of the immediate development site at Bullfrog Lake and Halls Crossing where we have no problem simply because we have either fenced around the development site proper, or put in cattle guards and other restrictions. Thus grazing has gone ahead as normal and I don't anticipate any difficulty here.

Senator Moss. In fact, I think it is rather picturesque to see the cattle come down to the water.

Mr. BRIGLE. It is an historic use.

Senator Moss. So you don't foresee any real conflict or difficulty in administering that area, even though the other traditional multiple uses would continue?

Mr. BRIGLE. No, sir; because the whole basis of the recreation area management is in compatibility with multiple use. Our people are attuned to this. We have a wonderful relationship with other multiple-use agencies which border on the outside boundaries.

Senator Moss. Would you tell me just a little about these two areas that are to be retained as possible sites for generation of electric power. First of all, what is the reason? Why are those suggested?

Mr. BRIGLE. Well, these sites are suggested primarily because they are close to availability of water. These would be steam-generation plants and of course they are also adjacent to this very high coal deposit area, so that we would have a supply of coal close by to these plants and a supply of available water. I think, with these two elements together, it gives a wonderful opportunity for steam generation.

Senator Moss. Are you advised whether, under modern technology, you could have that kind of generation without polluting either the water in the lake or the air floating across the recreation area?

Mr. BRIGLE. Well, I think I would be in a better position to answer that question once we had an opportunity to study and see what the plant does at Bullhead City below Lake Mohave where Southern California Edison is putting in a similar plant.

I know when I was the assistant superintendent at Lake Mead we worked closely with California Edison and the Department of the Interior in developing the plant for released emission of smoke. I believe the Department feels that working together with industry we can keep any pollution to a minimum.

Senator Moss. It is your understanding that no agreement would be made by the Department to have the land used for power generation unless you were assured that there would be no pollution flowing to the lake or the recreation area?

Mr. BRIGLE. Absolutely.

Senator Moss. Under the provisions of the suggested amendment, those two areas ultimately would revert to the recreation area after power generation has been completed?

Mr. BRIGLE. That is right.

Senator Moss. Could they be restored to be acceptable as part of the recreation area?

Mr. BRIGLE. I think so. In fact, I think this offers a wonderful opportunity for the National Park Service to work in harmony with these two companies in land stripping and planning and developing so that we are in on the initial phase, and, when it does return to the boundary inside the park, that we have worked in close cooperation in the layout of these two sites, and it would be just a natural thing for them to fit back in. So the important part is to be in on the early stages of the development of the layout so that when it does return it would be in good condition.

Senator MOSS. Have you had any problems to date on fish and game provisions between the States and the Federal Government in administering the recreation area?

Mr. BRIGLE. Our relationship, Mr. Chairman, with both the States of Arizona and Utah Fish and Game Departments have been nothing but exceptional. As you probably know, we have representatives of the Utah Fish and Game Department living at Bull Frog right with our people, next door neighbors, so to speak, and personal relationships with the director of the Utah Fish and Game Department and with the new director of the Arizona Fish and Game Department have been excellent. We work in harmony, and if we don't, we are not going to provide a good public service.

Senator MOSS. Would the provision on fish and game which is in the Flaming Gorge bill the Senate passed be acceptable in your opinion for the continued harmony that we are talking about?

Mr. BRIGLE. Yes, sir.

Senator MOSS. How is the fishing, by the way?

Mr. BRIGLE. I was at our favorite spot on the Escalante River Saturday and caught 10 big 2-pound bass.

Senator MOSS. You are killing me.

Senator BURDICK. Mr. Chairman.

Senator MOSS. Senator Burdick.

Senator BURDICK. Ten big 2-pound bass. I want you to know that on Lake Shapokee we were pulling in big northerners.

Mr. BRIGLE. This is a new lake, Senator. Give us 2 years.

Senator MOSS. Senator Hansen, do you have any questions?

Senator HANSEN. If I were to make any observations about the superlative fishing in Wyoming I am sure both you and Senator Burdick would think I was boasting. I won't comment on that.

I do thank you very much, Mr. Chairman. I have one or two questions to ask if I may, Mr. Brigle.

As I understood the chairman in his opening statement he called attention to the fact that enactment of S. 27 would also assure continued authority to remove both leasable and nonleasable minerals from the area and continued use of grazing permits subject only to regulation by the Secretary of the Interior to prevent adverse effects of these activities in the operation of Glen Canyon Dam or the administration of the recreation area.

What are the minerals that are presently under lease and that could be removed from this area?

Mr. BRIGLE. At the present time the two primary ones are oil and gas leases. There are, of course, the coal deposits if they are developed, which would be a third.

Senator HANSEN. Are some of these coal deposits under lease?

Mr. BRIGLE. Some of these coal deposits are under lease at the present time.

Senator HANSEN. Are there any other minerals that you know of that are under lease?

Mr. BRIGLE. No, I think that is probably the extent. There are considerable gravel beds, of course, and these would be leasable.

Senator HANSEN. Would you have any idea how many acres are under lease?

Mr. BRIGLE. No, sir, but I would certainly be glad to provide that for the committee to consider.

Senator HANSEN. It might be helpful too if you could indicate the number of individuals, companies, or corporations which would have such leases.

Mr. BRIGLE. This is a sizable number, particularly at the upper end of the area.

Senator HANSEN. What about the grazing permits? Do you know how many head of livestock graze in this area?

Mr. BRIGLE. They are grazing around 25,000 animals per unit-month at the present time. These grazing permits run from the northernmost area of Bull Frog Basin down to the park headquarters.

Senator HANSEN. Perhaps you might indicate in your written response how many permittees that would include. It might be helpful.

Mr. BRIGLE. We would be pleased to provide this information for you.

Senator Hansen. I was interested in your response to Senator Moss's inquiry that in your judgment there had been no conflict at all insofar as management is concerned between the permittees and the presence of livestock in the area and the overall administration of the national recreation area.

I have no further questions, Mr. Chairman.

Senator Moss. Senator Hatfield.

Off the record for just a minute.

(Discussion off the record.)

Senator Moss. I believe that completes our questions, unless you have any information you would like to volunteer that we haven't asked you for, Mr. Brigle.

Mr. BRIGLE. No, sir. I think that covers it.

Senator Moss. As I said in the first place, what we are trying to do here is to get into the record all of the general provisions and answer in advance, if we can, questions that might arise about it because we expect to hold hearings in the field and we would like to have this record in the hands of those who testify so that there won't be any misunderstandings.

Oftentimes witnesses come in and testify about something that really isn't in a bill. This would be prevented if they had full information about it in the first place.

Thank you very much. That completes the Park Service testimony on S. 27.

We will now hear Mr. George Alderson.

STATEMENT OF GEORGE ALDERSON, REPRESENTING THE SIERRA CLUB

Mr. ALDERSON. Mr. Chairman, I would be glad to briefly describe the recommendations that we have on S. 27 at this point, if you would

like. We would like to submit a supplemental statement on this legislation.

Senator Moss. If you would do that very briefly, fine. Your supplemental statement will be included at the end of your oral presentation.

Mr. ALDERSON. The Sierra Club supports S. 27, to establish the Glen Canyon National Recreation Area. There are two basic points which we will cover in a prepared statement. The first is that, like Canyonlands, the area within the national recreation area also has a great deal of wild country in it which many Utahans and citizens of the region believe would qualify as wilderness. One of the advantages the Sierra Club sees in the national recreation area bill is that for the first time it makes Glen Canyon National Recreation Area eligible for consideration under provisions of the Wilderness Act.

We would propose that a similar 2-year review period be provided for in S. 27 to cover this area.

A second amendment which we would like to propose is that the language describing the purposes of the national recreation area be amended to strengthen it with respect to the particular wild land and scenic features of this national recreation area.

As members of the committee are aware, the Glen Canyon area has many of the qualities of the national park. In fact, in the 1930's there was a proposal for a national park in this area.

To promote the protection of these scenic qualities we would propose that the language describing the purposes of the national recreation area be strengthened by including language which will emphasize the inspirational values and the preservation of natural features within the boundaries.

Senator Moss. Thank you very much, and you have authorization to submit a written statement which will be part of the record of S. 27.

Mr. ALDERSON. Thank you.

Senator Moss. Thank you, Mr. Alderson.

(The statement referred to follows:)

SUPPLEMENTAL STATEMENT OF GEORGE ALDERSON, REPRESENTING THE SIERRA CLUB

The Sierra Club supports the objectives of S. 27, to establish by statute the Glen Canyon National Recreation Area. A measure of the national importance of the Glen Canyon region is that in few wild places could so great a loss leave so great a remnant. "The Place No One Knew," no one ever will know. The river, the canyon and the glens for which John Wesley Powell named it are lost under the water and silt of Lake Powell. What people *can* know of wildness in the Glen Canyon region is found in places like the Escalante River, the Waterpocket Fold, the Henry Mountains. Because of these—the *de facto* wilderness of the canyon country—Glen Canyon is among the greatest wild and scenic areas in the United States.

Glen Canyon National Recreation Area has many of the qualities of a national park. Its richly varied natural features, its expansive and superlative wilderness, give it a strong claim to the attention and the love of the Nation, as is true of the greatest national parks. In the 1930's the Department of the Interior proposed an Escalante National Park here. Had the reservoir not intervened, a national park would still be possible.

Similarly, the western portion of the canyonlands was part of the first Canyonlands National Park proposal. These lands, between the Land of Standing Rocks and the Orange Cliffs, now fall within this proposed national recreation area, but not because they lack the scenic or wilderness qualities of a national park. This tract deserves to be a part of Canyonlands National Park and, as Senator Moss has explained, is not now being proposed as such only because of mineral values whose development the national recreation area would permit.

So, as a result of history and modern ambition, there is in this national recreation area land as wild, as beautiful, as that of any national park—existing or proposed. The first concern of the national recreation area should be the protection of these lands as though they were in the national park they could have deserved. To have less concern would be to fritter away their great public values.

The first step should be to take inventory of wilderness in Glen Canyon National Recreation Area. Before any further road construction is begun, there should be a recommendation by the Interior Department on areas suitable for designation as wilderness. The Sierra Club urges that S. 27 be amended to provide for a two-year study of the wilderness of the National Recreation Area, in particular of the area lying north of Lake Powell and southwest of Canyonlands National Park, including the Waterpocket Fold and the Escalante country.

The following language is suggested to provide for such a study:

“Within two years from the date of enactment of this Act, the Secretary of the Interior shall review the area within the Glen Canyon National Recreation Area and shall report to the President, in accordance with subsections 3(c) and 3(d) of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1132 (c) and (d)), his recommendation as to the suitability or unsuitability of any area within the Recreation Area for preservation as wilderness, and any designation of any such area as a wilderness shall be accomplished in accordance with said subsections of the Wilderness Act.”

This amendment follows the language adopted by this Committee in the North Cascades legislation.

The rich natural endowment of the national recreation area should be more fully recognized and its protection stressed in this legislation. The language of S. 27 describing the purposes of the national recreation area fails to meet this need. The bill says, in Section 1: “to provide for public outdoor recreation use and enjoyment of Lake Powell and lands adjacent thereto in the States of Arizona and Utah and to preserve scenic, scientific, and historic features contributing to public enjoyment of the areas.”

The Sierra Club urges that this provision be amended to emphasize the inspirational and natural values of the Glen Canyon area. We shall plan to offer more detailed comments on this subject, after further study, during the field hearings.

PLANNING ON THE REGIONAL SCALE

A fact that will facilitate the preservation of wildlands in the Glen Canyon region is that Canyonlands National Park and Glen Canyon National Recreation Area are but two of the units in the much larger recreation region of southeastern Utah. State parks, national parks and monuments, national forests, and public domain lands provide abundant and varied recreation throughout the region. Other pending bills, on which there has been no action yet, call for study of a Canyon Country National Parkway (S. 648) and a recreation development study of the “Golden Circle” region (S. 258).

The Sierra Club believes that the entire spectrum of recreation opportunities can be provided in southeastern Utah without further impairing the wilderness that gives the region its allure. This can be done by sensitive regional planning which recognizes and protects the irreplaceables. In support of this objective, citizen conservationists in Utah—members of the Sierra Club and other groups—are drawing up specific proposals which will provide for appropriate access and, at the same time, preserve the basic resource of wilderness. By making substantial portions of the region’s *de facto* wilderness eligible for study under provisions of the Wilderness Act, S. 26 and S. 27 will promote conservation of the wild values that best distinguish southeastern Utah.

Senator Moss. The committee has received letters from the Southern California Edison Co., the Atlantic Richfield Co., and the Wasatch Mountain Club of Salt Lake City concerning the proposed legislation. Without objection, those letters will be printed in the hearing record at this point.

(The letters referred to follow:)

SOUTHERN CALIFORNIA EDISON Co.,
Los Angeles, Calif., July 22, 1968.

Hon. ALAN BIBLE,
Chairman, Parks and Recreation Subcommittee, Committee on Interior and Insular
Affairs, U.S. Senate, New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: The subject bill would establish the Glen Canyon National Recreation Area in the States of Utah and Arizona. Because of the effect that this bill would have on the surrounding area in which this company is interested, we wish to bring certain facts to the attention of the subcommittee.

Several tracts located adjacent to the proposed boundaries of the national recreation area have potential for development as power sites because of the proximity of coal for fuel and water for cooling purposes. Tracts of land at Sit Down Bench and Warm Creek, as well as a site on the Navajo Indian Reservation near Page, Arizona, are now under study for potential development. When these sites are developed there will be a need for rights of way for roads, transmission lines, pipelines, and other facilities which must necessarily cross portions of the lands of the United States within the recreation area. As has been done in other recreation areas, such rights of way can be utilized in a manner compatible with the purposes for which such recreation areas are created. The bill would not affect the authority of the Secretary of the Interior under existing law to grant easements and rights of way over or across lands within national recreation areas.

It is recommended that the report on this bill take notice of these facts so that there would be specific recognition of this need and an indication that grant of rights of way are anticipated and would be compatible with the uses and purposes of the recreation area.

We appreciate your consideration in this matter.

Respectfully,

ROLLIN E. WOODBURY,
Vice President and General Counsel.

ATLANTIC RICHFIELD Co.,
Dallas, Tex., July 23, 1968.

Hon. ALAN BIBLE,
U.S. Senate,
Old Senate Office Building, Washington, D.C.

DEAR SENATOR BIBLE: Atlantic Richfield Company has for several years been working with the National Park Service, Santa Fe, New Mexico, and the State Land Board of the State of Utah in conjunction with the possible development of the Kaiparowits Coal Field in Southern Utah. Both the above agencies have acknowledged the benefits to be derived from a plan to establish an industrial plant in the Kaiparowits Area for the production of synthetic crude oil from coal and the sale of any available residue to a utility group for generation of electrical power. The above agencies have also agreed with us that this project could be undertaken in a manner which will not detract from the esthetic beauty of the Area, will not interfere with the development of the Recreational Area at Lake Powell, and in such a manner so as to control both air and water pollution.

In order to accomplish these purposes, we feel it necessary that a change be made in S. 27 currently before your Subcommittee. This Bill would establish the Glen Canyon National Recreation Area in the States of Arizona and Utah. It also provides on page 2 of the Bill, lines 2 through 12, for two powersite development tracts described as "Sit Down Bench" and "Warm Creek". In line 7, page 2, these tracts are described as "powersite development".

To accomplish the desired result, we request that this "powersite development" be changed to read: "industrial plant site". This change would also be consistent with the description of the two tracts as indicated on the Boundary Map attached to S. 27 numbered LNPSW-1000-GLC.

In addition to the above change in the Bill, Atlantic Richfield desires to take this opportunity to establish for the record for the Subcommittee's discussions and consideration of S. 27 that such industrial plant site carries with it as necessary ancillary rights, the rights of ingress and egress and rights-of-way for pipelines, including a Colorado River Crossing at Lee's Ferry, located in Township 40 North, Range 7 East, Southwest of Glen Canyon Dam, and located in the extreme Southwest corner of the Recreation Area.

We recommend that the report on this Bill take notice of these facts, recognize the need therefor and indicate the grant of rights-of-way and other ancillary rights, including a Colorado River Crossing at Lee's Ferry.

Any such grants of rights-of-way would be subject to approval of the National Park Service and Atlantic Richfield would work very closely with that Service to assure it that any development of the Area by us would be conducted in such a manner as not to detract from the use and enjoyment of the Recreation Area.

Very truly yours,

W. F. KIESCHNICK, Jr.

WASATCH MOUNTAIN CLUB,
Salt Lake City, Utah, July 22, 1968.

CHAIRMAN, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
U.S. Senate, Washington, D.C.

DEAR SIR: S-26 concerning Canyonlands National Park and S-27 concerning Glen Canyon National Recreation Area.

On behalf of the Wasatch Mountain Club, I would be grateful if you would enter the following comments into the records of the hearings on the Senate Bills S-26 and S-27. Firstly we find the Bills most praiseworthy since they will extend and define the boundaries of both Canyonlands National Park and Glen Canyon National Recreation Area.

However, we feel that in order to be really effective, the boundaries of Glen Canyon National Recreation Area should be extended to include the area bounded on the east by the line from Bullfrog Basin to the Boulder road; on the north by the Boulder road to the Escalante road; on the west by the Escalante road to Hole-in-the-Rock and on the south by the present Glen Canyon National Recreation Area. If the extension includes less than this area, then the upper Escalante and its side canyons will still be subject to exploitation. Such exploitation generally results in erosion and subsequent floods downstream.

Furthermore, to afford full protection to this fragile ecological area, we feel that it should be designated as wilderness area. Rainfall in this area is quite low and the desert flora on the plateau are easily destroyed. Such destruction could lead to widespread devastation in the canyons below. Since the ecological situation is so precarious and will not withstand a great deal of abuse, we request that the National Park Service should conduct a study within two years to determine whether the area is suitable for classification under the Wilderness Act.

Yours sincerely,

W. M. STRICKLAND,
Conservation Committee.

Senator Moss. If there are no further witnesses on this legislation the subcommittee will take up other business.

(Whereupon, the subcommittee turned to other business.)

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