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CACHE AND WASATCH NATIONAL FORESTS, UTAH

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HEARING BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS UNITED STATES SENATE NINETY-SECOND CONGRESS

SECOND SESSION

ON

S. 2761

A BILL TO AUTHORIZE AND DIRECT THE SECRETARY OF AGRICULTURE TO ACQUIRE CERTAIN LANDS AND INTERESTS THEREIN WITHIN THE BOUNDARIES OF THE CACHE NATIONAL FORESTS IN THE STATE OF UTAH

S. 2762

AN ACT TO AUTHORIZE AND DIRECT THE SECRETARY OF AGRICULTURE TO ACQUIRE CERTAIN LANDS AND INTERESTS THEREIN WITHIN THE BOUNDARIES OF THE CACHE NATIONAL FORESTS IN THE STATE OF UTAH

S. 1144

A BILL TO AUTHORIZE AND DIRECT THE ACQUISITION OF CERTAIN LANDS WITHIN THE BOUNDARIES OF THE WASATCH NATIONAL FOREST IN THE STATE OF UTAH BY THE SECRETARY OF AGRICULTURE

S. 3466

AN ACT TO AUTHORIZE THE SECRETARY OF AGRICULTURE TO REVIEW AS TO ITS SUITABILITY FOR PRESERVATION AS WILDERNESS THE AREA COMMONLY KNOWN AS THE LONE PEAK AREA IN THE STATE OF UTAH

S. 2901

A BILL TO AMEND THE WILD AND SCENIC RIVERS ACT BY DESIGNATING A SEGMENT OF THE COLORADO RIVER IN THE STATE OF UTAH AS A COMPONENT OF THE NATIONAL WILD AND SCENIC RIVERS SYSTEM

WASHINGTON, D.C.—AUGUST 4, 1972

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

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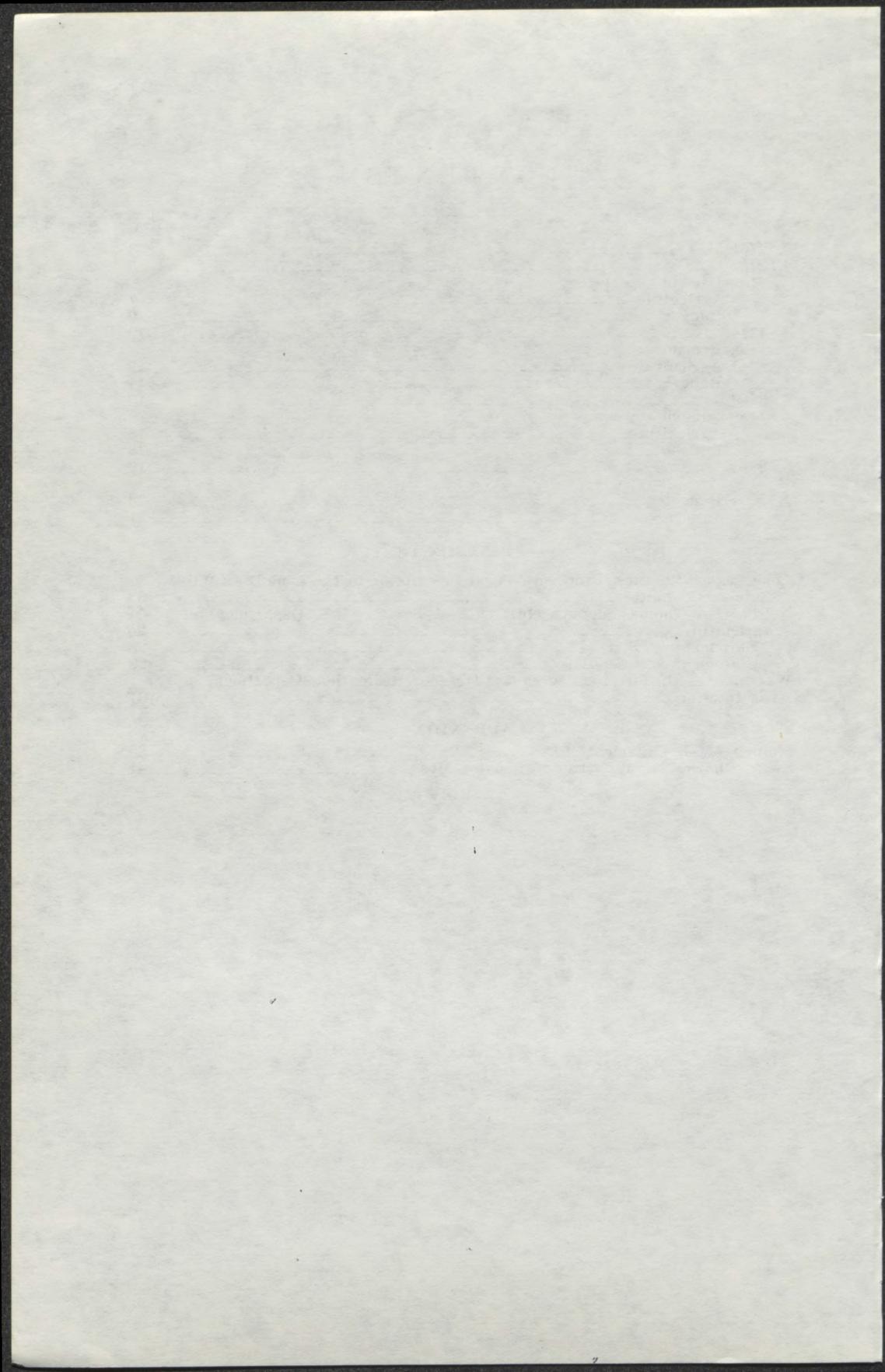
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CACHE NATIONAL FORESTS, UTAH

FRIDAY, AUGUST 4, 1972

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 a.m., in room 3106, New Senate Office Building, Hon. Frank Church, presiding.

Present: Senators Church and Moss.

Also present: Porter Ward, professional staff member.

Senator Moss (presiding). The hearing will come to order.

This is a public hearing of the Public Lands Subcommittee of the Committee on Interior and Insular Affairs.

Senator Church, the chairman of the subcommittee, was expected to be here, but has been delayed and has asked me to go ahead. So, we will proceed with the hearings which we hope will be rather brief this morning because the Senate is in session and there may be a time when it will be necessary to go to the floor of the Senate for a vote or other matters that may demand the attention of this Senator and other Senators who may join us at this hearing.

It is a little unusual to be having this hearing this morning because the Senate is now trying to finish action on must bills and has suspended hearings on matters that are not considered of crucial importance.

The fact that we were able to get permission from the Senate leadership to hold hearings on these bills indicates the leadership feels they have some crucial importance and therefore should be heard at this time.

There are four bills, actually, to be heard this morning. None of them are complex and I would say two of them are more or less in the critical category and two of them of less crucial nature.

The way to proceed, perhaps, would be to hear testimony on all of these bills by the same witnesses as they appear. We have only the Forest Service and the Bureau of Outdoor Recreation to be heard this morning, and rather than try to shuffle from bill to bill, perhaps we can proceed from one to the others.

The proposals before us today are S. 2761 and S. 2762, identical bills authorizing the U.S. Forest Service to purchase approximately 23,000 acres of private land on the Middle Fork of the Ogden River in Weber County and to add these acres to the Cache National Forest.

S. 1144, legislation authorizing the U.S. Forest Service to purchase up to 3,000 acres of private land at the head of canyons or along streams on the Salt Lake City watershed and add them to the Wasatch National Forest.

S. 3466, which would designate 13,000 totally undeveloped roadless areas in the Wasatch and Uinta National Forests southeast of Salt Lake City as the Lone Peak Wilderness Area, and S. 2901, which would designate a 13.5-mile stretch of the Colorado River near the Utah-Colorado border in Grand County as a component of the National Wild Rivers System.

I direct that the text of these bills and Department reports appear at this point in the record.

(The bills and reports referred to follow :)

92D CONGRESS
1ST SESSION

S. 2761

IN THE SENATE OF THE UNITED STATES

OCTOBER 27, 1971

Mr. BENNETT introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To authorize and direct the Secretary of Agriculture to acquire certain lands and interests therein within the boundaries of the Cache National Forest in the State of Utah.

- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That to promote in a timely and adequate manner the pro-
4 tection of the culinary and municipal water supply of Ogden
5 City and other Weber County areas, the control of floods,
6 the minimizing of soil erosion and stream pollution through
7 the maintenance of adequate vegetative cover, and the
8 conservation of the scenic beauty, wildlife habitat, and
9 natural environment of certain nonfederally owned lands
10 within the Cache National Forest in the State of Utah and

1 to provide for their management, protection, and public use
2 and enjoyment as national forest lands under the provisions
3 of the Multiple Use-Sustained Yield Act of June 12, 1960
4 (74 Stat. 215), the Secretary of Agriculture is authorized
5 and directed to acquire, at not to exceed the fair market value
6 as determined by him, such of the nonfederally owned land,
7 not to exceed twenty-three thousand acres, in the area de-
8 scribed in section 2 hereof as he finds suitable to accomplish
9 the purposes of this Act.

10 SEC. 2. This Act shall be applicable to lands within the
11 boundary of the Cache National Forest in the watershed of
12 the Middle Fork of the Ogden River, being portions of town-
13 ships 6, 7, and 8 north, ranges 2 and 3 east, Salt Lake base
14 and meridian.

15 SEC. 3. There is hereby authorized to be appropriated
16 for the purposes of this Act not to exceed \$3,450,000 to
17 remain available until expended.

92D CONGRESS
1ST SESSION

S. 2762

IN THE SENATE OF THE UNITED STATES

OCTOBER 27, 1971

Mr. Moss introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To authorize and direct the Secretary of Agriculture to acquire certain lands and interests therein within the boundaries of the Cache National Forest in the State of Utah.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, to promote in a timely and adequate manner the
4 protection of the culinary and municipal water supply of
5 Ogden city and other Weber County areas, the control of
6 floods, the minimizing of soil erosion and stream pollution
7 through the maintenance of adequate vegetative cover, and
8 the conservation of the scenic beauty, wildlife habitat, and
9 natural environment of certain non-federally-owned lands
10 within the Cache National Forest in the State of Utah,

II

1 and to provide for their management, protection, and public
2 use and enjoyment as national forest lands under the pro-
3 visions of the Multiple-Use Sustained-Yield Act of 1960
4 (74 Stat. 215), the Secretary of Agriculture is authorized
5 and directed to acquire, at not to exceed the fair market
6 value, as of the time of such acquisition, as determined by
7 him after appraisal, such of the non-federally-owned land,
8 not to exceed in the aggregate 23,000 acres, in the area
9 described in section 2 of this Act as he finds suitable to
10 accomplish the purposes of this Act.

11 SEC. 2. This Act shall be applicable to lands within
12 the boundary of the Cache National Forest in the watershed
13 of the Middle Fork of the Ogden River, being portions of
14 townships 6, 7, and 8 north, ranges 2 and 3 east, Salt Lake
15 base and meridian.

16 SEC. 3. There is hereby authorized to be appropriated
17 for the purposes of this Act not to exceed \$3,450,000, to
18 remain available until expended.



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

AUG 4 1972

Honorable Henry M. Jackson
Chairman, Committee on Interior
and Insular Affairs
United States Senate

Dear Mr. Chairman:

As you asked, here is our report on S.2761 and S.2762, identical bills "To authorize and direct the Secretary of Agriculture to acquire certain lands and interests therein within the boundaries of the Cache National Forest in the State of Utah."

The Department of Agriculture recommends that S.2761 and S.2762 not be enacted.

These bills would authorize the Secretary of Agriculture to acquire certain lands in the watershed of the Middle Fork of the Ogden River in Utah. The acquisition would be made to maintain and conserve the water quality, scenic beauty, wildlife habitat, and other natural environmental values of the area through multiple-use management. The Secretary of Agriculture would be authorized and directed to acquire by purchase, condemnation, or other lawful means at not to exceed fair market value such non-Federally owned land, not to exceed 23,000 acres, as he finds suitable to accomplish the purposes of the Act. The bills would authorize the appropriation of up to \$3,450,000 to carry out the purposes of the Act.

Recent concern about the Middle Fork watershed originated when plans were proposed to subdivide and develop privately-owned watershed lands for residential use. Subdivision development was seen as adversely affecting the capability of the watershed to produce water of acceptable quality for Ogden City and the Weber County area as well as being detrimental to other environmental values.

In areas where private land is involved, such as the watershed of the Middle Fork of the Ogden River, the Forest Service of this Department has encouraged local and State governments to take action to protect critical environmental values through authorities available to them. This approach is the thrust of this Administration's proposed National Land Use Policy Act. In the Middle Fork watershed it is our understanding that the local County Planning Commission has reviewed subdivision plans and made zoning recommendations based on State law that would permit one dwelling per forty acres or one dwelling per ten acres and clustering in certain approved areas of the watershed.

The Department of Agriculture now has adequate substantive authority to acquire lands such as those of the Middle Fork watershed. However, for the above reasons, we believe local and State authorities are in the best position to take needed action now within the watershed of the Middle Fork of the Ogden River.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

J. Phil Campbell
Under Secretary

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

AUG 8 1972

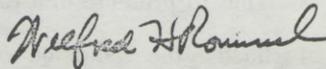
Honorable Henry M. Jackson
Chairman, Committee on Interior
and Insular Affairs
United States Senate
3106 New Senate Office Building
Washington, D. C. 20510

Dear Mr. Chairman:

This is in response to your request for the views of the Office of Management and Budget on S. 2761 and S. 2762, "To authorize and direct the Secretary of Agriculture to acquire certain lands and interests therein within the boundaries of the Cache National Forest in the State of Utah."

The Office of Management and Budget concurs in the views of the Department of Agriculture in its report on S. 2761 and S. 2762, and accordingly recommends against enactment of the bills.

Sincerely,



Wilfred H. Rommel
Assistant Director for
Legislative Reference

92^D CONGRESS
1ST SESSION

S. 1144

IN THE SENATE OF THE UNITED STATES

MARCH 9 (legislative day, FEBRUARY 17), 1971

Mr. Moss introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To authorize and direct the acquisition of certain lands within the boundaries of the Wasatch National Forest in the State of Utah by the Secretary of Agriculture.

- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That to promote in a timely and adequate manner control of
4 floods, the reduction of soil erosion and stream pollution
5 through the maintenance of adequate vegetative cover, and
6 the conservation of their scenic beauty and the natural en-
7 vironment, and to provide for their management, protection,
8 and public use as national forest lands under programs of
9 multiple use, the Secretary of Agriculture is authorized and
10 directed to acquire, at not to exceed the fair market value as

1 determined by him, such of the nonfederally owned land,
2 not to exceed three thousand acres, in the area described
3 in section 2 hereof as he finds suitable to accomplish the
4 purposes of this Act.

5 SEC. 2. This Act shall be applicable to lands within
6 the boundary of the Wasatch National Forest in the water-
7 sheds of Mill Creek, Big Cottonwood Creek, and Little
8 Cottonwood Creek, being portions of townships 1, 2, and
9 3 south, ranges 1, 2, and 3 east, Salt Lake base and
10 meridian.

11 SEC. 3. There is hereby authorized to be appropriated
12 for the purposes of this Act not to exceed \$, to
13 remain available until expended.



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

AUG 4 1972

Honorable Henry M. Jackson
Chairman, Committee on Interior
and Insular Affairs
United States Senate

Dear Mr. Chairman:

As you requested, here is our report on S. 1144, a bill "To authorize and direct the acquisition of certain lands within the boundaries of the Wasatch National Forest in the State of Utah by the Secretary of Agriculture."

The Department of Agriculture recommends that S. 1144 not be enacted.

S. 1144 would authorize and direct the Secretary of Agriculture to acquire non-Federally owned land, not to exceed three thousand acres, located within the boundary of the Wasatch National Forest in the watersheds of Mill Creek, Big Cottonwood Creek, and Little Cottonwood Creek. The Secretary of Agriculture would select the lands in order to protect their watershed and other environmental values under a program of multiple use management.

S. 1144 is directed at efforts, which were first made in 1966, toward development of year-around residential subdivisions on private lands in Little Cottonwood Canyon, within the Wasatch National Forest. The development proposals have resulted in a continuing public concern over the management of private lands in the three drainages since the developments would directly affect the water supply of metropolitan Salt Lake City.

The drainages of Mill Creek, Big Cottonwood Creek and Little Cottonwood Creek have high public value for watershed purposes, and the production of water for agricultural, culinary, and industrial purposes, by the metropolitan Salt Lake City area. Because of the urban dependence upon this water supply, the control of siltation, pollution, and timing of runoff, is critical. Replacement of the absorptive soil and vegetation cover of the canyon floors with paved roads and rooftops would have undesirable watershed effects. The canyons adjacent to the Salt Lake City metropolitan area also represent an important outdoor recreation resource which would be negated by housing development.

The Forest Service of this Department now has adequate authority to purchase the lands involved in this legislation. From 1967 to 1971, the Forest Service acquired about 2,000 acres of recreation tracts for about \$2,000,000 in Big Cottonwood and Little Cottonwood Canyons on the Wasatch National Forest with funds available from the Land and Water Conservation Fund.

We believe that generally, local government agencies should take the lead in solving private land use matters, utilizing authorities available to them. This approach is the thrust of this Administration's proposed National Land Use Policy Act. In response to public concern Salt Lake County has recently rezoned critical watershed lands within the County on the Wasatch Front. Continued efforts of this kind, along with enforcement of applicable environmental quality standards, can deal with the problems that exist in the areas involved in S. 1144.

Although we do not believe Federal acquisition of these lands is now a necessary alternative, we will monitor the situation carefully to be prepared to take action, if needed to protect National Forest lands and programs. Since we now have adequate acquisition authority available to us, S. 1144 would not be necessary even if Federal purchase is deemed desirable at a future time.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

J. Phil Campbell
Under Secretary

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

AUG 9 1972

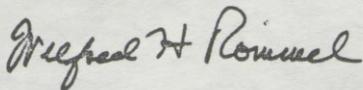
Honorable Henry M. Jackson
Chairman, Committee on Interior
and Insular Affairs
United States Senate
3106 New Senate Office Building
Washington, D. C. 20510

Dear Mr. Chairman:

This is in response to your request of March 20, 1972 for the views of the Office of Management and Budget on S. 1144, "To authorize and direct the acquisition of certain lands within the boundaries of the Wasatch National Forest in the State of Utah by the Secretary of Agriculture."

The Office of Management and Budget concurs in the views of the Department of Agriculture in its report on S. 1144 and accordingly recommends against enactment of the bill.

Sincerely,



Wilfred H. Rommel
Assistant Director for
Legislative Reference

92D CONGRESS
2D SESSION

S. 3466

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 1972

Referred to the Committee on Interior and Insular Affairs

AN ACT

To authorize the Secretary of Agriculture to review as to its suitability for preservation as wilderness the area commonly known as the Lone Peak Area in the State of Utah.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) the Secretary of Agriculture, in accordance with
4 the provisions of subsection 3 (d) of the Wilderness Act of
5 September 3, 1964 (78 Stat. 892), relating to public notice,
6 public hearings, and review by State and other agencies, shall
7 review, as to its suitability or nonsuitability for preservation
8 as wilderness, the area (or any portion thereof) located par-
9 tially in Wasatch National Forest and partially in Uinta

1 National Forest, containing approximately twenty thousand
2 acres, lying generally southwest of Salt Lake City, Utah, and
3 commonly referred to as the Lone Peak Area, and shall report
4 his findings to the President on or before the expiration of
5 the two-year period following the date of the enactment of
6 this Act. The President shall advise the United States Senate
7 and House of Representatives of his recommendations with
8 respect to the designation of such area or portion thereof as
9 "wilderness", together with maps and a definition of bound-
10 aries. Any recommendation of the President to the effect
11 that such area or portion thereof should be designated as
12 "wilderness" shall become effective only if so provided by
13 an Act of Congress.

14 (b) During the review period provided by this Act and
15 for a period of three years after his recommendations are
16 submitted, the Secretary shall manage and protect the re-
17 sources of the Lone Peaks study area in such a manner as
18 to assure that the suitability of all or any part of the area
19 now suitable for potential wilderness designation is not
20 impaired.

21 (c) The review required by this Act, including any
22 reports and recommendations with respect thereto, shall,
23 except to the extent otherwise provided in this Act, be con-
24 ducted in accordance with the applicable provisions of the
25 Wilderness Act.

1 SEC. 2. There is hereby authorized to be appropriated
2 such amount as may be necessary to carry out the provisions
3 of this Act.

Passed the Senate September 19, 1972.

Attest:

FRANCIS R. VALEO,

Secretary.

U.S. DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., August 4, 1972.

HON. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate*

DEAR MR. CHAIRMAN: As you asked, here is our report on S. 3466, a bill to establish the Lone Peak Wilderness Area in the State of Utah.

The Department of Agriculture recommends that S. 3466 not be enacted.

S. 3466 would establish the Lone Peak Wilderness, an area of approximately 13,000 acres, within and as a part of the Wasatch and Uinta National Forests, Utah.

The Wilderness Act of 1964 (78 Stat. 890) established the National Wilderness Preservation System. Subsection 3(b) of the Wilderness Act directed the Secretary of Agriculture to review the areas then classified as national forest primitive areas, within 10 years of its enactment, as to their suitability or nonsuitability for preservation as wilderness. The act provided that the Secretary is to report his findings to the President, and the President is to submit his recommendations to Congress.

The Lone Peak Area is not classified as a national forest primitive area. However, under other authority, the Forest Service is in the process of identifying undeveloped areas of the national forest system which warrant future review, under the procedures similar to those prescribed for primitive areas by the Wilderness Act, as to their suitability or nonsuitability for inclusion in the national wilderness preservation system. The Lone Peak Area is included among the areas for the Forest Service is now investigating to determine if it warrants further consideration—preliminary data indicates that it does. In the interim, the area is being managed to exclude any activity which would depreciate its potential wilderness value.

S. 3466 would designate the Lone Peak Wilderness before completion of an intensive study and review process similar to that applicable to national forest primitive areas. We believe such a review should be accomplished, and that it be undertaken subsequent to completion of the primitive area review process. For these reasons we recommend that the Lone Peak Area not be designated as wilderness at this time.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,

J. PHIL CAMPBELL, *Under Secretary.*

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., August 8, 1972.

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 response to your request of May 2, 1972, for the views of the Office of Management and Budget on S. 3466, to establish the Lone Peak Wilderness Area in the State of Utah.

The Office of Management and Budget concurs in the views of the Department of Agriculture in its report on S. 3466, and accordingly recommends against enactment of the bill.

Sincerely,

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

92D CONGRESS
1ST SESSION

S. 2901

IN THE SENATE OF THE UNITED STATES

NOVEMBER 23, 1971

Mr. Moss introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To amend the Wild and Scenic Rivers Act by designating a segment of the Colorado River in the State of Utah as a component of the national wild and scenic rivers system.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That section 3 (a) of the Wild and Scenic Rivers Act is
4 amended by adding at the end thereof the following:

5 (9) COLORADO RIVER, UTAH.— The thirteen and one-
6 half miles segment which flows from mile point 1052½ to
7 mile point 1039 (such segment being the segment which
8 begins approximately six miles from the boundary between
9 the States of Utah and Colorado and runs westward in the
10 State of Utah); to be administered by the Secretary of the
11 Interior.”.

1 SEC. 2. The Secretary of the Interior shall, within one
2 year following the date of the enactment of this Act, take,
3 with respect to the segment included as a component of the
4 national wild and scenic rivers system by this Act, such ac-
5 tion as is provided for under section 3 (b) of the Wild and
6 Scenic Rivers Act; except that, the reference in such sub-
7 section to the "date of this Act" shall be construed to refer
8 to this Act.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

AUG 3 1972

Dear Mr. Chairman:

Your Committee has requested the views of this Department on S. 2901, a bill "To amend the Wild and Scenic Rivers Act by designating a segment of the Colorado River in the State of Utah as a component of the national wild and scenic rivers system."

We recommend against enactment of S. 2901 in its present form but have no objection to its enactment, if amended as discussed below.

S. 2901 amends section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) by adding to that section a paragraph designating, as a component of the national wild and scenic rivers system, a 13-1/2 mile segment of the Colorado River, beginning approximately 6 miles from the boundary between Colorado and Utah and running west into Utah. The segment would be administered by the Secretary of the Interior, who is required within 1 year of enactment of S. 2901 to establish detailed boundaries for the component, determine the class of river--wild, scenic, or recreational--into which it falls, and prepare a development plan, in accord with section 3(b) of the Wild and Scenic Rivers Act.

S. 2901 would in effect make the Westwater Canyon section of the Colorado River an "instant" component of the wild and scenic rivers system by adding it to section 3(a) of the Wild and Scenic Rivers Act.

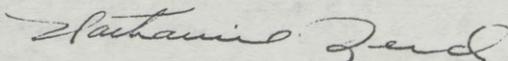
The Department believes that it is not consistent with the purpose of the Wild and Scenic Rivers Act to add new components directly to section 3 of the Act, creating "instant rivers." The Act states explicitly, in section 1(c), that one of its purposes is to prescribe the methods by which additional components may be added to the system from time to time. It then provides such procedures in sections 4 and 5. As the Senate Report, No. 491, 90th Congress, 1st session, on S. 119 stated:

"(T)he committee is cognizant that there are many other rivers throughout the United States which may qualify for the system. The bill establishes procedures by which these may be added." At page 6.

The Department believes, therefore, that the appropriate statutory treatment of a river segment, such as Westwater Canyon, would be addition of the segment to section 5(a) of the Act, for study by the Secretary of the Interior. The Department has no objection to amendment of S. 2901 to provide for the inclusion of the river segment which is the subject of this bill in section 5(a) of the Wild and Scenic Rivers Act.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,



~~Assistant~~ Secretary of the Interior

Hon. Henry M. Jackson
Chairman, Committee on
Interior and Insular Affairs
United States Senate
Washington, D.C.

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

AUG 8 1972

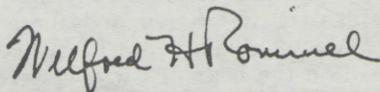
Honorable Henry M. Jackson
Chairman, Committee on Interior
and Insular Affairs
United States Senate
3106 New Senate Office Building
Washington, D. C. 20510

Dear Mr. Chairman:

This is in response to your request of January 19, 1972 for the views of the Office of Management and Budget on S. 2901, "To amend the Wild and Scenic Rivers Act by designating a segment of the Colorado River in the State of Utah as a component of the national wild and scenic rivers system."

The Office of Management and Budget concurs in the views of the Department of the Interior in its report on S. 2901, and accordingly recommends enactment of the bill if amended as proposed in the Department's report.

Sincerely,



Wilfred H. Rommel
Assistant Director for
Legislative Reference

Senator Moss. Hearings have already been held in Salt Lake City, Utah, and Ogden, Utah, on these matters.

We will first hear from the Forest Service and begin with S. 2761, S. 2762, and S. 1144.

These are the bills that authorize the Forest Service to acquire and add to the Wasatch National Forest and the Cache National Forest areas of lands that are needed for watershed protection in the metropolitan areas of Utah.

Testimony at the field hearings pointed out that these areas are part of the Salt Lake City and Ogden watersheds and that it is of greatest importance that they be managed appropriately to protect the water supply.

Testimony was presented that pollution that originates in one of the very short canyons that drains into the Salt Lake Valley would, within 6 hours, find its way into the water mains of the city. This is a stark reality that has been facing us for a long time. We have been worrying about areas of privately owned land near both Ogden and Salt Lake that are now on the verge of subdivision for building of condominiums and homes. The greatest urgency is felt by the County Commission of Salt Lake County, the City Commission of Salt Lake City, the City Council of Ogden, the County Commission of Weber County. All of the official bodies of the State including the Governor and director of natural resources for the State have urged prompt action on these bills.

In the 3 or 4 years we have been talking about this problem and getting this legislation ready, the cost of acquiring the land has gone up astronomically and will continue to go up.

If we delay longer it simply means the cost will be still higher and the threat will be greater. There obviously will come a time when something must be done about these lands if we are not to have hanging over the residents of Salt Lake and Ogden Valley—Weber Valley—this threat of pollution from these areas.

I am pleased the chairman is here now. I undertook to open the hearings, Mr. Chairman, and I have been making remarks about these bills based on the hearings which were held earlier in Utah on them. They are all Utah-oriented bills.

I said at least two of these bills, three really—they are identical bills on one subject—but in two areas, are of crucial importance. The others are not as of great importance but significant enough that we were able to schedule these hearings today even though the Senate is in session and there is a ban on holding hearings of noncrucial matters.

So, I will now ask you to take over, if you will, sir, and I indicated you probably would want to start with the Forest Service.

Senator CHURCH (presiding). Thank you very much, Senator.

I am here this morning principally to show my interest and concern about these measures. I won't be able to stay for the whole hearing because of the conflict in my schedule. But I will be able to get started with you and then turn the mallet over to you.

Our first witness is Dr. Thomas Nelson, Deputy Chief of the Forest Service.

Dr. Nelson.

STATEMENT OF DR. THOMAS NELSON, DEPUTY CHIEF, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Dr. NELSON. I gather that you would like to have the presentation on S. 2761 and S. 2762 first, is that correct, sir; or would you like to have 1144?

Senator CHURCH. Start with S. 2761 and S. 2762, please.

Dr. NELSON. Mr. Chairman and members of the committee, I appreciate this opportunity to present the views of the Department of Agriculture on proposed legislation to acquire certain lands within the Cache National Forest in the State of Utah.

S. 2761 and S. 2762 are identical bills that would authorize the Secretary of Agriculture to acquire up to 23,000 acres, in the watershed of the Middle Fork of the Ogden River.

The purpose of the acquisition would be to maintain and conserve the water quality, scenic beauty, wildlife habitat and other natural environmental values of the area through multiple-use management.

The Middle Fork is the watershed for Ogden City and the Weber County area. Proposed plans to subdivide and develop privately owned lands within the Middle Fork watershed have caused a great deal of local concern. Many feel that such development would adversely affect the watershed values and be detrimental to other environmental values as well.

We believe that, generally, local government agencies should take the lead in solving private land-use matters. This approach is in keeping with the basic thrust of this administration's proposed National Land Use Policy Act.

Zoning and prudent land-use restrictions, along with enforcement of applicable environmental quality standards, can, adequately deal with problems that exist in the area involved in these bills.

In the Middle Fork watershed it is our understanding that the local County Planning Commission has reviewed subdivision plans and made zoning recommendations based on State law that would permit one dwelling per 40 acres or one dwelling per 10 acres and clustered in approved areas.

For these reasons, we do not believe Federal acquisition of these lands is now a necessary alternative.

In closing, I would like to mention that the Forest Service already has adequate authority to purchase the lands involved in this legislation.

Mr. Chairman, this completes my prepared statement on S. 2761 and S. 2762.

I will be glad to respond to questions you might have.

Senator CHURCH. Before we go to questions, Dr. Nelson, why don't you give the balance of your testimony on S. 1144.

Dr. NELSON. All right, sir.

STATEMENT OF DR. THOMAS NELSON ON S. 1144

Dr. NELSON. Thank you for this opportunity to present the views of the Department of Agriculture on S. 1144.

This bill concerns possible Federal acquisition of lands within the boundaries of the Wasatch National Forest in the State of Utah.

S. 1144 would authorize and direct the Secretary of Agriculture to acquire up to 3,000 acres of certain private land within the Wasatch National Forest.

The lands are in the Mill Creek, Big Cottonwood Creek, and Little Cottonwood Creek watersheds. Specific tracts would be selected by the Secretary of Agriculture, who would seek to protect watershed and other environmental values under a program of multiple-use management.

The drainages of Mill Creek, Big Cottonwood Creek, and Little Cottonwood Creek have high public value for watershed purposes. They are of prime concern to the metropolitan Salt Lake City area. Because of the urban dependence upon this water supply, the control of siltation, pollution, and runoff, is critical. The canyons also represent an important recreation resource.

Since 1966 there have been efforts to develop year-around residential subdivisions on private lands in Little Cottonwood Canyon. The development proposals have resulted in a continuing public concern over the management of private lands in the three drainages identified in S. 1144. Replacement of the natural cover of the canyon floors with paved roads and rooftops would have undesirable watershed effects. The outdoor recreation resource would likewise be diminished by housing developments.

In keeping with the trust of this administration's proposed National Land Policy Act, we believe that, generally, local government agencies should take the lead in solving private land-use matters.

Zoning and prudent land-use restrictions, along with enforcement of applicable environmental quality standards, can deal with the problems that exist in the areas involved in S. 1144.

We do not believe Federal acquisition of these lands is now a necessary alternative. We will monitor the situation carefully and will be prepared to take action, if needed, to protect national forest lands and programs.

The Forest Service now has adequate authority to purchase the lands involved in this legislation. From 1967 to 1971 we acquired about 2,000 acres of recreation tracts for approximately \$2 million using land and water conservation funds.

This completes my prepared statement on S. 1144, and again I will be glad to respond to any questions you may have.

Senator CHURCH. Thank you.

With respect to both bills, you have testified that the Forest Service presently has the authority to purchase the lands in question, implying, therefore, that the bills are unnecessary in any case. But isn't it true that either bill or both bills, if enacted, the Forest Service would be required to make the purchase?

Dr. NELSON. That is correct, sir. I interpret it to be a direction to the Secretary.

Senator CHURCH. So there is a purpose in offering the bills since the administration is opposed to the acquisition. If these bills are enacted into law, you would be obliged to purchase it; is that correct?

Dr. NELSON. That is correct.

Senator CHURCH. And that is the reason you oppose these bills?

Dr. NELSON. That is correct.

Senator CHURCH. Senator Moss.

Senator Moss. Thank you, Mr. Chairman.

Dr. Nelson, doesn't your testimony today represent a change of position of the Forest Service with previous discussions that have been held in years past on these tracts?

Dr. NELSON. I believe you are correct, Senator.

Senator Moss. Does this change come from conferences with the Office of Management and Budget? Is it OMB which altered your direction?

Dr. NELSON. This is our position, sir, and this position has been cleared with the Office of Management and Budget.

I think that part of the reasoning here, sir, is the fact that the administration has proposed a National Land Use Policy Act that has not been proposed previously.

Senator Moss. Well, you are aware of the fact that these areas are really enclaves within the forest, surrounded by the forest, and yet you think it is a sound policy to recommend that these enclaves sit within the forest without proper management, rather than have the whole area managed as one unit?

Dr. NELSON. There are throughout the national forest system, sir, many enclaves of this type.

I think in this particular case it would be desirable from the watershed management and recreation standpoint for these tracts of land to be within the national forest system.

If we view this in an overall national perspective, perhaps the priority on this particular legislation, as far as the administration is concerned, would be lower than some other areas.

Senator Moss. In setting this policy I assume the Forest Service looked at those specific tracts. Was the Forest Service also aware of the official action taken by the governing bodies of the counties in which these areas lie and the cities and suburban areas that are served by water from these areas urging that this bill be passed?

Dr. NELSON. Yes, sir; we are aware of the proclamations by Weber County and Salt Lake City.

Senator Moss. One of the witnesses who testified in Salt Lake City—in fact the mayor—who owned some of this land, offered to make a donation because he felt the problem was so urgent. Doesn't that impress the Forest Service, a man living right there thinks it is so critical that he is willing to donate the property he owns of immense value?

Dr. NELSON. Yes, sir; this does, and these proclamations at the hearings in Salt Lake City and Ogden were taken into account, sir.

Senator Moss. The Forest Service of course does have a management plan that it operates in Big Cottonwood and Little Cottonwood and Mill Creek Canyon; is that correct?

Dr. NELSON. Yes, sir.

Senator Moss. One of the factors there is to determine the areas of pollution and preserve scenic beauty and recreational use; is that correct?

Dr. NELSON. That is correct.

Senator Moss. If tracts sitting within the forest were to be used for some purpose other than the general plan of the Forest Service, it would upset your use of the whole area; wouldn't it?

Dr. NELSON. It would have an effect on it; yes, sir.

Senator Moss. Well, I understand the position that you occupy since the Forest Service and the Department of Agriculture has taken this position, but it obviously surprises me since I have worked on these bills for years and have had similar bills passed. Your testimony represents a complete turnaround which, as far as I can see, is based simply on money and the cost of acquisition, and the cost of acquisition is going up every year. That land is accelerating rapidly in value; is that not correct?

Dr. NELSON. That is correct. I believe the land in the canyons near Salt Lake City is valued something in the neighborhood of \$1,000 an acre these days and the value seems to be rising.

Senator Moss. My observation is that that is a modest appraisal of areas that are suitable for building condominiums and that the cost of land is simply skyrocketing. In another year or two it is likely to double again.

The longer purchase of this land is postponed the more difficult position we occupy in trying to secure it, if it is ever to be placed within the Forest Service.

It is unfortunate, I have always thought, that when we created the national forest we didn't proceed also to acquire the enclave lands of various kinds at that time. They have plagued us for the last half century as we have had to try to go about filling in these patches within the forest.

So, I am of course very disappointed. It seems to me all of your planning about where the roads are to be and what kind of uses are to be made and where houses are to be permitted and where sewers must be built will be interrupted by having this mixed ownership of the land. Certainly that is how the local citizens feel.

The only opposition that was heard at all at our hearings out in Utah came from one or two of the landowners, and that was purely economic, I am sure.

They envisioned building condominiums in the area and selling them for a high amount and making money. Some of them were conscious of the water supply hazard and they inquired about the possibility of land exchanges.

Does the Forest Service have authority now to exchange lands? Could these people, if they were willing, surrender the lands that we are talking about in these bills and accept other forest lands? Can the Forest Service do that?

Dr. NELSON. As I understand it, sir, the lands within the Great Salt Lake Basin are not eligible for exchange under the usual exchange authority that we use. Unless a portion of the exchange lands were outside of the basin, it is my understanding that this alternative would not be viable.

Senator Moss (presiding). So the only way the Forest Service could acquire these lands under present authority would be simply by purchase?

Dr. NELSON. This is my understanding.

Senator Moss. It is going to cost a lot of money.

Well, I don't have any additional questions on these two bills. I think I have expressed my point of view and the committee will have to decide whether, faced with the recommendation of the Forest Service, it would still like to go ahead and authorize the acquisition of these lands. But this, of course, is much more unlikely in the face of the adverse report.

Would you now please testify on S. 3466, which is the Lone Peak Wilderness proposal.

Dr. NELSON. Yes, sir.

STATEMENT OF DR. THOMAS NELSON ON S. 3466

Dr. NELSON. I appreciate this opportunity to present the views of the Department of Agriculture on proposed legislation that would designate a Lone Peak Wilderness in the State of Utah.

The Wilderness Act of 1964 established the National Wilderness Preservation System. Subsection 3(b) of the Wilderness Act directed the Secretary of Agriculture to review the areas then classified as National Forest Primitive Areas, within 10 years of its enactment, as to their suitability or nonsuitability for preservation as wilderness.

The act provided that the Secretary is to report his findings to the President, and the President is to submit his recommendations to Congress.

The Lone Peak area is not a national forest primitive area. S. 3466 would establish this 13,000-acre area as a wilderness without formal study.

We believe that a systematic study—conducted in the same manner as primitive areas are reviewed—is desirable. Such a study should be made after completion of the primitive area review process. In accordance with the Wilderness Act, primitive area studies will be completed by September 1974.

Under other authority, the Forest Service is in the process of identifying undeveloped areas of the national forest system which warrant future review, under the procedures similar to those prescribed for primitive areas by the Wilderness Act, as to their suitability or nonsuitability for inclusion in the National Wilderness Act, as to their suitability or nonsuitability for inclusion in the National Wilderness Preservation System.

The Lone Peak area is included among the areas the Forest Service is now investigating to determine if it warrants further consideration—preliminary data indicates that it does. In the interim, the area is being managed to exclude any activity which would depreciate its potential wilderness value.

We, therefore, recommend that the Lone Peak area not be designated as wilderness at this time.

Mr. Chairman, this completes my prepared statement. I will be glad to try to answer any questions you may have.

Senator Moss. Thank you.

I am interested in what actions are being taken to exclude activity that would depreciate potential wilderness value. What is the Forest Service doing now to protect this area?

Dr. NELSON. The area is an important watershed for the city of Salt Lake. Fifty percent of the water rights from the area belong to the city of Salt Lake and 50 percent to private irrigation companies.

So the area is being managed essentially as a watershed. There are stands of timber in the area, but they are not included in the allowable cut of either of the two national forests involved.

The area is protected against domestic livestock grazing. There is little possibility of altering vehicles using this area to a large degree because of access. I do not know at present whether consideration is being given to some type of closure for this purpose.

Senator Moss. You are speaking, I suppose, of the 13,000-acre area around Lone Peak where the general line was drawn by the Forest Service at my request at the time of the drafting of the bill. There are additional areas that a number of witnesses appeared and recommended be added to that area. Those, I think, your testimony would indicate, are not receiving any particular protection at this time, especially on the south and a bit to the east—the area that many of the witnesses thought should be included in the wilderness.

Dr. NELSON. That is all the way down to the American Fork drainage that you are talking about?

Senator Moss. Yes.

Dr. NELSON. These areas are receiving protection, Senator. I know that there is a very adequate fire protection being provided these areas and the like. I do not have information at this time as to the situation concerning grazing or timber operations on the areas that are not within the 13,000 acres that are addressed in this bill.

Senator Moss. One of the concerns centers around the building of towers for sky lifts in the area. Is there any line of restriction that you have drawn on that?

Dr. NELSON. I do not know, sir. I can get this information for the record if the Senator would so desire.

Senator Moss. Well, you indicate that there is some study going on at this time, but you indicated not until September of 1974 would the study of the Wilderness Act Primitive Area be completed.

So that means that we are more than 2 years away from getting an answer on this, is that right?

Dr. NELSON. That is correct, sir. In addition to that timeframe, from the beginning of the study of the wilderness area—of an area for inclusion under the Wilderness Act, with the standards described in section 3(b) of the act, it takes approximately 2 years to obtain the necessary information on the resources and on the minerals within the area and to hold the necessary public hearings.

Senator Moss. Do you currently have a withdrawal of this area from mineral entries?

Dr. NELSON. I don't think we do.

Senator Moss. Somebody might make an entry, then, and establish a claim in there.

Dr. NELSON. Well, to my knowledge, within the 13,000 acres there are no mining claims or patents in force, although the Utah geological mineral survey lists parts of this area as being highly mineralized.

Senator Moss. Yes, at least not very far away from this area it is mineralized. That whole mountain chain has mineralization in it. So it is possible.

Is the study going to encompass an area wider than the 13,000 acre boundaries suggested by the bill?

Dr. NELSON. It is my understanding that the area under preliminary study is 13,000 acres.

Senator Moss. So it does not go beyond that?

Dr. NELSON. It is my understanding that it does not go down to American Fork Canyon.

Senator Moss. Other than the study there is no money acquisition cost involved in this, is that correct?

Dr. NELSON. Within the 13,000 acres there is not. It is my understanding that to the south of these 13,000 acres there is considerable private land.

Senator, I think this point did not come up, and I neglected to mention it. I am sure you realize under wilderness designations that the mineral withdrawal has not occurred.

Senator Moss. Not for the first 10 years, I think.

Dr. NELSON. That is right.

Senator Moss. Well, thank you for testifying on that.

As I indicated, I don't think passage of this bill is as urgent as the first two we talked about. But there certainly is a great local feeling that the Lone Peak area should be protected before it becomes damaged. It is so close to the populous area of the State that it is a great rendezvous place for those who want to hike into the wilderness and have that wilderness experience. It was this popularity that created this great desire to have the area set aside and designated so those people could be sure it would be preserved and be wilderness in perpetuity.

Well, thank you, Dr. Nelson.

I appreciate your coming to testify.

I think on the Wild Rivers bill our witness is going to be Mr. James Watt, Director of the Bureau of Outdoor Recreation. This is bill No. S. 2901 to amend the Wild and Scenic Rivers Act by designating a segment of the Colorado River in the State of Utah as a component of the National Wild and Scenic Rivers System.

We are glad to have you, Mr. Watt, and want to hear what you have to say about this section of the river.

STATEMENT OF JAMES G. WATT, DIRECTOR, BUREAU OF OUTDOOR RECREATION, DEPARTMENT OF THE INTERIOR

Mr. WATT. I appreciate the friendship, counsel, and advice you have been able to give me.

This is my first appearance before the committee as Director and I had a chance to visit with you before assuming that responsibility and appreciate your friendship.

In preparing for this hearing I was reminded of the debate I heard some years ago in 1965 when the Wild and Scenic Rivers bill was being considered. I was legislative assistant to Senator Simpson and we met in the room behind you and we heard one of the better debates I have heard in the Senate between Senator Church and Senator Jordan on the issue of what rivers in Idaho should be put in the National Wild and Scenic Rivers System.

I recall that you and Senators Jackson and Allott and others were equally impressed as I was and it brought back the history of the law that your bill would amend today.

Your bill, Senator, S. 2901, would designate a 13.5-mile segment of the Colorado River in Utah as a component of the National Wild and Scenic Rivers System, and would provide for its administration by the Secretary of the Interior.

The segment, which is the Westwater Canyon section of the Colorado River, begins approximately 6 miles from the Utah-Colorado State boundary line and runs westward in Utah.

Section 3(a) of the Wild and Scenic Rivers Act designated eight river segments as initial components or "instant rivers" of the national system, and sections 4 and 5 of the act prescribe the method by which and standards according to which additional rivers may be added to the system from time to time.

In the latter sections Congress designated 27 rivers for study as potential additions to the system, specified the manner in which such studies are to be carried out, and required detailed reports on such rivers to be made to the President and the Congress.

The Department has made no field investigation of the Colorado River segment in question, and does not have the data for preparing the detailed report required by the act.

We believe it is premature to consider adding to the national system a river segment such as the West Canyon until it has been studied in the manner prescribed in the Wild and Scenic Rivers Act.

We are therefore unable to support enactment of S. 2901 in its present form. We would not object to the enactment of the bill, however, if it is amended to add the Westwater Canyon segment to the list of "study rivers" in section 5(a) of the act.

I would add as a matter of possible interest that the Department will shortly transmit to the President of the Senate draft legislation amending section 7(b) and 16 of the Wild and Scenic Rivers Act.

These amendments would (1) extend for 5 additional years the moratorium on certain Federal activities affecting "study rivers" and (2) increase by \$19 million the amount authorized for land acquisition on the eight rivers originally identified as components of the National Wild and Scenic Rivers System. Both amendments are essential, we believe, to the effective exercise of our responsibility for careful study and protection of the Nation's unspoiled rivers.

I shall be happy to respond to any questions you may have.

Senator Moss. Well, thank you, Mr. Watt.

I do appreciate that. I recall the days when you were here and we worked in this committee and I know of your dedication to the principles that are behind this bill and the others that we have been talking about.

As far as I am personally concerned, I would like to accept your proposed amendment of a study on this section of the river. Perhaps that would accelerate the study part.

Here again we have some element of urgency. Although it looks as though the river is completely protected and buffered now and would be a wild river anyway, there is always that lurking possibility as jeep roads push closer and other sorts of encroachment comes that this section of the river might be spoiled. Having been down it on a boat trip, I consider it the most exciting river in Utah, with its rapids that come in succession down through a very narrow and rugged canyon.

I think the committee may very well want to accept the amendment to provide for a study rather than an instant creation. Then perhaps we could move more rapidly toward designating it a wild river if that is the wisdom of the Congress.

I appreciate your testimony.

I wanted to focus on this area of the Colorado because, again, I just feel an urgency to move before it becomes impaired.

Mr. WATT. If the committee decides that legislation should be enacted calling for the study of this segment of the river, I think it would be helpful not to limit it to the 13.5 miles referred to in S. 2901, but to let us look at the broader scope.

I have not run those rapids, but I have flown the river and there are areas that are pretty great.

Senator Moss. Yes; it is a beautiful river.

We will place in the record the statement of the Lone Peak Wilderness committee, which we received in the mail, containing a legal description of the area they propose.

(The document referred to follows:)

LONE PEAK WILDERNESS PROPOSAL—LEGAL DESCRIPTION BY THE LONE PEAK WILDERNESS COMMITTEE

The purpose of this legal description is to set forth the boundaries of the Lone Peak Wilderness area as proposed by the Lone Peak Wilderness Committee. This description is based on records and information from the Bureau of Land Management, County Recorders Offices of Salt Lake and Utah counties, and the Wasatch and Uinta National Forests. The beginning point of this legal description begins at the mouth of the American Fork Canyon at the point of intersection of the Uinta National Forest Boundary and Utah State Highway 80, Section 32 T.4 S., R.2 E. S.L.B. & M. The description follows as to wit, first course;

Northerly, to the intersection of the south quarter corner Section 28 T.4 S., R. 2 E. Thence;

Westerly, 2,640 feet more or less to the S.W. Cor. of said Section 29, Thence;

Northerly, 2,640 feet more or less to the west quarter corner of said Section 29. Thence;

Easterly, 2,640 feet more or less to the center of said Section 29 which is also the S.E. corner of private property owned by Carols and Bernell Watkins. Thence;

Northerly, 2,640 feet more or less to the west quarter corner of said Section 29, Thence;

Westerly, 1,320 feet more or less along the north end line of said Section 29 to the intersection of the S.E. corner of private property owned by Eugene Robinson Section 20 T.4 S., R.2 E. which is the same as the S.E. corner of the s.w. $\frac{1}{4}$ s.w. $\frac{1}{4}$ of said Section 20. Thence;

Northerly, 1,320 feet more or less to the intersection of the s.w. corner of the private property owned by Wanda Johnson in said Section 20. Thence;

Westerly, 1,320 feet more or less to the S.E. corner of private property owned by Wanda Johnson. Thence;

Northerly, 1,320 feet more or less to the center of said Section 20 which is the same as the N.E. corner of private property owned by said Wanda Johnson. Thence;

Westerly, 1,320 feet more or less, to the N.W. corner of private property owned by said Wanda Johnson. Thence;

Northerly, 5,280 feet more or less, to the intersection of the S.W. corner of privately owned land by Theron T. Wisner Section 17 T.4 S., R.2 E. which is the same S.W. corner of the N.W. $\frac{1}{4}$, S.E. $\frac{1}{4}$ of said Section 17. Thence;

Northerly, 2,640 feet more or less, to the north quarter corner of said Section 17. Thence;

Westerly, 1,320 feet more or less, along the north end line of said Section 17 to the intersection of private property owned by Utah Power & Light and the City of Alpine. Thence;

Northerly, 5,280 feet more or less, to the intersection of the north end line of Section 8 T.4 S., R.2 E., which is the same as the N.E. corner of private property owned by Lemar Moyle. Thence;

Westerly, 3,960 feet more or less, to the north quarter corner Section 7 T.4 S., R.2 E. Thence;

Southerly 1,320 feet more or less, to the intersection of the S.W. corner of private land owned by said Lemar Moyle. Thence;

Westerly 2,640 feet more or less, to the intersection of the west side line of said Section 7. Thence;

Northerly 1,320 feet more or less, to the N.W. corner of said Section 7. Thence;

Westerly 5,280 feet more or less, to the S.W. corner of Section 1 T.4 S., R.1 E. S.L.B.&M. Thence;

Northerly, along the west end line of said Section 1 to the intersection of the Utah and Salt Lake County dividing line. Thence;

North and east, along the Salt Lake and Utah County dividing line to the intersection of the north end line of said Section 1. Thence;

Easterly, to the N.E. corner of said Section 1. Thence;

Northerly, 5,280 feet more or less to the N.E. corner of Section 36 T.3 S., R.1 E. S.L.B.&M. Thence;

Westerly, 2,640 feet more or less to the intersection of the north quarter corner of the afore said Section 36. Thence;

Northerly, to the N.E. corner of state selection 16 Section 25 T.3 S., R.1 E. Thence;

Westerly, along the north end line of state selection 16 to the S.E. corner of state selection 5. Thence;

Northerly, to the N.E. corner state selection 5, which is on the north end line of said Section 25. Thence;

Westerly, to the point of intersection where state selection 3 crosses the common end lines of Sections 23 and 26. Thence;

Northerly, 3,960 feet more or less, to intersection of the S.W. corner state selection 15. Thence;

Easterly, 3,960 feet more or less, to interesection of S.E. corner state selection 11, Section 24. T.3 S., R.1 E. S.L.B. & M. Thence;

Northerly, 3,960 feet more or less along the Wasatch National Forest Boundary to the N.W. corner of the N.E. $\frac{1}{4}$ S.W. $\frac{1}{4}$, which is the same as the S.W. corner of intersection Wasatch National Forest Boundary and Bell Canyon Irrigation Company. Thence;

Easterly, 2,640 feet more or less, to the intersection of the east side line of Section 13 which is the same as the S.E. cor. of private property owned by Bell Canyon Irrigation Company. Thence;

Northerly, 1,320 feet more or less, to the N.E. corner of said Section 13. Thence;

Westerly, 3,960 feet more or less to a point where the boundary line of the Wasatch National Forest goes north from the south end line of Section 12. Thence;

Northerly, 1,320 feet more or less to a point where the Wasatch National Forest Boundary goes east. Thence;

Easterly, 1,320 feet more or less to the center line of Section 12. Thence;

Northerly, 660 feet more or less along the center line of said Section 12. Thence;

Easterly, 2,640 feet more or less to the intersection of the east side line of Section 12 T.3 S., R.1 E. S.L.B. & M. Thence;

Southerly, to the N.W. corner of the S.W. $\frac{1}{4}$, S.W. $\frac{1}{4}$ Section 7, T.3 S., R.2 E. S.L.B. & M. Thence;

Easterly, 5,280 feet more or less to the intersection of line 3-4 Wasatch No. 14 placer patented mining claim, which is the same as the N.E. corner of the S.E. $\frac{1}{4}$, S.E. $\frac{1}{4}$ Section 7, T.3 S., R.2 E. Thence;

South, to corner 4 Wasatch No. 14 placer mining claim, survey No. 6774. Thence;

East, 1,320 feet more or less, to corner No. 5 Wasatch No. 14 placer mining claim, Thence;

North, 660 feet more or less to corner No. 6 Wasatch No. 14 placer mining claim. Thence;

East, 1,801 feet more or less to the intersection of line 1-2 Wasatch No. 8 placer patented mining claim, survey No. 6226. Thence;

South, 899 feet more or less to corner No. 2 Wasatch No. 8 placer mining claim. Thence;

East, 5,280 feet more or less to cor. No. 4 Wasatch No. 10 placer patented mining claim, survey No. 6226. Thence;

North, to intersection of south side of Little Cottonwood Creek. Thence;

Easterly, following the south side of Little Cottonwood Creek to the point where it intercepts the White Pine Canyon Road. Thence;

Southerly, following the west side line of the road in White Pine Canyon to the interception of the north end line of Rainbow No. 13 patented mining claim, survey No. 6148. Thence;

S. 66° 46' W. to corner No. 4 Rainbow No. 2 patented mining claim, survey No. 6148. Thence;

N. 88° 14' W. 1,500 feet more or less to corner No. 1 Rainbow No. 2. Thence;

S. 1° 46' W. 1,800 feet more or less to corner No. 2 Lucky Chance patented mining claim, survey No. 6148. Thence;

S. 88° 14' E. 1,500 feet more or less to corner No. 3 of said Lucky Chance mining claim. Thence;

N. 66° 46' E. to the intersection of the west side line of the said road in the bottom of White Pine Canyon. Thence;

Southerly, following the west side line of the road in White Pine Canyon to the intersection of the main west ridge coming down from the north end of Red Baldy or Haystack Peak (both names mean the same peak). Thence;

Southeasterly, following up the main west ridge coming down from the north end of Red Baldy to the point of intersection of the 11,000 foot contour line shown on U.S.G.S. 7½" quadrangle map. "Dromedary Peak, Utah", 1955, Scale 1:24000. Thence;

East and north, following the above mentioned 11,000 foot contour level line around the west and east peaks of the American Fork Twin Peaks to the point where it intersects the Salt Lake and Utah County dividing line. Thence;

Northeasterly, following the Salt Lake and Utah counties dividing line to the intersection of line 2-3 Jack patented mining claim, survey No. 6044. Thence;

S. 33° 37' E. 284 feet more or less to intersection of line 2-3 Anna patented mining claim, survey No. 6044. Thence;

S. 60° 26' W. 313 feet more or less to corner No. 3 of said Anna mining claim. Thence;

S. 15° 26' E. 471.9 feet more or less to corner No. 4 of said Anna mining claim. Thence;

S. 27° 30' E. 456.7 feet more or less to intersection of line 4-5 Patrick Henry No. 2 patented mining claim, Lot No. 52. Thence;

S. 68° 20' W. 304.8 feet more or less to corner No. 4 of said Patrick Henry No. 2 mining claim. Thence;

S. 21° 40' E. 800 feet more or less to corner No. 3 of said Patrick Henry No. 2 mining claim. Thence;

S. 21° 14' E. 397 feet more or less to corner No. 2 of said Patrick Henry No. 2 mining claim. Thence;

N. 68° 20' E. 300 feet more or less to the center line of said Patrick Henry No. 2. Thence;

Southeasterly, in a straight line to corner No. 4 Silver Bell patented mining claim, Lot No. 69A. Thence;

S. 67° W. 1,500 feet more or less to corner No. 3 Red Cloud patented mining claim, Lot No. 71A. Thence;

S. 23° E. 600 feet more or less to corner No. 2 of said Red Cloud mining claim. Thence;

N. 67° E. 103.2 feet more or less to the intersection of line 2-3 Horseshoe No. 4 patented mining claim, survey No. 7036. Thence;

South, 263.9 feet more or less to corner No. 2 of said Horseshoe No. 4 mining claim. Thence;

S. 0° 02' W. 1,623.2 feet more or less to the intersection of line 2-3 Blue Bird patented mining claim, survey No. 6758. Thence;

S. 81° 27' W. 153 feet more or less to corner No. 2 of said Blue Bird mining claim. Thence;

S. 8° 33' E., to intersection of line 1-2 Pearl patented mining claim, survey No. 6623. Thence;

S. 70° 35' W., to corner No. 1 of said Pearl mining claim. Thence;

S. 19° 25' E. 599 feet more or less to corner No. 4 of said Pearl mining claim. Thence;

N. 70° 35' E. 805.4 feet more or less to the intersection of line 1-4 of Surprise mining claim, survey No. 6623. Thence;

S. 32° 48' W., 1,085 feet more or less to corner No. 4 of said Surprise mining claim. Thence;

S. 57° 12' E., 459.7 feet more or less to corner No. 3 of said Surprise mining claim. Thence;

S. 32° 48' W. 550.4 feet more or less to corner No. 4 New West No. 1 patented mining claim, survey No. 6615. Thence;

Westerly, in a straight line to the point of intersection of corner No. 2 Silver Mine patented mining claim, Lot No. 38. Thence;

S. 18° 53' W. 606 feet more or less to corner No. 1 of said Silver Mine mining claim. Thence;

Southerly, in a straight line to the intersection of corner No. 2 Happy Boy patented mining claim, Lot No. 37. Thence;

Southwesterly, in a straight line to the intersection of corner No. 4 Milk Maid patented mining claim, Lot No. 40. Thence;

Southwesterly, in a straight line to the intersection of corner No. 2 White Lake patented mining claim, survey No. 6050. Thence;

West, in a straight line to the top of the small ridge just east of Silver Lake. Thence;

Southerly, in a straight line to the intersection of the N.E. cor. of the S.W. $\frac{1}{4}$, S.E. $\frac{1}{4}$, N.W. $\frac{1}{4}$ Section 36 T.3 S, R.2 E. S.L.B. & M. Thence;

Easterly, to the intersection of the east side line of said Section 36. Thence;

Southerly, following the west side of the road going south to the intersection of Utah State Highway No. 80, excluding all spur roads and campgrounds which may be on the west side of this road. Thence;

Westerly, following the north side of Utah State Highway No. 80 to the intersection of the east side line of Timpanogos National Monument. Thence;

Northerly, to the N.E. corner of Timpanogos National Monument. Thence;

Westerly, to the N.W. corner of Timpanogos National Monument. Thence;

Southerly, along the west side line of Timpanogos National Monument to the intersection of Utah State Highway No. 80. Thence;

Westerly, following the north side of Utah State Highway No. 80 to the point of intersection of the Uinta National Forest Boundary line. The place of beginning.

This legal description was written with no due regards for access corridors and/or right of ways which will be needed as is the case in Dry Creek Canyon

Respectfully submitted,

LAUREN WILLIAMS,
The Lone Peak Wilderness Committee



Senator Moss. Well, there is a vote on and that would curtail my questioning a little, but mostly it would be philosophizing.

I appreciate your coming to testify, and I am glad we could get this work done on the bills, all of which concentrate on an area in which I have great personal interest.

I thank you, and we will now be in recess.

(Whereupon, at 10:45 a.m., on August 4, 1972, the hearing was adjourned, subject to the call of the Chair.)

APPENDIX

(Under authority previously granted, the following statements and communications were ordered printed:)

STATEMENT OF M. G. MOLUCH

The Wasatch Mountains to the east of Salt Lake City form a silent sculpture of glaciated valleys, stream-eroded canyons, rolling green summits, fir and aspen groves, wildflower meadows and ragged granite peaks. In winter, when winds blow long white contrails from their snowy summits, the beauty is cold, distant and awesome. When summer heat has seared the valley, snowfields linger far above and meadows are brilliant with bluebell and paintbrush.

On their highest ridges rough granite sparkles as the sun blazes through the thin, crisp air and narrow rock pinnacles soar into the empty blue-black sky. In the distance loom the great peaks of the Wasatch—Francis Peak, Lone Peak, Twin Peaks and Timpanogas. To the west the Great Salt Lake Desert vanishes beyond the horizon in layers of silver, white and pale blue salt crust.

Between the mountains and the desert stretches a narrow band of cities and towns that depends on the mountains for its survival, its quality of life and a large part of its economic future.

WATERSHED

The Wasatch Mountains serve as huge rain barrels for the valley communities huddled beneath them. When moisture falls on their steep, green slopes it is caught by the plant cover, soaked up by the thin soil mantle, filtered through layers of porous rock and delivered to a stream, spring or underground aquifer. By this process the slopes of the Wasatch will deliver about 90% of the moisture they receive in a pure, relatively steady flow to the valley below, and lose only about 10% as surface run-off and potential flood water.

Like all Wasatch Front communities, Salt Lake City depends on the Wasatch Mountains for a major part (47%) of its water supply. But the Wasatch Front is so short of water that \$400,000,000 in federal and local tax money is now being spent to import more from the Colorado Basin. In about four decades, when demand exceeds even this supply. Wasatch Front communities will have to turn to Canada for water or go without. Our arid region cannot afford to lose any part of its available water supply due to misuse of its local watershed.

QUALITY OF LIFE

Unlike any other large city in the country, Salt Lake City lies within a ten-minute drive of canyon scenery of national park quality, of alpine meadows, aspen groves and waterfalls, skiing and mountain climbing, and perhaps most important, of beauty and solitude and escape from the plastic-electric consumer culture of the valley. Nowhere else in this country and in few other places in the world can one enjoy the social, cultural and economic advantages of a large city and almost simultaneously have the wilderness experience at its best. This rare combination of city and wilderness can be demonstrated with statistics. The Wasatch National Forest is visited 3,188,000 times each year. It is the most heavily used national forest land in the United States and supplies more user-days of recreation every year than either Yellowstone or the Grand Canyon. Because the Wasatch Mountains are so important to the quality of so many lives they should be managed and protected with great care.

ECONOMIC FUTURE

The hard economic facts are that the Salt Lake area offers little to industries that are choosing a location. It lies at a great distance from the major markets, supply centers and technology pools of the country. Transportation costs to and from these centers are high and communication with them difficult. These permanent handicaps limit the ability of the Salt Lake area to compete for new industry. They have caused the Economics Department of the University of Utah to conclude, in a two-year study of Salt Lake City's economic future, that Salt Lake City's prospects for economic growth are bleak. It noted that environmental quality is the Salt Lake area's biggest attraction to new industry and that the key to Salt Lake's environmental desirability is its largely unspoiled mountain setting.

The Salt Lake area's prospects for tourism, like those for new industry in general, depend greatly on the condition of the Wasatch Mountains. If their natural beauty and park-like quality is protected they can become the basic attraction of the Salt Lake area's future tourist trade.

But the Wasatch Mountains are in trouble. Private inholdings make up one-third of the Bountiful-Salt Lake District of the Wasatch National Forest which protects them. Haphazard subdividing has already begun to take its toll of their watershed and scenery and the tempo of development is rapidly increasing. This process involves an enormous cost to the communities of the Wasatch Front.

WATERSHED

Extensive development of the private inholdings on Salt Lake City's watershed would turn its adjacent canyons into a perpetual source of floods and make its mountain-derived water supply undrinkable. Cutting, filling and paving the steep slopes of the Wasatch Mountains drastically changes their ability to function as watershed. Instead of absorbing 90% of the moisture they receive, filtering it and delivering it to treatment plants or aquifers as pure water, paved slopes absorb about 3% of the moisture they receive and send the rest rushing over the surface as potential flood water, through the unavoidable refuse of urban living, tainted by seepage from leaky septic tanks and sewer connections. Acting as storm sewers for built-over mountain areas, the clear, cold mountain streams from which the city drinks will deliver this silted and contaminated run-off directly to water treatment plants. The polluted run-off can be expected to enter underground stream flows as well, resulting in contaminated springs and wells.

Flooding not only can happen here but has. The watershed of the Wasatch was seriously damaged once before. Overgrazing of sheep on private lands in the Wasatch began in the early 1900's. By the 1930's disastrous flooding had occurred throughout the Wasatch Front. The Centerville flood of 1930, for example, caused over one million dollars damage to farms, homes and highways. Boulders weighing 200 tons were carried into the valley from the adjacent watershed for the first time in 25,000 years. Investigation showed that the flood was generated by only 1,300 acres of overgrazed "sore spots" in a canyon drainage totalling 18,500 acres. By comparison the Little Cottonwood Canyon drainage, which SB 1144 seeks to protect, has a higher percentage of its total area in private ownership and subject to cutting, filling and paving, than was impaired in the drainage which generated the Centerville flood. As its steep, fragile slopes are cut and paved, the impact will be much the same as that from overgrazing. The important difference is that the damage will be irreversible. The seasonal flooding that now occurs in the bench areas of Salt Lake valley is a small preview of the flooding that the built-over canyons of the Wasatch would generate.

QUALITY OF LIFE

Several hundred thousand residents of Salt Lake valley have ready access to the recreation, natural beauty and solitude provided by the Wasatch Mountains. If the private lands of the Wasatch are developed—if their meadows are replaced by parking lots, their wooded slopes broken by condominium towers, their vistas framed by power lines and their autumn colors garnished with neon—many choice public recreation sites would no longer be accessible and their natural beauty would be eliminated. The wild, park-like character of the Wasatch Moun-

tains would be transformed into an urban and suburban one. A large portion of the three million yearly visits to the Wasatch Mountains would become pointless in such a setting.

ECONOMIC FUTURE

Development which impairs the scenic and recreational value of the Wasatch Mountains at the same time impairs the local economy's most important attraction to new industry. It also lowers our area's potential as a tourist attraction. If the mountains are dominated by development not essential to their recreational enjoyment, such as apartments and subdivisions, they will become just another patch of suburban sprawl not worth a tourists attention. Finally, accompanying watershed damage could nullify millions of dollars in local and federal taxes now being spent to import water and control floods in the Salt Lake valley.

It is relevant to consider possible economic benefits from nonrecreational development of the Wasatch Mountains. Any development of real property in the county, of course, enlarges the local property tax base. But research in land-use economics indicates that the extra cost of providing utilities and governmental services to remote, scattered urban development can completely offset the extra property tax revenue they generate for local government. These findings apply with particular force to the remote and scattered developments scheduled for the Wasatch Mountains where providing utilities and municipal services is exceptionally difficult and costly. Therefore it appears that non-recreational development in the Wasatch is a serious liability to the local economy which is not offset by any significant economic benefit.

CONCLUSION

The Wasatch Mountains must be protected and managed in their near-natural state if they are to continue to supply the Wasatch Front communities of Salt Lake County with water, protect them from floods, provide them superb alpine recreation and safeguard their economic future. Widespread development of its private lands would make the Wasatch largely unsuitable for any of these uses. Current planning and zoning efforts can organize the widespread development now scheduled for these private lands and minimize the resulting damage, but it cannot prevent it. Salt Lake City, whose tax base is so thin that it cannot maintain essential "caretaker" services at an acceptable level, can afford to purchase only a small fraction of the private lands in question. Forest Service Region #4 has already spent over two million dollars to acquire inholdings in the watersheds in question but its share of the Land and Water Conservation Fund is entirely committed far into the future. The Salt Lake Tribune has stated editorially that at least 12,000 acres in the watersheds east of Salt Lake City are in critical need of the kind of protection only the Forest Service can provide. SR 1144 would authorize the purchase of one-fourth of this area—enough to protect only some stratically placed parcels scheduled for immediate development. Without such purchases the Salt Lake valley will be well on the way to losing its most valuable natural resource.

SALT LAKE CITY, UTAH, *July 9, 1972.*

Senator FRANK E. MOSS,
Salt Lake City

DEAR SENATOR MOSS: I request that this statement be included as part of the July 7, 1972, hearing record concerning Senate Bill 3466 to establish a Lone Peak Wilderness Area.

I am Charles Swift, a resident of Salt Lake City. I heartily commend and sincerely thank you for proposing legislation to preserve the Lone Peak area. I walk into this country fairly regularly, for this mountain country means a lot to me. The Wasatch Mountains are one reason I moved west from my family home in New England. I remain in Salt Lake, in spite of higher salaries elsewhere, because of the proximity of both the wilderness areas and developed ski areas of the Wasatch Mountains.

Now that increasing development threatens the true wilderness character of the very scenic climax of the Wasatch, the Lone Peak area, formal preservation is appropriate. I agree with the overwhelming testimony at the hearing that the

proposed Lone Peak Wilderness Area should be expanded: to the south to include Box Elder Peak, to the east to include the eastern slopes of White Baldy and the summit of the American Fork Twins, and to the northeast to include the western half of the White Pine Canyon.

I sympathize with the testimony of the Snowbird ski development, but a tram need not go to the very summit of the American Fork Twins. A tram tower one hundred yards east of the summit could (1) give desired access to the skiable slopes of White Pine, (2) maintain the practice of building towers off the ridge crests, (3) diminish the problem of high winds experienced by Snowbird this past season, and (4) preserve the view from the west as well as the very summit of the American Fork Twins. Similarly, inclusion in the wilderness area of the western half of the White Pine Canyon would prevent development on the Red Pine Ridge, but not skiing in the White Pine Canyon or development of the eastern portion of that canyon.

I do wonder, however, whether wilderness classification might not save the area from mechanized development only to lose it to an onslaught of people attracted more by the "wilderness" label than by the terrain itself. We are considering a very small, very beautiful and very fragile area. Probably a less formal but nevertheless binding classification preventing mechanized development would produce less impact. If such a classification exists, and cannot be reversed by local, regional, or national, National Forest Service administrations, this alternative would, in my opinion, be preferable to wilderness classification.

I care for the Lone Peak area, and thank you for the opportunity for permitting me to bring my views before you.

Yours truly,

CHARLES M. SWIFT, Jr.



