WASATCH NATIONAL FOREST, UTAH

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. 1144

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

SALT LAKE CITY, UTAH—JULY 5, 1972

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

U.S. GOVERNMENT PRINTING OFFICE

87-448 WASHINGTON : 1972

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WASATCH NATIONAL FOREST, UTAH

WEDNESDAY, JULY 5, 1972

U.S. SENATE,
SUBCOMMITTEE ON PUBLIC LANDS OF THE
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Salt Lake City, Utah.

The subcomittee met, pursuant to notice, at 9 a.m., in the State Office Building Auditorium, Salt Lake City, Utah.

Present: Senator Moss (presiding).

Also present: Porter Ward, professional staff member.

Senator Moss. The hearing will come to order.

This is a hearing of the Public Land Subcommittee of the Senate Committee on Interior and Insular Affairs. It is the first of four hearings that will be held in Utah this week, all having to do with Utah bills. We are going to endeavor to keep the hearing as brief and to the point as possible because of the pressure of time. Actually, it is held at this time simply to enable us to move along, if we can, on these pieces of legislation in which there is a great deal of interest and considerable urgency for meeting the problems that are presented and about which the bills are drawn. This is rather late in the session of the Congress, but if we can make a good record here, giving the views of the people of the State, and then we could have a brief hearing in Washington, where the official position of the administration can be presented, there is a possibility we might get the bill through this time. But even if we don't it means that the basic hearing work will have been done and at the beginning of the next year we ought to be able to proceed very rapidly with the legislation to get it ready for consideration of the Congress. I don't say that by way of indicating we won't try to get it considered this year. I think by all means we should do so.

A bill similar to the one we hear this morning, has been introduced heretofore and the matter has been under consideration for quite some time. I am hoping, therefore, that we can come to grips with the problem and get it resolved one way or the other.

This is an open public hearing and the bill that we are to consider this morning is S. 1144, which would authorize the U.S. Forest Service to purchase up to 3,000 acres of private land at the head of the canyons or along the streams of the Salt Lake watershed and add this land to the Wasatch National Forest. This is the beginning of hearings which we will conduct on four areas of concern in Utah. Tomorrow we move to Ogden to hear testimony on S. 2726, the bill to authorize the Forest Service to purchase approximately 23,000 acres of private land on the Middle Fork of the Ogden River and add them to the Cache National Forest. On Friday we will return here to conduct a hearing on two bills, S. 3466, which would designate 13,000 acres of totally undevel-

oped roadless area in the Wasatch and Uinta National Forest southeast of Salt Lake City as the Lone Peak Wilderness Area, and S. 2901 which would designate 13½ miles of the Colorado River in Grand County as a component of the wild river system.

The hearing in Ogden will start at 9 a.m. and will be conducted in the U.S. district courtroom in the Federal Building. I make that by way of announcement since there has not been as much publicity as I had expected on the place and time of these hearings.

The bill which we consider here today, S. 1144, to protect the Salt Lake City watershed by addition of certain land was first introduced in 1967 at the request of the Salt Lake City Commission. The commission will be here to testify today in support of this bill.

Included in the area authorized for purchase are lands in Millcreek, Big Cottonwood and Little Cottonwood Canyons. I direct that a copy of the bill be printed in the record at this point.

(The text of S. 1144 follows:)

92D 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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to promote in a timely and adequate manner control of floods, the reduction of soil erosion and stream pollution through the maintenance of adequate vegetative cover, and the conservation of their scenic beauty and the natural environment, and to provide for their management, protection, and public use as national forest lands under programs of multiple use, the Secretary of Agriculture is authorized and directed to acquire, at not to exceed the fair market value as

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

SEC. 2. This Act shall be applicable to lands within the boundary of the Wasatch National Forest in the watersheds of Mill Creek, Big Cottonwood Creek, and Little Cottonwood Creek, being portions of townships 1, 2, and 3 south, ranges 1, 2, and 3 east, Salt Lake base and meridian.

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

Senator Moss. We have not received the departmental comment, but when it is received, that will be printed in the record.

We have about 12 or 13 witnesses that we are going to hear today. Each of these witnesses have been asked to supply us with a written statement of his testimony, which will ultimately be placed in the record in full, which will enable the witnesses to proceed by summarizing or emphasizing the parts of the statement he wishes to make apparent to me presiding over this hearing, and to others who may come on as witnesses either before or after him. I say this because in the interest of time, I want to move along and not depend simply on reading statements that are going to be in the record in full anyway.

I am only one individual and one member of the committee, and although I expect to have a considerable amount to say about these bills when we consider them, nevertheless, the other Senators are going to have to depend on reading that record, and they will do that, as will the staff, in making an analysis of the bill. So the important point is to get into the written record all the information that we need and not so much of trying to persuade me.

I will be glad to colloquy with any witness if there is some point that is unclear, or if there is some question that occurs to me that I think should be clarified more fully in the record. But we are not here simply to have a rote reading. That is what I am trying to say.

I am, of course, quite familiar with these areas, having looked at them a number of times and having lived my life here in this area, and of course, people who are witnesses today are also residents here and are very familiar with the area, so we won't need any extensive description. What we want to know is what is the reason, if any, that this bill should be passed or should not be passed. And that is what we are going to hear today.

Now, the Governor will be a witness. I spoke to him yesterday and he has a board of examiners meeting so he will be in a bit later. But we will try to proceed now, and although there is a witness list here, we are not necessarily going to stay with the order in which names are listed. This is always the case.

I think we will begin this morning by first of all hearing from the man who is right in the midst of part of this area we are talking about, mayor of Alta, Mr. Willian Levitt. We will ask the mayor if he will come up. I think if the witnesses would sit at the end of this table, then I can hear them well, and the reporter will be able to record everything that is said, and most of the people in the audience will face the witness also. That will be the optimum place. Very glad to have you, Bill, and look forward to hearing your testimony.

STATEMENT OF HON. WILLIAM H. LEVITT, MAYOR, TOWN OF ALTA

Mayor LEVITT. Thank you, Senator.

My name is William Levitt and I am mayor of the town of Alta, and I have submitted a written statement.

Very briefly, the town of Alta is, of course, very closely associated with a good deal of the land that is in question. We are more specifically interested in Albion Basin because that is directly a part of our area. I think we would like to have it noted that the development of that basin would be considerable economic value to the businesses in

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our town, but after great deliberation, and recognizing the uniqueness of this particular basin, the varieties of wild flowers and natural beauty, and the gateway that it makes toward the finest hiking, skiing, and use of nature, the town board has instructed me to advise you that they unanimously like to support this bill and ask you to do everything you can to pass it.

I would like now to take that hat off and put a different one on, and speak as an individual. I am one of the few private owners of land in Albion Basin, that is my wife and I own several acres, and have for many years, and while our family would like some day to think of building our homes there, we have also discussed this matter and my family has asked me to also go on record in support of this bill, because we feel it will be in the greatest public interest. Thank you.

Senator Moss. Well, thank you very much, Mr. Levitt. And I might say that knowing you and knowing your concern for the Little Cottonwood area, I am not really too surprised to know that you are personally willing to have your land taken and purchased by the Forest Service and put into the Forest reserve.

I might say that there are others like you who feel so strongly about preserving the natural areas that they are willing to make some financial sacrifice because the price you will be paid, I am sure, will not be as much as you would get 10 years from now if you held onto the land, and especially if you were able to build upon it. And I do recognize that point.

Roughly, do you know how many acres there are up there in the Albion Basin that are privately owned now, as a rough figure?

Mayor LEVITT. I am not absolutely sure. I think the Forest Service has worked out those figures. We have a good part of that, of the private land acreage.

Senator Moss. I see. Well, thank you.

The Forest Service will not officially testify in these hearings since the Department has not yet submitted its report, but we do have representatives here of the Forest Service and if we are pushed for a point, such as this one, we can call on them at least for technical information. And I may do that at a later point. I didn't know whether you had that information readily at hand.

Well, thank you very much, Mr. Levitt.

Our next witness will be Mr. Charles Wilson, who is general superintendent of the Salt Lake City Water Department. Mr. Wilson here?

Mr. WILSON. Yes.

Senator Moss. Yes. Oh, there you are.

Mr. WILSON. You might like a copy of my statement to see if there are any questions, Senator.

Senator Moss. Thank you very much.

Mr. WILSON. Mr. Chairman, it is——

Senator Moss. Besides your name, give us your full title so we will understand, all the people here will understand, who you are and for whom you are speaking, Mr. Wilson.

Mr. WILSON. I am Charles W. Wilson, general superintendent of the Salt Lake City Water Department, appearing in behalf of Mayor Garn, to give the statement for the Salt Lake City Board of Commissioners.

Mr. Chairman, it is——

Senator Moss. You may be seated unless you prefer to stand.

STATEMENT OF CHARLES W. WILSON, SUPERINTENDENT, SALT LAKE CITY WATER DEPARTMENT, IN BEHALF OF MAYOR GARN

Mr. WILSON. I would rather stand.

Senator MOSS. All right. Go ahead.

Mr. WILSON. As you know, having been raised in the Mill Creek area, Salt Lake City serves a large area outside of its corporate limits, its exchange districts and so forth in the Mill Creek area, and Cottonwoods, and the areas in the mouth of Big Cottonwood Canyon as far south as Willow Creek.

There are over 300,000 people on the Salt Lake City water system, and 70 percent of the domestic supply for these people comes from the canyons in the immediate Wasatch front. Salt Lake City has been concerned and has been in control and has taken measures to protect this supply. Sewerline has been helpful, but the sheer numbers make a problem or situation that we must be concerned with.

An increasing number of people visiting these lands has been just terrific. According to the Forest Service report, there are now more people visiting the canyons than visit Yellowstone Park or Grand Canyon each year, which makes a tremendous load on these lands.

The city has also been cooperative in the matter of the use of the canyon land, and they have been committed to a multiple-use program, but a selective use of the lands, because of the varying soil conditions and so forth.

We know that the winter sports industry has become a very vital thing in this area economically. They are of great benefit economically. But still we must have, keep in mind that the water supply is of the utmost importance and must be our main concern.

We are concerned about trails and roads that are now being established for off-highway use because we don't know what the impact of this sort of thing is going to be. Easily accessible areas of the high mountains now that were formerly almost impossible to get to without a strenuous day of hiking.

The U.S. Public Health Service has sent teams through this area periodically for the past 30 years, and we have had independent engineering surveys from nationally known engineers to determine just how much of a load that the watershed could take, and without exception these experts have recommended special measures such as strict sanitary controls and building regulations and animal control to protect the water supply. The canyons are short and the water is cold, and it gets into the city system very rapidly, and there has always been concern that way.

Salt Lake City has also cooperated over the years, and we at the present time have a cooperative agreement with the U.S. Forest Service for fire suppression and control on the watershed land. And we have been able to manage the areas so that we have had high quality water up to this point. And we have had a guarantee of the greatest quantity of water because of preservation of the watershed cover.

There are key tracts within the forest boundary. They are so located that we believe a great deal of damage could result if present plans for development are, and projected plans are, completed. These tracts should be placed in public ownership to protect the public water supply in Salt Lake Valley, and the Board of Commissioners urge the passage

of Senate bill 1144 at the earliest possible date and assure you there is strong support among citizens of the valley for this legislation. Thank you.

(The prepared statement of Mr. Wilson follows:)

STATEMENT OF CHARLES W. WILSON IN BEHALF OF MAYOR GARN, SALT LAKE CITY, UTAH

The prosperity, health and general well being of the 500,000 people in Salt Lake County depends upon the high quality water supply produced from the streams in the Wasatch Front Canyons. Sevently percent of the domestic water supply for the city and county residents, served by Salt Lake City, is obtained from these watersheds.

The increasing popularity of skiing, hiking and the development of off highway vehicles is attracting more and more people to these lands. According to the U.S. Forest Service records, more people visit these canyons each year than either Yellowstone Park or the Grand Canyon. Further, studies show that recreational use of the area is increasing at the rate of 6½ percent per year.

The increase in the number of people visiting these lands has created great interest in the development of high density housing accommodations, commercial ventures and other activities.

The Salt Lake City Board of Commissioners has long been committed to a policy of multiple use of its watershed lands. However, this must be a selective use of the land. The resource development must be compatible with the protection and preservation of the water supply.

Because of the nature of the lands, livestock grazing has been greatly reduced and the very limited grazing that still exists is confined to the remote areas where animal pollution will not reach the streams.

Winter sports areas are desirable, but must be carefully located and controlled. Otherwise, they could very readily become sources of pollution.

Trails and roads for the use of off highway vehicles must be located where they will not open up scars that will cause soil erosion. Denuded slopes could contribute large volumes of silt to the streams. The officials of Salt Lake City have long been aware of the fact that the watershed must be carefully controlled. The United States Public Health Service has sent teams of experts to survey the area periodically over the past thirty years. Independent engineering surveys have also been made by sanitary engineers of national reputation to determine the degree of regulation the city must impose on watershed activities. Without exception these experts have recommended special measures such as strict control of all sanitary facilities, building regulations, animal control and other special measures to protect the water.

Salt Lake City has cooperated with the United States Forest Service for more than forty years to prevent and suppress fires on these lands. The goal has been to manage the lands to protect the quality, and to guarantee the greatest quantity of water.

There are key tracts of land within the National Forest boundary that are so located that great damage could result if the owners are able to proceed with present plans for development. These tracts must be placed in public ownership to protect the public water supply in Salt Lake Valley.

The Board of City Commissioners, therefore, urge the passage of S. 1144 at the earliest possible date, and assure you that there is strong support among the citizens of this valley for this legislation.

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

One thing that strikes me and brings the impact home to us is when you say that there are more visitations in our canyons leading out of this valley and specifically the three we are talking about, each year than there are to Yellowstone Park or to Grand Canyon National Park. We will all know that there is nationwide consternation about Yellowstone Park because it is becoming so crowded. The National Park Service is wondering how they are going to regulate visitation in order not to destroy the natural features of Yellowstone, which is a vast area. We all have been there and know how beautiful it is. And

here we have as many people going into our own canyons leading out of the valley as are going into all of Yellowstone. That is a striking fact. It means we must come to grips here with our problem.

Now, besides the Albion Basin area which Mr. Levitt talked about, there is an area lower in Cottonwood, Little Cottonwood Canyon. Will you tell me a little about that. I think it is No. 4 on that map.

Mr. WILSON. Well, this No. 4 is the first 3½ miles of Little Cottonwood, and it is in private ownership, is my understanding; and about, oh, 3 or 4 years ago, there was a plan to completely develop this lower portion of the 3½ acres with year-round residential subdivisions. And the Salt Lake City lower water intake metropolitan waterplant is just below this particular area down in this vicinity. And we felt very strongly that this would certainly constitute a hazard. We felt for the safety of some of the people in the area that that should not be developed anyway; certainly close to the steep granite cliffs where large boulders fall off occasionally, and talus slopes.

The upper intake into our metropolitan waterplant is the diversion at the Whitmore oxygen plant.

Senator Moss. I see.

Mr. WILSON. And we felt for a long time that this should be retained in public ownership where it could be controlled properly, and we are not throwing rocks at anyone who has been developing up there. They have done a good job. But the sheer numbers that we have, and if this continues until we have the canyon full of housing and full of commercial institutions and so forth, it will not only be, place the water supply in jeopardy, but it will certainly ruin the esthetics of the area, too, we believe.

Senator Moss. Thank you. There is a sewerline down Little Cottonwood now. There isn't in Big Cottonwood, of course.

Mr. WILSON. Little Cottonwood is the only one.

Senator Moss. Is there any current discussion or planning going on about bringing a line down Big Cottonwood?

Mr. WILSON. There is a discussion and some very preliminary planning, but it hasn't reached the stage where it is going to be implemented very quickly, as far as I know.

Senator Moss. I suppose Mill Creek would be even further back than that in implementation?

Mr. WILSON. Unless there is a change in the total usage of the canyon that would make it economically feasible to build a waterline or sewerline out of the canyon.

Senator Moss. You indicated you had always had full cooperation with the Forest Service, and therefore, you would feel satisfied if the Forest Service took over ownership because you would be sure this cooperation would be continued, is that correct?

Mr. WILSON. I would think so. Certainly we have had good cooperation through the years, and, as I say, this goes back a long, long time. And they are very cooperative in all respects.

Senator Moss. And this valley gets 70 percent of its water from the canyons, is that right, out here?

Mr. WILSON. That is the people who are on the Salt Lake water system, which is over 300,000 of the near 500,000; and then Sandy City, Midvale City, Union, and Jordan and Murray City also receive part of their water supply from these canyons. So Salt Lake City,

I had a phrase left out, if you will notice, and I put ink in there, that that is Salt Lake City.

Senator Moss. Yes, sir.

Mr. WILSON. Those served by Salt Lake City. But I again emphasize Salt Lake City serves a large area outside of its corporate limits.

Senator Moss. Yes. I am, of course, aware that a great many people in the county area receive water from the Salt Lake City Metropolitan Water District.

Mr. WILSON. And the Salt Lake City. We do the actual retailing in the area, and Metropolitan is our wholesaler, so to speak.

Senator Moss. I see. Thank you very much, Mr. Wilson.

Is Commissioner McClure—I don't see him. Is somebody here representing Commissioner McClure?

Mrs. PLUMB. Senator, he had a commission meeting, but there will be someone here.

Senator Moss. All right. We will hear them later then.

Mr. Joseph L. Moore, representing Salt Lake County Council of Governments. I would like to have you, Mr. Moore, make your statement. We are trying to get the governmental witnesses here if we can.

STATEMENT OF JOSEPH L. MOORE, EXECUTIVE SECRETARY, SALT LAKE COUNTY COUNCIL OF GOVERNMENTS

Mr. MOORE. Thank you, sir.

I am representing the Salt Lake County Council of Governments, which is an organization of elected officials from all the small towns and the county and Salt Lake City that make up local entities within the county, Salt Lake County. And at a meeting they held on May 11, they formally endorsed this bill. Salt Lake County Council of Governments at this meeting May 11, 1972, by formal motion, seconded and unanimously carried, approved a resolution supporting Senate bill 1144 and the companion bill in the House of Representatives. The purpose of the said 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. And this bill was discussed at that meeting and it was felt very strongly by the members present that, as I said, there are mayors from all the communities listed that have vital interests in water supply, plus the mayor of Alta was there, who has economic interest as well.

Senator Moss. Thank you, Mr. Moore. And this does include all of the incorporated entities here in Salt Lake County.

Mr. MOORE. Right.

Senator Moss. Is that right?

Mr. MOORE. That is right.

Senator Moss. And you are the executive secretary?

Mr. MOORE. Yes, sir.

Senator Moss. Thank you, sir.

Mr. MOORE. Thank you.

Senator Moss. Our next witness will be Mr. Samuel Allen, representing the Wasatch Mountain Club. Is Mr. Allen here?

Mrs. VIAVANT. Senator, I am speaking for the Wasatch Mountain Club.

Senator Moss. Fine. We will have Mrs. June Viavant then representing the Wasatch Mountain Club. Come forward, please. Thank you.

STATEMENT OF JUNE VIAVANT, REPRESENTING THE WASATCH MOUNTAIN CLUB

Mrs. VIAVANT. My name is June Viavant, and I am speaking for the Wasatch Mountain Club, an organization of about 500 members, primarily from Salt Lake City, which has been concerned with outdoor activities and conservation for over 60 years. I have in the past served as the conservation director of the Wasatch Mountain Club, and I am reading their statement today because the present conservation chairman is out of town.

The Wasatch Mountain Club would like to commend Senator Moss for his efforts to direct attention to the need for acquisition of some of the critical inholdings in the Wasatch National Forest for protection of the watershed and for the conservation of their scenic beauty.

While one of the mountain club's interests is in preserving the natural scene, our long range interests, along with those of the other half million residents in our county, are concerned with protecting the watershed. Our mountain canyons provide us with our drinking water, and in a desert State such as ours, we must pay close attention to protecting our water supply.

Indiscriminate grazing and timber cutting in the early days of settlement drastically changed the vegetative cover of our mountains. We must take great care to see that the healing processes of nature continue to regenerate good stands of plant and tree life on our watershed. Increasing rates of development within our canyons recently threaten to reverse this healing process by a certain amount of tree removal, bulldozing off of the vegetative cover, and substitution of pavement and of nonabsorptive growing surface for land that once served as absorptive surface for rainfall. All this decreases the ability of the higher reaches of the canyons to absorb and hold moisture, and increases the possibility of too rapid runoff and subsequent flooding as well as loss of precious water.

While striving to limit and direct development so that it serves the common good may be helpful, the only answer in the long run is to buy up the inholdings and turn their administration over to the Forest Service for the long range protection of the watershed and incidentally, for the enjoyment by all for its scenic qualities. We do not, however, sympathize with spending public funds for purchase of land which might then be used for ridge-line tramway stations. This point cannot be too strongly made.

We would like to ask that protection of the watershed be added to the bill as its primary purpose.

We would like to point out parenthetically to the Forest Service that we think their responsibilities in the administration of the lands hopefully to be acquired is best served by minimum development which encourages disbursement rather than concentration of visitors. We can find masses of people in the valley below. Let us keep our mountains as places where one can leave technology behind and find a degree of

quiet and solitude. The minimum development philosophy is entirely consistent with the intent of protecting the watershed and restoring the vegetative cover.

We should like to point out that the 3,000-acre purchase authorized by this bill represents only a very, very small amount of the total inholding in the Wasatch National Forest adjacent to the Salt Lake Valley, and we urge long-range planning at the appropriations level, anticipate further purchases.

We will conclude by making the point as strongly as we can that this bill is only the first step; that authorization must come before appropriation, it is true. But there will have been little point to this bill and to this hearing unless it is followed by the actual appropriation for purchase of the land. We hope the newspapers and the other media, the various levels of government, and the citizen groups will all get involved in the various ways available to them in helping to pressure for passage of the appropriations bill.

Thank you, Senator Moss, for taking time during a very busy period, to come to Salt Lake City and hold hearings here so that we might express our views and learn more facts of the situation.

Senator Moss. Thank you, Mrs. Viavant. We appreciate your testimony in behalf of the Wasatch Mountain Club, and we know of your long continuing interest in preserving our outdoor areas, our mountains, and our streams. I am glad that the Wasatch Mountain Club emphasized the need for appropriations. The prospect isn't too bleak, though. I have had two or three of these bills, one down in Provo Canyon, and we got the money and we bought the land, and it is now owned by the Forest Service and controlled. We also did the same up in Weber Canyon. We bought up a tract of land there on the back slope of the face of the mountain facing Morgan, closer down to Peterson. We got the money. The Forest Service bought that land, and it is in the forest. So we are doing something for which there is precedent, although it is always hard-to-come-by dollars.

Yes?

Mrs. VIAVANT. Are these recent appropriations?

Senator Moss. Yes. Within the last—well, since I have been in the Senate 12 years, within that period of time. Both of them were my bills in which we did it.

Mrs. VIAVANT. Is there anything besides pressure that citizens in Utah can do to hasten this passage of an appropriation bill?

Senator Moss. Well, it is a matter of convincing the Appropriations Committee of the urgency. We first of all must have the executive department's request for the money, and when they testify as to what they need for their budget, they have to be very firm in saying they need it and make a strong case before the Appropriations Committee. Then in the meantime, we Utahans must present our case sufficiently strong to the Appropriations Committee members that they will put the funds we need in the appropriations bill. After that, we must defend them on the floor. But I neither want to be overly optimistic nor totally pessimistic. There is a strong feeling now running in the Congress, as there is in the country, that we must look to preservation of our natural resources, and one of the very important things that must be done is to protect not only scenic areas, but areas that have the extra

purpose of providing pure water supply for a large part of our population such as those who live in Salt Lake Valley. And therefore, I think our chances are at least reasonably good. But I solicit the support of all those who share these views that this is an important thing to do.

Dr. Harry Gibbons, of the Salt Lake City Health Department, is here. We would like to hear from you, Dr. Gibbons.

Dr. GIBBONS. Senator Moss, that is the Salt Lake City and County Health Departments. Combination.

Senator Moss. Very good. The combination of city and county. Thank you.

STATEMENT OF DR. HARRY L. GIBBONS, DIRECTOR, SALT LAKE CITY-COUNTY HEALTH DEPARTMENT

Dr. GIBBONS. Salt Lake Valley has been remarkably free of large-scale waterborne disease outbreaks, since the addition of chlorine to the water. However, due to the rapid increase of visits to the Salt Lake Canyons, there has been a significant increase in the bacterial contamination of water reaching the treatment plants. Especially the last 2 years.

The short, steep canyons of Salt Lake Valley are unique for the entire country. Our cool, fresh water is, in part, due to the rapid runoff of the short, steep but scenic and desirable canyons, but there is little natural filtration.

To protect the water, it is necessary that contamination be kept to a minimum. The Salt Lake City-County Health Department feels that Senate bill 1144 is an extremely important step in protecting the water supply for all of the citizens of Salt Lake Valley.

Senator Moss. Thank you, Dr. Gibbons. You add a factor there that is important to remember, and that is that our canyons are rather short. They empty very quickly into the valley here. And therefore, we lose a lot of the natural filtration that comes from streams that extend over a longer distance before they empty into our water supply.

Dr. GIBBONS. Mr. Wilson reports that we have as short a period as 6 hours from snowmelt to water hitting the treatment plant and 24 hours can be in any home served by the Salt Lake City Water Department.

Senator Moss. That is a very important point to remember. Thank you.

We will next hear from Mrs. Patricia Swift, who is here to testify this morning. Pleased to have you, Mrs. Swift.

STATEMENT OF PATRICIA SWIFT, SALT LAKE CITY, UTAH

Mrs. SWIFT. Thank you, Senator Moss. I am very pleased to be here. I appreciate your taking the time to conduct a hearing here in Salt Lake City so that people like myself may have an opportunity to testify. We wouldn't if these hearings were going to be conducted in Washington.

I have a considerable interest in the fate of the lands of the Wasatch front since I came to Utah 5 years ago. This interest has stemmed

from personal use, being a skier and a hiker and a car traveler, and so forth, and a water drinker. I have served on the Salt Lake City League of Women Voters board of directors as planning and zoning chairman for 3 years, and in that capacity have corresponded with you urging the introduction and passage of just such a bill as S. 1144. This year I was asked to serve on the Citizens Advisory Committee for the Wasatch National Forest, and I am pleased to accept that appointment. But today I am speaking to you as an individual, representing no one but myself.

The vast majority of land in the west-facing canyons of the Wasatch Mountains is publicly owned, and is dedicated to use as lifegiving watershed for the Salt Lake urban area, and healthgiving recreational use for both area residents and visitors. The parcels of private land within the general boundaries of the Wasatch National Forest exist in large part by accident, being old patented mining claims. The use of such lands is inseparable for the use of public land. Watersheds respect only topographical boundaries. Picnic grounds and other recreational resources attract users because of their setting and vistas, regardless of who owns the particular parcels of ground within the vistas. In short, I think that the use of land without our canyons should be determined by the majority landholder, the U.S. Forest Service, to protect and enhance and preserve the existing priority uses, of recreation and watershed.

Yet our affluent society is exerting tremendous pressure on private landholders to use their parcels for recreation homes and commercial development. I have been involved in the recent efforts of the Salt Lake county government to zone the private land in the canyon in a restrictive use, in a restrictive manner, so that the best use and for the broadest public will be preserved. I am in general agreement with the zoning recently passed, and applaud the hard work and conscientious efforts of the planning staff, the planning commission, and the Salt Lake County Commission.

The new zoning will serve, I trust, as a much-needed guide for growth and development, but I have been long convinced, and have said so, that the only real answer to preserving the canyons for public use is for the Forest Service to purchase the private land. Zoning is a flexible tool, subject to changing social climate and the personal opinions of the individuals who use the tool. For this reason, I hope very much that a more permanent solution—namely, the Forest Service's acquisition of privately owned lands in the Wasatch Canyons under question—will be the outcome of this bill. Thank you.

Senator Moss. Well, thank you, Mrs. Swift. I appreciate your testimony. You speak as an individual, but I know you have done and continue to do a lot of civic work here with the League of Women Voters and with other groups, and we know that you speak from considerable background and involvement, and that gives weight to your testimony that you have placed in the record here.

Are you personally familiar with all of these areas we are talking about, including the Mill Creek area?

Mrs. Swift. Yes, I am.

Senator Moss. Thank you very much.

Mrs. Swift. My only feeling is that it is too bad we can't do more at this time.

Senator Moss. Kind of small. Well, thank you for your testimony.

We will now hear from Marga and David Raskin, who represent the Sierra Club. I don't know which one is going to come. You are going to do it, David. All right. Fine. We are very glad to have you come to appear before us. We know the great work that you continue to do over the years here in our State in the field of conservation.

STATEMENT OF DAVID C. RASKIN, PH. D., CHAIRMAN, UINTA CHAPTER, SIERRA CLUB

Dr. RASKIN. Thank you, Senator. It is a pleasure to be here, and we appreciate your holding these hearings.

My name is David C. Raskin. I am conservation chairman for the Uinta chapter of the Sierra Club. We have approximately 600 members in the State of Utah and nearly 150,000 members of our national organization.

The Uinta chapter of the Sierra Club strongly supports S. 1144 to purchase these lands in the Wasatch National Forest. The remarkable beauty of the Wasatch National Forest provides Salt Lake City with a unique setting. In less than an hour one can escape from the hustle and bustle of the metropolitan area to the quiet tranquility of Alpine Meadows. Unfortunately, the outstanding natural features of the Wasatch Mountains have managed to attract and charm not only the tourists and the residents of the area, but also the developers who are quick to recognize its economic potential as a commercial resort area.

There is a distinct possibility that if care is not taken, the developers will succeed in becoming the primary benefactors at the expense of the public. We should make every effort to guard against the danger of the private sector preempting what is rightfully public domain, which would be accomplished by allowing the condominiums of the wealthy few to overshadow and dominate the area.

In addition to Little and Big Cottonwood Canyons, and especially Albion Basin, there is great concern over the private section of the land at the head of Mill Creek Canyon. Successful Vermont developers wish to construct a huge ski complex having 4,430 condominium units to accommodate approximately 10,000 people and five chair lifts. The inability of that fragile canyon to support that heavy impact have been ignored by these business interests. With the passage of S. 1144, the Forest Service would be in a position to purchase those privately owned lands and thereby save Mill Creek Canyon for public enjoyment.

Although these canyons supply nearly 70 percent of Salt Lake City's water, the developers give little consideration to maintaining the quality of the water supply. No mention is made of the attendant soil disturbances when discussing ambitious construction plans. There has been a considerable increase of silt in the Little Cottonwood Canyon Stream due to the construction of the Snowbird complex, and construction of the Snowbird sewer has compounded the siltation problem. Some doubts have been raised regarding the effectiveness of the sewer. It has already overflowed twice, endangering the Salt Lake City water supply, necessitating emergency action to prevent contamination of the Little Cottonwood Creek. It may be that a single sewerline would prove ineffectual against the onslaught of numerous

pollution producing activities by great masses of people. Due to negligence, the Peruvian Lodge forced the Little Cottonwood water treatment plant to close down because of an oil spill. That type of shutdown cost the Salt Lake taxpayers thousands of dollars per day in wasted water. The owners of Peruvian Lodge failed to report that oil spill to the EPA, thus running the risk of a $10,000 fine. And I would like to submit an article from the Deseret News from June 27, 1972, which describes the situation.

Senator Moss. That may be printed at the conclusion of your testimony.

Dr. RASKIN. Approximately 2 weeks later, Little Cottonwood Canyon closed to the public because of a serious hazard produced by leakage of chlorine gas from the Peruvian Lodge swimming pool facilities. And also during the ski season, one of the trucks hauling raw sewage down Little Cottonwood Canyon overturned and spilled its load dangerously close to Little Cottonwood Creeks.

The use of our canyon is very heavy. In 1970, almost 2 million people used Little and Big Cottonwood Canyons and Mill Creek Canyon. As you know, this compares with the level of usage with Yellowstone and Grand Canyon National Parks. By 1975, 3 million visitors are expected, and the greatest impact seems to be during the commercial skiing season. The increase in skiing has been disproportionately concentrated in Little Cottonwood Canyon as compared to Big Cottonwood Canyon. For example, in the first 4 months of 1972, automobile traffic in Little Cottonwood Canyon showed a whopping 87.6 percent increase over the corresponding period in 1971. And it reached a level of 3,064 cars per day in the month of March 1972.

If the heavy traffic now witnessed in our canyons continues to grow, it can only culminate in a severe environmental impact. Public land is now being used for at least 50 percent of the ski resort parking areas. Already many have voiced the opinion that there is a great need to institute mass transportation facilities, such as the use of special canyon buses.

The citizens of Salt Lake City have a substantial investment and a significant dependence on the water from our local canyons. For nearly 100 years Salt Lake City has invested considerable resources in the acquisition of lands and construction of facilities in the Wasatch Front watershed areas. Today, the assets of that municipal water system approach $30 million. Costs of providing high quality drinking water are increasing rapidly due to the accelerated rate of bacterial contamination and rising costs of water treatment.

As a result of increasing numbers of people, in the past 10 years the bacterial counts in Little and Big Cottonwood Canyons have increased approximately 20 times. In 1970, $627,000 of the taxpayers' funds were used to treat the water for Salt Lake City.

Our national forests are a public trust and should be maintained as such. The passage of S. 1144 will be a vital first step in a program to protect the public recreation and watershed areas in the Wasatch Front. We not only urge its passage but also suggest that an additional bill is needed to purchase similar lands in the East American Fork Canyon in the Uinta National Forest. Fortunately, the latter areas have not yet been exploited by developers and we have the opportunity

to prevent the same type of problem which we currently face in the Wasatch National Forest. The acquisition of all privately held lands within the border of the Wasatch and Uinta Forests should receive the highest priority in order to protect the public interest.

Thank you.

(The article referred to follows:)

[From the Desert News, June 27, 1972]

LAW DEMANDS OIL SPILL REPORT

DENVER, COLO.—All oil spills, regardless of apparent ecological damage, must be reported immediately, the Environmental Protection Agency said here today.

John Green, regional administrator, said those who spill oil, such as a driver from an overturned tanker, must both report and clean up the spill. He emphasized that a federal pollution law passed in 1970 affixes a possible fine of $10,000 for failure to do so.

Purpose of the law is to provide the EPA with "responsibility for determining impact and possible ill effect" of any spill. Any person who causes a spill in Utah, Colorado, Montana, Wyoming, North or South Dakota should call (303) 837-3880 at any hour of the day, Green said.

The matter came up in Salt Lake County recently when a federal employee "smelled oil" in Little Cottonwood Creek, and later discovered oil leakage had been so serious as to cause a shutdown in the water treatment plant as the mouth of the Canyon. However, when he contacted EPA officials in Denver, he discovered the spill had not been reported.

Green emphasized that a "spill" constitutes oil being anywhere that it does not occur naturally in such a way as to constitute a potential environmental problem.

Last month EPA and state-county officials, along with conservation club leaders met to determine means of coping with oil pollution endangering fish and wildlife populations.

(The prepared statement of Dr. Raskin follows:)

STATEMENT OF DAVID C. RASKIN, PH. D., CONSERVATION CHAIRMAN, UINTA CHAPTER, SIERRA CLUB

The Uinta Chapter of the Sierra Club strongly supports S. 1144 which authorizes and directs the Supervisor of the Wasatch National Forest to purchase up to 3,000 acres of non-federal lands within the boundaries of the Wasatch National Forest. This area has long been recognized as a major tourist attraction and as an asset to the Salt Lake Valley community. The remarkable beauty of the Wasatch National Forest provides Salt Lake City with a unique setting. In less than an hour one can escape from the hustle and bustle of the metropolitan center to the quiet tranquility of alpine meadows. Unfortunately, the outstanding natural features of the Wasatch Mountains have managed to attract and charm not only the tourists and the residents of the area, but also the developers who are quick to recognize its economic potential as a commercial resort area.

There is a distinct possibility that if care is not taken, the developers will succeed in becoming the primary benefactors at the expense of the public. We should make every effort to guard against the danger of the private sector presenting what is rightfully public domain, which would be accomplished by allowing the condominiums of the wealthy few to overshadow and dominate the area. In the recent past there has been an extraordinary increase in resort facilities, and as if this were not enough, developers are planning for maximum expansion in the near future.

Recently the Salt Lake County Commission passed a zoning ordinance which, together with the anticipated developments at Alta, allows for the construction of facilities which would accommodate at least 20,000 overnight guests. In spite of the fact that the Commissioners were quite generous in their zoning, the County is now faced with an $11 million suit filed by the would-be devedopers of Albion Basin. The developers had envisioned constructing 44 condominium

units on their three acres of land and felt extremely hampered by having their land zoned for single-family dwellings. S. 1144 would allow the Forest Service to purchase such vulnerable land as exemplified by Albion Basin.

The private section of land at the head of Mill Creek Canyon is another area for deep concern. Successful Vermont developers wish to construct a huge ski complex having 3,420 condominium units to accommodate 10,000 people and five chairlifts. The inability of the fragile canyon to support such a heavy impact is ignored by the business interests. With the passage of S. 1144, the Forest Service would be in a position to purchase those privately-owned lands and thereby save Mill Creek Canyon for public enjoyment.

Although these canyons supply nearly 70% of Salt Lake City's water, the developers give little consideration to maintaining the quality of the water supply. No mention is made of the attendant soil disturbances when discussing ambitious construction plans. There has been a considerable increase of silt in the Little Cottonwood Canyon stream due to the construction of the Snowbird complex. Construction of the Snowbird sewer compounded the siltation problem. In fact, because the contractor for the sewer failed to do the job according to specifications, the Environmental Protection Agency was forced to temporarily withhold matching funds. Doubts have been raised regarding the effectiveness of the sewer. It has already overflowed twice, endangering the Salt Lake City water supply and necessitating emergency action to prevent contamination of Little Cottonwood Creek. Experts in this field have suggested that after Alta is connected to the sewer, and before any further construction is allowed to take place, a two-year moratorium should be instituted to determine the effectiveness of the sewer in diminishing pollution of our water supply. It may be that a single sewer line would prove ineffectual against the onslaught of numerous pollution-producing activities by great masses of people. Due to negligence, the Peruvian Lodge forced the Little Cottonwood Water Treatment Plant to close down because of an oil spill. That type of shutdown costs the Salt Lake taxpayers thousands of dollars per day in wasted water. The owners of Peruvian Lodge failed to report that oil spill to the EPA, thus running the risk of a $10,000 fine. Approximately two weeks later, Little Cottonwood Canyon was closed to the public because of a serious hazard produced by leakage of chlorine gas from the Peruvian Lodge swimming pool facilities. Also, during last ski season a truck hauling raw sewage down Little Cottonwood Canyon overturned and spilled its load dangerously close to Little Cottonwood Creek.

The use of our canyons is very heavy. In 1970, almost two million people used Little and Big Cottonwood Canyons and Mill Creek Canyon. This compares with the level of visitation of Yellowstone and Grand Canyon National Parks. Although the 1971 figures are not available, there was a tremendous increase over 1970. By 1975 three million visitors are expected. The greatest impact seems to be during the commercial skiing season. However, the increase in skiing has been disporportionately concentrated in Little Cottonwood Canyon as compared to Big Cottonwood Canyon. The number of automobiles using Big Cottonwood Canyon showed a slight decrease for the first four months of 1971 compared to 1970, but then showed an increase of 12.6% for the first four months in 1972. In contrast, Little Cottonwood Canyon showed a 4.4% increase in the first four months of 1971 and a whopping 87.6% increase for the first four months of 1972. Due to this tremendous increase, Little Cottonwood Canyon, for the first time, had higher levels of automobile traffic than Big Cottonwood Canyon, reaching a peak of 3,064 cars per day for the month of March 1972.

Another interesting aspect of this increase relates to the proportion of out-of-state cars using those two canyons. In 1971 out-of-state cars accounted for 7% of the traffic in Big Cottonwood Canyon, whereas 28% of the cars using Little Cottonwood Canyon were from out-of-state. The proportion of out-of-state cars in Little Cottonwood Canyon doubled over 1970. Although the figures are not available for 1972, it is a safe assumption that out-of-state use in Little Cottonwood Canyon has increased dramatically. We must consider the fact that out-of-state use in Little Cottonwood Canyon is growing at an exponential rate. In addition, the ski industry is working hard to attract a large summer clientele. Two conclusions can be drawn. First, when the day comes that limits must be imposed on the number of people using the canyons, we will have to decide whether it is the local people or the wealthy condominium owners who will be excluded from the canyons. At the same time that the National Park Service is attempting to limit the impacts in our national parks, developers are promoting excessive use of our fragile canyons and watershed. Second, the argument that

we need over-night lodging in the canyons in order to attract out-of-state tourists is totally fallacious. Already, many thousands of people are coming from out-of-state to ski in our canyons and they are staying in Salt Lake City. This can be determined by comparing the number of out-of-state visitors to lodge and condominium capacities, which in turn can be compared to capacity vs. occupancy. In spite of having the best year in its history, Alta had only 54% occupancy last season. Snowbird operated only during the prime part of the season and registered a far from overflowing 65% occupancy rate.

If the heavy traffic now witnessed in our canyons continues to grow, it can only culminate in a severe environmental impact. Public land is now being used for at least 50% of the ski resort parking areas. Already many have voiced the opinion that there is a great need to institute mass transportation facilities, such as the use of special canyon buses.

We must remember that the citizens of Salt Lake City have a substantial investment and a significant dependence on the water from our local canyons. For nearly one hundred years Salt Lake City has invested considerable resources in the acquisition of lands and construction of facilities in the Wasatch Front watershed areas. Today, the assets of that municipal water system approach $30 million. Costs of providing high quality drinking water are increasing rapidly due to the accelerated rates of bacterial contamination and rising costs of water treatment. As a result of increasing numbers of people, in the past ten years the bacterial counts in Little and Big Cottonwood Canyons have increased approximately twenty times. In 1970, $620,000 of the taxpayers' funds were used to treat the water for Salt Lake City.

Our national forests are a "public trust" and should be maintained as such. The passage of S. 1144 will be a vital first step in a program to protect the public recreation and watershed areas in the Wasatch Front. We not only urge its passage but also suggest that an additional bill is needed to purchase similar lands in the East American Fork Canyon in the Uinta National Forest. Fortunately, the latter areas have not yet been exploited by developers and we have the opportunity to prevent the same type of problems which we currently face in the Wasatch National Forest. The acquisition of all privately held lands within the borders of the Wasatch and Uinta Forests should receive the highest priority in order to protect the public interest.

Senator Moss. Thank you very much, Dr. Raskin, for your statement in behalf of the Sierra Club. It is clear you think we not only need this, but we need even more acquisition in order to protect the watersheds and the growth and the beauty that exists in those canyons.

Dr. RASKIN. I think I mentioned the Uinta National Forest. I think Mr. Thornock, the supervisor of the Uinta Forest, is also very concerned about the problems which are probably going to develop in that East American Fork area with all the privately owned land in there, which is going to be perhaps subject to the same kind of pressures for development in the future. And, of course, these are critical areas also. And I think we also ought to be looking ahead to that and try to head it off before we get to a crisis situation.

Senator Moss. I noted that you were rather critical of the sewerline that now runs down Little Cottonwood. The accidents, of course, almost unfortunate, but isn't the sewerline essential if we are going to reduce contamination?

Dr. RASKIN. Oh, yes. I don't think I was trying to argue against the sewerline. What I was trying to point out, just putting a sewerline in doesn't immediately solve all of the problems. The EPA, for example, withheld the matching funds on that sewer because of lack of satisfying specifications and problems in construction of it, and all of these problems that have developed. And so it has taken quite a while, even though the sewer was constructed last summer, it is still, as far as I know, has not been finally approved and we have had these problems. So we need to be very careful when we do these things.

Senator Moss. Right. I understand. In other words, you just don't solve all the problems by putting in a sewer. There still remain many surface problems, and one of those is overbuilding and overcrowding.

Dr. RASKIN. Right. Just with all those people in there. The sewer isn't going to solve all the problems when you have so many thousands of people in there daily. You have all these other sources of pollution that aren't getting into the sewer.

Senator Moss. Thank you very much. Is Marga going to testify, too?

Dr. RASKIN. Well, Marga let me do it this time.

Senator Moss. Let you do it. That is pretty good. I see Women's Lib hasn't conquered all.

Dr. RASKIN. She got to do the last one.

Senator Moss. Strike that from the record.

Prof. B. G. Dick will be our next witness. Glad to have you, Professor Dick.

Mr. DICK. Thank you for the opportunity to be here. I am just going to precise my remarks.

Senator Moss. Thank you.

Mr. DICK. Let's see, how long is the record going to be open, because I have somebody else that might submit.

Senator Moss. I will keep the record open at least 10 days for any additional comments that you wish to submit in writing, or any other citizen does, as long as the comments are on the subject here that we are talking about. They could be sent directly to me, or sent to the Interior and Insular Affairs Committee of the Senate, either one, and they will go in the record.

STATEMENT OF B. GALE DICK, SALT LAKE CITY, UTAH

Mr. DICK. Thank you.

My basic message, I guess, is threefold. The first one is, move fast. I recount in my testimony the history which you already recounted this morning, Senator. This goes back to 1967. It seems to me that we are way behind schedule on this.

The pressures for development are mounting very rapidly. Every month of delay, it seems to me, is serious, and we would have been much better off if this bill had been passed when you first introduced it in 1967. As part of the history, I will submit later three editorials from the Salt Lake City Tribune, two in 1967 and one this year. There are probably more, but these are all strongly supportive of this measure.

The second part of my testimony has to do with the recounting of horrors. I won't go into those again. I had the assistance of Dr. Bard Glenne, Dr. Grant Borg, and Dr. Eckhoff, who are members of the department of civil engineering at the university. They point out traffic problems, highway safety problems, oil spills, the sewage truck wrecks, bacterial stream counts, and a few things like that which we have already heard about this morning.

The third part of my testimony has to do with personal experience. In the last few years, really almost ever since the first bills were introduced. I have on one occasion or another been giving talks on problems of land use in the Wasatch National Forest. For some reason, this is

something that falls my way all the time. On every occasion, practically, I have brought up S. 1144 or one of its previous incarnations, and I have got, I have had a lot of public reaction to this bill from people who are not going to be here today. And I think I am not misrepresenting the case at all to say that in every case it has been almost unanimous approval. There is wide public support in my experience.

So thank you for the opportunity to be here. Please see to it that this bill is passed, and as quickly as possible. Thank you.

(The prepared statement of Mr. Dick follows:)

STATEMENT OF B. GALE DICK, SALT LAKE CITY, UTAH

I urge the speediest possible enactment of S. 1144. Such action is long overdue. This proposal to acquire 3000 acres of private land within the boundaries of the Wasatch National Forest goes back at least to 1967 when, in response to a resolution from the Salt Lake City Commission, Senator Moss and Rep. Lloyd introduced Senate and House bills to authorize such acquisition. Since that time there has been much interest and editorial support, e.g., Salt Lake City Tribune: July 5, 1967, July 25, 1967, March 18, 1967 and little legislative activity.

During five years of hemming and hawing the problems presented by the existence of private inholdings on the Salt Lake City watershed have not resolved themselves. To no one's surprise these problems have become worse:

The increased development on private land, especially in Little Cottonwood Canyon, has sharply affected the public safety of the Canyon and Salt Lake City residents. Automobile traffic in Little Cottonwood Canyon is now critical with respect to highway safety as well as parking and winter avalanche danger. The increased visitation and habitation made possible by the development of private land and adjoining public lands has brought pollution in the forms of oil spills, burning garbage heaps, toppled honeywagons and increased bacterial stream counts to more than 50% of Salt Lake City's watershed area. A survey taken by the U.S. Forest Service on February 28, 1972, of the water quality in Little Cottonwood Creek clearly shows the detrimental effects of private developments on water quality. [Documentation on these problems available on demand: Dr. Grant Borg; Dr. Bard Glenne; Dr. D. W. Eckhoff.]

Pollution and environmental damage can be minimized by controlling the number of visitors. One such way is by concentrating developments and limiting them mainly to day use. This is best accomplished through the controls possible on public land as compared with private land.

During the past five years I have on numerous occasions talked with groups about problems of land use in the Wasatch National Forest. I have almost always brought S. 1144 or one of its previous incarnations into the discussion. The reactions to the land acquisition proposal has been almost unanimously favorable. I am convinced that there is wide public support for the proposal.

Public use of the Wasatch National Forest as watershed and recreation areas is inconsistent with private ownership.

Please see to it that this Bill is passed.

Senator Moss. Thank you, Professor Dick. And I agree with your sense of urgency. It is frustrating sometimes to try to move legislation, and when it is concentrated in one particular area, it is hard to get widespread approval of one's colleagues to move it along when there are so many other things competing for their attention. And I regret, too, that we weren't able to move sooner. But one reason for having these hearings right now back-to-back with the 4th of July is to get this record in and get it moving along and hoping that we can get some action on this bill. We will act before this Congress adjourns if it is feasible to do so, and I think we will be in until October.

Mr. Paul Salisbury.

Dr. RASKIN. Senator, I don't think Paul was able to get down here.

Senator MOSS. Paul wasn't able to come. We will call his name once more before we close the hearing.

Robert Bullough. Mr. Bullough, glad to have you come to testify before us. You may go right ahead.

Mr. BULLOUGH. I appreciate the opportunity, Senator.

I have had to concur with much of everything that has been said here this morning. I feel as many people have pointed out that our concern for the water supply should be of the utmost importance. However, in my contacts with people, both formally and informally, in my teaching and so on, I have reached the conclusion which is equivalent to that of Dr. Dick, that virtually everyone has positive attitudes toward the bill which you are proposing. And I have also been very much aware of the alienation that many people feel because of the loss of access to areas that should be, rightfully be, theirs. I have prepared a very, very short statement relative to this and I would like to——

Senator MOSS. You may proceed any way you like.

STATEMENT OF ROBERT V. BULLOUGH, PH. D.

Mr. BULLOUGH. Max Lerner has proposed that if one word be selected to represent the essence of America it should be the word "access." He was referring to the openness of our society and to the opportunity that this unique system offers to the upward mobile who desires to occupy what he terms the seat of the mighty. The concept of "access" contains something of Horatio Alger and the Protestant ethic mixed with a bit of the stuff that dreams are made of. When one considers the numbers of people who have moved from rather obscure circumstances into the mainstream of the system, then on up into positions of relative prominence, it becomes obvious that Lerner has reached a valid conclusion—access must be the key to the American phenomenon.

This concept of access affords many of the have-nots in the society with a certain encouragement that they can obtain a bigger piece of the action if they work hard enough at it. The average middle-class American may not aspire to become chairman of the board, but he does, nevertheless, nourish a multitude of hopes and desires, all of which depend to one degree or another on the thesis that a better life is accessible to him.

It is, however, becoming increasingly evident to many people that Lerner's concept of access may be more idealistic than realistic on virtually all levels. Movement through our system is accomplished with considerable difficulty these days as constraints are encountered that tend to effectively thwart one's mobility in many instances.

The trend toward private land development in areas of high recreational potential represents just one of the ways in which many middle- and lower-class Americans are denied access to important leisure-time activities that should rightfully be theirs. When a section of mountain land is fenced and posted and built upon, it becomes for all practical purposes inaccessible. This condition is long lasting and seemingly very final.

I feel that the thrust today must be toward bringing more people into the good life milieu rather than forcing them into a nonparticapatory role. The feeling of alienation is compounded when wealth and material tend to be concentrated in the hands of the few and out of the reach of the bulk of the populace. The act of making choice recreational lands available for use by the public will not cure the Nation's ills, but it will represent a modest step toward giving more people a piece of the action.

And I would like to strongly urge that the bill be passed and that the State of Utah take the opportunity of acquiring the select pieces of land and returning them to the public domain.

Senator Moss. Well, thank you, Dr. Bullough, for your testimony and for discussing another facet we haven't talked about—which is that private ownership excludes the general use. We haven't thought of that so much in our mountains as we have in our committee. We have had a lot of problems on seashores, because particularly on the east coast, the seashores have all been purchased by various people and now the average citizen has a hard time even getting to the seashore. And to remedy that, we have now been creating some national seashores and encouraging the States to exert their police power to make the shore available. Now, you're saying the same thing about our mountains in a way that if we permit continued growth of private ownership, or if we don't extinguish that ownership which is already in a blocking position, we will begin to exclude our citizens from using our recreational areas. I get this type of complaint from our hunters now who find that when they want to go hunting in the fall, they can't get across some of the private holdings.

Mr. BULLOUGH. Yes.

Senator Moss. And they say they don't have access.

Mr. BULLOUGH. This is also becoming particularly true of fishing waters, where access has been acquired and the people can't get to them. So I think it is a very important thing and many people don't avail themselves of this kind of an opportunity to make their feelings known. But I am happy that I had the opportunity to do so.

Senator Moss. Well, I am glad to have you bring it up and this is just a little small part of the big problem.

Mr. BULLOUGH. Yes, it is. Thank you.

Senator Moss. Mr. Glen Greener has come in now, and he is going to present the county's testimony for Commissioner McClure.

Mrs. PLUMB. He just went out the door again.

Senator Moss. I saw him sitting there a minute ago. Well, we will move him back a peg and call him again.

Mr. Paul Salisbury, please.

Mrs. PLUMB. He is the one.

Senator Moss. He is a no-show. Oh, yes. Mrs. Bliss.

Mrs. VIAVANT. She is not here either.

Senator Moss. Is Mrs. Dick going to come?

Mr. DICK. No. I speak for both of us on this occasion.

Senator Moss. You are permitted to speak for the family this morning. That is fine.

Let's see, Paul Cannon, who will speak in behalf of L. Damon Godd or Gadd, is it?

Mr. CANNON. Gadd, G-a-d-d.

Senator Moss. That looked like an "o." There were two "d's" on there. That is the only thing that saved me. All right. We will hear from you, Mr. Cannon, if you will come forward, please.

Mr. Cannon is an attorney and a longtime friend of mine, whom I have known many years in Salt Lake. Glad to have you, Paul.

Mr. CANNON. Well, I appear here on behalf of Mr. L. Damon Gadd, who is purchasing the one section of land which is marked No. 2 on the board in Mill Creek Canyon.

Senator Moss. In Mill Creek; yes, sir.

Mr. CANNON. I might say that I am here principally to speak of his plans that he made at the time he bought it. At that time Mr. Gadd was very much in the class of a good guy, because he was going to promote skiing here and do something very fine and nice. And at the present time the whole tenor of the thing has switched the other way. And I would just like to give a little history of his activities and plans and then make a statement with respect to the bill itself.

Senator Moss. Surely. We would like to do that, and if you would like to sit, Paul, it is permissible. Maybe as a practicing lawyer, you feel better talking on your feet. You can do either way.

Mr. CANNON. Well, the judges have started to require that, and somehow I have got the habit.

Senator Moss. All right. Fine.

Mr. CANNON. I might——

Senator Moss. I will act as though I am a judge.

STATEMENT OF PAUL B. CANNON, IN BEHALF OF L. DAMON GADD, SALT LAKE COUNTY, UTAH

Mr. CANNON. I might say that Mr. Gadd is the operator on the ski resort in Vermont called Sugarbush Valley and he knows the business quite well. He mentioned to me when he first came out here that a number of his customers came to his place in Vermont, but when they wanted a longer stay, they would go maybe to Switzerland or so on, and he was looking for a nice place where he could attract the skiers for a longer length of time and have a snow and a place equal to what they might find someplace else.

He contacted, according to the information he gave me, Governor Rampton, the county commission, and Mr. Turtlelot of the Forest Service department and all of the reaction was favorable to his going ahead. He had the place examined carefully by ski experts to make sure that it was a suitable spot. Among his plans was to build a sewer line down Mill Creek Canyon. In other words, he was taking into consideration whatever the problems were. And that undoubtedly, the road would have to be widened from the elbow on up. And the question is whether or not it would have to be widened farther down.

Mr. Gadd looked over other areas in all the Western States, and particularly Colorado and he chose this because of the fine snow in Utah, the greatest snow on earth that we have advertised so extensively, and because it was so close to an airport where international planes could land. And he certainly did not want to come in and irritate the local populace, nor become an enemy of the people, nor

a bad guy, nor does he want to proceed with this against determined opposition. But he did take into consideration the things that have been mentioned here today, and that was the question of the road and he discussed it with the county commission, according to the information he gave me, and they made no objection to it. He discussed the matter of water, and I might say that the people he bought it from had already planned a housing subdivision there. I have their brochure on their plans, so that this is nothing new, and they stated that they had water rights there, which we found they did not have. And I personally discussed it with Mr. Wilson to be sure that we would have culinary water. Any water that would be used would be piped. We would have to pipe it directly from springs. Of course, the water in Mill Creek is not yet being used by Salt Lake City, though I understand it is owned about 80 percent by Salt Lake City. And in the plans that they are developing that, I don't know which project it is, but a tunnel is planned underneath through the mountain over to Parley's Canyon.

But in any event, a sewer line was in the plans. It was not to be built without a sewer line. And all of these matters were discussed and favorably commented on.

At that time, we were trying to get the winter olympics in Utah and Utah has advertised and spent a lot of money advertising the skiing here. Now, I might say that we do not either oppose the bill or necessarily favor it, except that if it is going to be passed we would like prompt action, and we certainly do not oppose it outright.

Now, the skiing possibilities of Mill Creek are very good, though not as extensive perhaps, as at Alta, and if they decide to scrap a ski area at the head of Mill Creek, then it is probably forever gone. And this may be the right thing to do. But also you would lose the sewer line that Mr. Gadd deems essential, and also the canyon has got to be used by somebody. And the ski resort would make it a winter use as well as a summer use.

Now, we filed a statement of the history of it, of Mr. Gadd's attempt when he came here to find out if there was opposition. He found no opposition. He was told by the people that he bought from that the Forest Service would like to have bought this but they didn't have the money, and so I think that was out. So this bill actually dates prior to his contract. So that if the land is not purchased and permission can be obtained and if Mr. Gadd goes ahead, he would build a first-class resort, take care of the problems that have been mentioned here, certainly the sanitation would be no greater problem in Mill Creek Canyon than it is other canyons. I would think much less because a sewer line would be built.

Now, I would like to state that I am not here opposing the bill. If it is the wish of the public to have Mill Creek Canyon maintained and operated by the Forest Service, we do not want to oppose the bill. In my own view, its got to be used, that is what it is for, and skiing is one of the uses, and certainly skiing is not just a rich man's sport. I used to ski. I didn't have much. And the great crowds that we get have to be the general public. So this would be for the general public, not just a rich man's resort.

But I would like to try to leave the impression that Mr. Gadd came here thinking he was a good guy and now from all that has been said today, and what is published in the papers, he is a bad guy. But he doesn't want to be. He doesn't want to oppose, or oppose the public here, run into a lot of opposition. But he thinks it is a very fine location for skiing. There would not be as much skiing as we have at Alta by a long shot, but yet there would be some of the finest runs that we have in the Wasatch Mountains. And after we have spent all the money that we have had to bring the skiing here, I think a second thought should be given to scrapping any nice place, especially if the problems can be solved, and they would have to be solved, but we could get permission to go ahead, I am sure. And the Forest Service has granted the areas for skiing all over the West, and as I understand it, in both Big and Little Cottonwood Canyon, and of course, they are going to have to go on and grant permission for ski lifts if we are going to continue to expand.

I think I am just repeating myself when I say we want to cooperate, we are surprised at the sudden opposition that has arisen on this, and that the same problems would arise if it is heavily used by the public in either for skiing or the Forest Service, under the Forest supervision.

Senator Moss. Well, that is true, Paul. If the Forest Service permits skiing there, it is likely to have the same amount of usage as if it were in private hands, although it may be treated somewhat differently. How long ago did Mr. Gadd acquire this?

Mr. CANNON. His contract is dated September 10, 1968. He was here in the spring of 1968 when he first contacted me and negotiations lasted through the spring and summer of 1968 and the contract was signed in September.

Senator Moss. I see. Of course, he is entitled to an answer. He has an investment there and he should know whether he can develop it or whether it is going to be acquired by the Federal Government under this bill. And so you urge fast disposition as quickly as possible so he will know the answer. And I, you know, I am not entirely unsympathetic with, what you have to say. I think skiing in our mountains is one of the great outdoor recreations that we are entitled to here, and we ought to foster it as much as we can, still protecting our watersheds and our mountains from destruction by improper or excessive use. So it is a problem of finding the line of balance there between. I don't necessarily favor not permitting anybody to go in there and ski. It is a beautiful area up there at the head of Mill Creek.

Mr. CANNON. Pardon me.

Senator Moss. Yes, Paul.

Mr. CANNON. There was one question that Mr. Gadd wanted me to make certain of. In some of the old maps, this one section was excluded from the Forest Reserve. I don't know just why. But I have talked to the Forest man this morning, and we understand that this is now included and would be one of the tracts that would be purchased under this bill, and what I have said is on that assumption, of course.

Senator Moss. Yes.

Mr. CANNON. And I think that is your understanding.

Senator Moss. Yes. That is my understanding, Paul. Well, I appreciate your testimony and certainly Mr. Gadd shouldn't feel he is cast as a bad guy just because he was considering this as a possible development. The matter must be weighed now as to what is the fair amount of public interest here and that is what the committee will have to do. And I am glad to have you present that point of view so that we are acquainted with both sides of the problem. We don't want to hear just one side.

(The prepared statement of Mr. Cannon follows:)

STATEMENT OF PAUL CANNON, IN BEHALF OF L. DAMON GADD, SALT LAKE COUNTY, UTAH

This Bill gives the Secretary of Agriculture authority and he is "directed to acquire, at not to exceed the fair market value as determined by him, such of the nonfederally owned land, not to exceed three thousand acres, in the area described in section 2 hereof as he finds suitable to accomplish the purposes of this Act."

Section 2 of the Bill states that it is applicable to lands within the boundary of the Wasatch National Forest "in the watersheds of Millcreek, Big Cottonwood and Little Cottonwood Creeks." The township and ranges are then given so as to include what appears to be all of the canyons mentioned.

L. Damon Gadd is purchasing Section 32, Township 1 South, Range 3 East, Salt Lake Base & Meridian. It is assumed that pursuant to S. 1144 the property of L. Damon Gadd will be acquired by purchase or by condemnation.

In the mid-1960's, Mr. L. Damon Gadd, owner of a ski resort at Sugarbush Valley, Warren, Vermont, conducted an extensive search for a desirable ski and recreational area in the western part of the United States, where the ski season is longer and the snow is deeper than in Vermont. He inspected many areas of Colorado, Idaho, Montana, Wyoming and Utah. After much search and deliberation he found the ideal ski slope at the head of Millcreek Canyon, less than 20 miles from the Salt Lake City major jet airport. The powder snow of the Wasatch Mountains is famed and renowned. Utah was advertising for skiers with the slogan "The Greatest Snow on Earth." Mr. Gadd naturally assumed that Salt Lake County and Utah would welcome an investment in a new and undeveloped area.

Mr. Gadd contacted Governor Rampton, the Salt Lake County Commission, Salt Lake City Water officials and Forest Service officials to explain his purpose and desire in creating a major ski resort and year-round recreational development. He was encouraged by everyone to promote the skiing industry for Salt Lake County, Utah. Forest Service maps recognized and charted the slopes facing north from Little Water Peak as ideal terrain for numerous ski runs. The area has a vertical drop of 1800 feet over a length of 6,000 feet. The uniform 30° slope and its great abundance of powder snow is most difficult to find any other place.

The areas is entirely free from avalanches. After receiving encouragement to develop a major 6–8 million dollar ski resort, provided a sewer were built down the canyon to connect into Salt Lake County sanitary sewer system, Mr. Gadd purchased the property above described consisting of 640 acres. His contract to purchase is dated September 10, 1968. Mr. Gadd proposed and still proposes to construct a sewer line down the canyon from Section 32 to protect the Millcreek water when and if it becomes a part of the Salt Lake water system. The plans for use of Millcreek water are to divert it into Parleys Canyon where it will be treated. At the time of the purchase there not only appeared to be no opposition to Mr. Gadd's project, but in the vernacular, everyone appeared to be "gung-ho" for this new ski area. It is now most disconcerting to Mr. Gadd that there has suddenly arisen a rather vociferous opposition to the development of a ski area in Millcreek Canyon. He and his advisers have no desire to proceed with the project against a belligerent opposition. It is suggested, however, that very careful consideration should be given to the entire matter before the possibilities of a first-class ski resort in Millcreek Canyon are scrapped.

On the question of traffic, the following information is submitted. The past two years automobiles using Millcreek Canyon on a daily basis and monthly basis are as follows:

MILLCREEK CANYON

	Cars, daily average		Cars per month	
	1970	1971	1970	1971
May	1,338	1,356	41,478	42,036
June	1,919	1,933	57,570	57,990
July	2,253	2,435	69,843	75,845
August	1,748	1,347	54,188	41,757
September	1,335	1,509	40,050	45,270
October	964	1,324	29,884	41,044
Total			293,013	303,582

It is estimated that there is an average of three persons per automobile and on a weekend there are 8–10,000 persons using Millcreek Canyon for picnic and summer recreation purposes. Thus, Millcreek Canyon is heavily used in the summer but the great potential winter skiing use will be lost and foreclosed if Senate Bill 1144 is passed and the property is acquired by the Secretary of Agriculture to be included within the boundaries of the Wasatch National Forest.

For more than thirty years the Forest Service has issued its permits for ski lifts throughout the entire Intermountain area. In the next twenty years the nationwide market of skiers will increase many times and air transportation to Salt Lake City will be a key to greatly increased winter tourism. It is submitted that with sound planning and adequate financing the property can be developed without the damage or dangers to the canyon environment that have been predicted. The area has a far greater potential for winter and summer recreation than will be allowed if it is "preserved" for summer picnicking use only, without the protection of a sanitary sewer system.

Respectfully submitted.

PAUL B. CANNON,
RICHARD H. NEBEKER,
(For and on Behalf of L. Damon Gadd.)

Senator Moss. Mr. Greener has not returned as yet, and we are fairly well down our witness list. Is there anyone who has come expecting to testify who has not put his name on our list? And I have two gentlemen.

Mr. CALLISTER. Senator Moss, may I just ask one question?

Senator Moss. All right.

Mr. CALLISTER. I understand——

Senator Moss. Please give your name.

Mr. CALLISTER. William D. Callister. I understand that Representative Lloyd has introduced a bill in the House. Is this a companion bill to this?

Senator Moss. Yes. It is, I think, identical with this.

Mr. CALLISTER. Does it cover the same——

Senator Moss. Same tract.

Mr. CALLISTER (continuing). Suggested properties?

Senator Moss. Yes. I believe so. I think the language was the same as this. We don't have a copy of the House bill.

Mrs. PLUMB. No.

Senator Moss. But as I recall, Mr. Lloyd took this language and introduced it as a House bill. Yes.

Mr. PRUITT. My name is Robert Pruitt. I am not sure whether Snowbird Resort is on that list, but I was asked to come down and make a statement if possible.

Senator Moss. We will be glad to hear you now. I do not see anybody here representing Snowbird. If you will come forward, Mr. Pruitt right now.

STATEMENT OF ROBERT PRUITT, ATTORNEY FOR SNOWBIRD RESORT

Mr. PRUITT. Senator, my name is Robert Pruitt. I am the attorney for Snowbird and Richard Mass, who had expected to be here. As he was unable to attend, he asked me to make a statement.

It has already been testified to earlier that certain studies show that public use in the canyons along the Wasatch Front exceed the attendance of several large popular national parks. I want to point out that in our opinion this trend is irreversible and its impact must be anticipated and adequately provided for. Snowbird Resort has moved into the forefront to provide quality public accommodations on the scale needed. We want to point out that Snowbird underwrote the cost of the sewer in Little Cottonwood Canyon, which has been built to very high standards at equally high cost. We purchase our water from Salt Lake City through one of Mr. Wilson's subsidiary water companies, and we have installed our own very modern water system. We understand that Senate bill 1144 grew out of circumstances about 4 or 5 years ago involving plans to make a large tract of privately owned land into residential subdivisions in the mouth of Little Cottonwood Canyon. We understand this project was delayed when the proposal was made that the U.S. Forest Service would purchase this land and that this bill grew out of those circumstances.

We heartily support the bill and we urge its prompt enactment. The need for Senate bill 1144 is urgent. Development along the east bench in the vicinity of the mouth of the canyons is accelerating. Land values in the canyon are escalating rapidly, and land once subdivided, even though it may be zoned for nonbuilding purposes, is still difficult to reacquire by Government agencies, so that once this trend goes so far little can be done to stop it.

The use of our canyons is complex and sometimes competing. There are basically three public uses of our canyon, as a historic watershed. However, if you will notice it's primarily from snowmelt. There are just almost no storage facilities in these canyons. And it appears that water treatment plants have been installed only very recently, apparently after the water service, excuse me, the health department condemned the water supply about 10 or so years ago.

The other public use is its scenic beauty. The area is beautiful. It is acknowledged to be so. And I don't see anything in the horizon to detract materially from that.

The third public use is recreation, and this is the one public use which has been growing very rapidly. It is due in part to the growth of Metropolitan Salt Lake City, and it is due in part to the national growth of recreation generally. Now, there is a great deal of private participation in the recreation field, and sometimes this is characterized as being wholly private, and I point out to you that it is not. A ski resort such as Snowbird is as public as a public park or any other public facility. There are no fences at Snowbird and the public is invited there and areas are opened up.

Mr. Bullough's comment with respect to limited access struck me as a new wrinkle, because this is almost the one problem that in my own view has not occurred in our mountains and that is that there are very few fences. There are very few limitations on access. Snowbird is dedicated to public access and sometimes highly criticized for that.

There is another competing use of our canyons which is wholly private, and that is residential. There are a number of mountain cabins in our canyons, there are an increasing number of summer homes, and there is the prospect of residential condominiums which are nothing in the world but apartment houses in the mountains. And, of course, underlying all of this is land speculation. People would acquire this land for some future use. Their concept defines existing zoning, thinking it will overcome it. It defies reasonable limitations on building due to terrain and what not, and in short, it defies logic. It is against that use of the canyon lands that I think Senate bill 1144 is aimed, and we would urge that it be immediately enacted. We hope that the appropriations bill that will follow this bill will be adequate to do the job. Thank you.

Senator Moss. Thank you, Mr. Pruitt. And you do support the bill generally, although you have pointed particularly to the problem in tract 4 on that map, is that right?

Mr. PRUITT. Most emphatically, we support the bill completely. Tract 4, being the area that to my understanding generated the interest in this bill, and because of its presence in Little Cottonwood Canyon, we deem that most urgent. As the Senator probably is aware, just around the corner to the north, and increasingly around the corner to the south of the mouth of Little Cottonwood Canyon, there are already substantial residential subdivisions. There is a residential subdivision of a sort in the mouth of the canyon at the Wasatch Resort. The church has its vaults, its commercial vault area up the canyon a little farther. This type of development will be inevitable if something isn't done to take out of private ownership. It is not suitable for normal recreation purposes.

Senator Moss. Well, thank you. I did drive out there just a few days ago and I was surprised to see the number of homes that are being built just out of the mouth of Little Cottonwood.

(The prepared statement of Mr. Pruitt follows:)

STATEMENT OF ROBERT G. PRUITT, JR., ATTORNEY FOR SNOWBIRD RESORT

My name is Robert G. Pruitt, Jr. and I am speaking on behalf of Snowbird Resort located in Little Cottonwood Canyon, Salt Lake County, Utah. Mr. Richard D. Bass had planned to attend and make this statement, but was unable to do so due to other pressing commitments.

Snowbird unhesitatingly supports Senate Bill No. 1144 and urges its prompt enactment.

Other witnesses before this committee have testified with respect to studies which show that public use of the canyons of the Wasatch Front exceed public attendance in several of the large, popular National Parks. This trend of public use is irreversible and its impact on the area must be anticipated and adequately provided for. Snowbird Resort has moved into the forefront to provide quality public accommodations and facilities on the scale needed:

Snowbird underwrote the cost of the newly completed sewer line in Little Cottonwood Canyon, which was built to very high standard, at equally high cost.

Snowbird has installed a complex water system and purchases its water from Salt Lake City through a subsidiary water company.

Snowbird's capital investment to date exceeds $13.5 million, for public facilities of the very highest quality.

We understand that Senate Bill No. 1144 grew out of circumstances about five years ago when local promoters planned to make residential subdivisions on a large tract of land near the mouth of Little Cottonwood Canyon. That ill-conceived plan was delayed when a proposal was made to have the property purchased by the U.S. Forest Service.

The need for Senate Bill No. 1144 is urgent. Development along the benches immeditaely north and south of the canyon mouths is accelerating and land values in the canyons are escalating rapidly. This land, once it is subdivided and reduced to diverse ownership (even though restrictively zoned against building), will be very difficult to reassemble for acquisition by government agencies. We sincerely hope that Senate Bill No. 1144 and its meager funds, once authorized, will be directed first toward acquisition of that critical land parcel at the mouth of Little Cottonwood Canyon which gave rise to this legislation.

Uses of the canyons along the Wasatch Front are complex, and sometimes competing. Public-oriented uses fall into three major categories:

1. *Watershed.*—Historically the canyons of the Wasatch Front have supplied water to the developing communities in the valley below. However, I point out that these water supplies are principally snow-melt, and there are virtually no water storage facilities in any of these canyons. Furtherfore, water treatment facilities were constructed only after the U.S. Health Service moved to condemn Salt Lake City's water supply approximately 15 years ago.

2. *Scenic Beauty.*—These canyons and the surrounding mountains are noted for their scenic beauty, and justifiably so. The beauty of these lands cannot be diminished unless unbridled subdivision and development is carried to an extreme degree.

3. *Recreation.*—Public recreation use of the canyons is intense and rapidly increasing. This growth is due in part to the growth of metropolitan Salt Lake City and the communities along the Wasatch Front, and in part to the general growth of recreation nationally. Winter recreation, primarily for skiing, is world-renown and growing; summer recreation is popular and still growing. Frequent participation in public recreation by private enterprise has sometimes caused critics to characterize recreation as a "private use", but I submit that this is not so. Snowbird's entire development, existing and planned, is oriented strictly toward public recreation and is in harmony with the goals of public land agencies interested in recreation.*

One other competing use for our canyons, not essentially public in nature, is a fourth category:

4. *Residential Development.*—For many years our canyons have been the site of numerous "mountain cabin" temporary residences. As land values increase, the modest cabin is being surplanted with more pretentious summer (and winter) homes, and we are faced with the prospect of year-round homes and residential condominium projects. As you know, the residential condominium (not to be confused with the resort condominium or condominium lodge) is essentially an apartment house, or wall-to-wall subdivision. More serious as an immediate threat, however, is the land speculator, who buys or bids up the price of land in the prospect of continually appreciating land values, and ultimately seeks to unload his acquisitions on a gullible (and eventually infuriated) public. His activities often defy restrictive zoning, physical limitations on buildable terrain, avalanche hazards and limitations of sanitary facilities.

We believe Senate Bill No. 1144 is aimed primarily at staving off this last type of unneeded, non-public subdivision and development. It is long overdue and we urge its immediate passage. We only hope the meager funds presently budgeted to the task will be adequate.

Thank you for this opportunity to present our views on this matter.

Senator Moss. The Governor is here, and we will ask Governor Calvin L. Rampton if he would like to come forward and make a statement for us on the bill that is before us. Governor, we appreciate

*Dr. Bullock's earlier testimony concerning a "lack of access" to public areas seems peculiarly inappropriate to our canyons. I am not aware of any fences or limitations by private landowners to deny access by the public to public lands in the canyons. On the contrary, Snowbird's primary purpose is to provide and improve public access to our mountains.

your coming, and this is on S. 1144, which has to do with the lands you can see marked on that map there at your right. We've heard a number of witnesses here this morning and we are most anxious to hear your position representing the State of Utah.

Governor RAMPTON. Well, I have a prepared statement, Senator. Now, whether you want me to read this or whether I should enter it in the record and just comment briefly on it, I don't know. It is not a long statement.

Senator MOSS. I have extended to other witnesses the privilege of putting the statement in and commenting, although if you wish to read it, I would be glad to have you do that. I see it is only three or four pages. Maybe you would like to do that.

STATEMENT OF HON. CALVIN L. RAMPTON, GOVERNOR, STATE OF UTAH

Governor RAMPTON. All right, I will.

I would first like to thank you for the opportunity we have here to make a record on the viewpoint of the people of Utah, as well as the government, on this bill which now is being considered.

The issues which this bill addresses are of vital concern to the people of Utah and especially the urban Wasatch Front population. One of the most valuable assets bestowed on the majority of Utahans is the immediate availability of some of nature's most beautiful country. As the many pressures of urban living increase, the need for mental and physical renewal becomes critical. We have inherited in the Wasatch Mountains, a magnificent piece of nature readily available to us for this purpose. It is our clear responsibility to insure that this area and the opportunities it presents to us all remain for future generations to enjoy.

In these days of increasing environmental awareness, the fortunate setting of Salt Lake City can be expected to bring people into it in large numbers. It follows that demand for recreation sites will also increase. Hence, we should expect—and prepare for—an increased pressure on our canyons and mountains.

It is the feeling of the State government that our mountain heritage should be regarded as a public trust. In this regard, an effective argument can be made that the greatest public benefit of such critical areas as our canyons can best be realized under the multiple use management principles of the U.S. Forest Service. I might say here that if there were in the State government the authority to acquire this land and adminster it, I would oppose the bill. But there is not. And it would appear that the only way to get the proper regulation of these areas now is through the Forest Service.

Environmentally critical areas such as those addressed in the bill must be effectively managed to insure maximum public benefit.

While realizing the Federal Government does not own the majority of land in Utah, we must also realize the critical nature of these lands is valuable to the general welfare of all. Such areas exist on the Wasatch Front of which some are the subject of the present bill. In the years to come, we will all have to face the very hard questions and decisions on use of land to the best overall benefit to the public.

While recognizing the demand for privately developed recreational areas, it is the feeling of the State government that the lands included in this bill will best serve the increasing public demand for a quality life as a part of the public trust managed for the benefit of all citizens. This bill, S. 1144, addresses this issue and will be an important factor for insuring a continued quality of life in Utah. And I might interpose here, I am not saying that I would want to see the Forest Service administer this area in a way that would cut out all private development. I feel that at times the Forest Service has been unduly restrictive, and you and I have encountered this in a number of times, not particularly in this area, but in other areas they have been unduly restrictive in the provisions that they have made for multiple use and for the cooperation they have extended to those who are attempting a commercial development in the area either on or adjacent to land currently owned by the Forest Service.

The Wasatch Front canyons are the fragile providers of our water and this supply of quality water must be protected. It is the feeling of the State that the best insurance for this is under the public trust.

There is, however, an underlying problem which the present bill isn't able to correct. The fact that land acquisition for development purposes in environmentally critical areas has occurred, and, it should be added, will continue to occur in the absence of appropriate regulations, effectively highlights the pressing need for a comprehensive land use program. Such a program is presently being studied at the State level, but awaits the passage of impending Federal legislation.

This legislation is in the Congress at the present time and has some rather definite guidelines, and we have been burned here several times in other fields of this in attempting to move a problem only to have the Federal Government come along with an oversight policy and adopt guidelines which were inconsistent with the procedures, or maybe not even inconsistent with our procedures, and we get in a bind and have to start over. And I don't want to do that. And I am all prepared at the present time to proceed, as the attorney general has indicated we might do, with land use planning in order to be ready for some proposal to the next legislature. But I fear to move very fast until you people in Washington give us the guidelines that we've got to adhere to.

Senator Moss. I think we are pretty sure to have our land use planning bill out this year. It is already out of the committee in the Senate, and I believe you will pass it during this calendar year so you can prepare for your next legislature.

Governor Rampton. I might say that there are some problems that I have with some of this legislation, and I am not sure whether it is in the House bill or in the Senate bill, and this is with the matter of sanctions in this bill where the Federal Government would withhold certain funds from State governments that fail to meet the guidelines in land use planning within a period of time. And the sanctions would apply to Federal funds that would have no reasonable relationship to land use planning, which appears to me to go beyond what is reasonable. I don't mind reasonable sanctions so long as they relate to this function and not apply to general grants from the Federal Government, the State government across the board.

Senator Moss. There are some tough sanctions proposed.

Governor RAMPTON. Land use planning is based on the recognition that land is, in fact, a scarce natural resource which must be most carefully allocated among competing uses, for the attainment of our social and economic goals.

In the case before us is a perfect example. Threatened intensive development of lands in nearby canyons raises the specter of pollution, watershed destruction, limited flexibility in organizing and maintaining flood control techniques, as well as producing possible esthetic affront. It should be noted, however, that limited development, properly located and planned, is not necessarily inconsistent with the ecological protection of certain canyon areas. Because the lands in question are privately held, the State and Federal Governments are in the position of merely reacting to what is still, at this point, a potential problem. But reaction in this case is unavoidable, for preservation of a high quality environment demands it.

The people in Utah cannot afford to remain trapped by the development of events which create a position of crisis reaction in critical environmental areas such as the Wasatch canyons. Comprehensive land use planning, plus an integrated approach designed to identify and deal with critical problems, offers a means of solving such issues as we face today. Without a means such as this separate bill, separate hearings and a great deal of supportive work, to say nothing of public funds and time, would be needed as similar problems arise from time to time.

Fragile areas, such as these canyon lands, continue to experience pressures resulting from urban growth. The State of Utah, therefore, must define its goals for the bountiful land resources it has inherited and prepare to attain these goals.

Senator Moss. Thank you very much, Governor, for your statement. And I appreciate the analysis you have given the bill and the conclusions that you have expressed.

I agree with you, of course, that land should certainly not be acquired just to be unused. The land covered by this bill is recreational land as well as land that produces the water supply for the valley and furnishes other esthetic values because it is wild and beautiful. So it is a matter of balance, I suppose, we are talking about. And the question here is whether the Forest Service, which owns the land surrounding these enclaves, can do a better job by acquiring this land and then managing the whole area, rather than have what may be competing uses of the private developers side by side with Forest Service management which may conflict one with the other. And I appreciate your statement on the bill. We, of course, will want to consider that. The reason for holding the hearings here at this time right in this short congressional recess period is to try to gather from the citizens of Utah a cross section of their feelings as to what can be done, so that we can move with some rapidity in Washington. This bill has been hanging fire for about 5 years since the problem first arose in Little Cottonwood Canyon, and nothing was done for a long period of time. Finally, interest seemed to have revived and we are trying to move the bill along now. So thank you. I appreciate it.

Commissioner McClure will be represented, I understand, by Glen Greener. And, Glen, will you come forward please, and give us the position of Commissioner McClure and the commission. Will you be speaking for the commission as a whole?

Mr. GREENER. I will be reading a statement from Commissioner McClure.

Senator Moss. Yes. All right. If you will read the statement for us, we would appreciate it.

STATEMENT OF RALPH Y. McCLURE, COMMISSIONER, SALT LAKE COUNTY PLANNING DEPARTMENT, READ BY GLEN GREENER

Mr. GREENER. These are Commissioner McClure's words.

I appear here today in the capacity of a Salt Lake County commissioner—as the commissioner charged with the Salt Lake County Planning Department—and as an individual concerned with the preservation of our canyon areas.

I have long felt that the most appropriate role for government is to protect and preserve that which is best for the greatest number. Salt Lake County has a great resource for all its residents in that within a very short distance we have some of the most beautiful mountain scenery in the world. The mere presence of this opportunity for relief from the pressures of urban life create for our residents a great feeling of comfort. The problem we are confronted with now is that of a growing demand for the utilization of our canyons for recreation and the attraction of profitmaking enterprises that result. This resource, as all resources, is finite. It can be used up now for the benefit of a few and future generations will be deprived. The consideration of future generations cannot be underestimated.

These are the people who have an even greater dependency on the mountains as watershed areas. Water is a scarce commodity here in the West. As you pointed out in your book, "The Water Crisis," "The amount of water available to the Nation is fixed, but the number of persons using it increases every day." Our concern must be not only with the availability of water, but purity. Public ownership of watershed areas is one way to insure both. It is for this reason that Salt Lake County zoned the canyons—to protect not only their esthetic value, but their value as a watershed. This was an appropriate use of governmental powers.

With Senate bill 1144, I believe we have another example of the appropriate use of governmental powers. The acquisition of private lands in our canyons for the purpose of preservation and protection is better than zoning. I have said many times that if the county only had the resources we should buy some of these areas. With zoning, we are restricting what a man can do with his own property. This is a tenuous situation. The attitudes as to how a particular area ought to be used can change with each new administration. As attitudes change, the zoning can be changed. In other words, we lack a guarantee of consistency. With the purchase of the land, the owner is given fair compensation, rather than sometimes unfair restrictions, and the public is given a much more certain guarantee of preservation and protection of scenic and watershed areas.

On March 20, 1972, at my request, the Salt Lake County Commission formally passed a resolution of endorsement for Senate bill 1144. I want to report to you today that this endorsement still stands and that we do not underestimate the importance of this bill. The passage of this bill will augment and support many of the measures we have taken as a county commission in seeking to maintain a beautiful resource for all people. I want to see passage of Senate bill 1144 as soon as possible.

Thank you, Senator Moss.

Senator Moss. Thank you very much, Mr. Greener, for bringing the statement of Commissioner McClure and also indicating that his county commission by resolution endorses the bill as it is now drafted. The county acted when we were threatened by the so-called subdivision development down there near the mouth of the canyon, with the zoning action. And I want to commend the commission for doing that, indicating that they were alert to the problem and much concerned about it. And the fact that they believe now that the best solution would be to take the enclaves into the forest so that the whole area would be managed in a common way, indicates that they think this is what ought to be done now in the interest of the people in this county. So thank you very much. We appreciate it.

Mrs. Bliss is here now and I am glad to recognize her and ask her to come forward, and I called your name before, Lloyd, and thought you hadn't come, so I crossed it out. I will now reinstate it. We will be glad to have your testimony.

It would be better if you sat at the end of the table and then the people attending the hearing can better hear what you have to say. We are working without microphones today.

Mrs. Bliss. It is difficult to the average housewife to get 25 copies of anything in the extra time.

Senator Moss. I am sure that is a problem.

STATEMENT OF LLOYD BLISS, SALT LAKE CITY, UTAH

Mrs. Bliss. My name is Lloyd Bliss. I am a housewife who has lived in Salt Lake City for the past 22 years and have been interested in water resource problems much of that time.

During the years we have lived here, the Wasatch Mountains have served both as the chief source of water and as the chief recreation area for the Salt Lake Valley residents.

Because of the ever-increasing pressure put on the water supply and the recreation areas by an expanding population, it has become more and more difficult to control the effects of recreational use on the watershed. The enforcement of local, State, and Federal standards in the canyons has been complicated by the fact that a number of parcels of privately held land lie either on the periphery of the Wasatch National Forest or within its boundaries.

Senator Moss' solution to this problem as outlined in Senate bill 1144 seems fair and equitable. His bill would eliminate the patchwork quilt of private and public lands which now exists in our canyons. It would greatly simplify their administration by the Forest Service.

It would also insure that the watershed and the recreation areas would be free at last from the threat of private exploitation so that they might continue to serve all the people of the Salt Lake Valley.

Thank you for permitting me to testify.

Senator Moss. Thank you, Mrs. Bliss. That is a very succinct statement that you have given us. I am aware of the great deal of attention that you have given to conservation and recreation matters here and we are pleased to have you come and testify for us and put your statement in the record.

This completes a number of witnesses that we had planned to hear this morning. Again, if I have overlooked anybody who had planned to testify, I would give them an opportunity at this point. Yes, sir, here is a gentleman.

Mr. KNOWLTON. I hadn't planned to testify, Senator, but I plan to make my comments in a statement and submit it later. I didn't get an opportunity to put in the written form and make 25 copies, but I would like to point out one or two things.

Senator Moss. You may come forward, if you would like, to make a brief oral statement. We would be glad to have you.

Your name and affiliation, please.

STATEMENT OF JOSEPH KNOWLTON, ATTORNEY, SALT LAKE CITY, UTAH

Mr. KNOWLTON. My name is Joseph Knowlton, Joseph S. Knowlton, K-n-o-w-l-t-o-n. I am an attorney at law practicing here in Salt Lake City. I represent the Albion Basin Development Co. who is proposing a condominium development in the Albion Basin, as well as seven or eight other landowners, in the canyons.

I would like to point out the fact that this legislation appears to be somewhat discriminatory in that it just picks out certain parcels of private ownership in the forest. There is a great deal of private ownership in the forest land. As can be seen from this map which was prepared by the Forest Service.

Senator Moss. There are quite a number of private holdings, that is true.

Mr. KNOWLTON. It appears that this Senate bill is designed to take out of the private ownership those areas that are proposing to be developed, and would be somewhat discriminatory in that regard. If it were to be consistent, it ought to cover all of the inholders of the private ownership.

I also would like to point out that private ownership is not per se polluting. In fact, if it weren't for the private ownership there wouldn't be much done about pollution as far as the watershed is concerned. The polluting factor is the number of people utilizing the property or the canyons, and that is not discouraged by the Forest Service, that is encouraged by the Forest Service. The private ownership would discourage public utilization of the property and as such, would prohibit the great, great usage by the public.

Now that might be a desirable thing or might not be a desirable thing. I don't want to argue that particular point. But the area that

has the greatest pollution as far as the creeks are concerned is the Mill Creek, which has the lowest private ownership of any of the canyons and has the highest degree of pollution. And the more people that you put into the canyon, of course, creates the watershed problem.

You might be interested, the Forest Service per se does not protect the watershed from that standpoint because they put into the canyon the greatest number of people and provide the smallest amount of facilities to provide for those people.

If the Senator might be interested to count the number of private toilets available to the public in this area. And the public utilization for the toilet facilities comes from the private sector, the commercial sector, and not the Forest Service. So I just wanted to make those points available.

We acquired this property—and I am the principal in the Albion Basin Development Co.—we acquired the property for commercial development specifically for that purpose and have held it for some 8 or 9 years. And if the Senate were going to be consistent about it, they ought to treat the whole thing consistently and, of course, to stop the development until such time as the Senate makes up its mind or the public bodies make up their minds is somewhat restrictive as far as the values are concerned on the property, as I am sure the Senator is aware. Thank you.

Senator Moss. Well, thank you, Mr. Knowlton. We are glad to have your viewpoint in the record, representing the landowners there in the Albion Basin, and we will give very careful consideration to it. Much of what you have to say is, you know, rings a responsive chord. The real way to protect the water supply would be to keep everybody out of the canyons, but they are a recreational asset. The question is how they are going to be used and what protection must be put upon them.

This bill proposes that they be lodged with the Forest Service for protection and certain types of use, and you have called into question the effectiveness of doing it that way.

Now, you would be permitted to file your written statement if you wish to expand on what you have said here, and similar permission will be available to anyone else who feels he has a contribution to make on the matters before us. If you want to send a written statement within 10 days to me or to the Senate Committee on Interior and Insular Affairs, it can be included in the record. It shouldn't be simply repetitive of what has been said or what you may have said orally. But if there is some additional information that would be of value to the committee, we would be pleased to have it in the record.

(The complete statement of Mr. Knowlton follows:)

STATEMENT OF JOSEPH S. KNOWLTON, ATTORNEY, SALT LAKE CITY, UTAH

I am submitting this statement to be included in the record of the Public Hearing held in Salt Lake City, Utah by the Public Land Subcommittee on the 5th day of July, 1972 in the State of Utah Office Building Auditorium. The foregoing comments serve to amplify and add to the oral testimony presented to you at that time.

I represent Mr. Marvin A. Melville and his wife, Renee, Verna B. Melville, Eileen Dunyon, Albion Basin Development Company, Marvel Exploration Com-

pany, Canyonland, Inc., Valley Investment Company and Intermountain Development Company, as well as myself, as I am also a property owner in Albion Basin. The above-named individuals own property in the canyon east of Salt Lake City with an approximate value of better than six million dollars ($6,000,000). Included in this group of clients are the companies and individuals proposing to develop canyon properties in Albion Basin for condominium apartment space for the Alta area. As you can see, I and my clients have a vital interest in Senate Bill 1144.

I would like to go on record on behalf of my clients and myself as opposing the provisions of Senate Bill 1144, which provides for the acquisition of 3,000 acres of privately owned ground in the Wasatch National Forest by the United States Forest Service. Our reasons for opposition to this bill are as follows.

The proposed acquisition program by the Forest Service of the 3,000 acres under present consideration is highly discriminatory. This acreage represents approximately one-fifth of the total private land holdings in the Wasatch Forest at the present time. The proposed acquisition program of the 3,000 acres under consideration is not to promote the control of floods, the reduction of soil erosion, but is designed to stop the private development of the property and to protect it for the use of the public, which, in and of itself is not an unworthy aim. However, in view of the testimony presented at the hearing, public use of forest areas is creating the potential pollution problems, not the proposed private development.

The logic of increasing the public usage to protect the streams from pollution, soil erosion, as well as maintaining adequate vegetative cover, is faulty. The taking of private property for increased public use does not protect the land from floods, erosion, stream pollution or adequate vegetative cover. The testimony indicated that the canyons under consideration at the present time are supporting visitors at a rate that exceeds the visitors of Yellowstone National Park and Grand Canyon National Park. The acquisition of this private property for additional public use would increase the problem, not decrease it.

Particularly is this true when the Forest Service is proposing and fostering a plan to increase the ski facilities in this area by allowing, or requiring, the Salt Lake City Winter Sports Association to construct additional lift facilities which would greatly increase the numbers of people on the land with no adequate facilities to take care of them. This history of the ski areas in our canyons shows a great lack of planning and consideration by the political entities involved to protect the water sheds from human waste pollution. The public toilet facilities are almost nonexistent in these areas and have not been provided by the political entities concerned, i.e., the United States Forest Service, Salt Lake City or Salt Lake County, but have been provided almost exclusively by the private and commercial interests in the areas. The sewer that was recently installed in Little Cottonwood Canyon was not installed by political entities but by private concerns. This installation was provided after the political entities, Salt Lake City and Salt Lake County, had refused to cooperate and support the installation. The installation of sewer lines provides the only logical answer to the great demand for the public utilization of these canyons and will greatly enhance the future public use by protecting them and the water shed against the pollution danger that everyone is concerned about.

The reduction of the usable private property in the canyons and the stopping of the private development greatly decreases the chances for the logical anti-pollution measures, such as the sewer lines and sewer facilities necessary for the public utilization of the areas. This is particularly true in view of the great political apathy shown in the past by the bodies politic most concerned with the protection of the water shed. This historical pattern shows no change at the present time with the present "head-in-the-sand" attitude of the Salt Lake County and City and the United States Forest Service in their great desire to placate what appears to be an ecological movement to protect the scenic beauty and the pristine nature of the canyons for the great polluting public without any provisos for the protection of the water shed.

A careful study of the potentials for development in the Alta area, including the Albion Basin, shows that there is a very small area that has any potential for residential development because of the terrain and natural hazards of snow slides. Fortunately, or unfortunately, as the case may be, the area of greatest

potential in the Alta area is owned by the Forest Service. My clients and I have been negotiating with the Forest Service over the past several years for trades of property owned by private interests in the Albion Basin for property of equal value owned by the Forest Service in the Alta town area proper. At one time, it was thought that these trade proposals had culminated in what appeared to be a firm commitment. However, we were told that upon examination by higher authority of the Forest Service that the Forest Service was not in a trading position but was in an acquisition position. Therefore, even though the Forest Service admittedly wanted the development of the private interests in the Alta area, they did not want to make a trade when it appeared to them that they could acquire additional property through the means as proposed under the current bill, Senate Bill 1144.

A request has been made to the Forest Service for a right-of-way to extend the proposed sewer from the Alta area into the Albion Basin to protect the environment in the Albion Basin with the development of the proposed condominium residential complex. This request for a right-of-way has been denied by the Forest Service for, among other reasons, that there was not sufficient capacity in the proposed sewer for the developments in the Albion Basin after proposed developments in the Alta area proper had been taken care of, most of these proposed developments to be on Forest Service ground. It would, therefore, appear that the Forest Service is attempting to stifle private, commercial or residential development to enhance their own commercial potential in this area. In fact, at the last meeting held with the Forest Service in regard to the possibility of trade, the Forest Service representative informed my clients and me that they were not in a trading mood but were in an acquiring mood and would do everything in their power to stop our potential development. It might be noted that the only area with potential for commercial or residential development in the Albion Basin consists of approximately sixty acres. All of the additional land with potential is wholly owned by the Forest Service at the present time.

The Salt Lake County Master Plan for 1985 provides that the area in question in the Albion Basin will be a public park. At the present time, Salt Lake County has zoned all private property, with the exception of certain favored areas, into zoning for single family dwellings requiring fifty-acre lots. This zoning was admittedly passed to restrict the development within the canyons until such time as some public body could acquire the acreage suitable for development. Some public body meaning, of course, the United States Government.

It seems strange at the present time when we are living in an age of great government deficit spending that the government should be requested to expend money for acquisition of private property to be placed in the federal inventory in a state that is already owned over 75% by the United States Government. Particularly is this true when all of the desired results could be accomplished without the expenditure of any money with the trade of properties for which the Forest Service has little use, except for potential commercial or residential development, themselves.

It is also interesting to note that the Big Cottonwood Canyon has large residential tracts on the Forest Service property with many, many cabins on these properties. The Little Cottonwood area has very few residential tracts, none of which are on Forest Service property. Again, it seems strange that the Forest Service would be more interested in acquiring the private property that is suitable for private development than they are in acquiring property that has greater potential for forestry, flood control, reduction of soil erosion and pollution and the maintenance of adequate vegetative cover in the very selective acquisition of 3,000 acres for better than 15,000 acres of private holdings within the Wasatch Forest area in these canyons.

We would appreciate your consideration of our views in your deliberations on this bill.

Senator Moss. I also want to include in the record a list of names here.

The following residents of Alta would like to be on record as supporters of the proposed legislation. That will be printed with those names. There are quite a number.

The following residents of Alta, Utah, would like to be on record as supporters of Senator Moss' proposed legislation which would empower purchase and protection of Albion Basin:

Barbara M. Barron
William Tobias Levitt
Donna Holt
Linda Forbes
Paul D. Phillips
Anthony Brown
Sue Bassett
Diane M. Faulkner
Marc C. Faulkner
Shirley Robinson
Paula Cheuis
Corinne A. Didisheim
Sue Tredennick
Mildred B. Monay
Bonnie Barr
Patricia L. Huretz
Roger Rakowski
Royal Drew
Annette Robinson
Curtis Stanton
Betty J. Brantner

And also a letter from Mr. Don Redman, president of the Utah Ski Association, indicating that the Utah Ski Association board of directors unanimously voted to support this bill.

(The letter follows:)

UTAH SKI ASSOCIATION,
Salt Lake City, Utah, July 3, 1792.

A meeting will be held Wednesday, July 5, at 9:00 a.m. in the Highway Department Auditorium, State Office Building. The topic of this hearing is Senate Bill 11–44 which relates to development of Little Cottonwood Canyon.

The Utah Ski Association Board of Directors unanimously voted to support this bill.

The Utah Ski Association is an organization comprised of all lodge and lift operators and various other people associated with the ski industry in Utah. The Executive Board of Directors represents this body.

Sincerely,

DON REDMON,
President. Utah Ski Association.

Senator Moss. I think that then will complete the record that we have here today.

As I indicated at the beginning, there will be an additional hearing held in Washington when the Forest Service officially submits its report on the bill, which is not yet in our hands, and hopefully, we can dispose of this matter in this session of the Congress. It is getting a little late in the year to try to get it through, but it has been emphasized both by those favoring the bill and those that are opposed that the important thing is to try and get the answer and get the matter disposed of. And we would certainly like to do that, so that there won't be any continuing uncertainty.

And thank you all for coming. You have been a very attentive and interested group here today, and it has been a pleasure to hold this hearing. Thank you.

We will now be adjourned.

APPENDIX

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

STATEMENT OF WILLIAM H. LEVITT, PRESIDENT BOARD OF TRUSTEES AND MAYOR OF TOWN OF ALTA, LITTLE COTTONWOOD CANYON

I have been instructed by the Town of Alta to report that, after due discussion, and by unanimous decision, the Town of Alta wishes to be on record as supporting Senate Bill # 1144 with special reference to the Albion Basin. We wish it to be noted that private development of Albion Basin would be of economic benefit to business interests in Alta, but that, recognizing the unique nature and aesthetic value of this area and the long history of its use by the citizens of the entire Salt Lake County, it is our feeling that the best public interest would be served in holding this area free of development. In our discussion, it was noted that the Albion Basin has over 110 varieties of wild flowers, some 80 different birds, some rare alpine species that frequent the area, and that the Basin is a gateway to some of the finest hiking and skiing in the world. The lack of access roads and other facilities would make development not only impractical, but would, if established, be so desructive to the area that it would compromise its use and beauty forever.

THE UNIVERSITY OF UTAH,
Salt Lake City, July 5, 1972.

Re Senate bill 1144.

Mr. FRANK E. MOSS,
Senator, U.S. Senate,
Senate Building, Washington, D.C.

DEAR SENATOR MOSS: Unfortunately, I am unable to attend the public hearing on July 5, 1972, regarding SB 1144, but am submitting this letter to be included as part of the hearings. I have followed the action of the U.S. Forest Service for many years in their efforts to regain many of the private lands in Forest Service areas. The funds they have had available for this purpose have been far too meager to accomplish their objectives. Consequently, they have had to establish a very selective priority list which has been helpful but quite inadequate.

It is unfortunate that individuals, and subsequently corporations, ever obtained such long term ownership to areas that are of such importance to all of society. Now, with the pressure of more population and the demand for more water and recreation space, we are suddenly made aware of former folly.

I strongly support SB 1144, even in its limited scope because it is probably the only solution to a locally difficult problem. Individuals who obtained such lands free or inherited them, and corporations who have purchased such lands with the objective of development should be given some recompense for their investment. As they can't be disenfranchised, they must be bought off. Effective planning for areas of such great significance to the public must go to the higher level of government. While local governments are well aware of the value of preserving such areas, the political pressures brought to bear upon them are too great to resist. It's too bad that Chambers of Commerce must live up to their name so explicity.

The lands in question must be preserved for public use and watershed protection. Your bill, if approved, would help considerably.

Sincerely yours,

IRVING B. MCNULTY,
Professor of Biology.

SALT LAKE CITY, UTAH, *July 8, 1972.*

Senator FRANK MOSS,
Senate Interior Committee,
Senate Office Building, Washington, D.C.

DEAR HONORABLE MOSS: In reference to the hearing held on July 5 concerning S. 1144, we strongly support the use of tax money to buy up to 3,000 acres of land in the Wasatch Mountains. We have perhaps only one reservation: a lot of this land has been bought for speculative reasons and not for investment and personal reasons. We hope that the price that is to be paid is not the speculative asking price. Perhaps a 10% annual increase may be a fair price and return.

We think that an area so near to a metropolitan area as Salt Lake City as the Wasatch Mountains should not be developed for personal gain or enjoyment. The water shed and hence the water supply is at stake. Also the enrichment to one's mind as one wanders the trails within an hour of the burdens of the city is at stake. The confines of the city should be left in the valley.

We also feel that the administrators of the Wasatch National Forest are doing a very good job of management of this National Forest. Anything to help them in their management of the region as S. 1144 would mean better service to the community, the water shed, and to the mind.

Thank you very much.

Sincerely,

PETER HOVINGH.
MARGO HOVINGH.

SALT LAKE CITY, UTAH, *July 17, 1972.*

Hon. FRANK E. MOSS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MOSS: Hearings were held on Senate Bill 1144, at Salt Lake City, Utah, on July 5, 1972. At that time I appeared as an interested party, and was advised that I could submit a written statement to you concerning my views on this matter which would be published at a later date in the Congressional Record.

In 1959, I purchased ¾ of an acre of land known as Lot 27, Albion Basin Subdivision, Little Cottonwood Canyon, Salt Lake County, Utah, with the intention of ultimately building a family home on this property. At that time I was living in Salt Lake City, and the location of my employment prevented me from building my home on the lot.

In 1971 I established a pharmacy business at Snowbird Resort, Little Cottonwood Canyon. Thus, I was working within just a mile or two of my property, and at that time I commenced plans to build my home on the lot. I have contacted my architect to prepare plans for building my family home. However, before any more than the preliminary stages in preparation for building my home were completed, I received word of Senate Bill 1144, and due to the uncertainty of the ultimate disposition of the land, I have taken no further steps to begin building on the lot at this time.

I have written to the United States Department of Agriculture, Forest Service, Wasatch National Forest, offering to trade my property in the Albion Basin for another lot in Little Cottonwood Canyon. This offer was rejected, but a counter-proposal was made that the Forest Service might exchange land in another area such as the Weber River or the Bear River, when funds became available to the Department of Agriculture.

I am just as concerned as you in preserving the Albion Basin as a scenic area and as a watershed area. However, due to the location of my business, I would not be inclined to accept a trade of lands for areas elsewhere in the State. I feel that if Senate Bill 1144 be passed, it should first be amended to provide for an exchange of lands within Little Cottonwood Canyon for the acres of land which the government proposes to purchase from the present private landowners. Since that land is unique, money compensation cannot be adequate consideration to the private landowners.

Thus, I respectfully urge that Senate Bill 1144 be amended to include provision for the trade of government properties located in Little Cottonwood Canyon to the landowners of properties located in Albion Basin.

Respectfully submitted,

WILLIAM S. HOGE.

U.S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
WASATCH NATIONAL FOREST,
Salt Lake City, Utah, April 7, 1972.

Mr. WILLIAM J. M. DALGLIESH,
Attorney at Law,
Salt Lake City, Utah.

DEAR MR. DALGLIESH: Reference is made to your letter of April 6, 1972, concerning Lot 27 in the Albion Basin Subdivision, Little Cottonwood Canyon, owned by Mr. William S. Hoge.

We are pleased that he shares the concern of many in feeling that something should be done to preserve Albion Basin and prevent it from becoming another metal-roofed and distracting mountain village. His exchange offer is appreciated but it would not solve the problem to attempt to exchange lands for the purpose of continuing to provide cabin sites in the same general area. In the final action, some exchange may become a possibility but at present it is not considered as such.

There may be a possibility of working out an exchange for land in another area, such as the Weber River or the Bear River. Please let us know if Mr. Hoge would be interested in this.

If this has no appeal to him we would be happy to obtain an option for purchase of this lot pending availability of funds. It may be possible to obtain non-programmed funds if an option was granted.

We are definitely interested in acquiring this lot if at all possible. We appreciate your letter and interest in this matter.

Sincerely,

GERALD F. HORTON,
Chief, Recreation and Lands Use Branch.

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