

Grand Canyon Trust

Submitted for the Record

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Before the House Subcommittee on Forests and Forest Health

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HR 2069 The Utah Recreational Land Exchange Act of 2005

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to speak on behalf of HR 2069 The Utah Recreational Land Exchange Act of 2005, which my organization supports.

The Grand Canyon Trust, now in its twentieth year, is a non-profit conservation organization headquartered in Flagstaff, Arizona with offices in Moab, Utah and Las Vegas, Nevada. Our mission is to protect and restore the Colorado Plateau –its spectacular landscapes, flowing rivers, clean air, diversity of plants and animals, and areas of solitude and beauty.

The successful passage of HR 2069 the Utah Recreational Land Exchange Act of 2005 will protect sensitive state-owned lands, especially those located in Grand County, from privatization and development and prevent fragmentation of the larger landscape. The proposed exchange would convey to the Bureau of Land Management (BLM) valuable recreational lands, critical watersheds and wildlife habitat, lands of extraordinary scenic beauty and lands in Wilderness Study Areas. Protecting these land values is consistent with Grand County's economy, which is based on tourism.

Utah's School and Institutional Trust Lands Administration (SITLA) would receive federal oil and gas development property, slated for development regardless of ownership, ensuring new revenues for their beneficiaries, Utah's school children. We support this public benefit for the state of Utah.

Some of the lands SITLA would convey to BLM also possess potential mineral values, such as the lands outside Dinosaur National Monument in Uintah County, where minerals development is a primary force in the local economy.

SITLA vetted the proposed exchange map with the Grand Canyon Trust, Southern Utah Wilderness Alliance and the Utah Wilderness Coalition and made adjustments, cooperating with these conservation organizations, which now approve of the selected lands.

The Landscape

In southeast Utah, the spectacular 1200 square mile basin of Canyonlands National Park lies at the geographic heart of the Colorado Plateau. Here, 300 million years of geologic history are revealed in the deep canyons of the Colorado and Green Rivers. The downward cutting movement of the rivers and their tributaries, through layers of sedimentary rock, continues to form one of the largest and most intricate canyon systems on earth. Upstream on the Green River are Labyrinth and Stillwater Canyons, and on the Colorado River, the twin jewels of Arches National Park and Westwater Canyon. HR 2069 would consolidate federal lands for more consistent management in this landscape of the Colorado River corridor.

This extraordinary geologic province is filled with the greatest density of natural arches in the world. Pinnacles, rock fins, grottos, balanced rocks, hoodoos and natural bridges abound, sheltering a richness of species in diverse habitats. Mountain ranges provide watersheds that give life to the adjacent desert country. Vast expanses of bare red rock are broken by lush riparian areas, ephemeral pools, grassland and sage steppes. In this land of extremes, temperature fluctuations of 50 degrees in one day are common, animals and plants have evolved unique adaptations to survive and many species are endemic to the region. And southeast Utah contains one of the world's great archaeological districts, where priceless treasures from the past are abundant. HR 2069 will convey lands like these to the BLM, where they can be managed to protect their values for the American public.

Conservation Values

Regarding the provision for the use of conservation comparables in the valuation process; we believe conservation land sales in southeast Utah are sales at market value in this landscape. There have been numerous acquisitions of SITLA lands in Grand County in recent years by individuals and conservation organizations for the purposes of preserving open space and recreational lands, for protecting watersheds and wildlife habitat. This reflects a very strong desire and commitment of private resources for protecting this spectacular landscape. The attached Richardson Amphitheater map and accompanying photo illustrate one area in the proposed exchange with an active conservation market. Lands offered in the exchange will have higher or lower conservation values; it is the appraiser's job to determine these values. Developers and even Off Highway Vehicle groups have also outbid conservationists and purchased SITLA lands in the area for their private uses. Thus so-called conservation sales, in this case, are simply comparable sales in a very competitive market.

As Director of the Southeastern Branch of Utah Open Lands, the statewide land trust, I was deeply engaged in several conservation initiatives, raising millions of dollars to purchase SITLA lands. In the current economic climate it has become difficult to procure funding for conservation initiatives. Approximately 350,000 acres of SITLA lands remain in Grand County and some naturally possess conservation values, such as those adjacent to Arches National Park. Since it would be impossible to purchase all sensitive SITLA lands to protect them, the Grand Canyon Trust and other conservation organizations working in the state support successful land exchange legislation as a common sense solution for protecting these important landscapes.

We have heard and understand concerns about setting a precedent, in using conservation comparable sales, for all future federal exchanges and land sales. In this case we feel it is important that the appraisal process somehow reflect the actual market activity. If this can be accomplished without affecting future exchanges, we would support such a process.

Management of Conveyed Lands

Southeast Utah's living Eden of canyons, mesas and deep river gorges attracts recreational users from all over the world who come to hike, mountain bike, climb, run rivers, ride horses, ski and explore via jeeps and all-terrain vehicles. In recent years, an

exponential increase in visitation to the public lands has demonstrated the necessity for good planning to accommodate the multiple use mandates on federal lands.

I met recently with the managers in the Moab BLM Field Office who are overseeing the rewriting of the outdated Resource Management Plan. Since HR 2069 does not provide any special designations for lands being conveyed to the BLM, they will be managed according to plans that are now being designed for lands currently in BLM ownership which surround the proposed exchange parcels. The Moab BLM planning team has stated that, in the Colorado River corridor, they are working to be consistent with the Three Rivers Withdrawal signed by Secretary Norton in September 2004. This withdrawal protects two hundred miles of Colorado, Green and Dolores River corridors and an additional fifty miles of side canyons from nuisance mining claims on locatable minerals for twenty years. Moab BLM planners say they have written special management designations into their preferred alternative, to protect scenic and recreational values in the river corridor. Some of the SITLA lands to be conveyed to the BLM will fall into proposed Areas of Critical Environmental Concern. There are stipulations for No Surface Occupancy for potential oil and gas development, although potential mineral values are low to negligible on many of the exchange parcels in Grand County. The Draft RMP will not be released until the end of October, so we will reserve judgment until it can be reviewed.

Some of our colleagues in other conservation organizations believe HR 2069 would be improved by a provision to withdraw oil and gas leasing from lands being conveyed to the BLM. In a perfect world, given the mission of my organization, we would also prefer such a measure, but not at the expense of the legislation moving forward. If this idea would present significant problems for the Department of the Interior or local governments, our preference is to attempt to deal with development issues through the BLM planning process. Since there is pressure for oil and gas development in the gateway to Dinosaur National Monument, we are concerned about the SITLA parcels being conveyed to the BLM in that location. Our members would not want to drive through an oilfield to get to the entrance of Dinosaur National Monument. However, in Uintah County, the economic base is more dependent on minerals development than tourism, so it may be difficult to get local government to support development restrictions in the area.

We have witnessed Utah State Trust Lands Administration responding to the concerns of stakeholders regarding the lands they would acquire in the exchange. For example, ranchers with existing grazing permits and the Nature Conservancy noting rare plant issues. We expect SITLA will address environmental concerns according to the law with respect to the lands they would be developing for mineral values.

Valuation

HR 2069 provides direction and a process for arriving at fair and equal values for the trade, which we support. SITLA will assume the mineral lease revenue sharing obligation from the Federal government with respect to the lands it would acquire. The counties will not suffer the loss of this revenue stream. Values would be adjusted proportionately to reflect Federal mineral revenue sharing. In our view, this is appropriate.

Closing

The Utah Recreational Land Exchange Act of 2005 has a very broad coalition of support, from rural Republican county commissioners to conservation organizations. In the State of Utah it is rare to have consensus of this kind for a public lands management proposal. Our colleagues in The Nature Conservancy, Utah Open Lands and Red Rock Forests join the Grand Canyon Trust in our support of HR 2069. The Town of Castle Valley, the City of Moab, the Governor's Task Force on Outdoor Recreation, Utah Guides and Outfitters and tourist dependent businesses in southeast Utah also support the legislation. Please note attached letters of support. The Grand Canyon Trust believes HR 2069 provides the opportunity for a successful legislative land exchange to take place and we look forward to that eventual outcome.