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SPEAKER: Mr. HARKIN; Mr. INHOFE; Mr. CRAIG; Mr. BINGAMAN; Mr. AKAKA; Mr. CARDIN; Mr. WARNER; Mr. ALEXANDER; Mr. DURBIN; Mr. FEINGOLD

TEXT: [*4752]

By Mr. DURBIN (for himself, Mr. Kerry, Mr. Feingold, Ms. Cantwell, Mr. Menendez, Mr. Cardin, Mr. Reed, Mr. Harkin, Mr. Kennedy, Mr. Bayh, Mr. Lieberman, Ms. Stabenow, Mr. Schumer, Mr. Lautenberg, Mrs. Boxer, Mr. Whitehouse, Mr. Brown, Mrs. Clinton, and Mr. Leahy):

[S. 1170](#). A bill to designate as **wilderness** certain Federal portions of the red rock canyons of the Colorado Plateau and the Basin and Range Deserts in the State of Utah for the benefit of present and future generations of people in the United States; to the Committee on Energy and Natural Resources.

Mr. DURBIN. Mr. President, I rise today to introduce America's Red Rock **Wilderness** Act of 2007. This legislation continues our Nation's commitment to preserve our natural heritage. Preservation of our Nation's vital natural resources will be one of our most important legacies.

America's Red Rock **Wilderness** Act will designate as **wilderness** some of our Nation's most remarkable, but currently unprotected public lands. Bureau of Land Management (BLM) lands in Utah harbor some of the largest and most remarkable roadless desert areas anywhere in the world. Included in the 9.4 million acres I seek to protect are well known landscapes, like the Grand Staircase Escalante National Monument, as well as lesser known areas just outside Zion National Park, Canyonlands National Park, and Arches National Park. Together this wild landscape offers spectacular vistas of rare rock formations, canyons and desert lands, important archaeological sites, and habitat for rare plant and animal species.

I have visited many of the areas this Act would designate as **wilderness**. I can tell you that the natural beauty of these truly unique landscapes is a compelling reason for Congress to grant these lands **wilderness** protection. I have the honor of introducing legislation first introduced by my friend and former colleague in the House of Representatives, Wayne Owens. As the representative for much of Utah's Red Rock country, Representative Owens pioneered the Congressional effort to protect Utah **wilderness**. He did this with broad public support, which still exists not only in Utah, but in all corners of our Nation.

The **wilderness** designated in this bill was chosen based on more than twenty years of meticulous research and surveying. Volunteers have taken inventories of thousands of square miles of BLM land in Utah to help determine which lands should be protected. These volunteers provided extensive documentation to ensure that these areas meet Federal **wilderness** criteria. The BLM also completed a reinventory of approximately six million acres of Federal land in the

same area in 1999. While only six million acres of the total 9.4 million acres were inventoried by the BLM, the results provide a convincing confirmation that the areas designated for protection under this bill meet Federal **wilderness** criteria.

For more than 20 years, Utah conservationists have been working to add the last great blocks of undeveloped BLM-administered land in Utah to the National **Wilderness** Preservation System. The lands proposed for protection surround and connect eight of Utah's nine national park, monument and recreation areas. These proposed BLM **wilderness** areas easily equal their neighboring national parklands in scenic beauty, opportunities for recreation, and ecological importance. Yet, unlike the parks, most of these scenic treasures lack any form of long-term protection.

Today, the BLM is in the process of making critical decisions about the future stewardship and use of nearly six million acres of wild lands that my legislation would protect. The BLM will decide which areas should be preserved or developed and whether they will be left roadless or have roads cut through them. It also will determine if these wild lands will be open to off-road vehicles or exploited for mineral mining and oil and gas exploration. Any policies put in place will stand for 15 to 20 years, a timespan long enough to leave a lasting mark on this landscape.

Americans understand the need for wise and balanced stewardship of these wild landscapes. Unfortunately, the Administration has proposed little or no serious protections for Utah's most majestic places. Instead, the BLM appears to lack a solid conservation ethic and routinely favors development and consumptive uses of our wild public land. In just the last four years, the BLM has leased for oil and gas development over 125,000 acres of land that would have been designated for **wilderness** in America's Red Rock **Wilderness** Act.

This legislation represents a realistic balance between our need to protect our natural heritage and our demand for energy. While **wilderness** designation has been portrayed as a barrier to energy independence, it is important to note that within the entire 9.4 million acres of America's Red Rock **Wilderness** Act the amount of "technically recoverable" undiscovered natural gas and oil resources amounts to less than four days of oil and four weeks of natural gas at current consumption levels.

America's Red Rock **Wilderness** Act is a lasting gift to the American public. By protecting this serene yet wild land we are giving future generations the opportunity to enjoy the same untrammled landscape that so many now cherish.

I'd like to thank my colleagues who are original cosponsors of this measure, many of whom have supported the bill since it was first introduced. Original cosponsors are Senators Kerry, Feingold, Cantwell, Menendez, Cardin, Reed, Harkin, Kennedy, Bayh, Lieberman, Stabenow, Schumer, Lautenberg, Boxer, Whitehouse, Brown and Clinton. Additionally, I would like to thank The Utah **Wilderness** Coalition, which includes The **Wilderness** Society and Sierra Club; The Southern Utah **Wilderness** Alliance; and all of the other national, regional and local, hard-working groups who, for years, have championed this legislation.

Theodore Roosevelt once stated:

"The Nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased and not impaired in value."

Enactment of this legislation will help us realize Roosevelt's vision. To protect these precious resources in Utah for future generations, I urge my colleagues to support America's Red Rock **Wilderness** Act.

I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

[S. 1170](#)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.-This Act may be cited as the "America's Red Rock **Wilderness** Act of 2007".

(b) Table of Contents.-The table of contents of this Act is as follows: [*4765]

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Sec.1.Short title; table of contents.

Sec.2.Definitions.

TITLE I-DESIGNATION OF **WILDERNESS** AREAS

Sec.101.Great Basin **Wilderness** Areas.

Sec.102.Zion and Mojave Desert **Wilderness** Areas.

Sec.103.Grand Staircase-Escalante **Wilderness** Areas.

Sec.104.Moab-La Sal Canyons **Wilderness** Areas.

Sec.105.Henry Mountains **Wilderness** Areas.

Sec.106.Glen Canyon **Wilderness** Areas.

Sec.107.San Juan-Anasazi **Wilderness** Areas.

Sec.108.Canyonlands Basin **Wilderness** Areas.

Sec.109.San Rafael Swell **Wilderness** Areas.

Sec.110.Book Cliffs and Uinta Basin **Wilderness** Areas.

TITLE II-ADMINISTRATIVE PROVISIONS

Sec.201.General provisions.

Sec.202.Administration.

Sec.203.State school trust land within **wilderness** areas.

Sec.204.Water.

Sec.205.Roads.

Sec.206.Livestock.

Sec.207.Fish and wildlife.

Sec.208.Management of newly acquired land.

Sec.209.Withdrawal.

SEC. 2. DEFINITIONS.

In this Act:

(1) Secretary.-The term "Secretary" means the Secretary of the Interior, acting through the Bureau of Land Management.

(2) State.-The term "State" means the State of Utah.

TITLE I-DESIGNATION OF **WILDERNESS** AREAS

SEC. 101. GREAT BASIN **WILDERNESS** AREAS.

(a) Findings.-Congress finds that-

(1) the Great Basin region of western Utah is comprised of starkly beautiful mountain ranges that rise as islands from the desert floor;

(2) the Wah Wah Mountains in the Great Basin region are arid and austere, with massive cliff faces and leathery slopes speckled with pinon and juniper;

(3) the Pilot Range and Stansbury Mountains in the Great Basin region are high enough to draw moisture from passing clouds and support ecosystems found nowhere else on earth;

(4) from bristlecone pine, the world's oldest living organism, to newly-flowered mountain meadows, mountains of the Great Basin region are islands of nature that-

(A) support remarkable biological diversity; and

(B) provide opportunities to experience the colossal silence of the Great Basin; and

(5) the Great Basin region of western Utah should be protected and managed to ensure the preservation of the natural conditions of the region.

(b) Designation.-In accordance with the **Wilderness** Act ([16 U.S.C. 1131 et seq.](#)), the following areas in the State are designated as **wilderness** areas and as components of the National **Wilderness** Preservation System:

(1) Antelope Range (approximately 17,000 acres).

(2) Barn Hills (approximately 20,000 acres).

(3) Black Hills (approximately 9,000 acres).

(4) Bullgrass Knoll (approximately 15,000 acres).

(5) Burbank Hills/Tunnel Spring (approximately 92,000 acres).

(6) Conger Mountains (approximately 21,000 acres).

- (7) Crater Bench (approximately 35,000 acres).
- (8) Crater and Silver Island Mountains (approximately 121,000 acres).
- (9) Cricket Mountains Cluster (approximately 62,000 acres).
- (10) Deep Creek Mountains (approximately 126,000 acres).
- (11) Drum Mountains (approximately 39,000 acres).
- (12) Dugway Mountains (approximately 24,000 acres).
- (13) Essex Canyon (approximately 1,300 acres).
- (14) Fish Springs Range (approximately 64,000 acres).
- (15) Granite Peak (approximately 19,000 acres).
- (16) Grassy Mountains (approximately 23,000 acres).
- (17) Grouse Creek Mountains (approximately 15,000 acres).
- (18) House Range (approximately 201,000 acres).
- (19) Keg Mountains (approximately 38,000 acres).
- (20) Kern Mountains (approximately 15,000 acres).
- (21) King Top (approximately 110,000 acres).
- (22) Ledger Canyon (approximately 9,000 acres).
- (23) Little Goose Creek (approximately 1,200 acres).
- (24) Middle/Granite Mountains (approximately 80,000 acres).
- (25) Mountain Home Range (approximately 90,000 acres).
- (26) Newfoundland Mountains (approximately 22,000 acres).
- (27) Ochre Mountain (approximately 13,000 acres).
- (28) Oquirrh Mountains (approximately 9,000 acres).
- (29) Painted Rock Mountain (approximately 26,000 acres).
- (30) Paradise/Steamboat Mountains (approximately 144,000 acres).
- (31) Pilot Range (approximately 45,000 acres).
- (32) Red Tops (approximately 28,000 acres).
- (33) Rockwell-Little Sahara (approximately 21,000 acres).
- (34) San Francisco Mountains (approximately 39,000 acres).

- (35) Sand Ridge (approximately 73,000 acres).
- (36) Simpson Mountains (approximately 42,000 acres).
- (37) Snake Valley (approximately 100,000 acres).
- (38) Stansbury Island (approximately 10,000 acres).
- (39) Stansbury Mountains (approximately 24,000 acres).
- (40) Thomas Range (approximately 36,000 acres).
- (41) Tule Valley (approximately 159,000 acres).
- (42) Wah Wah Mountains (approximately 167,000 acres).
- (43) Wasatch/Sevier Plateaus (approximately 29,000 acres).
- (44) White Rock Range (approximately 5,200 acres).

SEC. 102. ZION AND MOJAVE DESERT **WILDERNESS** AREAS.

(a) Findings.-Congress finds that-

(1) the renowned landscape of Zion National Park, including soaring cliff walls, forested plateaus, and deep narrow gorges, extends beyond the boundaries of the Park onto surrounding public land managed by the Secretary;

(2) from the pink sand dunes of Moquith Mountain to the golden pools of Beaver Dam Wash, the Zion and Mojave Desert areas encompass 3 major provinces of the Southwest that include-

(A) the sculpted canyon country of the Colorado Plateau;

(B) the Mojave Desert; and

(C) portions of the Great Basin;

(3) the Zion and Mojave Desert areas display a rich mosaic of biological, archaeological, and scenic diversity;

(4) 1 of the last remaining populations of threatened desert tortoise is found within this region; and

(5) the Zion and Mojave Desert areas in Utah should be protected and managed as **wilderness** areas.

(b) Designation.-In accordance with the **Wilderness Act** ([16 U.S.C. 1131 et seq.](#)), the following areas in the State are designated as **wilderness** areas and as components of the National **Wilderness** Preservation System:

(1) Beaver Dam Mountains (approximately 30,000 acres).

(2) Beaver Dam Wash (approximately 23,000 acres).

(3) Beaver Dam **Wilderness** Expansion (approximately 8,000 acres).

- (4) Canaan Mountain (approximately 67,000 acres).
- (5) Cottonwood Canyon (approximately 12,000 acres).
- (6) Cougar Canyon/Docs Pass (approximately 41,000 acres).
- (7) Joshua Tree (approximately 12,000 acres).
- (8) Mount Escalante (approximately 17,000 acres).
- (9) Parunuweap Canyon (approximately 43,000 acres).
- (10) Red Butte (approximately 4,500 acres).
- (11) Red Mountain (approximately 21,000 acres).
- (12) Scarecrow Peak (approximately 16,000 acres).
- (13) Square Top Mountain (approximately 23,000 acres).
- (14) Zion Adjacent (approximately 58,000 acres).

SEC. 103. GRAND STAIRCASE-ESCALANTE **WILDERNESS** AREAS.

(a) Grand Staircase Area.-

(1) Findings.-Congress finds that-

(A) the area known as the Grand Staircase rises more than 6,000 feet in a series of great cliffs and plateaus from the depths of the Grand Canyon to the forested rim of Bryce Canyon;

(B) the Grand Staircase-

(i) spans 6 major life zones, from the lower Sonoran Desert to the alpine forest; and

(ii) encompasses geologic formations that display 3,000,000,000 years of Earth's history;

(C) land managed by the Secretary lines the intricate canyon system of the Paria River and forms a vital natural corridor connection to the deserts and forests of those national parks;

(D) land described in paragraph (2) (other than East of Bryce, Upper Kanab Creek, Moquith Mountain, Bunting Point, and Vermillion Cliffs) is located within the Grand Staircase-Escalante National Monument; and

(E) the Grand Staircase in Utah should be protected and managed as a **wilderness** area.

(2) Designation.-In accordance with the **Wilderness Act** ([16 U.S.C. 1131 et seq.](#)), the following areas in the State are designated as **wilderness** areas and as components of the National **Wilderness** Preservation System:

- (A) Bryce View (approximately 4,500 acres).
- (B) Bunting Point (approximately 11,000 acres).
- (C) Canaan Peak Slopes (approximately 2,300 acres).

- (D) East of Bryce (approximately 750 acres).
- (E) Glass Eye Canyon (approximately 24,000 acres).
- (F) Ladder Canyon (approximately 14,000 acres).
- (G) Moquith Mountain (approximately 16,000 acres).
- (H) Nephi Point (approximately 14,000 acres). [*4766]

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- (I) Paria-Hackberry (approximately 188,000 acres).
- (J) Paria **Wilderness** Expansion (approximately 3,300 acres).
- (K) Pine Hollow (approximately 11,000 acres).
- (L) Slopes of Bryce (approximately 2,600 acres).
- (M) Timber Mountain (approximately 51,000 acres).
- (N) Upper Kanab Creek (approximately 49,000 acres).
- (O) Vermillion Cliffs (approximately 26,000 acres).
- (P) Willis Creek (approximately 21,000 acres).

(b) Kaiparowits Plateau.-

(1) Findings.-Congress finds that-

(A) the Kaiparowits Plateau east of the Paria River is 1 of the most rugged and isolated **wilderness** regions in the United States;

(B) the Kaiparowits Plateau, a windswept land of harsh beauty, contains distant vistas and a remarkable variety of plant and animal species;

(C) ancient forests, an abundance of big game animals, and 22 species of raptors thrive undisturbed on the grassland mesa tops of the Kaiparowits Plateau;

(D) each of the areas described in paragraph (2) (other than Heaps Canyon, Little Valley, and Wide Hollow) is located within the Grand Staircase-Escalante National Monument; and

(E) the Kaiparowits Plateau should be protected and managed as a **wilderness** area.

(2) Designation.-In accordance with the **Wilderness Act** ([16 U.S.C. 1131 et seq.](#)), the following areas in the State are designated as **wilderness** areas and as components of the National **Wilderness** Preservation System:

- (A) Andalex Not (approximately 18,000 acres).
- (B) The Blues (approximately 21,000 acres).
- (C) Box Canyon (approximately 2,800 acres).

- (D) Burning Hills (approximately 80,000 acres).
- (E) Carcass Canyon (approximately 83,000 acres).
- (F) The Cockscomb (approximately 11,000 acres).
- (G) Fiftymile Bench (approximately 12,000 acres).
- (H) Fiftymile Mountain (approximately 203,000 acres).
- (I) Heaps Canyon (approximately 4,000 acres).
- (J) Horse Spring Canyon (approximately 31,000 acres).
- (K) Kodachrome Headlands (approximately 10,000 acres).
- (L) Little Valley Canyon (approximately 4,000 acres).
- (M) Mud Spring Canyon (approximately 65,000 acres).
- (N) Nipple Bench (approximately 32,000 acres).
- (O) Paradise Canyon-Wahweap (approximately 262,000 acres).
- (P) Rock Cove (approximately 16,000 acres).
- (Q) Warm Creek (approximately 23,000 acres).
- (R) Wide Hollow (approximately 6,800 acres).

(c) Escalante Canyons.-

(1) Findings.-Congress finds that-

(A) glens and coves carved in massive sandstone cliffs, spring-watered hanging gardens, and the silence of ancient Anasazi ruins are examples of the unique features that entice hikers, campers, and sightseers from around the world to Escalante Canyon;

(B) Escalante Canyon links the spruce fir forests of the 11,000-foot Aquarius Plateau with winding slickrock canyons that flow into Glen Canyon;

(C) Escalante Canyon, 1 of Utah's most popular natural areas, contains critical habitat for deer, elk, and wild bighorn sheep that also enhances the scenic integrity of the area;

(D) each of the areas described in paragraph (2) is located within the Grand Staircase-Escalante National Monument; and

(E) Escalante Canyon should be protected and managed as a **wilderness** area.

(2) Designation.-In accordance with the **Wilderness Act** ([16 U.S.C. 1131 et seq.](#)), the following areas in the State are designated as **wilderness** areas and as components of the National **Wilderness** Preservation System:

(A) Brinkerhof Flats (approximately 3,000 acres).

- (B) Colt Mesa (approximately 28,000 acres).
- (C) Death Hollow (approximately 49,000 acres).
- (D) Forty Mile Gulch (approximately 6,600 acres).
- (E) Hurricane Wash (approximately 9,000 acres).
- (F) Lampstand (approximately 7,900 acres).
- (G) Muley Twist Flank (approximately 3,600 acres).
- (H) North Escalante Canyons (approximately 176,000 acres).
- (I) Pioneer Mesa (approximately 11,000 acres).
- (J) Scorpion (approximately 53,000 acres). (K) Sooner Bench (approximately 390 acres). (L) Steep Creek (approximately 35,000 acres).
- (M) Studhorse Peaks (approximately 24,000 acres).

SEC. 104. MOAB-LA SAL CANYONS **WILDERNESS** AREAS.

(a) Findings.-Congress finds that-

(1) the canyons surrounding the La Sal Mountains and the town of Moab offer a variety of extraordinary landscapes;

(2) outstanding examples of natural formations and landscapes in the Moab-La Sal area include the huge sandstone fins of Behind the Rocks, the mysterious Fisher Towers, and the whitewater rapids of Westwater Canyon; and

(3) the Moab-La Sal area should be protected and managed as a **wilderness** area.

(b) Designation.-In accordance with the **Wilderness Act** ([16 U.S.C. 1131 et seq.](#)), the following areas in the State are designated as **wilderness** areas and as components of the National **Wilderness** Preservation System:

- (1) Arches Adjacent (approximately 12,000 acres).
- (2) Beaver Creek (approximately 41,000 acres).
- (3) Behind the Rocks and Hunters Canyon (approximately 22,000 acres).
- (4) Big Triangle (approximately 20,000 acres).
- (5) Coyote Wash (approximately 28,000 acres).
- (6) Dome Plateau-Professor Valley (approximately 35,000 acres).
- (7) Fisher Towers (approximately 18,000 acres).
- (8) Goldbar Canyon (approximately 9,000 acres).

- (9) Granite Creek (approximately 5,000 acres).
- (10) Mary Jane Canyon (approximately 25,000 acres).
- (11) Mill Creek (approximately 14,000 acres).
- (12) Porcupine Rim and Morning Glory (approximately 20,000 acres).
- (13) Renegade Point (approximately 6,600 acres).
- (14) Westwater Canyon (approximately 37,000 acres).
- (15) Yellow Bird (approximately 4,200 acres).

SEC. 105. HENRY MOUNTAINS **WILDERNESS** AREAS.

(a) Findings.-Congress finds that-

- (1) the Henry Mountain Range, the last mountain range to be discovered and named by early explorers in the contiguous United States, still retains a wild and undiscovered quality;
- (2) fluted badlands that surround the flanks of 11,000-foot Mounts Ellen and Pennell contain areas of critical habitat for mule deer and for the largest herd of free-roaming buffalo in the United States;
- (3) despite their relative accessibility, the Henry Mountain Range remains 1 of the wildest, least-known ranges in the United States; and
- (4) the Henry Mountain range should be protected and managed to ensure the preservation of the range as a **wilderness** area.

(b) Designation.-In accordance with the **Wilderness Act** ([16 U.S.C. 1131 et seq.](#)), the following areas in the State are designated as **wilderness** areas and as components of the National **Wilderness** Preservation System.

- (1) Bull Mountain (approximately 16,000 acres).
- (2) Bullfrog Creek (approximately 35,000 acres).
- (3) Dogwater Creek (approximately 3,400 acres).
- (4) Fremont Gorge (approximately 20,000 acres).
- (5) Long Canyon (approximately 16,000 acres).
- (6) Mount Ellen-Blue Hills (approximately 140,000 acres).
- (7) Mount Hillers (approximately 21,000 acres).
- (8) Mount Pennell (approximately 147,000 acres).
- (9) Notom Bench (approximately 6,200 acres).
- (10) Oak Creek (approximately 1,700 acres).

(11) Ragged Mountain (approximately 28,000 acres).

SEC. 106. GLEN CANYON **WILDERNESS** AREAS.

(a) Findings.-Congress finds that-

(1) the side canyons of Glen Canyon, including the Dirty Devil River and the Red, White and Blue Canyons, contain some of the most remote and outstanding landscapes in southern Utah;

(2) the Dirty Devil River, once the fortress hideout of outlaw Butch Cassidy's Wild Bunch, has sculpted a maze of slickrock canyons through an imposing landscape of monoliths and inaccessible mesas;

(3) the Red and Blue Canyons contain colorful Chinle/Moenkopi badlands found nowhere else in the region; and

(4) the canyons of Glen Canyon in the State should be protected and managed as **wilderness** areas.

(b) Designation.-In accordance with the **Wilderness Act** ([16 U.S.C. 1131 et seq.](#)), the following areas in the State are designated as **wilderness** areas and as components of the National **Wilderness** Preservation System:

(1) Cane Spring Desert (approximately 18,000 acres).

(2) Dark Canyon (approximately 134,000 acres).

(3) Dirty Devil (approximately 242,000 acres).

(4) Fiddler Butte (approximately 92,000 acres).

(5) Flat Tops (approximately 30,000 acres).

(6) Little Rockies (approximately 64,000 acres).

(7) The Needle (approximately 11,000 acres).

(8) Red Rock Plateau (approximately 213,000 acres).

(9) White Canyon (approximately 98,000 acres).

SEC. 107. SAN JUAN-ANASAZI **WILDERNESS** AREAS.

(a) Findings.-Congress finds that- [*4767]

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(1) more than 1,000 years ago, the Anasazi Indian culture flourished in the slickrock canyons and on the pin^yAE6on-covered mesas of southeastern Utah;

(2) evidence of the ancient presence of the Anasazi pervades the Cedar Mesa area of the San Juan-Anasazi area where cliff dwellings, rock art, and ceremonial kivas embellish sandstone overhangs and isolated benchlands;

(3) the Cedar Mesa area is in need of protection from the vandalism and theft of its unique

cultural resources;

(4) the Cedar Mesa **wilderness** areas should be created to protect both the archaeological heritage and the extraordinary **wilderness**, scenic, and ecological values of the United States; and

(5) the San Juan-Anasazi area should be protected and managed as a **wilderness** area to ensure the preservation of the unique and valuable resources of that area.

(b) Designation.-In accordance with the **Wilderness Act** ([16 U.S.C. 1131 et seq.](#)), the following areas in the State are designated as **wilderness** areas and as components of the National **Wilderness** Preservation System:

- (1) Allen Canyon (approximately 5,900 acres).
- (2) Arch Canyon (approximately 30,000 acres).
- (3) Comb Ridge (approximately 15,000 acres).
- (4) East Montezuma (approximately 45,000 acres).
- (5) Fish and Owl Creek Canyons (approximately 73,000 acres).
- (6) Grand Gulch (approximately 159,000 acres).
- (7) Hammond Canyon (approximately 4,400 acres).
- (8) Nokai Dome (approximately 93,000 acres).
- (9) Road Canyon (approximately 63,000 acres).
- (10) San Juan River (Sugarloaf) (approximately 15,000 acres).
- (11) The Tabernacle (approximately 7,000 acres).
- (12) Valley of the Gods (approximately 21,000 acres).

SEC. 108. CANYONLANDS BASIN **WILDERNESS** AREAS.

(a) Findings.-Congress finds that-

(1) Canyonlands National Park safeguards only a small portion of the extraordinary red-hued, cliff-walled canyonland region of the Colorado Plateau;

(2) areas near Arches National Park and Canyonlands National Park contain canyons with rushing perennial streams, natural arches, bridges, and towers;

(3) the gorges of the Green and Colorado Rivers lie on adjacent land managed by the Secretary;

(4) popular overlooks in Canyonlands National Park and Dead Horse Point State Park have views directly into adjacent areas, including Lockhart Basin and Indian Creek; and

(5) designation of those areas as **wilderness** would ensure the protection of this erosional masterpiece of nature and of the rich pockets of wildlife found within its expanded boundaries.

(b) Designation.-In accordance with the **Wilderness Act** ([16 U.S.C. 1131 et seq.](#)), the following

areas in the State are designated as **wilderness** areas and as components of the National **Wilderness** Preservation System:

- (1) Bridger Jack Mesa (approximately 33,000 acres).
- (2) Butler Wash (approximately 27,000 acres).
- (3) Dead Horse Cliffs (approximately 5,300 acres).
- (4) Demon's Playground (approximately 3,700 acres).
- (5) Duma Point (approximately 14,000 acres).
- (6) Gooseneck (approximately 9,000 acres).
- (7) Hatch Point Canyons/Lockhart Basin (approximately 149,000 acres).
- (8) Horsethief Point (approximately 15,000 acres).
- (9) Indian Creek (approximately 28,000 acres).
- (10) Labyrinth Canyon (approximately 150,000 acres).
- (11) San Rafael River (approximately 101,000 acres).
- (12) Shay Mountain (approximately 14,000 acres).
- (13) Sweetwater Reef (approximately 69,000 acres).
- (14) Upper Horseshoe Canyon (approximately 60,000 acres).

SEC. 109. SAN RAFAEL SWELL **WILDERNESS** AREAS.

(a) Findings.-Congress finds that-

(1) the San Rafael Swell towers above the desert like a castle, ringed by 1,000-foot ramparts of Navajo Sandstone;

(2) the highlands of the San Rafael Swell have been fractured by uplift and rendered hollow by erosion over countless millennia, leaving a tremendous basin punctuated by mesas, buttes, and canyons and traversed by sediment-laden desert streams;

(3) among other places, the San Rafael **wilderness** offers exceptional back country opportunities in the colorful Wild Horse Badlands, the monoliths of North Caineville Mesa, the rock towers of Cliff Wash, and colorful cliffs of Humbug Canyon;

(4) the mountains within these areas are among Utah's most valuable habitat for desert bighorn sheep; and

(5) the San Rafael Swell area should be protected and managed to ensure its preservation as a **wilderness** area.

(b) Designation.-In accordance with the **Wilderness** Act ([16 U.S.C. 1131 et seq.](#)), the following areas in the State are designated as **wilderness** areas and as components of the National **Wilderness** Preservation System:

- (1) Cedar Mountain (approximately 15,000 acres).
- (2) Devils Canyon (approximately 23,000 acres).
- (3) Eagle Canyon (approximately 38,000 acres).
- (4) Factory Butte (approximately 22,000 acres).
- (5) Hondu Country (approximately 20,000 acres).
- (6) Jones Bench (approximately 2,800 acres).
- (7) Limestone Cliffs (approximately 25,000 acres).
- (8) Lost Spring Wash (approximately 37,000 acres).
- (9) Mexican Mountain (approximately 100,000 acres).
- (10) Molen Reef (approximately 33,000 acres).
- (11) Muddy Creek (approximately 240,000 acres).
- (12) Mussentuchit Badlands (approximately 25,000 acres).
- (13) Pleasant Creek Bench (approximately 1,100 acres).
- (14) Price River-Humbug (approximately 120,000 acres).
- (15) Red Desert (approximately 40,000 acres).
- (16) Rock Canyon (approximately 18,000 acres).
- (17) San Rafael Knob (approximately 15,000 acres).
- (18) San Rafael Reef (approximately 114,000 acres).
- (19) Sids Mountain (approximately 107,000 acres).
- (20) Upper Muddy Creek (approximately 19,000 acres).
- (21) Wild Horse Mesa (approximately 92,000 acres).

SEC. 110. BOOK CLIFFS AND UINTA BASIN **WILDERNESS** AREAS.

(a) Findings.-Congress finds that-

(1) the Book Cliffs and Uinta Basin **wilderness** areas offer-

(A) unique big game hunting opportunities in verdant high-plateau forests;

(B) the opportunity for float trips of several days duration down the Green River in Desolation Canyon; and

(C) the opportunity for calm water canoe weekends on the White River;

(2) the long rampart of the Book Cliffs bounds the area on the south, while seldom-visited

uplands, dissected by the rivers and streams, slope away to the north into the Uinta Basin;

(3) bears, Bighorn sheep, cougars, elk, and mule deer flourish in the back country of the Book Cliffs; and

(4) the Book Cliffs and Uinta Basin areas should be protected and managed to ensure the protection of the areas as **wilderness**.

(b) Designation.-In accordance with the **Wilderness Act** ([16 U.S.C. 1131 et seq.](#)), the following areas in the State are designated as **wilderness** areas and as components of the National **Wilderness** Preservation System.

(1) Bourdette Draw (approximately 15,000 acres).

(2) Bull Canyon (approximately 2,800 acres).

(3) Chipeta (approximately 95,000 acres).

(4) Dead Horse Pass (approximately 8,000 acres).

(5) Desbrough Canyon (approximately 13,000 acres).

(6) Desolation Canyon (approximately 557,000 acres).

(7) Diamond Breaks (approximately 9,000 acres).

(8) Diamond Canyon (approximately 166,000 acres).

(9) Diamond Mountain (also known as "Wild Mountain") (approximately 27,000 acres).

(10) Dinosaur Adjacent (approximately 10,000 acres).

(11) Goslin Mountain (approximately 4,900 acres).

(12) Hideout Canyon (approximately 12,000 acres).

(13) Lower Bitter Creek (approximately 14,000 acres).

(14) Lower Flaming Gorge (approximately 21,000 acres).

(15) Mexico Point (approximately 15,000 acres).

(16) Moonshine Draw (also known as "Daniels Canyon") (approximately 10,000 acres).

(17) Mountain Home (approximately 9,000 acres).

(18) O-Wi-Yu-Kuts (approximately 13,000 acres).

(19) Red Creek Badlands (approximately 3,600 acres).

(20) Seep Canyon (approximately 21,000 acres).

(21) Sunday School Canyon (approximately 18,000 acres).

(22) Survey Point (approximately 8,000 acres).

(23) Turtle Canyon (approximately 39,000 acres).

(24) White River (approximately 24,500 acres).

(25) Winter Ridge (approximately 38,000 acres).

(26) Wolf Point (approximately 15,000 acres).

TITLE II-ADMINISTRATIVE PROVISIONS

SEC. 201. GENERAL PROVISIONS.

(a) Names of **Wilderness** Areas.-Each **wilderness** area named in title I shall-

(1) consist of the quantity of land referenced with respect to that named area, as [*4768]

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generally depicted on the map entitled "Utah BLM **Wilderness** Proposed by S. XXX, 110th Congress"; and

(2) be known by the name given to it in title I.

(b) Map and Description.-

(1) In general.-As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of each **wilderness** area designated by this Act with-

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

(2) Force of law.-A map and legal description filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(3) Public availability.-Each map and legal description filed under paragraph (1) shall be filed and made available for public inspection in the Office of the Director of the Bureau of Land Management.

SEC. 202. ADMINISTRATION.

Subject to valid rights in existence on the date of enactment of this Act, each **wilderness** area designated under this Act shall be administered by the Secretary in accordance with-

(1) the Federal Land Policy and Management Act of 1976 ([43 U.S.C. 1701 et seq.](#)); and

(2) the **Wilderness** Act ([16 U.S.C. 1131 et seq.](#)).

SEC. 203. STATE SCHOOL TRUST LAND WITHIN **WILDERNESS** AREAS.

(a) In General.-Subject to subsection (b), if State-owned land is included in an area designated by this Act as a **wilderness** area, the Secretary shall offer to exchange land owned by the United States in the State of approximately equal value in accordance with section 603(c) of the Federal Land Policy and Management Act of 1976 ([43 U.S.C. 1782\(c\)](#)) and section 5(a) of the **Wilderness** Act ([16 U.S.C. 1134\(a\)](#)).

(b) Mineral Interests.-The Secretary shall not transfer any mineral interests under subsection (a) unless the State transfers to the Secretary any mineral interests in land designated by this Act as a **wilderness** area.

SEC. 204. WATER.

(a) Reservation.-

(1) Water for **wilderness** areas.-

(A) In general.-With respect to each **wilderness** area designated by this Act, Congress reserves a quantity of water determined by the Secretary to be sufficient for the **wilderness** area.

(B) Priority date.-The priority date of a right reserved under subparagraph (A) shall be the date of enactment of this Act.

(2) Protection of rights.-The Secretary and other officers and employees of the United States shall take any steps necessary to protect the rights reserved by paragraph (1)(A), including the filing of a claim for the quantification of the rights in any present or future appropriate stream adjudication in the courts of the State-

(A) in which the United States is or may be joined; and

(B) that is conducted in accordance with section 208 of the Department of Justice Appropriation Act, 1953 (66 Stat. 560, chapter 651).

(b) Prior Rights Not Affected.-Nothing in this Act relinquishes or reduces any water rights reserved or appropriated by the United States in the State on or before the date of enactment of this Act.

(c) Administration.-

(1) Specification of rights.-The Federal water rights reserved by this Act are specific to the **wilderness** areas designated by this Act.

(2) No precedent established.-Nothing in this Act related to reserved Federal water rights-

(A) shall establish a precedent with regard to any future designation of water rights; or

(B) shall affect the interpretation of any other Act or any designation made under any other Act.

SEC. 205. ROADS.

(a) Setbacks.-

(1) Measurement in general.-A setback under this section shall be measured from the center line of the road.

(2) **Wilderness** on 1 side of roads.-Except as provided in subsection (b), a setback for a road with **wilderness** on only 1 side shall be set at-

(A) 300 feet from a paved Federal or State highway;

(B) 100 feet from any other paved road or high standard dirt or gravel road; and

(C) 30 feet from any other road.

(3) **Wilderness** on both sides of roads.-Except as provided in subsection (b), a setback for a road with **wilderness** on both sides (including cherry-stems or roads separating 2 **wilderness** units) shall be set at-

(A) 200 feet from a paved Federal or State highway;

(B) 40 feet from any other paved road or high standard dirt or gravel road; and

(C) 10 feet from any other roads.

(b) Setback Exceptions.-

(1) Well-defined topographical barriers.-If, between the road and the boundary of a setback area described in paragraph (2) or (3) of subsection (a), there is a well-defined cliff edge, stream bank, or other topographical barrier, the Secretary shall use the barrier as the **wilderness** boundary.

(2) Fences.-If, between the road and the boundary of a setback area specified in paragraph (2) or (3) of subsection (a), there is a fence running parallel to a road, the Secretary shall use the fence as the **wilderness** boundary if, in the opinion of the Secretary, doing so would result in a more manageable boundary.

(3) Deviations from setback areas.-

(A) Exclusion of disturbances from **wilderness** boundaries.-In cases where there is an existing livestock development, dispersed camping area, borrow pit, or similar disturbance within 100 feet of a road that forms part of a **wilderness** boundary, the Secretary may delineate the boundary so as to exclude the disturbance from the **wilderness** area.

(B) Limitation on exclusion of disturbances.-The Secretary shall make a boundary adjustment under subparagraph (A) only if the Secretary determines that doing so is consistent with **wilderness** management goals.

(C) Deviations restricted to minimum necessary.-Any deviation under this paragraph from the setbacks required under in paragraph (2) or (3) of subsection (a) shall be the minimum necessary to exclude the disturbance.

(c) Delineation Within Setback Area.-The Secretary may delineate a **wilderness** boundary at a location within a setback under paragraph (2) or (3) of subsection (a) if, as determined by the Secretary, the delineation would enhance **wilderness** management goals.

SEC. 206. LIVESTOCK.

Within the **wilderness** areas designated under title I, the grazing of livestock authorized on the date of enactment of this Act shall be permitted to continue subject to such reasonable regulations and procedures as the Secretary considers necessary, as long as the regulations and procedures are consistent with-

(1) the **Wilderness** Act ([16 U.S.C. 1131 et seq.](#)); and

(2) section 101(f) of the Arizona Desert **Wilderness** Act of 1990 ([Public Law 101-628](#); [104 Stat. 4469](#)).

SEC. 207. FISH AND WILDLIFE.

Nothing in this Act affects the jurisdiction of the State with respect to wildlife and fish on the public land located in the State.

SEC. 208. MANAGEMENT OF NEWLY ACQUIRED LAND.

Any land within the boundaries of a **wilderness** area designated under this Act that is acquired by the Federal Government shall-

- (1) become part of the **wilderness** area in which the land is located; and
- (2) be managed in accordance with this Act and other laws applicable to **wilderness** areas.

SEC. 209. WITHDRAWAL.

Subject to valid rights existing on the date of enactment of this Act, the Federal land referred to in title I is withdrawn from all forms of-

- (1) entry, appropriation, or disposal under public law;
- (2) location, entry, and patent under mining law; and
- (3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

Mr. FEINGOLD. Mr. President, I am very pleased to again join with the Senior Senator from Illinois, Mr. Durbin, as an original cosponsor of legislation, America's Red Rocks **Wilderness** Act of 2007, to designate areas of pristine Federal lands in Utah as **wilderness**.

I had an opportunity to travel twice to Utah. I viewed firsthand some of the lands that would be designated for **wilderness** under Senator Durbin's bill. I was able to view most of the proposed **wilderness** areas from the air, and was able to enhance my understanding through hikes outside of the Zion National Park on the Dry Creek Bench **wilderness** unit contained in this proposal and inside the Grand Staircase-Escalante National Monument to Upper Calf Creek Falls. I also viewed the lands proposed for designation in this bill from a river trip down the Colorado River, and in the San Rafael Swell with members of the Emery County government.

I support this legislation, for a few reasons, but most of all because I have personally seen what is at stake, and I know the marvelous resources that Wisconsinites and all Americans own in the Bureau of Land Management, BLM, lands of southern Utah.

Second, I support this legislation because I believe it sets the broadest and boldest mark for the lands that should be protected in southern Utah. I believe that when the Senate considers **wilderness** legislation it ought to know, as a benchmark, the full measure of those lands which are deserving of **wilderness** protection. This bill encompasses all the BLM lands of **wilderness** quality in Utah. Unfortunately, the Senate has not, as we do today, always had the benefit of considering **wilderness** designations for all of the deserving lands in southern Utah. During the 104th Congress, I joined with [*4769]

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the former Senator from New Jersey, Mr. Bradley, in opposing that Congress's omnibus parks legislation. It contained provisions, which were eventually removed, that many in my home State of Wisconsin believed not only designated as **wilderness** too little of the Bureau of Land Management's holding in Utah deserving of such protection, but also substantively changed the protections afforded designated lands under the **Wilderness** Act of 1964.

The lands of southern Utah are very special to the people of Wisconsin. In writing to me over the last few years, my constituents have described these lands as places of solitude, special family

moments, and incredible beauty. In December 1997, Ron Raunika of the Capital Times, a paper in Madison, WI, wrote:

Other remaining **wilderness** in the U.S. is at first daunting, but then endearing and always a treasure for all Americans. The sensually sculpted slickrock of the Colorado Plateau and windswept crag lines of the Great Basin include some of the last of our country's **wilderness**, which is not fully protected. We must ask our elected officials to redress this circumstance, by enacting legislation which would protect those national lands within the boundaries of Utah. This **wilderness** is a treasure we can lose only once or a legacy we can be forever proud to bestow to our children.

I believe that the measure being introduced today will accomplish that goal. The measure protects wild lands that really are not done justice by any description in words. In my trip I found widely varied and distinct terrain, remarkable American resources of red rock cliff walls, desert, canyons and gorges which encompass the canyon country of the Colorado Plateau, the Mojave Desert and portions of the Great Basin. The lands also include mountain ranges in western Utah, and stark areas like the Grand Staircase-Escalante National Monument. These regions appeal to all types of American outdoor interests from hikers and sightseers to hunters.

Phil Haslanger of the Capital Times, answered an important question I am often asked when people want to know why a Senator from Wisconsin would cosponsor legislation to protect lands in Utah. He wrote on September 13, 1995 simply that "These are not scenes that you could see in Wisconsin. That's part of what makes them special." He continues, and adds what I think is an even more important reason to act to protect these lands than the landscape's uniqueness, "the fight over **wilderness** lands in Utah is a test case of sorts. The anti-environmental factions in Congress are trying hard to remove restrictions on development in some of the nation's most splendid areas."

Wisconsinites are watching this test case closely. I believe that Wisconsinites view the outcome of this fight to save Utah's lands as a sign of where the Nation is headed with respect to its stewardship of natural resources. What Haslanger's Capital Times comments make clear is that while some in Congress may express concern about creating new **wilderness** in Utah, **wilderness**, as Wisconsinites know, is not created by legislation. Legislation to protect existing **wilderness** ensures that future generations may have an experience on public lands equal to that which is available today. The action of Congress to preserve wild lands by extending the protections of the **Wilderness** Act of 1964 will publicly codify that expectation and promise.

Finally, this legislation has earned my support, and deserves the support of others in this body, because all of the acres that will be protected under this bill are already public lands held in trust by the Federal Government for the people of the United States. Thus, while they are physically located in Utah, their preservation is important to the citizens of Wisconsin as it is for other Americans.

I am eager to work with my colleague from Illinois, Mr. Durbin, to protect these lands. I commend him for introducing this measure.

By Mr. BINGAMAN (for himself and Mr. Domenici):

[S. 1171](#). A bill to amend the Colorado River Storage Project Act and Public Law 87-483 to authorize the construction and rehabilitation of water infrastructure in Northwestern New Mexico, to authorize the use of the reclamation fund to fund the Reclamation Water Settlements Fund, to authorize the conveyance of certain Reclamation land and infrastructure, to authorize the Commissioner of Reclamation to provide for the delivery of water, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, on behalf of myself and Senator Domenici, I am pleased today to

introduce a bill which attempts to promote good stewardship of our limited water supplies in the San Juan River basin in New Mexico. The bill is entitled the "Northwestern New Mexico Rural Water Projects Act". Within its scope are a number of provisions relating to and amending Federal statutes that relate to the Bureau of Reclamation and the use of water in the Colorado River basin. There are also new authorizations for the Bureau of Reclamation. Finally, there are provisions that will resolve the Navajo Nation's water rights claims in the San Juan River in New Mexico. This bill is critical for New Mexico's future. I look forward to working with my colleagues in the Senate to see that it gets enacted into law.

I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows: