

Introduction

History

For more than 20 years, debate has raged over the identification and management of certain public lands in the State of Utah, and whether some areas should have been designated for wilderness study as part of the original inventory process required by the 1976 Federal Land Policy and Management Policy Act (FLPMA).

FLPMA sets forth the basic principles and procedures the federal Bureau of Land Management (BLM) must follow in the management of public lands. Following its enactment, BLM initiated a westwide inventory of public lands to determine areas with wilderness characteristics, as defined by the 1964 Wilderness Act.

There were three stages in that process: an initial inventory to select lands for further consideration, the identification of lands with wilderness characteristics, and recommendations for Congressional designation or release based on “suitability” and “manageability”, as judged by BLM and the Administration at the time.

Charges that the BLM improperly omitted qualifying areas in the original inventory led to protests and appeals, hearings before Congress, legislative proposals to protect the disputed areas, and the most intractable controversy over any resource inventory since the passage of FLPMA.

During this time, Utah wilderness became the subject of national debate, with members of both parties attempting to pass legislation to resolve the issue. Despite many years and numerous efforts, none have yet succeeded. In a June 1996 letter to Representative James Hansen of Utah, Chairman of the Public Lands Subcommittee of the House Resources Committee, Interior Secretary Bruce Babbitt observed that “an important reason for this stalemate is that the various interests involved are so far apart on the threshold, fundamental issue of how much BLM land has wilderness characteristics in the state”.

Accordingly, the Secretary directed that a six-month administrative field review of the lands in question be conducted to assess conditions on the ground two decades after the first inventories began. In the same letter to Representative Hansen, the Secretary reported that the team undertaking the review was “explicitly instructed to apply the same legal criteria that were used in the original inventory, and to consider each area on its own merits, solely to determine whether it has wilderness characteristics. The team will have no particular acreage target to meet; the chips will fall where they may.”

The inventory team began gathering information in July 1996, and field work was initiated in September 1996. In October 1996, the State of Utah, the Utah State Institutional Trust Lands Administration, and the Utah Association of Counties filed suit in federal district court in Utah, challenging the Secretary’s authority to conduct the re-inventory. In November 1996, the federal district court issued a temporary restraining order barring further work on the inventory. The United States complied with the injunction but appealed the decision to the Tenth Circuit Court of Appeals. In March 1998, the Tenth Circuit reversed the district court on all counts relating to the inventory.

In deciding the case, the Court referred to the “plain language” of Section 201 of FLPMA, which says:

“The Secretary shall prepare and maintain on a continuing basis an inventory of all public lands and their resource and other values (including, but not limited to, outdoor recreation and scenic values), giving priority to areas of critical environmental concern. This inventory shall be kept current so as to reflect changes in conditions and to identify new and emerging resource and other values. The preparation and maintenance of such inventory or the identification of such areas shall not, of itself, change or prevent change of the management or use of public lands.”

On June 19, 1998, the injunction was lifted and the inventory team was asked to reassemble, finish the field work and write the following report.

Secretarial Direction

As Secretary Babbitt wrote to the Senate Appropriations Committee in 1996, “This is a narrowly focused exercise directed at a unique problem: the extraordinary 20-year-old Utah wilderness inventory controversy.” The Secretary’s instructions to the BLM were to “focus on the conditions on the disputed ground today, and to obtain the most professional, objective, and accurate report possible so we can put the inventory questions to rest and move on.” He asked the BLM to assemble a team of experienced, career professionals and directed them to apply the same legal criteria used in the earlier inventory and the same definition of wilderness contained in the 1964 Wilderness Act.

The Secretary asked the team to review the written public record on the subject of Utah wilderness, including information and materials generated by both the state and federal government during the past 20 years. The team was then to undertake a comprehensive “ground-truthing” field review, using proposed legislation before

Congress (HR 1500 and HR 1745) to identify the areas for examination. Conditions on the ground would determine whether the boundary lines of the inventory unit exactly followed those specified in the proposed legislation, or were adjusted based on the presence or absence of wilderness characteristics.

From the outset, the Secretary gave clear instruction that the process would be strictly limited to the administrative identification of lands with wilderness characteristics based on established legal definitions. The team would not make recommendations regarding legislative designations of wilderness areas or the creation of new wilderness study areas. Because FLPMA provides that only Congress can abolish existing wilderness study areas created as a result of the initial inventory nearly two decades ago, the team was also instructed not to review lands within wilderness study areas.

No public hearings or meetings were held during this phase. The BLM was directed to complete the administrative document and field review and to report the results to the Secretary. Secretary Babbitt said that after the report was made public, he would consider initiating a Legislative Environmental Impact Statement and/or a FLPMA Section 202 planning process that could lead to recommendations to Congress or to changes in the status of certain lands studied during the inventory process.

If those steps are taken, the Secretary promised the opportunity for public input in any resulting process. Until then, the BLM was explicitly instructed not to change the management of any lands within the inventory areas based on the results of this survey. The Court of Appeals noted this clear direction when it ruled that the BLM could proceed with an internal staff inventory prior to any public hearings held as part of a section 202 planning process.

Inventory Team

In keeping with the Secretary’s determination that the inventory be a professional exercise with no preordained outcome about its findings, the BLM assembled a team of career professionals to conduct the review. Bob Abbey (Colorado Associate State Director at that time) was asked by the Director of the BLM to head the inventory effort.

At the request of the state BLM office in Utah, the team leader sought to draw on expertise throughout the Bureau, with approximately half of the team staffed with Utah BLM personnel and the other half with BLM team from other states.

The mix of Utah and non-Utah personnel was designed to minimize the impact of the review project on ongoing workloads in local BLM offices while providing a fresh, objective examination of the areas whose wilderness characteristics were in question.

The exercise brought together a combination of BLM's most experienced wilderness professionals (many from outside Utah) with those having extensive field experience in Utah (primarily from existing Utah BLM staff). Many of the team members had participated in the earlier Utah inventory and/or in earlier wilderness inventories in other states. All told, the inventory team had many decades of experience in wilderness issues throughout the West. Team members and contributors to this report are listed in the Appendix (see pages A2 and A3).

While a number of BLM personnel worked on the project between 1996 and 1998, team did task-specific work, such as historical document review, aerial photography analysis, field study, review of findings, and writing, editing, and publishing of the report. All team members served on a part-time basis, as needed; the inventory exercise had no full-time staff.

The team ceased all work when the district court issued the injunction in November 1996. In June 1998, when the court injunction against proceeding with the inventory was lifted, the Director appointed Larry Hamilton, State BLM Director in Montana, to oversee the resumption and conclusion of the report to the Secretary. He and Bob Abbey, who had since become State BLM Director in Nevada, worked closely together to assure a seamless transition and assure that both State Directors had confidence in the inventory team and the report.

Methodology

The Wilderness Act defines wilderness as an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions, and which:

- (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;
- (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation;
- (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and
- (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

These criteria, commonly referred to as naturalness, outstanding opportunities, size, and supplemental values, directed this inventory as well as all previous BLM wilderness inventories. A more detailed description of these criteria is included in the Appendix (see page A1).

The BLM reviewed the 1978 wilderness inventory handbook and the three organic act directives that guided the earlier inventory, and combined them into a single guidance document. Because the purpose of this reinventory was limited simply to documenting on-the-ground conditions regarding the presence or absence of wilderness characteristics, it

was possible to eliminate several steps from the previous process.

For example, the earlier handbook included many planning steps, such as the public review and comment needed to amend land use plans. Because the reinventory did not determine whether any area should be recommended to Congress for wilderness designation, made into a wilderness study area, or subject to any other management regime, no procedures for these steps were needed and none were included.

Two other modifications to the earlier guidance were made, one of which tended to increase, and the other to decrease, the acreage inventoried. First, in the earlier inventory, boundaries were drawn to avoid state lands, which had the effect in some cases of eliminating intermingled public lands from wilderness inventory. Boundaries in the reinventory were not drawn to avoid state lands. This was done for several reasons, including the fact that recent Utah wilderness bills introduced by both parties have included state lands, and that the State of Utah has expressed its interest in exchanging any state lands included within designated wilderness. The decision to include, rather than avoid, state lands within the boundaries of inventory units had the effect of adding public land areas and acreage to the inventory units.

Second, the earlier inventory guidance allowed lands with a substantially noticeable human imprint to be identified as having wilderness characteristics where these imprints could be reduced either by natural processes or by hand labor to a level judged to be substantially unnoticeable. In this just-completed inventory, however, areas determined to have substantially noticeable human imprints were categorized as lacking wilderness characteristics, regardless of the potential



BULLFROG CREEK— Bullfrog Creek Canyon; Glen Canyon National Recreation Area in the background.

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for reducing that imprint in the future. This had the effect of removing areas and acreage from consideration. For example, where impacts might be rehabilitated but did not appear natural in their current condition, the area with the impacts was excluded from the boundary of the inventory unit.

Beyond the comprehensive historical document review, the specific steps taken to conduct the inventory included the following:

- The boundaries of the areas proposed for wilderness designation in legislation before Congress (H.R. 1500 and H.R. 1745) and the BLM WSA boundaries were first transferred to aerial photographs.
- Trained aerial photography interpreters reviewed each photograph and marked them to identify any and all potential surface disturbances.
- Potential surface-disturbance information was transferred from the aerial photographs to large-scale (7.5-minute) orthophoto and topographic maps.
- The aerial photographs and orthophoto and topographic maps generated in the first three steps were gathered into individual inventory case files and given to an inventory team.
- Available information on each inventory unit was gathered and reviewed.
- Each inventory unit was visited and surveyed on the ground. Field checks were made using helicopter flights, driving boundary roads and ways within the units, and hiking to remote locations. All surface disturbances were examined. The inventory team was equipped with Global Positioning System (GPS) units, which use satellite technology to determine precise locations on the ground. The GPS equipment, in concert with current maps and aerial photographs, allowed the team to quickly and accurately document the location of all surface disturbances, roads and ways, and photo points.
- The presence of roads or ways associated with each inventory unit was documented on field maps, road/way analysis forms, and photographs. This documentation was placed in each case file.
- The presence or absence of other surface disturbances was documented on field maps and photographed. This documentation was placed in the case file.
- Each case file was reviewed by the field team, the team leader, and in some cases the project leader, and a preliminary finding of the presence and/or absence of wilderness characteristics was made.
- A draft Wilderness Inventory Evaluation was written for each inventory unit and the Permanent Documentation File was completed.

- The project leader reviewed Wilderness Inventory Evaluations and made a final decision on findings.

Presentation of Findings

Inventory Products. This inventory produced two specific products: (1) this 1999 Utah Wilderness Inventory Report to the Secretary, and (2) a Permanent Documentation File for each inventory unit.

1. This Report to the Secretary contains overall results of the wilderness inventory and summaries of the data gathered for each inventory unit, including:

Inventory Unit Acres—Acreage totals for the area inventoried, acreage found to possess wilderness characteristics, and acreage found to lack wilderness characteristics. When an area contiguous to the inventory unit has wilderness characteristics (either an existing BLM Wilderness Study Area, other agency designated wilderness, or an area administratively endorsed for wilderness by another agency), this is noted on the acreage table.

Unit Description—A summary of the inventory unit, including its general location, major features, general topography and vegetation, and current and past uses.

Wilderness Characteristics—A general summary of the wilderness values found as defined by the Wilderness Act of 1964: size, naturalness, solitude or a primitive and unconfined type of recreation, and supplemental values.

Inventory Unit Map—A map showing the inventoried area(s). Wilderness Study Areas that are contiguous or within the general area are identified and shown, as are lands managed by other agencies. Areas with or without wilderness characteristics within the inventory units are also shown.

Maps in this document represent inventory unit and WSA boundaries to the degree of accuracy available at a small scale. For detailed information, official maps at a larger scale are filed in each Permanent Documentation File.

2. The Permanent Documentation File is a case file established for each inventory unit. These case files contain the information gathered in the inventory, including a 7-30 page Wilderness Inventory Evaluation, road/way forms, various topographic maps, photographs and photo logs, aerial photographs, and miscellaneous information.

Organization of this Report. This report groups inventory units into seven geographic regions.

1. Northwest Region: includes the northern portion of Utah's West Desert.
2. West Central Region: includes the southern portion of Utah's West Desert.
3. Southwest Region: includes the vicinities of Zion National Park, Cedar City, and St. George.
4. South Central Region: includes the Grand Staircase-Escalante National Monument and areas west of Capitol Reef National Park.
5. East Central Region: includes the San Rafael Swell and Henry Mountains areas.
6. Southeast Region: includes the Canyonlands country.
7. Northeast Region: includes the Book Cliffs and Dinosaur National Monument areas.

The general location and extent of these regions in relation to the entire State of Utah are shown on the accompanying Regional Groups map. Individual inventory units within each region are listed in the Table of Contents and are also grouped within the document by regions.



STUDHORSE PEAKS—View of the inventory unit in the foreground to the rim of North Escalante Canyons ISA; Boulder Mountain on the far horizon.