Assessment Issue:
Wilderness Inventory, Evaluation, and Recommendation

Wilderness Background

The idea of Wilderness preservation is a uniquely American innovation. As the new fields of public forestry and public land management developed in America in the early 20th century, the tension between the ideas of preservation and measured development found voice in such legendary figures as John Muir and Gifford Pinchot.

In the interest of preservation, a system of primitive areas was defined shortly after the initial reservation of National Forests in the West. Primitive areas were the precursor to the Wilderness system we know today. Many believed the primitive area designations fell short on permanence and adequate representation of lands deserving protection, and seeing an opportunity to improve upon and codify permanent protection, conservationists and their allies in Congress set to work on a Wilderness bill in the mid-1950s.

After 8 years and 66 revisions, the Wilderness Act of 1964 passed Congress with a single dissenting vote, and was signed into law on September 3rd of that year.¹

One of America’s succinct and poetic laws ever passed, the Act opens as follows:

“In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness.”²

The Wilderness Act permanently protected 11.5 million acres of Forest Service primitive areas and promised the future study of many more areas for protection.³ Today’s National Wilderness Preservation System (NWPS) includes 765 areas encompassing 109,129,657 acres across many public land managers.⁴

On signing the Act, Lyndon Johnson said:

"If future generations are to remember us with gratitude rather than contempt, we must leave them something more than the miracles of technology. We must leave them a glimpse of the world as it was in the beginning, not just after we got through with it.”⁵

¹ [http://wilderness.org/article/wilderness-act](http://wilderness.org/article/wilderness-act), retrieved 11/30/16
² The Wilderness Act of 1964, 16 USC 1131-1136
⁵ [Congressional Record – House, Vol. 152, Pt. 11, p. 15528](http://www.Wilderness.net/NWPS/advSearch)
The act lays out criteria for designation, stating that a qualifying area:

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."

Many areas on the Manti-La Sal meet and exceed these qualifications, and locals and visitors alike appreciate these qualities on the Forest, whether they are officially designated as Wilderness or not.

**The Wilderness Act is Interpreted, and Recommendations Fall Short**

The Wilderness Act of 1964 required further evaluation of additional areas beyond the initial units designated by the Act, but progress was slow. In 1971 in response to citizen pressure, the Forest Service began to inventory and evaluate all roadless areas in the National Forest System for their suitability for Wilderness designation. Naming the process the Roadless Area Review and Evaluation (RARE), the effort, according to David Clary, retired chief historian for the Forest Service, was an attempt to “not only define what ought to be wilderness; it was also an attempt to prevent wilderness from interfering with timber and development and to end the [wilderness] question once and for all.” The Sierra Club Legal Defense Fund challenged the RARE in court, and the Forest Service settled the suit, effectively leaving RARE in limbo.

RARE II, a second inventory and evaluation was mandated by the Endangered American Wilderness Act of 1978, largely as a result of citizen pressure on Congress. RARE II made many of the same mistakes as RARE, artificially dividing up whole roadless areas in to smaller parts and making meager recommendations based on rankings weighted toward development. Even so, on the Manti-La Sal National Forest several areas were recommended for Wilderness designation or for further study under the range of RARE II’s alternatives. The areas recommended for Wilderness or further planning on the North Zone were Nuck Woodward, East Mountain, Gentry Mountain, Boulger - Black Canyon, and Biddlecomb - Rock Canyon. All of the RARE II roadless areas in the South Zone were recommended for Wilderness or further planning, including Dark Canyon, Hammond - Notch Canyon, and Arch Canyon. It should be noted that RARE II did not evaluate the Ruin Canyon, Shay Mountain, Blue Mountain, or Allen Canyon - Dry Wash Inventoried Roadless Areas. Those would be added later as the Manti-La Sal performed an initial draft of RARE III.

RARE II was struck down by the ninth circuit court 1982. The ruling in part, follows.

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6 The Wilderness Act of 1964, 16 USC 1131-1136
9 *RARE II Utah, Supplement to the Draft Environmental Statement, (USDA Forest Service, 1987)* 72
“The Ninth Circuit affirms... that the Forest Service's final environmental impact statement (EIS) for its Roadless Area Review and Evaluation (RARE II) was inadequate to support the nonwilderness designations of 47 areas in California and therefore violated the National Environmental Policy Act (NEPA). The court first affirms the district court's ruling that the EIS did not adequately address the site-specific impacts of the proposed designations... The court rules that the final EIS failed to satisfy the then applicable Council on Environmental Quality NEPA guidelines, because it did not (1) describe adequately the Wilderness characteristics of each area, (2) assess the wilderness value of each area or the impact of nonwilderness designations on wilderness characteristics, (3) consider the effect of nonwilderness classification on future opportunities for Wilderness classification, and (4) weigh the economic benefit of development against the Wilderness loss it causes.”

Though the decision only applied to the Ninth Circuit, the writing was on the wall as to the inadequacy of the RARE II EIS. Congress began crafting western Wilderness bills in response, and the Forest Service began further roadless review informally known as RARE III. The Utah Wilderness Act of 1984 effectively cancelled RARE III and any further review and study of Wilderness on National Forest lands, more on that bill below.

**Utah’s Wilderness History**

Utah was the only western state that did not protect *any* areas under The Wilderness Act of 1964, and continuing pro-development leadership and conservative politics have left Utah woefully underrepresented in the NWPS to this day. Presently, Utah has a meager 1.1 million acres of designated Wilderness, even less Wilderness than Florida’s 1.4 million acres. Utah still has less designated Wilderness than any western state except Hawaii. In a state where close to 16 million acres of public lands still qualify as Wilderness across all public land managers, this negligible total represents a true disservice to our collective natural heritage.

What designated Wilderness exists in Utah has been hard-fought and contentious. Utah’s first acres in the NWPS (at Lone Peak above the Wasatch Front) were designated by the Endangered American Wilderness Act of 1978, a national package of citizen’s proposals assembled and passed after the Forest Service’s failure to faithfully honor their commitment to review and recommend additional areas in the RARE process.

Substantial Wilderness didn’t come to Utah until the Utah Wilderness Act of 1984, a bill which designated 735,000 acres of Forest Service Wilderness statewide. The Utah Wilderness Act of 1984 act was a hard-fought compromise that designated 12 Wilderness areas on forest lands across the state; the High Uintas being the crown jewel of the law. The law also included Forest Service lands along the Wasatch Front, on both sides of the Cache Valley in northern Utah, and a smattering of areas in southern Utah’s Wilderness History

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10 California v. Block, 13 ELR 20092, No. Nos. 80-4101 et al., 690 F.2d 753/18 ERC 1149/(9th Cir., 10/22/1982

Utah. The 1984 act added the first and only area on the Manti-La Sal National Forest to the NWPS - Dark Canyon - at 46,353 acres.

Including only a subset of areas recommended for Wilderness the Forest Service’s highly politicized and legally contentious RARE II process, and commanded by a conservative Utah Congressional Delegation, the language below suspended continued Wilderness evaluation in Utah and “soft released” areas from consideration until the current round of Forest Planning.

“...with respect to the national forest system lands in the State of Utah which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II) and those lands referred to in subsection (d), that review and evaluation or reference shall be deemed for the purposes of the initial land management plans” ... "to be adequate for consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall review the Wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years..." (Emphasis added)

In 1984, no one anticipated that National Forest Land and Resource Management Plans, like the Manti La Sal’s 1986 plan, would take 30 years or more to revise. The 1984 act anticipated the life of Forest Plans to be 10-15 years. As the Forest is aware, Wilderness inventory, evaluation, and recommendation are required by the 2012 Planning Rule, but by law, the Utah Wilderness Act of 1984 also requires Wilderness review.

No new National Forest Wilderness has been designated in Utah since 1984, apart from a small 2,600 acre section of the Cottonwood Canyon Wilderness on Forest Service lands designated by the Washington County Growth and Conservation Act within the Public Lands Omnibus of 2009. As Utah’s Wilderness debate has largely focused on BLM redrock country since the mid-1980s, National Forests had been left out of the Wilderness debate until the initiation of Representative Rob Bishop’s Public Lands Initiative process in 2013.

**Statewide National Forest Citizen’s Wilderness Proposals**

Beginning in the late 1990s, Utah’s National Forest conservation community began the process of inventorying and mapping Utah’s Forest Service roadless and potential wilderness areas. Two distinct statewide National Forest citizens’ Wilderness proposals had been developed by 2005. One by the Utah Environmental Congress (UEC) (a now-defunct statewide forest watch group), and the other by a loose coalition called the Utah Forest Network (UFN) that has since dissolved, though many of the original members continue operation. The Utah Forest Network included the Southern Utah Wilderness Alliance,
the Grand Canyon Trust, the Utah Chapter of the Sierra Club, the Wilderness Society, the Wasatch Mountain Club, the Wild Utah Project, and the now-shuttered Moab-based Red Rock Forests.

The inventories both followed criteria and definitions set forth the Wilderness Act and the Forest Service’s own manuals and handbooks. Extensive review of topo maps, Forest projects and plans, roads, and aerial photography defined the inventory, followed by detailed on-the-ground field checking, resulting in a library of tens of thousands of photographs supporting the proposals.

The UFN proposal was drawn more aggressively, with fewer non-conforming uses excluded from the boundaries of the Wilderness proposal. The author of this paper worked on both proposals, as a contract fieldworker for UEC and as the Inventory Coordinator for UFN. Both statewide proposals are submitted here for your consideration during the assessment phase and beyond in the form of GIS data.

Unifying Citizens’ Wilderness Proposals

In addition to differing slightly in philosophy, both proposals are out of date, not reflecting road closure decisions made in the interim on the National Forests under the auspices of the 2005 Forest Travel Management Rule, which required forests to go from a system generally open to cross-country travel by motorized vehicles to one of designated routes and limited open areas. Many roads used as boundaries in the two proposals have since been closed allowing for unit expansion in some cases, and some have been opened, contracting proposed Wilderness units in other places.14

Since 2010, the time-consuming process of unifying the two proposals, including new and updated geospatial information on forest projects and forest roads has taken place in areas where county-by-county and multi-county Wilderness discussions were underway. Such counties include Beaver, Piute, Carbon, Emery, Sevier, Grand, and San Juan Counties. With the introduction of the Rob Bishop Public Lands Initiative (PLI) process in 2013, the proposals have been further unified and refined, though the Utah, Sanpete, Sevier and Juab County portions of the Manti-La Sal have yet to be mapped, as those counties did not participate in the PLI.

The Unified Wilderness Proposal is the result of thousands of hours of mapping, field checking, and tens of thousands of photographs documenting roads, mechanical treatments, and other impacts that define the boundaries of proposed Wilderness units. The proposal is supported by the conservation community in Utah, and by regional and national conservation groups. Grand Canyon Trust is the keeper and primary advocate for this proposal, under the auspices of the Utah Wildlands Program. The Unified Forest Wilderness proposal is submitted in the form of GIS data for your analysis and consideration in the assessment phase and beyond during plan revision. The remaining un-unified portion of the proposal covering lands administered by the Manti-La Sal National Forest on the Price, Sanpete, and Ferron

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14 Because the Manti-La Sal was mostly closed to cross country travel in 1993, it did not complete a travel plan revision process under the 2005 Travel Management Rule, except in limited open areas the 1993 decision left open to cross country travel.
Ranger Districts will be completed in early 2017 in advance of the opening of formal NEPA scoping period for plan revision.

**Manti-La Sal National Forest Wilderness introduced in Congress**

Despite its current status as a dead-end “message bill,” the early stages of the Rob Bishop Utah Public Lands Initiative were quite promising for National Forest Wilderness. Representative Bishop claimed the PLI sought “to build consensus” over which areas in seven eastern Utah counties should be preserved and which should be developed.\(^\text{15}\) In October 2014, all parties reached formal agreement in Daggett County, celebrated at the time in a formal ceremony at the Utah State Capitol.\(^\text{16}\) We also reached agreement on new forest Wilderness in Summit County with all parties.

Things began to sour in 2015 when Daggett County backed out of our negotiated agreement and San Juan County excluded everyone living outside the county when crafting their proposal. Discussions elsewhere deteriorated over too little Wilderness and too much fossil fuel development. Despite our best efforts at compromise, by mid-2015 it become clear that “consensus” was no longer Representative Bishop’s goal.

The PLI bill, H.R. 5780, introduced on July 14, 2016, is riddled with poison pills. Chief among them for Wilderness is a provision that would mandate that cattle and sheep grazing occur at present stocking levels (or increased stocking levels) on all public lands across eastern and southern Utah including inside designated Wilderness, and reestablish livestock grazing where it has been limited previously due to resource or ecological damage.

On the whole, H.R. 5780 would weaken existing on-the-ground protections for irreplaceable cultural resources and much of eastern Utah's best Wilderness-quality lands. The bill is strongly and widely opposed by Native American Tribes, the conservation and recreation communities, and even two of the participating counties (Summit\(^\text{17}\) and Grand\(^\text{18}\)) who saw their proposals altered almost beyond recognition in the final legislation.

The bill advanced out of committee on September 22\(^\text{nd}\) 2016, but has not seen floor action, has no sponsor the Senate, and stands almost no chance of passing Congress in the (as of this writing) approximately 7 legislative days remaining the 114\(^{th}\) Congress, let alone being signed by the president.

Of note for the Plan Revision Team is that the PLI contains 8 areas for Wilderness designation on the Manti La Sal National Forest totaling 50,398 acres, including areas not previously contemplated by RARE, RARE II, or RARE III. The areas are, from north to south, Candland Mountain Wilderness (12,330 acres), Nelson Mountain Wilderness (12,574 acres), Beaver Creek Wilderness (7,866 acres),

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17 Letter from Summit County Council to House Natural Resources Subcommittee opposing H.R. 5780, 9/21/16
Mill Creek Canyon Wilderness (1,319 acres), Mount Peale Wilderness (4,301 acres), Butler Wash Wilderness (44 acres), Hammond Canyon Wilderness (7,593 acres), and Arch Canyon Wilderness (4,370 acres). GIS data from HR 5780 supporting these areas can be found here, and text here. Both are submitted for your consideration in the assessment phase and beyond.

While the PLI legislation includes Wilderness designation, the scope, size, and boundaries of the wilderness units are unacceptable to conservation groups, Native American Tribes, and other protection-oriented stakeholder groups. Our mention of this significant issue for the planning team is in no way an endorsement of the PLI legislation (H.R. 5780) or the collective or individual Wilderness units contained therein.

**Why Wilderness?**

Utah’s sky island National Forests catch and hold the majority of the water necessary to nurture all kinds of life in the nation’s second driest state. Designating Wilderness on National Forests is important for resilience in the face of climate change, for watershed protection, protection of habitat on which native biodiversity depends, for long-term sustainable economic growth and space outdoors for muscle-powered recreation for an increasingly wired populace.

Permanent protection of National Forest Wilderness fits well within Grand Canyon Trust’s mission and vision. 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 beauty and solitude. Our vision is to work toward creating a region where generations of people and all of nature can thrive in harmony. Our vision for the Colorado Plateau 100 years from now has three key facets:

1. The region is still characterized by vast open spaces with restored, healthy natural areas and habitat for all native plants and animals.
2. Human communities enjoy a sustaining relationship with the natural environment.
3. People who live and visit here are willing, enthusiastic stewards of the region’s natural resources and beauty.

Wilderness protection for the Manti-La Sal in qualifying areas is right for all the points expressed in our mission and vision above, particularly in the face of evolving climactic conditions and a world ever-more disconnected from nature. Wilderness will help preserve what is so enticing to those living here and those who visit – spectacular landscapes, clean water, biodiversity, beauty and solitude.

Without question, the Manti-La Sal National Forest contains exceptional wilderness quality lands. Outstanding opportunities for solitude and primitive and unconfined recreation in areas where man-made alterations are substantially unnoticeable characterize the vast majority of lands administered by the Forest. An abundance of ecological, geological, or other features of scientific, educational, scenic, or historical value exist here as well, some like no place else on Earth.

The Manti-La Sal National Forest contains cultural resources that are not only of international significance to science and human history, they are vitally important to Native Americans who view the entire landscape as alive. The Forest is home to spiritually important and irreplaceable sites that continue...
to maintain the active and vital cultures practiced by Native Americans since long before the reservation of the Forest – since time immemorial. Wilderness is an important and dynamic management tool among all the multiple uses of the Forest to protect these resources, and these lifeways for all people. Rather than a bother, a “requirement,” or a planning box to check, a wilderness recommendation is an enduring bequest that the Forest can offer to better reciprocate the love given to us by wild nature – a demonstration for our affection for the natural world.

While wilderness may be politically controversial in Utah, the issue of permanent protection for human and biotic communities transcends politics in its importance. Making a sensible recommendation as a part of the Forest Planning process is just the right thing to do – it will leave a lasting and positive legacy for future generations of all life.

**Information Provided**

1. The Utah Wilderness Act of 1984, Public Law 98-428, 98th Congress
2. GIS Data: Utah Environmental Congress Utah Forest Network Statewide Forest Wilderness Proposal
3. GIS Data: Utah Forest Network Statewide Forest Wilderness Proposal
4. GIS Data: Unified Forest Wilderness Inventory for Emery, Grand and San Juan Counties
5. GIS Data: Utah Public Lands Initiative Forest Wilderness Units on the Manti-La Sal National Forest.

**Assessment Needed**

The Forest must not repeat the mistakes in this planning process that mar the record of agency Wilderness inventory, evaluation, and recommendation. Based on information obtained from Manti-La Sal National Forest employees, public meetings, surveys, and other public information that has been disseminated thus far in the plan revision process, two troubling aspects have emerged.

The first is an apparent violation of the letter of 2012 Planning Rule guidance. A September 2016 Wilderness Inventory Survey published by the Manti-La Sal to solicit public input included the following question:

> “Which potential Wilderness areas identified on the Initial Draft Potential Wilderness Inventory maps should not be carried over to the next phase (Evaluation Phase) of the Wilderness Evaluation Process? Please provide as much detail as possible, including data if available, to support your recommendation.”

The advancement of inventory units to the evaluation phase an area open to public debate. According to agency policy, all areas that meet the criteria in the inventory phase must be carried over to the evaluation phase.

> **FSH 1090.12, 72 – Evaluation**

> The primary function of the evaluation step is to evaluate, pursuant to criteria set forth in the Wilderness Act of 1964, the Wilderness characteristics of the lands included in the inventory. All lands included in the inventory must be evaluated.”
And:

*FSH 1909.12, 72.1: Evaluation of Wilderness Characteristics.*

"The Interdisciplinary Team **shall evaluate areas, which must include all lands identified in the inventory** (sec. 71 of this Handbook), to determine potential suitability for inclusion in the National Wilderness Preservation System using criteria included in the Wilderness Act of 1964, section 2(c)." (Emphasis added)

The use of the words "shall" and "must" makes clear that all areas identified in the inventory must carry forward into the evaluation phase.

The second is an assertion from Forest employees made to members of the public attending pre-scoping meetings that no Wilderness recommendation is necessary or likely to emerge from the planning process. This not only demonstrates bias, but is pre-decisional as analysis of such a recommendation has not yet occurred. Telling members of the public not to expect a Wilderness recommendation is irresponsible at best, and such statements must be curtailed immediately. Not enough information has been gathered, and analysis to back up such an assertion has not been conducted. The Forest Plan must consider a range of alternatives, as have previous Wilderness evaluations, and while no Wilderness recommendation may be one alternative in the range, to suggest at this early stage no Wilderness recommendation may be the preferred alternative of the Forest before alternative development has begun is not only outlandish, it is bad public relations practice.

Further, wilderness designation for lands on the Manti-La Sal National Forest are the subject of a bill in Congress (H.R. 5780) that advanced favorably out of the House Natural Resources Committee in the 114th Congress. The bill’s original sponsor Representative Rob Bishop and co-sponsor Representative Jason Chaffetz are not known as being “wilderness advocates” by any measure of the term. If even these individuals, (among the most conservative Members of Congress in the United States) have endorsed lands on the Manti-La Sal National Forest for Wilderness designation, the Forest must certainly consider their own Wilderness recommendation under the condition that a finding of “no Wilderness recommendation” would be unacceptable to the public.

Thank you in advance for your careful consideration,

Tim Peterson  
Utah Wildlands Program Director  
Grand Canyon Trust

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19 Submitted for the record for the assessment phase and beyond in the Manti-La Sal National Forest Land and Resources Management Plan revision process in my official capacity as Utah Wildlands Program Director for Grand Canyon Trust.