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**The Honorable John Curtis**

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 2, 2019*

Madam Speaker, I rise today regarding the Emery County Public Land Management Act, that was included in S. 47, the John D. Dingell, Jr. Conservation, Management, and Recreation Act. This became Public Law 116-9 on March 12th, 2019.

Throughout 2018 and early 2019, Senator Hatch, Senator Romney, and myself heavily engaged with the Emery County Commissioners and Emery County Public Lands Council to draft this important piece of legislation. After Senator Hatch's retirement, Senator Romney helped to carry the ball across the finish line.

This law is the result of countless hours of deliberation, and thus I find it important to highlight some areas of congressional intent of particular interest. While these should generally be clear in the text and corresponding map, the historical context of how we arrived at some of these decisions may be of benefit to the Department of the Interior, future members of the Utah delegation, or those in Utah. The Utah delegation, and particularly myself, look forward to the implementation of this new law.

Of note, Jake Bornstein (my Legislative Director), Romel Nicholas (Senator Hatch's public lands staffer), and Kelsey Berg (Senator Romney's Deputy Chief of Staff) were the main staff points of contact in our respective offices for the bill. Jake and Romel have extensive correspondence with the Bureau of Land Management (BLM) that further demonstrates the accurate characterization of the congressional intent I outline here.

Most important to this process, our founding principle was to never take any action that would end a current ongoing use. For example, we were immensely careful to not close a road, trail, air strip, or other existing use in the legislative text or corresponding map with a wilderness designation. Further, we worked extensively to avoid more restrictive designations, such as wilderness, to areas it would limit ongoing activity. We worked to draw designation boundaries along geographic and physical features, or just outside a cherry stem, to ensure management made sense for the area.

Any designation boundary that does not follow these trends, particularly any designation that puts at risk an existing use due to a poorly drawn boundary, was a clerical error and should be resolved under the authority clearly provided in Sec. 1221. Given the pure scale of this bill and legislative map, we realized this authority would be a vital tool to resolve these errors.

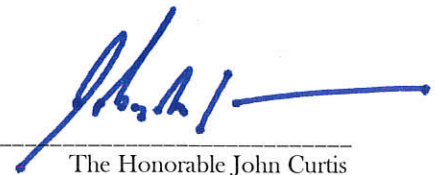
I'd also like to point out the clear intent within Sec. 1232. Section (e), which clearly states that non-wilderness activities or uses that can be seen or heard from areas within wilderness are to be left uninterrupted by this legislation.

On the topic of roads, we worked closely with BLM to ensure all roads in the 2008 RMP were not put into a wilderness designation, often referred to as "cherry stemmed". Our intent was to preserve these roads and for them to stay open. These cherry stems are of various sizes and were intended to ensure an adequate corridor is there to facilitate necessary maintenance. In the Recreation Area, we included language in Sec. 1222 to ensure the necessary

maintenance to existing routes may continue and allow rerouting of roads or trails to protect the resources of the Recreation Area.

Finally, I would like to explain that the driving force for this compromise bill was certainty, and thus preventing the designation of a national monument using the authority granted to the President under the Antiquities Act. As so many know, national monument designations in my home state of Utah have been the source of extensive controversy. In my view, land management is most effective when it is driven by local voices, compromise, and well-reasoned planning. Sweeping designations via national monument are often politically-inspired and they erode the quality of management for the areas they intend to protect. With the passage of the Emery County legislation, the need for a national monument is forfeited because a clear plan has been laid out for the long-term management of the San Rafael Swell. To be clear, this is a view that was shared by the many parties, including locally elected officials, conservationists, and recreationists, that were intimately involved in the forging of this compromise legislation. Any future national monument designation under the Antiquities Act in Emery County would be a violation of the good faith agreement that was shared among those that negotiated as part of this bill's process.

I believe this bill is a big win for all stakeholders, and I look forward to watching what was a 20-year journey for Emery County come to fruition.

A handwritten signature in blue ink, appearing to read "John Curtis", is written over a horizontal line. The signature is stylized and includes a long horizontal stroke extending to the right.

The Honorable John Curtis