

1 **RESOLUTION URGING CREATION OF THE**
2 **SAN RAFAEL SWELL NATIONAL HERITAGE/**
3 **CONSERVATION AREA**

4 1998 GENERAL SESSION

5 STATE OF UTAH

6 **Sponsor: Mike Dmitrich**

7 A CONCURRENT RESOLUTION OF THE LEGISLATURE AND THE GOVERNOR URGING
8 CONGRESS AND THE PRESIDENT TO CREATE THE SAN RAFAEL SWELL
9 NATIONAL HERITAGE/CONSERVATION AREA IN EMERY COUNTY.

10 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

11 WHEREAS the San Rafael Swell, contained within the boundaries of Emery County, is
12 a rich environmental and historical treasure which should be carefully preserved and displayed for
13 all to enjoy its beauty;

14 WHEREAS a reasonable balance should be struck between traditional uses and access
15 while addressing the conservation and preservation requirements so important to the future of these
16 lands;

17 WHEREAS this historical and picturesque landscape, if protected, could be protected and
18 enjoyed by generations of Utahns and many other citizens of the United States;

19 WHEREAS the San Rafael Swell National Heritage/Conservation Area would feature
20 various wilderness designations and special wildlife management areas in addition to a tourist
21 attraction of national significance designed to preserve and share the remarkable history, folklore,
22 and heritage of the area and enhance the local culture rather than displace it;

23 WHEREAS in order to preserve what makes the San Rafael Swell truly unique, a holistic
24 management approach must be applied, one which considers all of the multi-faceted dimensions
25 of the Swell's landscape and culture;

26 WHEREAS the combination of a conservation and a heritage area would create what is
27 essentially a National Western Heritage Park, but without the narrow and limited management

1 options of national park designation;

2 WHEREAS the conservation area, which would properly manage lands, habitat, wildlife,
3 and people to conserve, protect, educate, and teach respect and stewardship, would also allow
4 citizens to use, tend, manage, and benefit;

5 WHEREAS management of a national conservation area is based on the principle of
6 multiple use and the enabling legislation could delineate what uses are allowed or prohibited;

7 WHEREAS the management of most existing national conservation areas is heavily
8 influenced by an advisory board that includes local citizens as well as a representative of state
9 agencies such as the Division of Wildlife Resources;

10 WHEREAS some of the traditional activities which are important to the local heritage,
11 such as ranching **§ AND MINING §** , could become an integral part of the management fabric, while at
11a the same time
12 a new economic dimension could be added to these activities due to their appeal to the type of
13 tourist industry that emerges;

14 WHEREAS as part of the enabling legislation, a Desert Bighorn Sheep Natural Preserve
15 would be created due to their role as an "umbrella species", because their health is an indicator of
16 the health of many other species;

17 WHEREAS a national conservation area provides flexibility in managing a broad array of
18 land uses and allows for managing recreational uses while providing protection for critical lands
19 that could exceed those provided by wilderness designation;

20 WHEREAS heritage areas promote conservation, community, and economic development,
21 and are designed to advance both conservation and economic benefits for participating
22 communities and for the nation as a whole;

23 WHEREAS the creation of a national heritage area will help preserve and promote the
24 history and natural beauty of the area;

25 WHEREAS the more than 100 heritage areas in the United States generally consist of a
26 strong sense of place and identity; a working landscape that is home to many active uses; many
27 property owners, both public and private; interpretive programs for residents and visitors; and a
28 community or region with a strong sense of pride, vision, and goals;

29 WHEREAS heritage tourism provides the building blocks for local businesses that would
30 deal in handicrafts, art, theater and music, local foods, and guided tours;

31 WHEREAS heritage tourism provides an educational and participatory tourist experience

1 that will create new niches for local business, leading to new jobs;

2 WHEREAS heritage tourism also respects and preserves the character of the community,
3 and if properly implemented, enhances a community for the residents and the tourists alike;

3a **§ WHEREAS, DEVELOPMENT OF THE SAN RAFAEL SWELL NATIONAL**
3b **HERITAGE/CONSERVATION AREA SHOULD PROCEED WITH RECOGNITION OF PRIOR EXISTING**
3c **RIGHTS; §**

4 WHEREAS the San Rafael Swell National Heritage/Conservation Area provides a unique
5 opportunity to resolve public lands management disputes in a reasonable and far-reaching way,
6 and has the potential to become a national model for shaping conservation initiatives that are
7 compatible with local needs and objectives; and

8 WHEREAS the San Rafael Swell National Heritage/Conservation Area is an
9 environmentally sound proposal to protect over one million acres within Emery County, more
10 acres than any of the current wilderness proposals, and goes beyond the traditional
11 "one-size-fits-all" approaches of the past by addressing the needs of an entire ecosystem rather
12 than disconnected slivers of remote wilderness:

13 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
14 Governor concurring therein, urge Congress and President Clinton to create the San Rafael Swell
15 National Heritage/Conservation Area in Emery County.

15a **§ BE IT FURTHER RESOLVED THAT, IF THE CONSERVATION AREA WOULD DIMINISH THE**
15b **VALUE OR ECONOMIC POTENTIAL OF STATE SCHOOL AND INSTITUTIONAL TRUST LANDS**
15c **LOCATED WITHIN THE BOUNDARIES OF THE AREA, THOSE LANDS WOULD BE EXCHANGED FOR**
15d **FEDERAL LANDS OF EQUAL VALUE AND POTENTIAL ELSEWHERE IN THE STATE CONCURRENT**
15e **WITH THE CREATION OF THE CONSERVATION AREA, WITHOUT EXPENSE OR LOSS TO THE**
15f **BENEFICIARIES OF THOSE TRUST LANDS. §**

16 BE IT FURTHER RESOLVED that copies of this resolution be sent to President Clinton,
17 the United States Secretary of the Interior, the President of United States Senate, the Speaker of
18 the United States House of Representatives, the members of Utah's congressional delegation, the
19 Carbon County Commission, and the Emery County Commission.

Legislative Review Note
as of 10-28-97 11:04 AM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

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