

1                                   **RESOLUTION URGING APPROVAL PROCESS**  
2                                   **REQUIRED BEFORE FEDERAL WILD AND**  
3                                   **SCENIC RIVER DESIGNATION**

4                                   2003 GENERAL SESSION

5                                   STATE OF UTAH

6                                   **Sponsor: Bradley T. Johnson**

7   **This concurrent resolution of the Legislature and the Governor urges the federal**  
8   **government to receive approval of both the Legislature and the Governor prior to**  
9   **designating a wild and scenic river under the Federal Wild and Scenic River Act.**

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

11           WHEREAS, the Wild and Scenic Rivers Act was passed by Congress in 1968;

12           WHEREAS, the act stated that: "certain selected rivers of the Nation, which, with their  
13 immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish  
14 and wildlife, historic, cultural, or other similar values, shall be preserved in the free flowing  
15 condition, and that they and their immediate environments shall be protected for the benefit and  
16 enjoyment of present and future generations";

17           WHEREAS, the act further stated that the protection would depend on the "type and  
18 degree of human development associated with the river and adjacent lands";

19           WHEREAS, rivers designated for protection and preservation, or under study for  
20 designation, are withdrawn from consideration for water or power projects;

21           WHEREAS, Congress must approve any rivers recommended by federal agencies for  
22 designation in the Wild and Scenic River System;

23           WHEREAS, the role of states in the designation of a wild and scenic river should  
24 include a requirement that the federal government receive the approval of the state legislative  
25 body and the Governor prior to any designation; and

26           WHEREAS, state approval prior to designation is a vital step in ensuring that the  
27 concerns of citizens and governmental entities most directly affected by the designation have



28 been heard and carefully considered:

29           NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the  
30 Governor concurring therein, strongly urge the federal government to receive the approval of  
31 the Legislature and the Governor of a state prior to designating a river within the state as a wild  
32 and scenic river in accordance with the Wild and Scenic River Act.

33           BE IT FURTHER RESOLVED that a copy of this resolution be sent to the director of  
34 the United States Department of the Interior, **h** **THE UNITED STATES DEPARTMENT OF**  
34a **AGRICULTURE, h** the Utah Department of Natural Resources, and  
35 the members of Utah's congressional delegation.

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**Legislative Review Note**  
**as of 1-20-03 9:19 AM**

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

**Office of Legislative Research and General Counsel**