

TESTIMONY OF THOMAS R. HARDY, CITY MANAGER, BOUNTIFUL, UTAH
TO THE
SUBCOMMITTEE ON NATIONAL PARKS, FOREST AND PUBLIC LANDS COMMITTEE
ON NATURAL RESOURCES
U. S. HOUSE OF REPRESENTATIVES
1324 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C., 20515

Submitted October 30, 2007 in support of HR 3473

Honorable Committee Members,

My name is Thomas R. Hardy. I am the City Manager of Bountiful City, and have been for the last 27 years. I am here today representing Bountiful City, to speak in support of HR 3473, legislation introduced by Representative Rob Bishop, which has been referred to this subcommittee for consideration. The bill provides for a land exchange between Bountiful, Utah, and the Wasatch-Cache National Forest. We view the bill as mutually beneficial to Bountiful, Utah and the Federal Government, and respectfully request favorable consideration of the bill by this subcommittee.

Briefly, Bountiful City is a municipality of approximately 45,000 people located five miles north of Salt Lake City, Utah. Bountiful was settled in 1847, and was officially incorporated in 1892, four years before Utah achieved statehood. Our population is concentrated in an area approximately three miles wide and four miles long, with elevations ranging from 4,250 feet above sea level to over 6,200 feet above sea level. The mountains to the east of Bountiful continue up to approximately 9,000 feet in elevation. Ownership of the mountains east of our current city limit is divided between Bountiful City, the U.S. Forest Service, and some small land holdings by private property owners. As the attached map indicates, Bountiful City owns unrestricted title to approximately 1500 acres of land that is checkerboarded within the Wasatch-Cache National Forest. This bill provides for a land exchange of these holdings for up to 220 acres of property currently owned by the Wasatch-Cache National Forest located within and adjacent to the current city limits of Bountiful, 38 acres of which is currently being used for a shooting range pursuant to a special use permit issued to the Bountiful Lions Club by the Forest Service.

As provided in HR 3473, the conveyance of city lands and federal lands is to be based on the market value of those lands in accordance with federal appraisal standards contained in the Uniform Appraisal Standards for Federal Land Acquisitions. The legislation further provides for the potential of a cash equalization payment which the City, at its option, could contribute to make up any difference in value. Finally, the legislation provides that the City will first acquire the portion of the 220 acres which is currently being used as the shooting range, and then extend its acquisition out based on the comparable market values of each property. HR 3473 provides a two-year period following enactment of the legislation for the land exchange to be consummated, after which the Federal Government can dispose of the land not acquired by the City in any way deemed appropriate, or can continue to retain the land for public purposes.

Bountiful City has held title to most of the properties it proposes to exchange for the public's benefit for the last 80 years. These properties provide watershed protection, recreational opportunities, and public benefits. The only development upon the lands proposed for exchange by Bountiful City are those developments granted by federal approval, which include two interstate natural gas pipelines and one intrastate electrical transmission line. The property that the Forest Service would be conveying to Bountiful has been used as a rifle, pistol and shotgun range for approximately the last 50 years. This, too, has been in the public interest, since it has provided a location for law enforcement practice and training, hunter safety classes and certifications, and use by hunters wishing to improve their skills and sight their rifles in rather than using unsupervised areas in the foothill and mountainous areas adjacent to residential development trails and other public uses.

Bountiful has had a long history of cooperation with the USDA Forest Service. Bountiful City previously exchanged land with the Forest Service in the late 1970s to construct a neighborhood park adjacent to the land proposed for exchange under this legislation. Bountiful has worked closely with the Forest Service to develop trailheads at the mouths of all of the major canyon areas in Bountiful, as well as continued use and development of the Mueller Park picnic area which is a USDA Forest Service fee-based picnic area east of Bountiful. Bountiful also worked with the Forest Service to construct a water treatment plant just above Mueller Park, as well as the drilling of a culinary water well which provides water to Mueller Park as well as to the citizens of Bountiful. The proposal for land exchange contained in HR 3473 has been discussed for almost 16 years, as Bountiful has worked with various forest supervisors to promote this exchange. While I do not speak for the Forest Service, I can tell you that we have appreciated the close working relationship we have had with Faye Kruger, the Forest Supervisor for the Wasatch-Cache National Forest, who has indicated to us her support of this exchange, and who helped in the drafting of this legislation with Congressman Bishop's office.

If this land exchange is consummated, it would be Bountiful's intention to continue the lease arrangement of land for the operation of a shooting range to the Bountiful Lions Club, the current lessee. Further, it would be Bountiful's intent to work with the Lions Club to make several improvements that are immediately needed for continued use of this property as a shooting range. Water and electrical utilities, both of which can be provided by Bountiful City, need to be extended to the gun club. Eventually, sewer service will also need to be provided for permanent improvements to the shooting range. A paved road with curb and gutter and storm drainage needs to be installed. These improvements have been deferred for a number of years. The Lions Club did not want to spend money on the improvements without a long-term lease from the Forest Service, and the Forest Service has not had any money budgeted for these improvements. and has been unwilling to extend the term of the special use permit for longer than one year.

A multi-year program of cleaning up the lead which has accumulated over the many years of use in the rifle and pistol range areas needs to take place. Two alternative methods of removing the lead need to be reviewed and one of them selected. The first alternative is to "mine" the lead where the dirt around the areas where the targets have been located is excavated and screened, the lead is extracted, and then a new target area constructed which will collect the lead as the range is used. The second alternative is to excavate and haul to an acceptable

hazardous waste landfill any soil contaminated with lead. In either case, the value of the shooting range property would have to reflect the cost of lead removal.

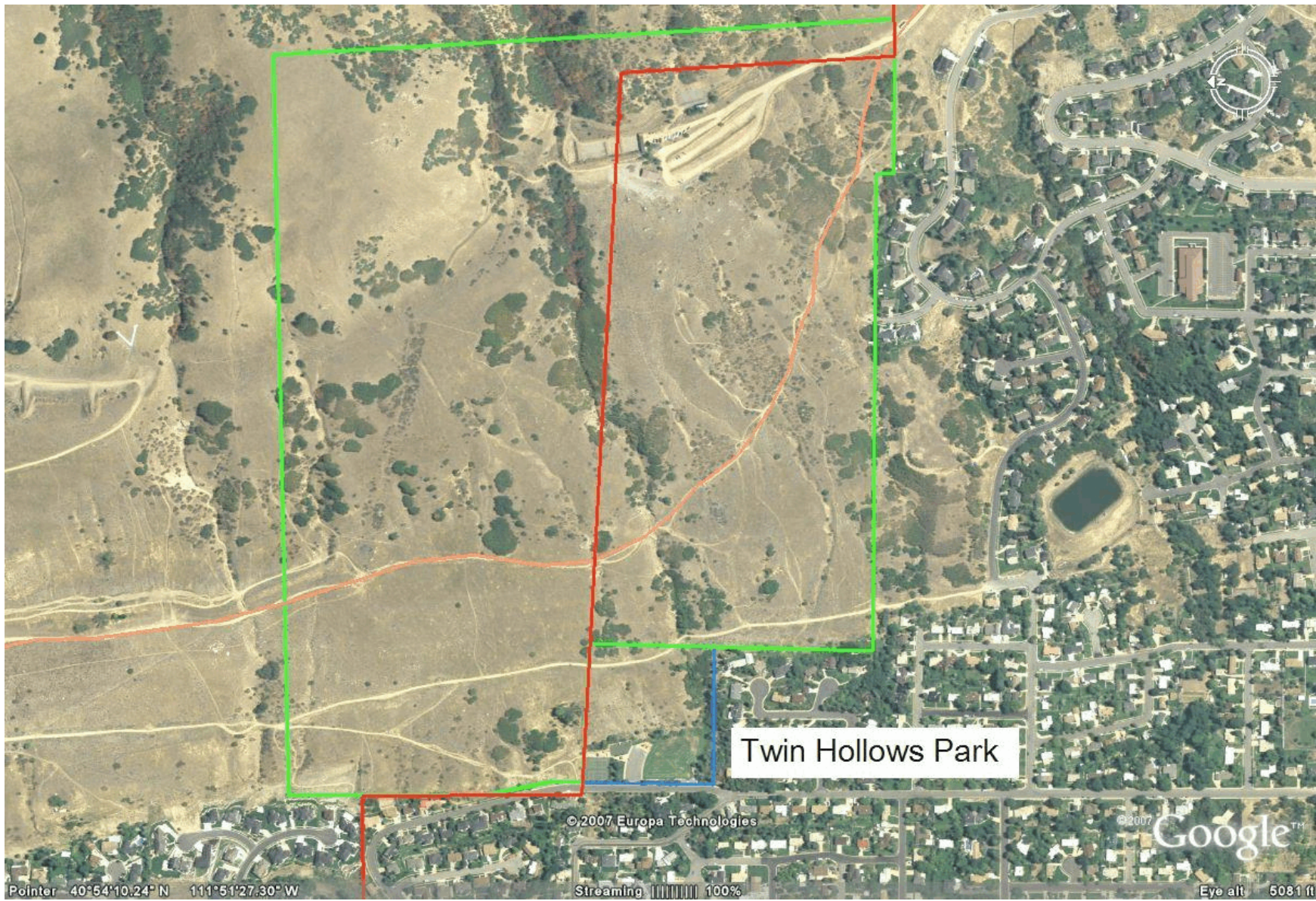
The improvements mentioned above could significantly enhance the continued use of the property as a shooting range for the foreseeable future. The balance of the property proposed for exchange around the 38 acres presently used by the Lions Club shooting range would provide a sufficient buffer from encroaching uses, particularly in the skeet shooting area.

The land exchange would also provide a permanent, improved access road with fire hydrants for fire protection. Many of the unpaved roads on the east benches throughout the Wasatch Front are known as “fire break” roads because they provide for access to fight fires in the urban/wild land interface. While Bountiful City has strict ordinances regarding development in the foothills, including a prohibition on excessive cuts and fills, a prohibition of development on slopes greater than 30%, and a minimum of two accesses on roads longer than 600 feet, fire protection, fire prevention, and fire suppression are items of critical concern. Bountiful and its neighbors have in the past experienced wildfires on the National Forest Service lands which threatened the communities, and required aggressive fire-fighting utilizing local, state and federal resources.

The land exchange also helps consolidate lands for Forest Service stewardship as opposed to the current arrangement where lands are interspersed throughout the mountains east of Bountiful. One of the frustrations that Bountiful City has had in the past is the federal preemption for development and intrusion on these lands by interstate natural gas, oil and electric utilities which override any prohibition of development by local governments. By consummating the exchange, the oil and gas companies that obtain these permits would only have to work with one permitting agency for construction of their pipelines in these mountainous areas.

Finally, the legislation proposes to define and connect Bonneville Shoreline Trail north and south. The Bonneville Shoreline Trail is a trail that follows generally the old shoreline of Lake Bonneville, a prehistoric lake which covered much of northern Utah, southern Idaho and western Nevada, and which continues into Salt Lake County. The master plans of Davis County communities provide for a connection that allows for pedestrian, bicycle, horse and other non-motorized uses of the Bonneville Shoreline Trail for public access and recreation. HR 3473 provides for a minimum 60 foot right-of-way for the Bonneville Shoreline Trail through the property proposed for exchange by the Forest Service.

In summary, Bountiful City supports the land exchange with the Forest Service. We believe it provides a “win-win” solution to challenges faced by both parties, and will insure continued ownership of these lands for the public good. We respectfully request your favorable consideration of this matter, and appreciate the efforts of Representative Bishop in developing this legislation.



Twin Hollows Park

Pointer - 40°54'10.24" N 111°51'27.30" W

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