

**Testimony of Washington County Commissioner Adam Snow
Before the
House Natural Resources Subcommittee on Federal Lands
Oversight Field Hearing on “*Empowering Local Voices and Stopping Federal Overreach to
Improve the Management of Utah’s Public Lands*”
April 22, 2024**

Good afternoon, Chairman Curtis, Rep. Maloy, Rep. Moore, and members of the subcommittee. On behalf of my colleagues at the Washington County Commission, Victor Iverson and Gil Almquist, we welcome you to our county. Let me tell you how Southern Utah came to be called Dixie. Quoting from the Washington County Historical Society, “By the mid-1850s, the reality of civil war hung over the United States. Brigham Young asked the Indian Missionaries in southern Utah to see if cotton could be grown there. When they reported in the affirmative, President Young immediately made plans to colonize the Virgin River Basin.” My 3rd great grandfather, Erastus Snow, led the company of families called to the Dixie Cotton Mission, and the region was dubbed “Dixie” because of the cotton raised here and the location in the southern end of the state. It was a harsh and unforgiving land, but thanks to their endurance and perseverance, forward thinking, and hard work, they overcame the challenges and developed this incredible place we now call home.

Thank you for inviting me to testify on important ways that decisions made by the U.S. Fish and Wildlife Service (FWS) and Bureau of Land Management (BLM) directly impact our community. My family has lived in Washington County for seven generations, and I have spent much of my professional and free time serving this community. As former staff to Congressman Stewart and now as a county commissioner, I know how vital three things are: (1) smart planning and growth, (2) protecting our community, including its environment, and (3) that backroom deals and outcome-driven decisions have no place in federal land management decisions.

Unfortunately, our smart growth and conservation actions are directly threatened by the recent actions of the Biden Administration.

Smart Growth and Cooperation

We are the poster child of responsible growth. We greatly appreciate that you are holding this field hearing. I invite you to get out and notice our growth first-hand. Drive through the new homes in Green Springs and notice the excellent desert landscaping. Visit Sun River and see how, for decades, we have been building large communities with small houses and yards where people thrive because of the community resources. Visit Desert Color—the largest planned community west of the Mississippi River—and witness how we blend high, medium, and low-density housing into a single subdivision, which ensures socio-economic diversity and helps reduce crime. Lastly, I hope each of you travels along Tabernacle Street in St. George and notice new projects that have commercial businesses on the ground floor and several stories of residential housing above.

We are flourishing as a community and are following innovative growth principles. This is largely due to our responsible development community, our great city councils, and our city plans. Over a decade ago, our cities and the county got together to develop comprehensive planning principles that allow our continued population growth while recognizing that we live in a desert and water is scarce. We are now enjoying the benefits of that planning, and we are also building on it with a massive water reuse program you will hear about later. That strategic and responsible planning has allowed this community to be one of the fastest growing in the nation for most of the last 20 years. Our rapid growth comes internally from children and grandchildren and, more recently, from those who choose to move from out of state to St. George for all this community offers. We have welcomed everyone and are working hard to provide the needed

infrastructure to accommodate this challenge. Some who have moved here, especially during and since the pandemic, are political refugees from California and other blue states where liberal policies produced unlivable communities with high taxes, rampant crime, poor air quality, and gridlocked highways. Unfortunately, through the actions of the BLM and FWS, the Biden Administration seems to want to bring some of these same conditions to Washington County.

BLM's Likely Harm

Unfortunately, the likely action by BLM to rescind the Northern Corridor right-of-way right before the presidential election will harm our community by increasing traffic congestion, lowering air quality, and imposing congestion impacts on underserved neighborhoods. After marching forward with their Supplemental Environmental Impact Statement (SEIS) last year, BLM only recently requested updated information on these topics.

The traffic modeling for the 2020 EIS was based on 2017 data. The BLM does not even have a traffic or any other type of engineer on staff working on this project. That may be normal for BLM, but it is inexcusable that their SEIS contractor also does not have a single engineer on the team! They did not have data on our COVID population boom from people fleeing locked-down states. Luckily, our local traffic planners asked the BLM if they were gathering this information and offered to provide it. So, new traffic modeling is being completed and should be done in June.

However, taking the time to actually gather traffic data for a decision about the best location of a roadway does not fit with the Biden Administration's election-year timeframe. So, the BLM plans to release its draft SEIS for public review and comment before it has even received, let alone analyzed, that data. This is just wrong! BLM should be transparent with the public by providing a full analysis of each alternative using up-to-date information. Instead, what

BLM intends to do by not having the up-to-date information in the draft SEIS is reveal it later only by including it as an appendix in the final SEIS, which means the public will have no opportunity to see the analysis in the actual document or comment on it during a public comment period.

BLM's statutory mandate in the 2009 Omnibus Public Lands Management Act was to develop a transportation management plan through the Red Cliffs National Conservation Area in no more than 3 years. They have ignored this congressionally mandated deadline for more than 10 years with no plans in sight to even work on the transportation plan. Instead, they are prioritizing a newer politically driven deadline to eliminate the one route that provides the best solution that addresses our transportation challenges. Additionally, they do not intend to include any analysis of the harm to our air quality or impacted neighborhoods that will happen by eliminating the right-of-way. Vehicle engines perform best when running at 40-60 miles per hour and emissions are the worst with stop-and-go traffic. Having to wait two or three lights to get through an intersection wastes fuel because the trip is taking longer, and the idling vehicles are polluting more than if they were moving efficiently. We do not yet have the current modeling, but without a Northern Corridor, the old modeling—which has slower population projections than the reality reflected in the new data—showed that if the right-of-way is rescinded, travel time to get from Sunset Boulevard to Exit 13 on Interstate 15 will increase from 14 minutes of travel time (in 2019) using one of three different routes to anywhere from 24 to 40 minutes of travel time. (See 2020 FEIS Appendix I, Air Quality Report on page 22)

Additionally, BLM does not intend to do an updated air quality report before deciding whether to rescind the right-of-way. Given the “high priority” the Biden Administration has placed on studying air quality in every EIS, it is strange that they will likely decide to harm our

air quality, and perhaps, just maybe, that is why they are not gathering additional information on this impact. This is merely one more violation of processes mandated by NEPA to achieve a political outcome.

The Biden Administration talks a lot about environmental justice to reverse federal impacts on specific underserved neighborhoods that have historically been located next to freeways and train tracks. These neighborhoods have higher concentrations of carbon dioxide and become concentrated heat domes. The BLM's SEIS process will result in an environmental *injustice* because it will force more and more traffic into the increasingly congested urban core of St. George, where the lower income and workforce housing is located, causing more air quality impacts and transportation backups.

This is Federal Decision-Making at its Worst

Given my extensive professional experience with land management in the West over the past decade, I can expertly declare that this is the most predetermined, outcome-driven environmental review I have ever seen! With the prior administration, we went through a years-long public process, did all of the proper analysis, and achieved the best result for our community. In stark contrast, this Administration cut a sue-and-settle, back-room deal with fringe environmental groups that included a cash payoff and a commitment to get this done by election time regardless of how many corners would have to be cut. Now, they are going through a predetermined "sham" process that ignores their own policies of stakeholder participation, climate impact analysis, and environmental justice impacts. The political appointees in Washington, D.C., know precisely their end outcome. Regardless of the environmental consequences, they are going to do what they need to secure the political support of fringe environmental groups who do not represent or speak for the values of this community. These

fringe groups think that if they can stop this roadway, they can help prevent growth here in Washington County. Ironically, most of them also just moved here themselves.

When BLM rescinds the Northern Corridor right-of-way, not only will it become harder and harder to travel east to west and vice versa across our county, it will be a massive loss for our recreation community because then the Fish and Wildlife Service is obligated to authorize the take of desert tortoises on the non-federal lands in Zone 6—which means that eventually, those popular trails and climbing areas will in all likelihood be turned into housing. It will be a loss for 350-500 Mohave desert tortoises and all of the potential progeny that could have lived long lives in Zone 6 as their habitat is permanently lost to development. It will be a loss for our partnerships with federal agencies. We have worked openly and in good faith for decades with BLM and the Fish and Wildlife Service. This has produced remarkable outcomes for the community and the species. We cannot, however, continue to do that if they are going to extract millions of dollars from us to recover the tortoise and then rescind the permit that we were paying for. This is government at its worst. The original permit was a good faith compromise that allowed all stakeholders to join in a mutually beneficial partnership between federal, state, local, and private entities. All stakeholders could proudly declare a victory on conservation, environment, recreation, development, and transportation. In this back-room, closed-door, exclusive deal, the federal government is violating federal law not for the benefit of the tortoise, the environment, recreation, transportation, or federal partnerships. It is only for the benefit of political points to their fringe supporters.

I wish to express my appreciation to the Utah Congressional delegation for their continued support on these issues. Thank you for convening this hearing today.