

# REDROCK

W I L D E R N E S S

The Newsletter of the Southern Utah Wilderness Alliance  
Volume 30, Number 1 • Spring 2013

Obama's Second Chance

**Cover Photo:** Claret cup cacti bloom in the Indian Creek proposed wilderness within the Greater Canyonlands region. Photo copyright Tom Till (tomtill.com)



The mission of the Southern Utah Wilderness Alliance (SUWA) is the preservation of the outstanding wilderness at the heart of the Colorado Plateau, and the management of these lands in their natural state for the benefit of all Americans.

SUWA promotes local and national recognition of the region's unique character through research and public education; supports both administrative and legislative initiatives to permanently protect Colorado Plateau wild places within the National Park and National Wilderness Preservation Systems or by other protective designations where appropriate; builds support for such initiatives on both the local and national level; and provides leadership within the conservation movement through uncompromising advocacy for wilderness preservation.

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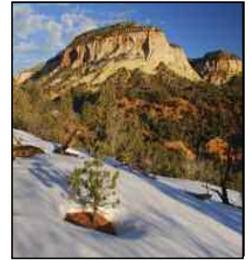
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## Redrock Wilderness • Volume 30, Number 1 • Spring 2013

This issue of *Redrock Wilderness* was written by the following staff and outside contributors: Steve Bloch, Neal Clark, Clayton Daughenbaugh, Jackie Feinberg, David Garbett, Mathew Gross, Darrell Knuffke, Terri Martin, Richard Peterson-Cremer, Deeda Seed and Jen Beasley Ujifusa. It was edited by Darrell Knuffke and laid out by Diane Kelly.

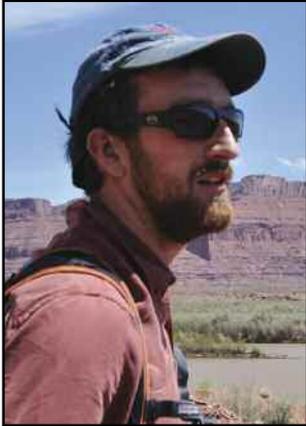
Newsletter design by Leslie Scopes Garcia.

Contributions of photographs (especially of areas within the citizens’ proposal for Utah wilderness) and original art (such as pen-and-ink sketches) are greatly appreciated! Please send with SASE to Editor, SUWA, 425 East 100 South, Salt Lake City, UT 84111.

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## wilderness notes



### New Faces, New Opportunities

SUWA has seen a lot of changes throughout our 30-year history (yep, we'll celebrate that anniversary this year) and more are in store.

At the end of the last Congress, we said goodbye to our longest-serving congressional champion, Rep. Maurice Hinchey of New York. Maurice's service to the redrock is incomparable—from his travel to Utah to testify in field hearings, to fighting for us in committee, on the House floor and in congressional back rooms. We never had to wonder where Maurice was: he was precisely where Utah wilderness most needed him to be. We hope he enjoys his retirement, secure in the knowledge that he has saved millions of acres of wild country and helped our movement to thrive.

There's opportunity in change. We are happy at the prospect of working with a new House champion, Rep. Rush Holt (D-NJ). He will introduce America's Red Rock Wilderness Act in the 113th Congress.

Some might know Congressman Holt as the guy who beat the IBM supercomputer "Watson" on the TV show "Jeopardy," but we know him best as a long-time redrock champion. He knows the issues, knows the land, and stands firm when push comes to shove. Mr. Holt has been fighting with us on Utah issues for decades. He played an important role in the floor fight over then-Utah Rep. Jim Hansen's awful San Rafael Swell bill in 2002 and he organized dozens of congressional sign-on letters that aimed to head off damage from oil and gas drilling and off-road vehicle abuse in the redrock, among other threats. We look forward to working with him.

Another new face on the scene this year is Sally Jewell, President Obama's nominee for the post of Interior Secretary. We've endured—and the land has suffered—years of delays, reversals and weak policy guidance under current Interior Secretary Ken Salazar. We are understandably eager to see Ms. Jewell bring her executive experience, part of it with a premier outdoor recreation company, to bear on critical Utah wilderness issues. Among her first challenges will be to replace anti-environmental agents still hanging on from the Bush administration with good, conservation-minded aides.

Our feature article in this issue of *Redrock Wilderness* gives Ms. Jewell some additional advice for addressing Utah public land issues.

There's one thing that won't change as we move into a new era in the campaign to protect the redrock: we won't accomplish anything without our dedicated supporters. We know that you, like Maurice Hinchey, Rush Holt and our Senate champion Richard Durbin, will be there when we need you. Thank you.

For the wild,

Richard Peterson-Cremer  
Legislative Director

## features

### Obama II: Disappointment Dampens Desire to Hope

With the inauguration of Barack Obama four years ago, redrock wilderness supporters reasonably expected some righting of the imbalance in public lands management that characterized eight years of the Bush administration.

Bush's Interior Department, and especially its Bureau of Land Management (BLM), made an art form out of ceding important public values to private profit and destructive recreation for a small minority of public lands users.

Obama campaigned against that sort of lopsided governance. Administration actions in the early days seemed to affirm our optimism. Within a month of his inauguration, the President had signed into law a wilderness package protecting over 2 million acres of public land, including 186,000 acres in Utah's Washington County—lands also proposed for wilderness designation in America's Red Rock Wilderness Act (ARRWA). A few weeks later, new Interior Secretary Ken Salazar's first major action in office was to cancel the controversial 77 oil and gas leases in the heart of the redrock that a waning Bush administration sold in a last-ditch, free-for-all bazaar. That change thing was looking very good. But not for very long.

#### Delays, Reversals, Hostility

Since those days, redrock supporters have endured a string of delays, reversals, and in a few cases outright hostility towards Utah's redrock country. Perhaps the biggest blow has been the Obama administration's perverse embrace of the Bush administration's horrid Resource Management Plans (RMPs). These six plans prescribed management for over 11 million acres of redrock country in Utah for up to 20 years. They surrendered thousands of pristine acres to oil and gas exploration and off-road vehicle use. Travel plans, completed at about the same time, designated thousands of miles of ORV routes, directing vehicles to drive along wash bottoms, abandoned seismic lines and illegally constructed trails. The environmental consequences of these decisions were never considered.

Certainly, SUWA will challenge all these RMPs in court. But, based on Obama's campaign rhetoric,

we expected a helpful partner in this effort. Instead, the administration is actually defending these plans against citizen challenges. Meanwhile, the BLM continues to issue permits for a host of off-road vehicle events, some of which the agency admits are damaging to landscapes and archaeological sites.

Obama's record on energy has not been quite so lopsidedly bad, though his eagerness to be seen as pro-drilling has dictated some ugly activity in Utah. Approval of Gasco Energy's plan to drill in wild Desolation Canyon is a prime example.

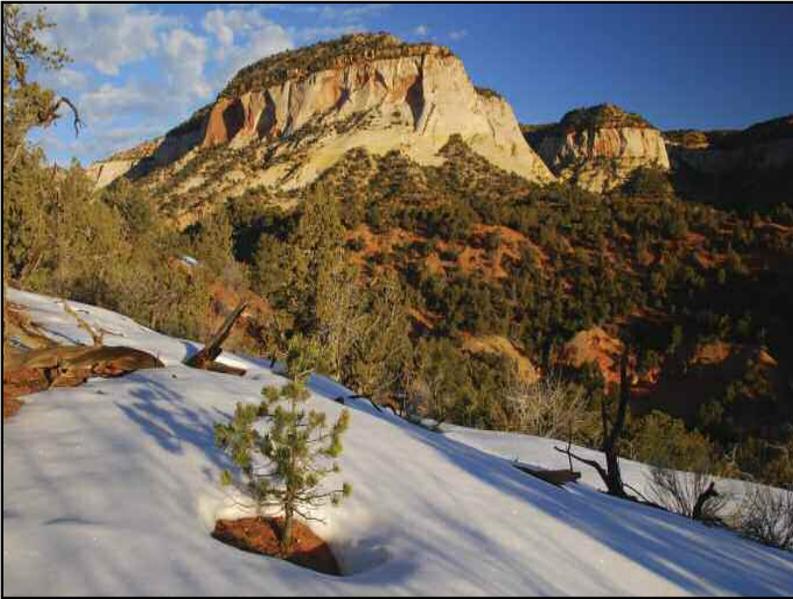
As noted, we saw some progress with Salazar's cancellation of the dreadful 77 leases in eastern Utah. The BLM also undertook a review of the RMPs and proposed master leasing plans to help ensure that bad planning decisions would not cause trouble down the road. But the agency has delayed those plans repeatedly, giving the oil and gas industry and its congressional allies more time to weaken proposals that were never much better than mediocre to start with.



© Scott Braden

*First term blues: the Obama administration did nothing to correct the terrible Bush-era land use plans that surrendered thousands of acres to development and ORV use. Drilling in the Desolation Canyon region was also approved in Obama's first term. River runners on the Desolation Canyon stretch of the Green River, pictured above, would be impacted by that decision.*

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**features**


© Ray Bloxham/SUWA

*The Upper Kanab Creek proposed wilderness is among many scenic landscapes the BLM can no longer identify as wilderness study areas thanks to the 2003 no-more-wilderness deal involving former Utah Governor Mike Leavitt. The Obama administration has failed to remedy this disastrous backdoor agreement.*

### Oil Shale and a Wildlands Policy

The Bush administration offered lavish giveaways for would-be oil shale and tar sands developers. Salazar excised the worst excesses of the plans. But they still offer too much land in Utah for commercial leasing and would still allow oil shale development on lands proposed for protection in ARROW and the Greater Canyonlands Region.

Salazar unveiled a wildlands policy that would have helped remedy the collusive no-more-wilderness deal that Bush Interior Secretary Gale Norton and former Utah Gov. Mike Leavitt struck in 2003. But Salazar hastily disowned it with the first hint of the utterly predictable resistance from western interests who have the BLM right where they want it—and mean to keep it that way. Salazar replaced the policy with a lame little list of places that Congress should protect, as if this dysfunctional assembly could protect anything but its own interests.

More recently, the BLM is considering proposals to allow potash leasing and development (impacts from which are similar to those from oil and gas drilling) on spectacular Hatch Point within the Greater Canyonlands region just east of Labyrinth Canyon near Moab (see article page 15).

A trickle—even a modest trickle—of national monument proclamations from the White House could have done much to boost flagging spirits. We've seen only the occasional drip. That could change in Obama's second term. If it does not, though, it focuses an exceptionally bright light on our major issue with the president: he seems to have no vision whatsoever for the future of America's public estate, and no apparent sense of responsibility for undoing the damage his predecessor caused (and in which Obama himself has sometimes chosen to be complicit—to wit, defense of the Bush RMPs).

### First Steps Toward Recovery?

A safely re-elected Barack Obama has nominated REI executive Sally Jewell as his next Interior Secretary. She brings to the enterprise a diverse background in the oil, finance and outdoor recreation industries. She's not steeped in public lands policy as many of her predecessors have been. That doesn't much concern us. Knowledge can be acquired, experts hired. Interior needs a visionary, not a mechanic. Jewell is a capable executive and that suggests an ability to reshape an organization. She understands the economic benefits of human-powered outdoor recreation and the threat that climate change poses. Jewell is equipped to develop a vision for threatened public lands, not just for the next four years but the next four decades.

The Obama administration has a real opportunity to change its course on public lands. The question is not whether it has time enough and space—it does—but whether it has will enough and steel. We don't know the answer. But we do know this: no matter how dedicated a conservationist Sally Jewell is, she can only operate to the end of the White House's political tether. We hope it will be either very long or very elastic; there is much to do.

### Where to Begin: Roads, Rigs and Rapacious Land-Grabbers

Former Arizona Gov. Bruce Babbitt served as Interior Secretary for both Clinton terms. He recently offered some wise counsel for Mr. Obama for the years ahead (see sidebar, opposite page). We also have some suggestions for both Ms. Jewell and President Obama:

- ▶ Finish the Moab master leasing plan (MLP) and begin others. The Moab MLP would reverse much

*(Continued on page 8)*

## Babbitt Offers Obama a Conservation Roadmap for Second Term

Bruce Babbitt served as Interior Secretary during both Clinton administrations. Among other things, he established the National Landscape Conservation System, which includes the Grand Staircase-Escalante National Monument and other wild public lands.

Babbitt, as ardent a conservationist in private life as he was in public, has been a persistent critic of President Obama's environmental policies. Excerpted below are comments from his Feb. 5th National Press Club speech entitled "On Equal Ground: Righting the Balance Between Energy Development and Conservation on Public Lands."



© James Kegley

*Bruce Babbitt speaking at the National Press Club in February.*

“ Is it possible for the President to achieve a one-to-one balance of development and conservation by the end of his second term?

. . . To meet this challenge, the President will have to make vigorous use of his executive powers beginning with the Antiquities Act in the manner of many of his predecessors.

Theodore Roosevelt used the Antiquities Act to save the Grand Canyon. Herbert Hoover used it to save Death Valley . . . Franklin Roosevelt to preserve the Grand Tetons.

. . . Let us next consider the question of wilderness and land conservation legislation. The 112th Congress, recently departed, was the first Congress since World War II not to protect a single new acre of public land as a park, wilderness area, or national monument.

This inaction is not for a lack of wilderness bills to consider. As of December, 2012, there were 30 wilderness and conservation land bills stalled in Congress that were sponsored—as per custom—by home state Senators or Representatives, reflecting popular support from their constituencies. These 30 bills would protect areas in thirteen states from Oregon to Maine, totaling some 5 million acres.

Some opinion has it that, since wilderness areas are created by legislation, it must follow that Presidents have no real power to advance the cause of wilderness.

That is not the case.

. . . With prompting from President Clinton, Congress awakened and took action to establish the Otay Mountain Wilderness and the San Jacinto National Monument in California, the Steens Mountain Cooperative management Area in Oregon, the Colorado Canyons National Conservation Area in Colorado, and the Las Cienegas National Conservation Area in Arizona, among others.

With these precedents, and considering widespread public support, President Obama should turn his attention to the wilderness, parks, and conservation area bills pending in Congress. If, for example, Senator (Diane) Feinstein's bill to protect the more than a million acres of the Mojave Desert with a legislative Monument remains bottled up in committee, the President should work with her to examine use of executive authority as an alternative pathway to monument status.

In this way—bill by bill, place by place—the President can help advance deserving proposals on which Congress is failing to act. ”

## features

*(Continued from page 6)*

of the mischief from the Bush administration's management plans for the Moab area; that's where Bush's 77 leases were situated. Their ugliest legacy is in oil and gas leasing. Responsible MLPs would go far in reshaping it.

- ▶ Vigorously defend our federal lands against two threats from the State of Utah. One is goof-ball legislation to "take back the land" from the federal government (see article on page 12). The other is the 22 lawsuits the state has filed claiming tens of thousands of phony routes under RS 2477 (see page 13). If the land grab legislation is mostly breast-beating and posturing, the road suits are a real danger. Any ruling in the state's and counties' favor would grant rights-of-way through not just potential wilderness, but also designated wilderness and national parks.

- ▶ Proclaim a Greater Canyonlands National Monument. Over 100 members of the outdoor industry (which Sally Jewell knows well) signed a letter to the President in November asking him to

act. Designation under the Antiquities Act would protect the area from mineral development and start a new public planning process to address archaeological protection, recreation, and resilience to climate change.

This is a short list of significant steps. They could begin the process of undoing the worst the Bush crowd brought to the Utah landscape and lay the foundation for the future. We are back to the word "vision." A responsible long-term vision for America's public lands can protect their health beyond political boundaries and election cycles, beyond even human lifetimes. It will give them the best chance to endure, intact, into an uncertain future.

It can also give the people of that future time the chance to know and love these public lands as we do. But making the vision real will demand two things: leadership and courage. We remain hopeful.

—Richard Peterson-Cremer

## Public Lands Index

Percentage of western voters (from AZ, CO, MT, NM, UT, WY) who consider themselves conservationists: **63**

Percentage of western voters who believe selling off public lands to corporations for development will hurt their economy and quality of life: **71**

Percentage of Utah voters who believe public lands in the state support the economy, provide recreation opportunities and enhance quality of life: **74**

Percentage of Utah voters who intend to visit a national park sometime in 2013: **81**

Percentage of Utah voters who say environmentally sensitive places on public lands should be permanently protected from drilling: **62**

Percentage of Utah voters who agree that public lands are an essential part of the state's economy: **96**

Percentage of Utah voters who agree that national parks, forests, monuments, and wildlife areas help attract high quality employers and good jobs to Utah: **77**

*Source: January 2013 "Colorado College Conservation in the West" survey, a bipartisan poll of voters in six western states.*

## DC news

### Senator Richard Durbin: A Reliable Rock for the Redrock

When Sen. Richard Durbin (D-IL) introduces America's Red Rock Wilderness Act in Congress this spring it will be the ninth time he's done so. That is determination and loyalty of a high order.

Among Sen. Durbin's constituents in Illinois are many thankful redrock devotees, and the senator has a large collection of fans and friends in Utah as well. (Maybe another of his friends and constituents, now living at 1600 Pennsylvania Ave., will take note of Sen. Durbin's leadership for protecting the redrock country when the administration weighs a possible Greater Canyonlands National Monument.)

Sen. Durbin's leadership is crucial. America's Red Rock Wilderness Act remains the linchpin for the larger redrock protection effort. This visionary bill defines the universe of redrock wilderness in Utah, standing as the ultimate definition for anyone who cares to know what is wild and what is not. Its existence means the BLM can't claim ignorance about what lands have wilderness character. It means there is no excuse for not thinking twice—at least twice—when considering potentially damaging proposals.

It means a company that's quite willing to ravage a special place for profit can simply look at a map



*Northwest Illinois Audubon Society members show their support for protecting America's redrock wilderness at a meeting in Freeport.*



*SUWA staffers in Salt Lake City thank Sen. Durbin for his defense of the redrock on behalf of the many wilderness supporters in Utah.*



*Students (many of them Durbin constituents) at the University of Illinois at Urbana Champaign hold up handmade "Protect Greater Canyonlands" signs.*

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**DC news**

and know whether it is buying itself a costly fight with SUWA and its allies. Our champions' commitment also puts Utah public officials on notice that they can't rip into our national treasures with impunity (which explains the state's and its counties' feverish campaign to wrest control of these public lands from the American people who own them).

The next time you're camping in a wild place, mesmerized by Utah's star-studded night sky, remember that Sen. Durbin is committed to the redrock's survival. If your livelihood depends on helping others enjoy Utah's wild backcountry, whether you are a guide or gear seller, know that Sen. Durbin is keeping a sharp eye on your job security.

And when you share a special time with your children in a precious place, realize that there is someone who wants to ensure that that place will be there for your children's children, too. His name is Richard Durbin. All of us pictured on the previous page, and the millions more we represent, offer our deepest, deepest thanks.

—Clayton Daughenbaugh

## Meet the New Congress: Same as the Old Congress?

The fledgling 113th Congress has been sworn in, its members issued shiny new lapel pins. How will it differ from the 112th?

Republicans still own a comfortable majority in the House. Democrats still own a slim majority in the Senate. And dollars to donuts, southern members will still practice Seersucker Thursday come summer. Beyond that? Well, there's the lapel pins; they're new, you know. Shiny, too.

Rep. Rob Bishop (R-UT) still chairs the subcommittee that arbitrates wilderness bills, but it has a fancy new moniker: "House Subcommittee on Public Lands and Environmental Regulation." There's not always something in a name, but there is in this one: the change extends Bishop's purview to bedrock environmental laws such as the National Environmental Protection Act (NEPA). Bishop showed a particular zest for this topic in the last Congress when he proposed waiving NEPA and

dozens of other environmental laws within 100 miles of the U.S. border. Freshman Rep. Chris Stewart (R-UT) keeps Bishop company on the subcommittee.

The news isn't all dire. Four former House cosponsors of America's Red Rock Wilderness Act, Sens. Martin Heinrich (D-NM), Tammy Baldwin (D-WI), Mazie Hirono (D-HI) and Chris Murphy (D-CT) have moved over to the Senate. Heinrich and Hirono now sit on the Senate Energy and Natural Resources Committee, where their presence could signal good things for Utah and wilderness in general. We certainly hope so, given the sad fact that the last Congress was the first since 1966 to fail to protect a single acre of new wilderness.

There's also a new chairman of the Senate Energy and Natural Resources Committee, Sen. Ron Wyden (D-OR). Wyden has expressed interest in moving through the backlog of natural resources bills and has a reputation for bipartisan collaboration. He has already taken a few trips with ranking member Sen. Lisa Murkowski (R-AK). That could signal either progress on his goal or some painful compromises, depending on the tint of one's glasses.

Meanwhile, the anti-conservation zeal of a faction in the House remains unchecked. Four bills to undermine the Antiquities Act had already been introduced within a month after the crack of the opening gavel. The bills aim to limit or end the presidential authority to protect special places like Greater Canyonlands as national monuments. One such bill, HR 250, is sponsored by Rep. Jason Chaffetz (R-UT), whose new district includes Greater Canyonlands and most of the lands proposed for wilderness under America's Red Rock Wilderness Act.

Finally, Utah's campaign to wrest ownership of federal lands within the state found an accomplice last Congress in Sen. Orrin Hatch. In amendments to a hunting bill, he sought to turn even national parks and wilderness in Utah over to the state (in the end, the amendments were not considered). Whether the delegation will tilt at those windmills again this Congress is something we'll be watching with more than mild interest.

—Jen Beasley Ujifusa

## Grassroots Activists: Utah's Redrock Stars

It is hard to overstate the value of grassroots support and enthusiasm in advancing the cause of protecting Utah wilderness. We rediscover that every two years during the Utah Wilderness Coalition's Wilderness Week in Washington, DC.

The latest event, from March 2-6, brought 30 fabulous redrock activists from Utah and across the country to ask their members of Congress to cosponsor America's Red Rock Wilderness Act (ARRWA), a bill that would protect over 9 million acres of Utah wilderness. Utah activists also met with administration officials about the importance of protecting Greater Canyonlands and urged members of Congress to defend the President's authority to designate national monuments through the Antiquities Act.

After thorough training from SUWA and Sierra Club staff, these redrock stars signed up a long list of original cosponsors for the introduction of ARRWA later in the spring. The event was also a great opportunity for Utah wilderness fans to meet and network with others who also love the redrock. In a new twist for Wilderness Week, the Utah Wilderness Coalition held a grassroots strategy session so participants would be equipped with the tools necessary to continue their advocacy upon their return home.



*Photo courtesy of Utah Sierra Club*

*Wilderness Week activists from Utah met with the White House Council on Environmental Quality to discuss protecting the Greater Canyonlands region.*

SUWA's staff is grateful that such eloquent, knowledgeable and enthusiastic folks are willing to take five days out of their lives to advocate for Utah wilderness. They even remained cool and collected as an impending storm caused flights to be cancelled.

Putting faces and real-life stories to a cause is really a priceless contribution that no set of facts and figures can match. We thank all the Wilderness Week participants, both past and present!

—Jackie Feinberg

## Help Us Build Support for America's Red Rock Wilderness Act in the 113th Congress!

### Write Your Legislators at:

The Honorable [Representative's name]  
United States House of Representatives  
Washington, DC 20515

The Honorable [Senator's name]  
United States Senate  
Washington, DC 20510

**Or call (202) 224-3121 and ask to be connected to the appropriate office**

Learn more at [suwa.org/ARRWA](http://suwa.org/ARRWA) or contact Jackie Feinberg at [jackie@suwa.org](mailto:jackie@suwa.org)  
Look up your members of Congress at [suwa.org/findrep](http://suwa.org/findrep)

# canyon country updates

## The Land Grab: If You're Gonna Go Nuts, Go Big

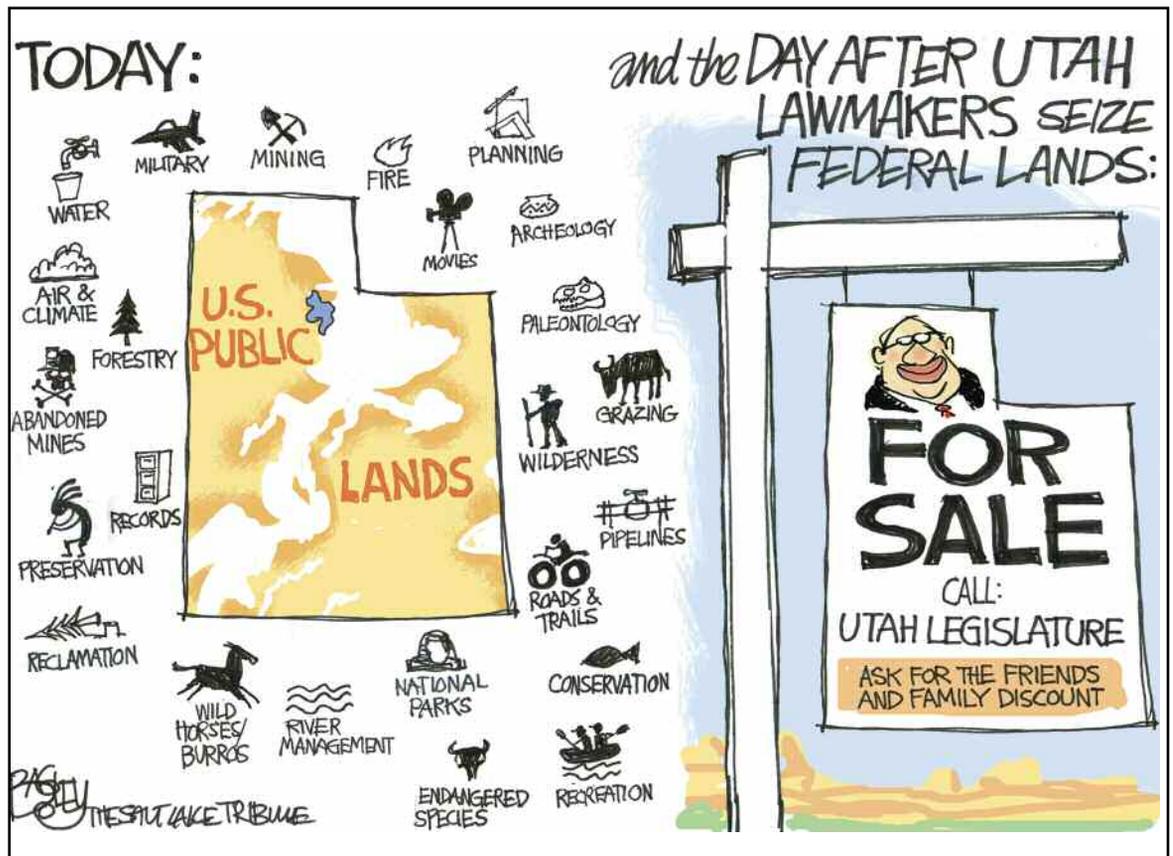
Let's say that deep in your fevered little mind, you truly believe you can fly. So long as you keep your mouth shut and your fantasies to yourself, nobody's business, right? But then suppose this: you put on a cute little bat suit, clamber onto the roof of City Hall, flap your wings wildly and loudly start counting down from 10.

This is the deadly step from private nutter to full-blown, howling public menace—the sort of thing that causes the neighbors to murmur, hold the kids just a little bit closer . . . and never leave the house without a pitchfork and torch.

That's been the trajectory of Utah's public land grab. Its eerie public life began last year when Utah Gov. Gary Herbert signed the "Transfer of Public Lands Act." The law modestly demands that the federal government hand over more than 30 million acres of federal land to Utah by the end of 2014.

Legal experts say the state hasn't a snowball's chance of success. But for all its surface silliness, we take the threat very seriously: if the state succeeds, consequences for Utah's wild lands, air and water will be dire. The state can't possibly afford the nearly \$300 million the federal government now spends annually to manage public lands in Utah so it will be forced to sell off large tracts of public land and to lease much of the rest to destructive extractive industries. (An episode during this year's legislative session illustrates the accuracy of this prediction. See "Anti-Fed Hypocrisy" sidebar on page 14).

Utah legislators introduced a series of bills this year to advance the governor's scheme. One of them, HB 142, requires the state's Public Lands Policy Coordination Office (PLPCO) to study the costs and benefits of transferring public lands to the state and provides \$450,000 to fund outside analyses. The



## Notable Quotes on the Land Grab

The next time a Utah politician falsely accuses wilderness activists of being extremists who refuse to negotiate, we'll remember this land grab quote by one of our state's notorious wilderness foes:

"It really bothers me when people sit down and say we ought to be moderate and we ought to negotiate. That time has long passed."

—Rep. Mike Noel (R-Kanab) as quoted in the *Salt Lake Tribune* article "Anti-federal move marches through Utah House," Feb. 27, 2013

And then there's the hard to swallow (for some) truth of the whole matter:

The (land grab) idea, based on a very selective reading of the 1894 Enabling Act that granted Utah statehood, is that all of the land then in federal hands was supposed to be sold off, with a 5 percent cut to the state . . .

What those who favor this land grab won't see is that, around the turn of the 20th century, American sensibilities changed. We stopped killing Indians. We gave women the right to vote. And we, under the wise leadership of Republicans like Theodore Roosevelt, came up with what's been called "America's best idea," the preservation of large, and beautiful, expanses of our common heritage forever more.

—*Salt Lake Tribune* editorial, March 2, 2013

bill also requires PLPCO to set up a process by which the state takes title to the land and to detail ways to increase revenue from it (read here: "sell" and "lease").

When this newsletter went to print, HB 142 was still in committee. It's likely to pass, though, and Herbert is likely to sign it with another anti-federal outburst.

Now the land grabbers are exporting their strange idea to others, sending emissaries to neighboring states whose legislators probably also believe that cage wrestling is real and so is Manti T'eo's girlfriend.

Thanks to the support of SUWA members like you, the anti-federal fever that has overwhelmed so many Utah politicians—and has crossed state lines to avoid treatment—is facing increasing opposition. But it's a long way from over and we will need your help until it is.

—*Mathew Gross*

## State's Anti-Wilderness RS 2477 Litigation Heats Up

An essential attribute of a wilderness is that it is a place without roads. That fact puts into stark relief the significance of Utah's pursuit of 30 RS 2477 lawsuits in federal court. The state's suits seek title to nearly 36,000 miles of alleged rights-of-way across more than 14,400 routes (or segments of routes). The claims are in virtually every county in the state and in virtually every candidate wilderness area.

Revised Staute (RS) 2477 provides, in its entirety: "the right of way for the construction of highways across public lands, not reserved for public uses, is hereby granted." Congress repealed the law in 1976, subject to any valid rights existing at the time of repeal. Thus, claimants have to show that they qualified before 1976, or earlier if the land was set aside or "reserved" before then.

The claims cross a myriad of federal lands, including BLM, National Park Service, U.S. Forest

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**canyon country updates**

## Anti-Fed Hypocrisy Revealed in Farcical Committee Meeting

Utah's legislative land grabbers were playing with matches on February and managed to set their hair on fire, delighting Utahns who think the land grab is monumentally dumb. An joint appropriations subcommittee was considering the routine acceptance of \$71 million in federal funds when Rep. Mike Noel (R-Kanab) and Sen. Margaret Dayton (R-Orem) took the occasion to whack the feds.

Noel declared that "the \$71 million we are depending on the federal government to fund us with may not exist in the future." Dayton added, in case anyone was stupid enough to miss the point, "that is . . . \$71 million that [the federal government] probably took from us in the first place . . . and are returning it with their strings."

If the prelude was predictable, what followed was pure fun. Curtis Haring told the story on the Utah Political Capitol website:

A motion was then made to reject the federal money, which was expected to fail as there was no way the committee could pay for all the projects they had just added to the budget without the funds.

Sensing an opportunity to make a big statement, and hold the Republicans to their rhetoric, the three Democrats on the committee—Senator Jim Dabakis (Salt Lake City), Representative Susan Duckworth (Magna) and Representative Larry Wiley (West Valley)—shocked everyone by casting the deciding votes to reject the federal funds.

. . . This sent the committee into a tailspin as the unprecedented action prompted questions such as, "What does that mean?" from Rep. Roger Barrus.

Ivan Djambov, fiscal analyst for the legislature, said, "This has never happened before...if you vote that they do not accept the new grants for 2014...I think that [state agencies] won't be able to use the [federal grants]."

"We decided to give Republicans exactly what they wanted—an opportunity to reject federal funds," said Sen. Jim Dabakis, Salt Lake City. "Of course, once we did the place fell into anarchy."

Ultimately, several Republicans changed their votes, and the committee accepted the federal funds.

Service, and U.S. Fish and Wildlife Service managed lands, as well as private and state lands. The lawsuits assert claims within some of the state's wildest places including more than 2,000 miles of routes within the Grand Staircase-Escalante National Monument, 458 miles within national parks and more than 3,600 miles within proposed wilderness areas.

The bottom line is this: the goal of the state's tsunami of litigation—to riddle Utah with roads, many paved and widened to accommodate two-lanes of travel—is unprecedented in scope and breadth. Whatever else the state is after, its dominant aim is to so riddle wild Utah with roads that little, if any, remains to be protected as wilderness.

SUWA and its partners are rising to the challenge. We have assembled a team of attorneys from across the nation to work on our behalf and file legal arguments that, if successful, will permit us to intervene on behalf of the United States and work to defeat the state's lawsuits.

Unfortunately, the United States is actively opposing our efforts to intervene, alleging that it adequately represent our interests in each and every one of these right-of-way cases. That is a ridiculous argument. SUWA is intensely interested in the claims that threaten Utah's remarkable public lands. The United States has broader, more nuanced interests that may, or may not, coincide with ours. This opposition is even more puzzling given the United States' acknowledgment that we have important information and resources to bring to bear on these cases. It should go without saying that the state opposes our intervention as well, hoping to litigate (or settle) these cases without our knowledge or involvement. We will keep you posted on our progress.

Representing and advising SUWA and its Salt Lake City-based legal staff in these cases are attorneys from two Salt Lake City firms, Manning Curtis Bradshaw & Bednar, and Strindberg & Scholnick; Cooley LLP of Palo Alto; Jenner & Block, Washington, D.C.; Earthjustice, Denver; Kirkland & Ellis, San Francisco; and The Wilderness Society, Denver. We offer our sincerest thanks to these experts.

—Steve Bloch

## canyon country updates

Good  
News!

## Oil and Gas Auction Spare Utah Wildlands

The BLM has granted the Big Triangle and Coyote Wash proposed wilderness areas a reprieve from the threat of oil and gas development. The agency pulled 13 oil and gas lease parcels from its February 2013 sale because of concerns SUWA raised about the impacts of oil and gas development on the wilderness character of these areas.

The Utah BLM holds oil and gas lease auctions four times a year; the February sale was this year's first. Under the Bush administration, these auctions posed a continual threat for mischief on some of our wildest, most sensitive lands. No lease sale illustrates this better than the Bush administration's final gift to the oil and gas industry in December 2008, when the BLM offered 77 now-infamous leases, many near national parks. Because of a SUWA lawsuit, a court blocked the leases and newly appointed Interior Secretary Ken Salazar later withdrew them altogether.

Fortunately, the Obama administration has taken a more reasoned approach, focusing its oil and gas leasing efforts in areas more appropriate for development. Unfortunately, the agency never quite purges itself of dark, drill-at-any-cost forces, though better angels can hold them in check for a time. But they have begun to stir and oil and gas leasing again threatens wild places.

Such was the case with the proposed February lease sale. The BLM identified parcels of land for leasing within the proposed Big Triangle and Coyote Wash wilderness areas near the Utah/Colorado border. Big Triangle, an area that teems with big game, lies just north of the La Sal Mountains; Coyote Wash—a rugged canyon system that eventually finds its way to the Dolores River—lies just south of the La Sals.

Thanks to the hard work of SUWA staffers Neal Clark and Ray Bloxham, SUWA submitted updated wilderness inventory information for both of these areas. To its credit, when the BLM better understood what it was placing at risk, the agency changed course and these places are safe for now. We're committed to keeping them off the auction block.

—David Garbett



© Neal Clark/SUWA

*A drill rig used for potash exploration on Hatch Point, east of Canyonlands National Park.*

## Potash Projects Imperil Hatch Point, Tenmile Canyon

Two proposed potash exploration projects have been proposed for wild lands that are within the Greater Canyonlands region and that would receive permanent protection under America's Red Rock Wilderness Act. (Potash is used mainly as a primary ingredient in fertilizer.) Both proposals fall under the purview of the BLM's Moab field office.

The first, proposed by K2O Utah, LLC, a company owned by the Australian mining giant Potash Minerals Ltd., involves drilling five test holes on Hatch Point. Located east of Canyonlands National Park, Hatch Point offers some of the most majestic views in southeastern Utah. Regrettably, the company has already drilled a number of exploratory holes on state lands here, despite the area's splendor and wildness. It now seeks to expand those impacts onto BLM-managed lands.

There is no question that K2O and others are dreaming about full-scale industrial potash development on Hatch Point. Development on that scale would have devastating consequences for the wilderness character of the entire area and would

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pollute the treasured dark night skies in and near Canyonlands National Park. SUWA remains opposed to any potash development on Hatch Point and we'll continue to work towards stopping this destructive project.

The second project is the brainchild of the Canadian based (and confusingly named) American Potash, LLC. It would involve four exploratory drill sites around Tenmile Canyon, a spectacular tributary that drains into the Green River's Labyrinth Canyon from the east. Tenmile Canyon provides diverse habitat for many species of waterfowl, reptiles and mammals.

SUWA has submitted public comments in opposition to the project. We'll update you if either project continues to move forward.

—Neal Clark

## Big Flat Pipeline Sparks Questions, Concerns in Moab Area

The BLM's Moab field office recently proposed construction of a natural gas pipeline near Dead Horse Point State Park and the Island in the Sky district of Canyonlands National Park.

Known as Big Flat, this large mesa top contains Highway 313 and constitutes the only access point to both of these world-class tourist destinations. The north-south pipeline would stretch 26.9 miles on Big Flat, terminating near Highway 191 north of Moab. The Fidelity Exploration and Product Co., which operates some existing oil rigs in the area, is behind the project.

The pipeline's stated purpose is to stop natural gas flaring from existing oil wells in the area, but SUWA and members of the local community are concerned that completion of such a project would increase oil and natural gas production on Big Flat. So far, though, specific data and documentation have not been provided to the public. We don't yet know whether the project will entail additional infrastructure needs, such as brightly lit compressor stations necessary to move the natural gas.

SUWA will continue critically analyzing this project to ensure that it will not result in more oil and gas exploration and production on Big Flat and the attendant impacts to air quality, visual resources and wilderness characteristics. We have submitted preliminary comments on the project and continue to gather information about the project specifics. We'll update you as we hear more.

—Neal Clark

## Suit Challenges EPA over Uinta Basin Air Pollution

SUWA has joined two conservation partners in a lawsuit against the U.S. Environmental Protection Agency (EPA) for its handling of air pollution in the Uinta Basin in northeastern Utah.

Led by Earthjustice attorney Robin Cooley, the organizations (WildEarth Guardians, Utah Physicians for a Healthy Environment and SUWA) brought the lawsuit in the federal district court in Washington, D.C. The suit challenges the way the EPA has decided to treat ozone pollution in the Uinta Basin. Essentially, the EPA is attempting to rely on a small technicality to avoid addressing a serious public health problem. It is a remarkable story and a sad one.

A few years ago, year-round air monitors were installed in the Uinta Basin for the first time. These monitors recorded some shocking information. In the winter, ozone pollution in the heart of Utah's oil and gas country was bad enough to place this region in competition with Los Angeles for worst ozone pollution in the country. Naturally, one would expect air quality regulators to move quickly to address this problem. But one would be very wrong.

Rather than immediately designating this area as a problem for pollution, the trigger for activating a slew of pollution-control restrictions as required by the Clean Air Act, the EPA stuck its head in the sand. The agency said that it could not categorize the Uinta Basin as an area violating ozone pollution standards because of a bureaucratic technicality that revolved around ownership of the monitors. Regardless of who owns the monitors, the EPA insists that the information they produced is 100

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**canyon country updates**

percent valid and that it revealed an astonishing public health threat.

As long as the EPA refuses to acknowledge and fully address this problem, business will continue as usual in the Uinta Basin for oil and gas drilling—the main source of the emissions that lead to ozone formation. And oil and gas development will continue to threaten public health and proposed wilderness.

—David Garbett

## 10th Circuit: SUWA Can Sue on Tar Sands Leasing, but Not Just Yet

A January decision by the 10th Circuit Court of Appeals in a case involving old oil and gas leases gave SUWA a significant victory and a temporary setback: SUWA has standing to bring suit but it is premature to do so now.

SUWA and our partners had challenged a series of 2005-2008 BLM and Interior Department decisions to retroactively suspend 39 oil and gas leases that could be developed for tar sands extraction. The

federal district court determined that we lacked standing. The leases, which should have terminated years ago, are located in some of Utah's most scenic places—the Circle Cliffs region of the Grand Staircase-Escalante National Monument and the Fiddler Butte/Happy Canyon area just west of the Maze District of Canyonlands National Park.

Federal law requires leases to be developed in a timely fashion or be surrendered. The time had already run out for these leases but rather than recognize this fact the Interior Dept. elected to suspend these old leases (long after the development deadline), a maneuver that stopped the clock on the timeliness requirement and allowed the company to sit on the leases.

While the circuit court decided that the issue is not “ripe” for a court challenge, it flatly rejected the district court’s decision that SUWA failed to demonstrate an “injury in fact” from these leasing decisions and thus had not shown “standing” to bring the original challenge. This is a very important issue. Had it stood, the decision could have kept SUWA out of court doors in any number of future cases.

Boiled down, the circuit court’s decision is that SUWA can bring a new lawsuit if the BLM’s and Interior’s subsequent decisions about these leases



© Ray Bloxham/SUWA

Sharon Buccino of NRDC and SUWA staffers David Garbett and Steve Bloch survey tar sands leases west of Canyonlands National Park.

## canyon country updates

continue down a path that would allow for any oil, gas or tar sands development. And we will.

The 10th Circuit thus reaffirmed that oil and gas leasing decisions matter and can injure our members' interests in the protection of Utah's redrock wilderness, something we know all too well.

—*Steve Bloch*

## Talking about Greater Canyonlands in Utah

As the movement to protect Greater Canyonlands grows nationwide, the conversation about it is heating up in Utah, too.

In December, SUWA and several conservation partners (Sierra Club, Natural Resources Defense Council, Grand Canyon Trust, and Great Old Broads for Wilderness) sent a letter to Utah Gov. Gary Herbert urging him to “support the creation of a transparent, fair, public process” to discuss a potential Greater Canyonlands National Monument in southeastern Utah.

We sent copies of the letter to the entire Utah congressional delegation, as well as Interior Secretary

Ken Salazar and Nancy Sutley, chair of the White House Council on Environmental Quality.

The discussion in Utah about the future of Greater Canyonlands got a huge boost in February when Utah state Sen. Jim Dabakis and state Rep. Patrice Arent introduced a joint resolution in the Utah legislature calling on Congress or the President to protect Greater Canyonlands.

Two days later—and with fewer than 24 hours notice—more than 100 Utah wilderness supporters packed a hearing at the Utah State Capitol to support Dabakis's resolution (nearly 50 had to stand in the hallway outside the hearing room).

The Utah Senate Natural Resources, Agriculture, and Environment Committee listened to testimony from Mark Ritchie, CFO of Black Diamond Equipment, and author/activist Terry Tempest Williams, among others. Ritchie detailed the Greater Canyonlands' role in supporting Utah's \$5 billion-a-year outdoor recreation industry. Williams spoke of Greater Canyonlands as “a spiritual reservoir” and “a geologic truth that belongs to all of us.” Only one witness spoke against the resolution.

The committee members discussed the need to protect Greater Canyonlands (with some obvious disagreement about what “protection” means)



© Terri Martin/SUWA

*Author/activist Terry Tempest Williams, Utah Sen. James Dabakis and Mark Ritchie of Black Diamond Equipment testify at a Greater Canyonlands hearing before the Utah Senate Natural Resources, Agriculture, and Environment Committee.*

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**canyon country updates**

before voting to take up the resolution during the legislature's Interim Committee session later this summer.

That vote was a huge victory; the Republican-dominated committee simply could have killed the bill then and there. But the conversation will continue. We thank Sen. Dabakis and Rep. Arent, as well as the thousands of people like you across the country who have demanded protection for Greater Canyonlands. To learn more or get involved, visit [greatercanyonlands.org](http://greatercanyonlands.org).

—*Mathew Gross*

## Jeep Safari: Guaranteed for a Decade and Uglier than Ever

The Easter Jeep Safari, Moab's longest-running week of destruction, will be bigger than ever and untouchable for another decade thanks to a recent decision by the BLM's Moab field office. The decision authorizes 782 miles of motorized routes for the Safari in a new 10-year permit. Around 152 of those miles have never before been a part of the event.

These new routes will undoubtedly result in expanded off-road-vehicle (ORV) use in areas that now escape the pounding that descends on designated Jeep Safari routes. The increased use and associated impacts continue long after Jeep Safari week is over. Once a safari route is established, it tends to become a magnet for independent ORV users throughout the year.

Despite its own study indicating that only 10 percent of visitors to BLM lands in the Moab area are ORV recreationists, the BLM ignored calls from the public to take a balanced approach to permitting the event. Instead, it basically rubber-stamped the permit renewal and authorized every mile the applicant requested. In what has become standard behavior, the BLM has again failed to adequately analyze the existing and new routes' impacts to the area's abundant cultural resources.

In January, SUWA filed a notice of appeal with the Interior Board of Land Appeals challenging approval of the 10-year permit. We'll keep you posted.

—*Neal Clark*

## BLM Okays Beef Basin Deforestation, SUWA Appeals

SUWA has appealed the BLM's approval of a large, so-called vegetation manipulation project for the Beef Basin/Dark Canyon Plateau. Our appeal to the Interior Board of Land Appeals (IBLA) alleges numerous violations of the National Environmental Policy Act.

As we reported in the Autumn/Winter 2012 issue, the project proposes a mix of mechanical cutting, prescribed fire and herbicide "treatments" on 9,200 acres of pinyon pine, juniper and sagebrush over the next five years. Over half of the project area contains lands proposed for wilderness designation in America's Red Rock Wilderness Act—and lands the BLM itself has identified as wilderness-quality. What's more, the entire project area falls within Greater Canyonlands.

The BLM rarely lets science get in the way of decision-making and it didn't in this case. Although the agency asserts that the project will benefit sagebrush ecosystems in the long-term, scientists from other governmental agencies and conservation organizations presented overwhelming evidence of the project's risk and the lack of relevant scientific research on the impact of vegetation treatment projects of this type within the unique Colorado Plateau geographic region.

In part, SUWA argues that the BLM failed to consider the scientific uncertainty and risk attendant to the proposed project. We also argue that the agency failed to analyze a project alternative that would take into account the warnings from the scientific community to scale back the project and apply a scientifically sound treatment approach that minimizes the potential for harm.

Whether it's the availability of project funding or unknown ideological forces driving the Beef Basin/Dark Canyon Plateau vegetation project, one thing's for certain: relevant scientific analysis is playing no role in the BLM's decision to move forward with this risky project. We'll let you know when we receive a decision from the IBLA.

—*Neal Clark*

## inside SUWA

### SUWA Will Celebrate 30th Anniversary in November

“Sentiment without action is the ruin of the world,” Ed Abbey said. When it comes to wilderness passion, the source of the sentiment is often the splendid: the high peak, the serpentine canyon, the spectacular overlook. But when sentiment moves us to action our first stop is often someone’s homely kitchen table.

That, as the story goes, is how the fight to protect wild Utah really got rolling. In 1983 a small group of people who loved southern Utah’s redrock wilderness gathered around such a table to talk about protecting the best of it. They named themselves the “Southern Utah Wilderness Alliance” (SUWA) and they laid the foundation for an organization—a movement, really—out of nothing more than a passion for one of the most amazing landscapes on earth and a fear verging on certainty that it was at risk.

Today, 30 years later, SUWA is stronger than ever. That owes to the contributions of tens of thousands of people like you who share a love for this remarkable landscape. Our goal is to permanently protect over 9 million acres of what we now call America’s redrock wilderness and to keep it safe in the interim, however long that may be. Through the help of all who have contributed time, money and political support, we’ve managed to keep 99 percent of those lands safe so far. That is a near-miraculous

achievement, considering the enormous political and economic power official Utah wields against environmental protection generally and against wilderness designation in particular.

One of our most vocal opponents grudgingly told an audience at Utah’s State Capitol that we are “very effective.” Yes, we are. Why? Because our members in Utah and across the country are willing to come together to protect a place we all love, a place that we know needs—deserves—to be there, as unchanged as possible, for our children and theirs.

We also know how to celebrate the work we do. And what’s a 30th anniversary for if not to celebrate? So let’s do! We’re throwing a big party on Friday, Nov. 16th, 2013 at the Utah Museum of Natural History, in the aptly named “Canyon” atrium. The theme of the night is “Redrock and Pearls” (pearls are symbols of a 30-year anniversary and symbolic, too, of the stars in a redrock night sky).

We’d never have hit the age of 30 without you. And it won’t be much of a party without you, either. Please join us at this event. We will honor our work and we will honor you and all we have done together to protect America’s redrock wilderness. Stay tuned for more details.

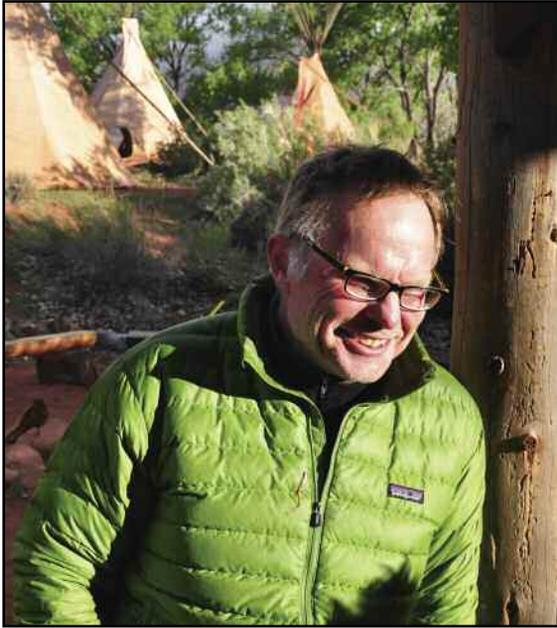
—*Deeda Seed & Darrell Knuffke*



© Diane Kelly/SUWA

### Roundup on Sabbatical for 2013

The SUWA Roundup (normally held in September) is taking a sabbatical this year as we plan our 30th anniversary celebration (we’re not sure where the Roundup is going, but it promises to send postcards). In lieu of our annual gathering in the San Rafael Swell, please join us for “Redrock and Pearls” in Salt Lake City on November 16th (see article above).

**inside SUWA**

*We'll miss that perpetual Brooke Williams grin.*

## SUWA Bids Adios to Brooke Williams

SUWA sadly says goodbye (or more accurately, we hope, "see you around!") to our colleague and resident Renaissance man Brooke Williams.

Brooke has been a staff favorite since he joined us in 2009 to help with discussions in southeastern Utah's San Juan County about potential wilderness legislation. In that role, his first-hand knowledge of the land, as well as his geniality (and genealogy!), were terrific assets. SUWA also tapped Brooke to assist with field mapping of off-road vehicle routes, an assignment that seemed to delight his irrepressible dog, Rio.

Brooke later became SUWA's southern Utah organizer. He then agreed to do double duty as our first northwest regional organizer, helping us develop and strengthen our network of grassroots activists and leaders in both regions.

Brooke also found time to author numerous articles on the idea of wilderness and wilderness preservation. The thoughtful literary quotes with which he headed his weekly work plan delighted the staff. We will miss Brooke's sense of humor, his easy-going nature and his philosophic bent.

He is leaving us to follow new paths. We're sure, knowing Brooke, that wherever those paths take him, his adventures will be interesting, out-of-the-box, and will add to the store of good stories Brooke delights in telling.

We wish him the absolute best. Neither the daily grind nor the late-night campfire will be nearly as much fun without him.

—Neal Clark & Terri Martin

## Thanks to Longtime Board Member Johanna Wald, Welcome Sharon Buccino

We said a painful goodbye at SUWA's November board meeting to long-time board member Johanna Wald.

Johanna is a senior attorney at the Natural Resources Defense Council (NRDC) and one of a handful of pioneering public land law giants still stalking the courtrooms. Over her more than 40 years at NRDC Johanna has led countless environmental battles against irresponsible public land



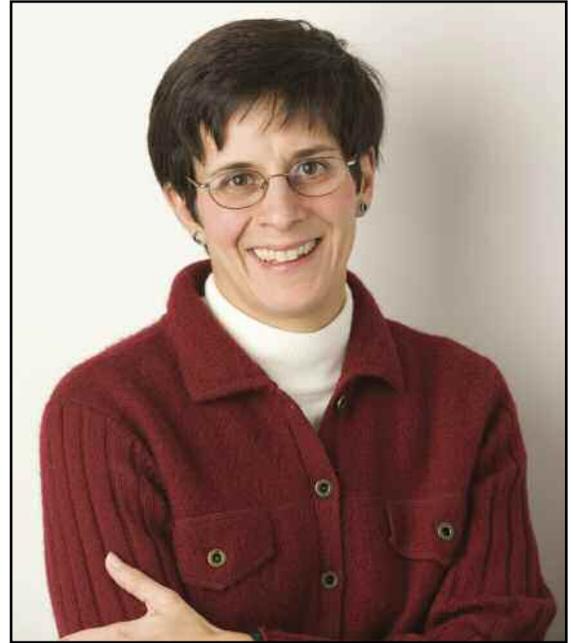
*SUWA thanks Johanna for her many years of friendship and expert legal counsel.*

## inside SUWA

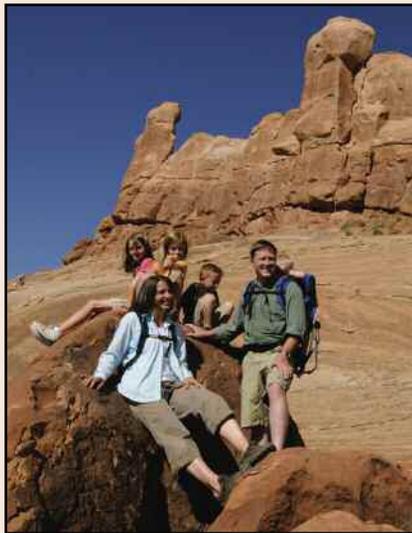
grazing and mining while pressing for increased protection of the nation's wildest public lands. More recently, she has pressed the case for smart development of the country's wind and solar resources.

Johanna joined SUWA's board of directors in 1998 and graciously offered us her time, counsel, and wisdom. We will miss the chance to visit with her at SUWA board meetings. Thankfully, she remains just a phone call (or quick trip to San Francisco) away.

As we say goodbye to Johanna, we welcome to our board her colleague Sharon Buccino. Sharon is a senior attorney and co-director of NRDC's Land & Wildlife Program. She is also a long-time friend of SUWA's and has worked closely with our legal staff to challenge a host of irresponsible decisions that threatened America's redrock wilderness. Sharon lives in Washington, D.C. with her husband Jay and two daughters.



*Longtime NRDC conservation partner Sharon Buccino was welcomed to the board in November.*



*© Lin Alder*

## A Legacy of Support for the Redrock

Please consider leaving a gift to SUWA in your will or trust. Bequests are a simple, effective way for those of us who love the redrock to ensure that when we're gone, the work to protect these amazing landscapes continues.

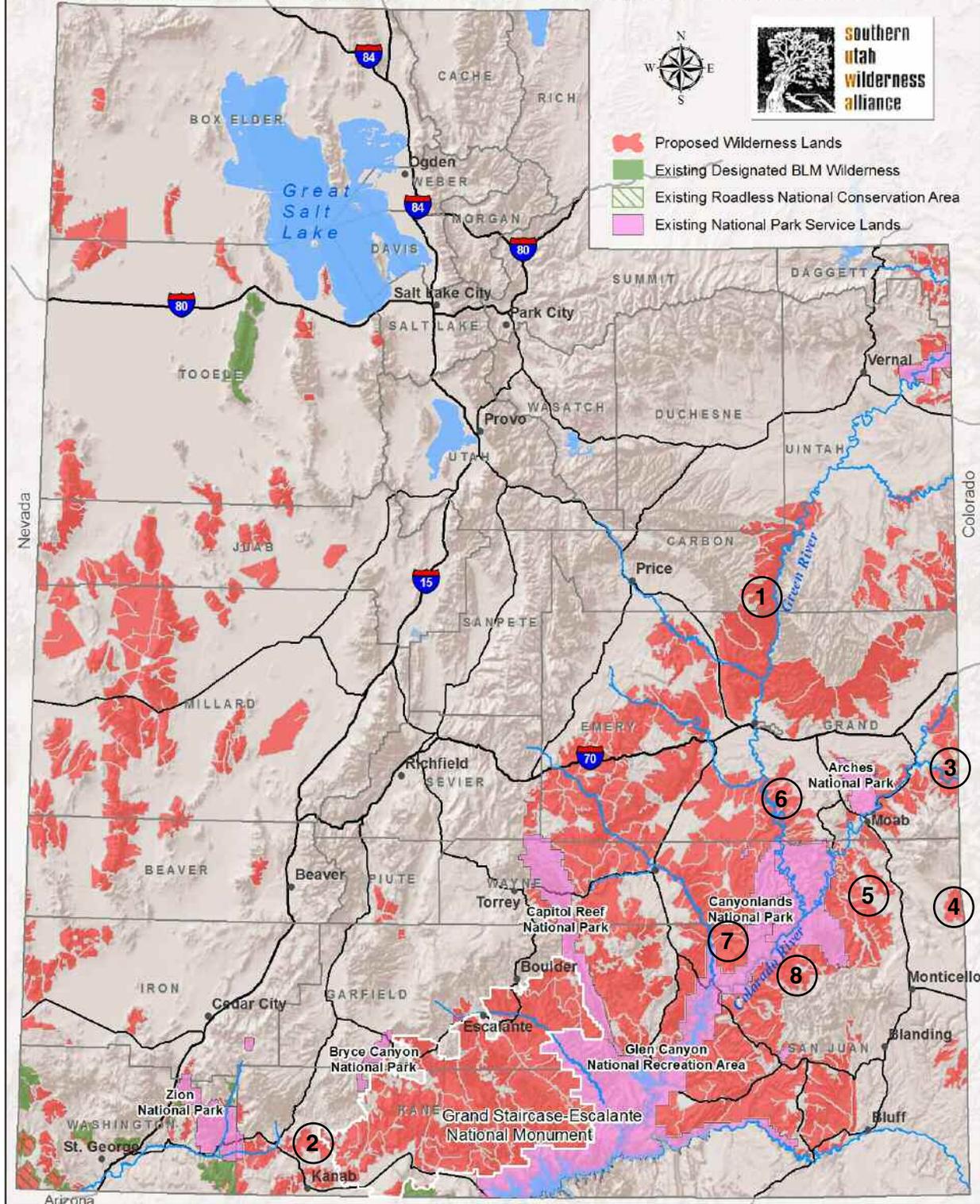
A gift to SUWA from your estate—whatever the amount—is entirely free from federal estate taxes. This means we are able to use the full amount of the bequest to protect the redrock, whereas if it were left to an individual, a significant amount might go to federal estate taxes. Also, bequests generally are not subject to state inheritance or estate taxes. You can also create a bequest so that the needs of your heirs are taken care of first.

A bequest for SUWA (or any other charitable organization) is very simple to establish. Just name the Southern Utah Wilderness Alliance in your will, trust, retirement plan, or life insurance policy, along with our contact information and tax I.D. number and the dollar amount or percent of your estate you wish to contribute.

If you'd like to make a gift to SUWA or have already included a gift to SUWA in your estate, please contact Deeda Seed at [deeda@suwa.org](mailto:deeda@suwa.org) or (801) 428-3971. You can also visit us online at [suwa.org/plannedgiving](http://suwa.org/plannedgiving).

# America's Red Rock Wilderness Act

A Citizens' Wilderness Proposal for Bureau of Land Management (BLM) lands in Utah



## Reference Map for Articles in this Issue

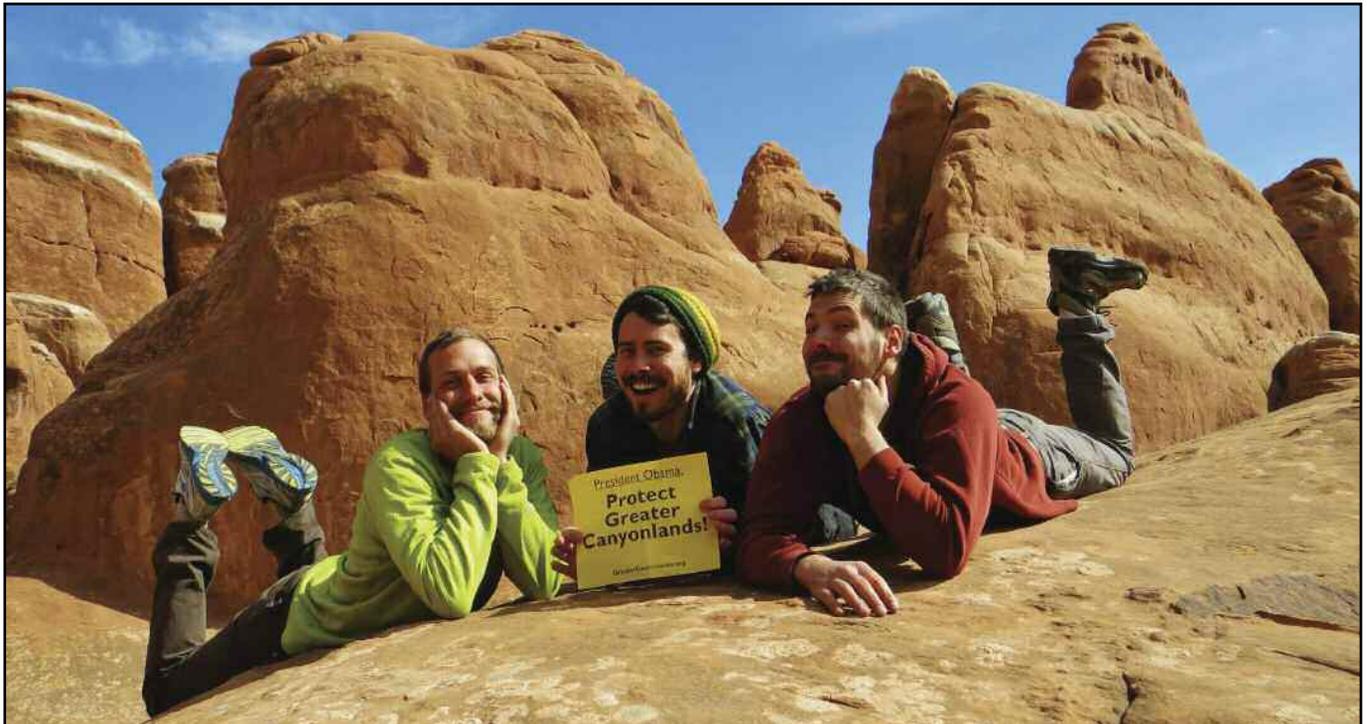
- |                            |                          |                                      |
|----------------------------|--------------------------|--------------------------------------|
| ① Desolation Canyon (p. 5) | ④ Coyote Wash (p. 15)    | ⑦ Fiddler Butte/Happy Canyon (p. 17) |
| ② Upper Kanab Creek (p. 6) | ⑤ Hatch Point (p. 15)    | ⑧ Beef Basin (p. 19)                 |
| ③ Big Triangle (p. 15)     | ⑥ Tenmile Canyon (p. 15) |                                      |



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*Redrock fans Nathan Penrod, Kenneth Blake Vernon and Lucas J. Matthews.*

*Photo by Christina K. Kilbane*

## **Join Our Facebook Campaign Asking President Obama to Protect Greater Canyonlands!**

Snap a photo of yourself or friends holding a “Protect Greater Canyonlands” sign and share it on Facebook. It’s easy with our simple uploading tool. Start at [suwa.org/protect-greater-canyonlands](http://suwa.org/protect-greater-canyonlands).