



REDROCK

W I L D E R N E S S

The Newsletter of the Southern Utah Wilderness Alliance
VOLUME 41, NUMBER 2 • SUMMER 2024

**THE ONGOING FIGHT TO KEEP A HIGHWAY OUT OF
RED CLIFFS NATIONAL CONSERVATION AREA**



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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Michelle White,
Staff Attorney

OFFICES

Main Office
425 East 100 South
Salt Lake City, UT 84111
801-486-3161

Washington, DC
122 C Street NW
Suite 650
Washington, DC 20001
202-546-2215

Moab
P.O. Box 968
Moab, UT 84532

Cover Photo: Red Reef Trail, Red Cliffs National Conservation Area
(BLM photo)

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This issue of *Redrock Wilderness* was written by the following staff and outside contributors: Steve Bloch, Judi Brawer, Neal Clark, Scott Groene, Lauren Hainsworth, Travis Hammill, Hanna Larsen, Jeremy Lynch, Kya Marienfeld, Heather Rose Martinez, Landon Newell, Laura Peterson, and Michelle White. It was edited by Darrell Knuffke and laid out by Diane Kelly. Newsletter design by Amy Westberg.

Contributions of photographs (especially of areas within the peoples' proposal for Utah wilderness) and original art (such as pen-and-ink sketches) are greatly appreciated! Please send submissions to photos@suwa.org or via regular mail c/o Editor, SUWA, 425 East 100 South, Salt Lake City, UT 84111.

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A VIRULENT STRAIN OF GRIEVANCE

Fresh from law school, I took a job in Halchita, Utah, above the San Juan River on the Navajo Nation. I represented San Juan County residents living below the poverty line. A hitching post still stood outside my office. Red dust blew in under the walls. The scene was reminiscent of an earlier time.

So, I soon learned, were San Juan County's politics and social norms.

I began butting heads early on with County Commissioner Cal Black, made infamous as Bishop Love in Ed Abbey's *The Monkey Wrench Gang*. Black taught me an early lesson in Utah public lands orthodoxy: Utah politicians routinely assail public lands as a crushing burden to their constituents. That claim is claptrap. It bespeaks stark ignorance of how the Beehive State makes a living. My San Juan County clients faced far too many challenges, but the abundance of Utah's spectacular public lands wasn't one of them. Not even close.

Utah's elected officials commonly cast their anti-public-lands schemes as pursuit of loftier, more sympathetic goals (see article on page 10). That deceptive message is meant to gull everyone else, especially Congress, and eventually pave the way for colossal land grabs.

AFFORDABLE HOUSING? NOT QUITE

Here is a recent example. Utah Senator Mike Lee pulled out the stale playbook to announce that he is taking up the cause of affordable housing. Laudable? Not so fast. What Lee really means—and what his legislation clearly intends—is the sell-off of public lands. Lee's bill includes no limit on how much of the public's land can be made private. Neither does it require that the lands sold into private hands be used for affordable housing. "Affordable housing" here is a subterfuge.

Sen. Lee is an equal opportunity cynic. He's willing to use any widely sympathetic group as a stalking horse for his anti-environmental aspirations. He lately claims he's standing up for people with disabilities. But here is what he's really gunning for: legislation forcing the Bureau of Land Management (BLM) to throw more public lands open to off-road vehicles. He focuses his claims on Labyrinth Canyon and that puts his hypocrisy in sharp relief.

Labyrinth Canyon recently gained protection from the noise and dust of off-road vehicles. New limits on motorized play mean this stretch of the Green River once again offers access by raft or canoe to peace and solitude, especially for those who might otherwise be unable to enjoy remote wild places. But Lee's actions would return the canyon to dirt bikes and UTVs.

You have heard this story from us repeatedly, but the intensity is new. As MAGA foolishness invades Utah, the state's politicians are cranking up the heat beneath their anti-public-lands cauldron. Utah Governor Spencer Cox recently called the state legislature into a special session to appropriate even more funds for the state's efforts to gain control over federal public lands in Utah.

FUNDS TO SUE THE FEDS? LIMITLESS

In June, the state legislature voted to pony up nearly \$11 million in new funding for a combination of litigation against the United States and "education" to justify the expenditures to the public. This so-called education will be nothing more than propaganda.

The State of Utah loves fighting the United States. That sentiment is old enough to be a cultural artifact, new enough to have been half-baked this morning. Utah's Public Lands Policy Coordinating Office is a state agency dedicated to interfering with public land management. Its director just bragged that Utah has 60 legal cases against the United States and will soon have 80. How is that for a life's work? The state has squandered bags of money on mostly ideological—and mostly losing—litigation and on legislation that sought to hijack public lands and their management. But Utah's politicians have ventured into a new militancy, evidently obsessed with abetting off-road vehicle mayhem.

Governor Cox recently penned an op-ed seeking to sanctify the state's crusade against any BLM effort to achieve something approaching balance on off-road vehicle use. Utah's public lands suffer from travel plans that were perhaps closer to sufficient 25 years ago when only a few jeeps plied the trails. They are pitifully inadequate now to address the explosion in numbers and reach of the machines.

It is unclear why the governor has so wholeheartedly embraced savaging Utah's public lands with the motorized toys that are ruining so much of the American West. But the same pathology was on parade when official Utah demanded that Donald Trump butcher Bears Ears and Grand Staircase-Escalante National Monuments. He did, and the state once again stuck it to sovereign Tribes and some local communities.

In the face of such zealotry, it's worth remembering this: with your help, your trust, and your support, SUWA has outlasted six Utah governors, four senators, and 19 members of the House. We have blocked well over a dozen bills the Utah congressional delegation cooked up to attack the public lands, especially wilderness. We've seen hard political times before and we've endured.

If Governor Cox, Senator Lee, and the rest want to put their misguided efforts into making the off-road vehicle problem worse, so be it. With you at our side, we'll be there to meet them.

For the Redrock,



Scott Groene
Executive Director

OF TORTOISES, TURNPIKES, AND TERRIBLE PRECEDENT FOR PUBLIC LANDS: THE ONGOING FIGHT TO STOP THE NORTHERN CORRIDOR HIGHWAY

Like a broken record, some bad ideas keep coming back to haunt Utah's wild places. At SUWA, we've seen our fair share of misguided proposals resurface over the years—from attempts to pave this or that road to mining or leasing proposals that rise again from the dead. But perhaps none have been as persistent over the last several decades as the Northern Corridor Highway—the ultimate “Greatest Hits of Bad Ideas” chart-topper. And unfortunately, folks, this old tune is playing again!

The Northern Corridor is a proposed four-lane highway through the heart of the Red Cliffs National Conservation Area (NCA) directly north of St. George, Utah. For decades, Washington County officials have pushed to connect the northeast and northwest sides of the city by slicing through protected habitat. And for just as long, conservationists and concerned community members have fought to preserve this spectacular landscape.

The Red Cliffs NCA is a 45,000-acre wonderland where the Mojave Desert, Colorado Plateau, and Great Basin landscapes converge. In creating the NCA in 2009, Congress

increased protections for the area, specifically to safeguard threatened Mojave desert tortoises, irreplaceable cultural sites, world-class recreation, and breathtaking desert vistas. But the Northern Corridor Highway would cut through Red Cliffs NCA for 4.5 miles, damaging everything Congress set out to protect. Furthermore, the proposed highway would set a dangerous national precedent—that lands protected by Congress as part of the National Conservation Lands system can simply be paved over, despite these heightened protections, inadvertently jeopardizing over 37 million acres of designated areas nationwide.

TALES OF A TORTOISE AND HISTORY OF A HIGHWAY: THE BATTLE SO FAR

We're at an important moment in the long fight to protect the Red Cliffs—let's take a look back at how we got here.

Washington County, Utah, is a land of stunning contrasts, with landscapes unlike any others included in America's Red Rock Wilderness Act. It's this unique ecology that sparked a remarkable conservation effort two decades ago.



AFTER AN INTENSIVE 8-YEAR PLANNING PROCESS, THE BLM APPROVED A RESOURCE MANAGEMENT PLAN IN 2016 THAT REJECTED THE IDEA OF ALLOWING A HIGHWAY RIGHT-OF-WAY THROUGH THE RED CLIFFS NATIONAL CONSERVATION AREA. IN ITS ENVIRONMENTAL ANALYSIS, THE AGENCY CONCLUDED THAT SUCH A ROAD WOULD VIOLATE ITS CONGRESSIONAL MANDATE TO PROTECT THE AREA'S RESOURCES, PARTICULARLY ENDANGERED SPECIES LIKE THE MOJAVE DESERT TORTOISE. BLM PHOTO

In 2004, Utah Governor Olene Walker initiated discussions over the fate of this special place. What followed was a five-year fistfight. When the Utah politicians introduced bad legislation in 2006, we rallied 120 organizations, convinced newspapers across the country to editorialize, and generated over 100,000 emails and countless phone calls and letters demonstrating opposition to Congress. With this pressure, SUWA killed the 2006 bill, overcoming a backroom deal that had been cut between Utah and Nevada senators. This all opened the door for Senator Richard Durbin (D-IL) to negotiate successful 2009 legislation with Utah Senator Bob Bennett that designated 130,000 acres of BLM wilderness, 125,000 acres of national park wilderness, 165 miles of Wild and Scenic river, the 63,478-acre Beaver Dam Wash NCA, and the 44,859-acre Red Cliffs NCA.

Congress established the NCAs with a clear mandate: to “conserve, protect and enhance” a remarkable wealth of resources for future generations. For Red Cliffs, this includes everything from the area’s stunning scenery and recreational opportunities to its rich cultural history and vital wildlife habitats, particularly for the Mojave desert tortoise, listed as threatened under the Endangered Species Act.

The Red Cliffs NCA encompasses the Red Cliffs Desert Reserve, established in 1995 as part of a Habitat Conservation Plan developed between local, state, and federal land management agencies. This reserve plays a crucial role in protecting the threatened tortoise. Since the reserve’s creation, the Department of the Interior has invested over \$21 million from the Land and Water Conservation Fund to acquire more than 857 acres specifically for tortoise habitat protection. Protecting these lands from development is particularly important as leading researchers warn that the Mojave desert tortoise is on a path to extinction. In particular, its habitat in southwestern Utah faces pressure from rapid urban growth.

While the 2009 Act was a major conservation victory, it also planted the seeds of persistent disagreement and unhappiness on the part of highway proponents. During the bill’s development, Washington County officials discussed the possibility of a “northern transportation route” through the NCA. However, the final legislation does not require the Bureau of Land Management (BLM) to approve such a highway. Instead, it simply directs the BLM to consider a northern route as one option in its land use planning process, which the agency did. In 2016, after an intensive 8-year planning process, the BLM approved a resource management plan that considered, but rejected, the idea of allowing a highway right-of-way through the NCA. In



MOJAVE DESERT TORTOISE. © ADAM ELLIOTT

FACTS ABOUT THE MOJAVE DESERT TORTOISE (GOPHERUS AGASSIZII)

Keystone species: Tortoises play a crucial role in their ecosystem. Their burrows provide shelter for numerous other desert creatures, including Gila monsters, burrowing owls, and roadrunners. They are a keystone species, having an outsized influence on their habitat.

Incredible adaptations: These tortoises have evolved in remarkable ways to survive in the desert. They can go up to a year without access to fresh water, getting most of their hydration from the plants they eat. And strong, elephant-like legs allow them to dig deep burrows to escape extreme temperatures.

Long-lived and loyal to place: Living up to 50-80 years in the wild, these tortoises are homebodies, rarely moving more than a couple of miles from their birthplace throughout their long lives. The health of tortoise populations can indicate the overall health of the desert ecosystem, making them valuable for environmental monitoring.

Threatened status: Listed as threatened under the Endangered Species Act, Mojave desert tortoises face numerous challenges, including habitat loss, disease, and predation. Scientists have observed population and density declines of approximately 90 percent over three generations (the past 90 years). These declines are predicted to continue. Their vulnerable status makes conservation efforts crucial.

its environmental analysis, the agency concluded that such a road would violate its congressional mandate to protect the area's resources, particularly endangered species like the tortoise.

For over a decade, the BLM repeatedly rejected the Northern Corridor proposal as incompatible with Red Cliffs' protected status. But in a last-minute move, the Trump administration approved the highway right-of-way in January 2021—ignoring years of scientific analysis and public opposition and the agency's own conclusions that a highway was incompatible with a congressionally-protected conservation area. In its approval, the BLM revealed a laundry list of potential impacts, including:

- Disruption of 275 acres of designated critical habitat for the Mojave desert tortoise.
- Increased spread of invasive species and wildfire risk.
- Dramatic alterations in recreational and scenic experiences in the NCA.
- Damage to cultural sites eligible for inclusion on the National Register of Historic Places.



BLM PHOTO

Even in its approval, the BLM determined that the highway would negatively impact nearly every natural and ecological resource that Red Cliffs NCA was established to protect.

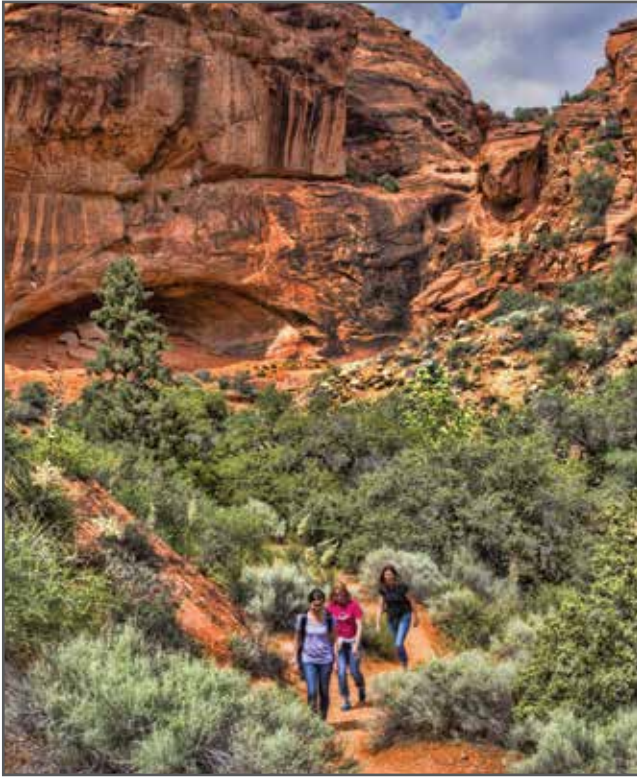
SUWA and our allies, including local Washington County residents and national and regional conservation groups such as Conserve Southwest Utah—our stalwart, consistent partner in protecting Red Cliffs for many years—challenged this decision in court. Represented by Advocates for the West, we argued that the BLM and the U. S. Fish and Wildlife

Service (USFWS) violated at least five federal statutes as they moved to approve a highway right-of-way through the NCA (the Omnibus Public Lands Management Act, the Land and Water Conservation Fund Act, the National Environmental Policy Act, the Endangered Species Act, and the National Historic Preservation Act).

At the same time, Red Cliffs advocates took other actions to encourage the new Biden administration to rescind approval of the highway: sending letters, advocating in Congress, and submitting a petition with over 35,000 signatures opposing the highway corridor to officials at the Department of the Interior.



RED MOUNTAIN WILDERNESS WITHIN THE RED CLIFFS NATIONAL CONSERVATION AREA. BLM PHOTO



FAMILY HIKING IN RED CLIFFS NATIONAL CONSERVATION AREA. BLM PHOTO

In late 2023, in response to our lawsuit, the BLM identified legal errors and other concerns with its 2021 analysis and asked the federal court to send approval of the right-of-way back to the agencies for reconsideration. In October 2023, all parties signed a settlement agreement requiring the BLM and the USFWS to complete a Supplemental Environmental Impact Statement (SEIS) by fall 2024. The settlement requires the BLM to reconsider the highway's impacts, analyze important issues they overlooked in the initial EIS and, potentially, rescind its approval. The agency is now preparing the SEIS and taking a fresh look at alternatives and environmental consequences. This new analysis could determine whether this treasured landscape remains protected or gets sliced in two by a four-lane highway.

So far, the new SEIS process has resulted in excellent advocacy and engagement from SUWA members and supporters all over the country who care deeply about desert habitat, cultural resources, and this world-class area. During the initial “scoping” stage, the BLM received over 5,500 comments opposed to the highway and in support of protecting Red Cliffs, thanks again in huge part to the advocacy and engagement of Conserve Southwest Utah. As of press time, the comment period on the “draft” SEIS has recently wrapped up and we've seen similar levels of support and engagement—thank you!

Unfortunately, at the same time, highway advocates have continued with their own “greatest hits” of pro-Northern Corridor arguments with these erroneous themes: “the highway was promised by Congress in the 2009 bill” (false) and “without the highway, other protected tortoise habitat will be developed” (false)—old arguments that didn't work the first time around. They even hosted a one-sided field hearing of the U.S. House Natural Resources Committee in early 2024.

Especially frustrating is the fact that many viable alternatives exist to meet St. George's transportation needs without destroying Red Cliffs NCA. But as long as the option bisecting Red Cliffs is front of mind for local government officials, no other alternatives are being seriously considered.

THE NEXT CHAPTER: A BETTER WAY FORWARD

For decades, SUWA and our conservation partners have stood up for Red Cliffs, beating back repeated attempts to bulldoze through this desert paradise. We've been heavily engaged in the SEIS process (thank you to everyone who has showed up at public meetings, signed advocacy actions, and much more!) and will hopefully be able to share good news about the outcome of the BLM's current reconsideration later this year.

Together, we can ensure Red Cliffs remains a sanctuary for desert tortoises, a haven for cultural and ancestral landscape connections, a scenic wonderland, and a gem of protected public lands for generations to come. The “Greatest Hits of Bad Ideas” album has been playing long enough—it's time to change the tune and choose conservation over concrete.

—*Kya Marienfeld*



RED CLIFFS ADVOCATES TURNED OUT AT A ONE-SIDED CONGRESSIONAL FIELD HEARING IN HURRICANE, UTAH THIS SPRING. © HANS GLASMANN

LEE AND CURTIS PUSH DECEPTIVELY NAMED ANTI-PUBLIC-LANDS BILLS

The Utah congressional delegation is always busy seeking ways to amend, subvert, and eliminate wilderness and common-sense conservation legislation. This Congress is no different. Senator Mike Lee and Representative John Curtis have both introduced legislation that SUWA opposes, and that would be detrimental to conservation in Utah. Below are a few examples.

- The **Outdoor Americans with Disabilities Act**, S.4553, introduced by Sen. Lee, is a thinly veiled roads bill that Disabled Hikers, a non-profit organization that advocates for the disability community and justice in the outdoors, has denounced as a “blatant attempt to scapegoat disability as an excuse to build more roads.” Ensuring that everyone can experience Utah’s stunning redrock landscapes is an important aspect of conservation and equity in outdoor recreation, but using the disability community to push his anti-conservation agenda is cynical in the extreme.

- S.3148, the **Historic Roadways Protection Act**, sponsored by Sen. Lee in the Senate and Rep. Curtis in the House, would prevent the BLM from finalizing and implementing essential travel management plans in Utah. By halting these plans, the agency would be unable to manage and plan for a dramatic spike in motorized vehicle use, leaving millions of acres of wild public lands vulnerable to destruction and degradation. This bill threatens the foundation of some of our most crucial conservation victories—including protections gained for the San Rafael Desert and Labyrinth Canyon.

- S.2820, **Congressional Oversight of the Antiquities Act**, again sponsored by Sen. Lee and Rep. Curtis, would require congressional approval for new national monuments, preventing presidents from using the Antiquities Act to quickly protect important landscapes. The Antiquities Act is known as “bedrock environmental policy,” and the powers it gives to the office of the president to establish national monuments has been used by both Democratic and Republican administrations. Four out of five national parks in the state of Utah were initially protected as monuments under the act.

- H.R.3397, the **Western Economic Security Today Act of 2023 (WEST Act)** was introduced by Rep. Curtis last summer and he has advocated for it multiple times in hearings and markups. The bill would force the Bureau of



THE HISTORIC ROADWAYS PROTECTION ACT, SPONSORED BY SEN. LEE AND REP. CURTIS, THREATENS IMPORTANT PROTECTIONS GAINED FOR WILD PLACES LIKE LABYRINTH CANYON (ABOVE) AND THE SAN RAFAEL DESERT. © RAY BLOXHAM/SUWA

Land Management (BLM) to rescind the Public Lands Rule, which reiterates that conservation is part of the BLM’s multiple-use mission and ensures that the agency will manage for this use on a day-in and day-out basis (see sidebar on page 11). This bill passed the House of Representatives in April, but so far has not gained traction in the Senate.

- S.4561, verbosely named “**A bill to amend the Wilderness Act to allow local Federal officials to determine the manner in which nonmotorized uses may be permitted in wilderness areas, and for other purposes**” was introduced by Sen. Lee in June. Its intent is to allow the BLM to permit bikes in wilderness. Bikes are not allowed in wilderness areas because of language in the Wilderness Act prohibiting “other forms of mechanical transport.” Within the state of Utah, there are an abundance of stellar mountain bike trails for people of all skill levels to enjoy. The push to include bikes in wilderness is opposed by a long list of environmental organizations.

Our DC team, backed by SUWA’s legal team, grassroots organizers, and members and supporters, are working to ensure that none of these bills become law. We’re meeting with offices, attending hearings and markups, and building relationships with congressional staff in DC and home districts to make sure that conservation and wilderness protection are at the forefront of our advocacy.

—Travis Hammill

CONSERVATIVE STATES SUE TO BLOCK “PHASE II” NEPA REGULATIONS

This past May, a group of 21 conservative states, including Utah, filed a lawsuit in federal court in North Dakota challenging the Biden administration’s “Phase II” National Environmental Policy Act (NEPA) regulations. The lawsuit aims to block implementation of regulations that ensure decisions made by federal agencies such as the Bureau of Land Management and National Park Service consider input from local communities, tribes, and climate change scientists. More broadly, these regulations require that agencies “think first, then act.”

In 2020, the Trump administration upended the decades-long approach to NEPA regulation by stripping the bedrock environmental law of many of its most important features. Earlier this year, the Biden administration released its Phase II NEPA regulations to reverse many of the harmful Trump-era changes. And, for the first time, the Phase II regulations also expressly require that federal agencies consider environmentally-friendly alternatives to proposed actions, weigh climate and environmental justice impacts, and incorporate Traditional Indigenous Knowledge in their NEPA analyses. They also mandate meaningful and early consultation with impacted communities, including tribes.

Not only do these changes help to ensure that federal agencies are actually taking a “hard look” at the environmental impacts of their decisions, they also strengthen and protect the public’s right to engage in the NEPA review process. NEPA is one of the key legal tools that allows us to challenge harmful decisions such as fossil fuel development projects, poorly analyzed travel management plans, and destructive vegetation treatments.

In short, NEPA and its implementing regulations are crucial to SUWA’s ability to carry out our mission to protect America’s redrock wilderness. That is why we, as part of a coalition of other conservation, environmental justice, and labor groups, moved to intervene in the conservative states’ lawsuit to defend the Phase II regulations and prevent the profoundly anti-environmental Trump-era rules from being reinstated. We are hopeful that by the time you are reading this, the court will have granted us intervention, enabling us to participate as full parties to the lawsuit.

—Hanna Larsen

INTERIOR DEPARTMENT ACTS FOR CONSERVATION; UTAH (PREDICTABLY) SUES

After a year of consideration and public engagement, the U.S. Department of the Interior has finalized its Conservation and Landscape Health Rule (also known as the “Public Lands Rule”). The rule took effect in early June.

One overarching goal of the rule is for the Bureau of Land Management (BLM) to prioritize the health and resilience of ecosystems in response to a warming climate and changing environmental pressures. To achieve healthy ecosystems into the future, the rule instructs the agency to protect intact landscapes and restore degraded ones. It also formalizes conservation as a “use” on par with other uses of public lands, a proposition that is already laid out in federal law and is now reiterated in the agency’s regulations.

Although the rule does not have immediate impacts on the ground, it will provide a framework for the BLM to achieve conservation through protection, restoration, or mitigation activities on public lands in future land management decisions.

There is an obvious and pressing need to recognize the impacts of climate change, and the BLM has a clear obligation to manage public lands in a manner that enables ecosystems to provide clean air, water, wildlife habitat, and other benefits to the public now and into the future.

As one might expect, anything that makes this much environmental sense, that is this responsible and forward looking, will be anathema to Beehive State officials. So, unsurprisingly, the States of Utah and Wyoming rushed to file a lawsuit against the rule in federal district court in Utah. Lawsuits have also been filed by North Dakota, Idaho, and Montana in district court in North Dakota, while industry groups have filed separately in federal district court in Wyoming.

These lawsuits are in their very early stages. SUWA and other environmental groups will be keeping a close eye on how the cases develop.

GOOD NEWS

SUWA SETTLES LAWSUIT CHALLENGING ORVS IN GLEN CANYON NATIONAL RECREATION AREA—BUT THE FIGHT ISN'T OVER YET

Carved into the heart of the Colorado Plateau by the Colorado River over millions of years, Glen Canyon National Recreation Area features stunning redrock canyons, expansive stretches of undisturbed landscapes, and significant cultural and paleontological resources. Known mostly for water-based recreation on Lake Powell, Glen Canyon's 1.25 million acres also boast superb opportunities for remote, land-based backcountry recreation.

Since Glen Canyon's inception as a national recreation area in 1972, the National Park Service (NPS)—the federal agency charged with overseeing it—has largely turned a blind eye toward protecting the area from illegal off-road vehicle (ORV) use. That is, until 2021 when the NPS codified the decades of illegal use in a Trump-era plan that—for the first time—authorized all sorts of vehicles (think conventional vehicles, ATVs, dirt bikes, and side-by-sides) to drive on Lake Powell's ever-increasing shorelines. The plan also gave motorized recreationists a green light to roar through parts of the spectacular Orange Cliffs area (which serves as a

backdrop to Canyonlands National Park) and on a series of extremely remote routes feeding into Grand Staircase-Escalante and Bears Ears National Monuments.

A THREE-WAY FAILURE

In March 2023, SUWA filed a lawsuit in federal court challenging the ORV plan. We argued that the NPS failed to take the required hard look at the plan's environmental impacts and failed to designate ORV areas and trails to minimize such impacts. As a result, we argued, those two failures rendered arbitrary and capricious the agency's determination that the plan, once implemented, would not lead to impairment of Glen Canyon's resources.

After nearly a year of negotiations, SUWA, along with the National Parks Conservation Association (who separately sued over the ORV Plan) entered into a settlement agreement with the NPS that requires the agency to promulgate a new rule proposing to (1) close the Orange Cliffs to ATVs



SUWA AND THE NATIONAL PARKS CONSERVATION ASSOCIATION HAVE ENTERED INTO A SETTLEMENT AGREEMENT WITH THE NATIONAL PARK SERVICE THAT REQUIRES THE AGENCY TO PROMULGATE A NEW RULE PROPOSING INCREASED ORV USE RESTRICTIONS TO PROTECT THE NATURAL AND CULTURAL RESOURCES OF GLEN CANYON NRA. © RAY BLOXHAM/SUWA

and side-by-sides, (2) close designated shoreline access areas to motorized use unless lake elevations rise to sustainable levels, and (3) close various remote routes to ATVs and side-by-sides. We expect the NPS to release this proposed rule for public comment soon. Stay tuned for more information about submitting comments on the draft rule.

Unfortunately, shortly after we settled our lawsuit, the State of Utah, along with Wayne and Garfield Counties, filed their own lawsuit challenging the ORV plan. That suit does not challenge any aspect of SUWA's litigation but instead seeks to undo the few road and trails closures in the Trump-era ORV plan and open the recreation area to even more ORV use, especially within the Orange Cliffs. If successful, the state's lawsuit will threaten thousands of acres of wilderness-quality lands within the recreation area.

While the state's case is still in its early stages, we'll keep you posted. Meanwhile, we'll continue doing everything we can to defend Glen Canyon.

—Hanna Larsen

SUWA PROPOSES IMPROVEMENTS TO DRAFT BEARS EARS PLAN

The public comment period on the draft Bears Ears National Monument management plan closed on June 11th. The final plan will determine how the 1.3-million-acre monument is managed.

The Bureau of Land Management (BLM) developed the plan in collaboration with the five Tribal Nations of the Bears Ears Commission (Navajo, Zuni, Hopi, Ute, and Ute Mountain Ute). It outlines five possible management alternatives and addresses issues such as recreation, motorized use, vegetation management, and livestock grazing. Alternative E is identified as the preferred alternative of both the BLM and the Tribes.

SUWA is advocating for an improved Alternative E to ensure that the monument is managed in collaboration with the five Tribes and incorporates Traditional Indigenous Knowledge to conserve this remarkable cultural landscape. Specifically, we support Alternative E's zoned approach to managing recreational uses, and the management of all lands with wilderness characteristics for the protection of those characteristics. We support the closure of Arch Canyon to off-road vehicles (ORVs) as well as incorporating additional ORV closures as set out in Alternative D. We also support Alternative E's focus on light-on-the-land techniques related to vegetation management, and we urge the addition of a prohibition on mechanical treatment methods, and the use of only native seeds for restoration and rehabilitation. Further, we support additional protections from the impacts of livestock grazing.

The BLM will now analyze the public comments it received, incorporate any changes it deems necessary into the management plan, and issue a final decision, which we anticipate will be sometime in early 2025.

—Neal Clark

ARGUMENT IN UTAH MONUMENTS LITIGATION SET FOR SEPTEMBER

The State of Utah and the BlueRibbon Coalition, an off-road vehicle group, have brought lawsuits challenging President Joe Biden's restoration of Grand Staircase-Escalante and Bears Ears National Monuments. The Tenth Circuit Court of Appeals will hear arguments in the case on September 26th.

Although the Tenth Circuit usually sits in Denver, the arguments will be heard at the University of Colorado Law School in Boulder, Colorado. The state's and coalition's claims rest on the well-worn and repeatedly rejected argument that the monuments are simply too big. They have also grabbed onto newly-established legal doctrines, recently embraced by the U.S. Supreme Court's ultra-conservative majority, to limit presidential authority.

Ultimately, the current appeals will likely not address those substantive arguments but instead will determine whether the district court judge was correct to dismiss the lawsuits on sovereign immunity grounds (i.e., the proposition that Congress has not authorized courts to review whether the establishment of a monument complies with the Antiquities Act of 1906).

We expect a decision three to six months following argument.



THE GREEN RIVER AS IT FLOWS THROUGH LABYRINTH CANYON. © PETE MCBRIDE

BIDEN BLM REAFFIRMS TRUMP-ERA ENERGY LEASES IN WILDERNESS

The Bureau of Land Management (BLM) shocked conservationists earlier this summer when it reaffirmed Trump-era decisions to issue oil and gas leases in Utah's San Rafael Desert. One lease in particular is especially problematic since it is located within what is now the Labyrinth Canyon Wilderness.

In 2019, the Trump administration's BLM rushed to issue a lease to drill in the heart of Labyrinth Canyon just 12 days before Congress designated the area as wilderness in the John D. Dingell, Jr. Conservation, Management, and Recreation Act—a designation that prohibits new leasing. The Labyrinth Canyon Wilderness is bounded on the east by the Green River and on the south by Canyonlands National Park and the Glen Canyon National Recreation Area. The Labyrinth Canyon stretch of the Green River abuts the lease and passes through Bowknot Bend on its way to the confluence with the Colorado River. This stretch of river is one of the most iconic and world-renowned segments of river in the United States.

The BLM's decision to reaffirm this lease effectively puts the Biden administration's stamp of approval on the disaster that was the Trump administration's "energy dominance" agenda. In addition, despite congressional wilderness

designation, and with time quickly running out on the Trump administration, the agency scurried to slip its allies a last-minute handout by rushing through a decision to authorize drilling on the Labyrinth Canyon lease. SUWA and our partners challenged that approval in federal court in Washington, DC and initially stopped the drilling project, but the court eventually allowed the development to proceed. The company drilled the well, which turned out to be a dry hole. The Biden administration's decision to reaffirm the lease keeps the threat of future development in the wilderness area alive.

The Biden BLM's decision also reaffirmed 50 additional leases the Trump administration sold in the surrounding San Rafael Desert. It is distressing to see the Biden administration bless Trump-era leasing decisions that were so rushed and so wrong.

SUWA is reviewing this decision and will do whatever we can to protect this matchless landscape.

—Landon Newell

GOOD NEWS

SUWA PREVAILS IN OIL & GAS LEASE SALE CHALLENGES

SUWA won several long-pending administrative challenges this spring to three separate Trump-era oil and gas leasing decisions the Bureau of Land Management (BLM) made in 2019 and 2020.

SUWA's protests challenged the BLM's decisions to sell 73 oil and gas leases for development on public lands throughout Utah. The proposed lease parcels contain important resource values including, among other things, lands with wilderness characteristics and wildlife habitat. Energy development on the parcels would have destroyed those values, consumed large quantities of water, polluted the air, and added to our growing climate crisis.

In her decision granting SUWA's protests, the Utah Deputy State Director agreed that the BLM's prior leasing analyses did not properly consider the climate change and greenhouse gas effects of selling the parcels for development. She directed the agency to reject the still-pending lease offers.

As a result of these victories, the BLM will not issue any of the protested parcels and the public lands they overlay are no longer in immediate danger of development. Wiping the

slate clean of these parcels is a huge victory for Utah's wild places and wildlife.

—Landon Newell

SAN RAFAEL DESERT TRAVEL PLAN BACK IN THE CROSSHAIRS

As part of its misguided work to ensure that any route ever driven, drawn on a map, or dreamt of is open to off-road vehicles (ORVs) no matter the damage that use causes, the State of Utah recently filed a lawsuit challenging the Bureau of Land Management's (BLM) 2022 decision to revise the destructive San Rafael Desert travel management plan.

The BLM first completed a plan for the area in August 2020. Reflecting the chaos and environmental recklessness of the Trump administration, that wildly unbalanced travel plan designated 766 miles of ORV "routes," opening every cow path, wash bottom, and line on a map to ORVs. Rather than complying with its legal obligation to minimize damage to natural and cultural resources and minimize conflicts between motorized and non-motorized users, the BLM instead released a plan that—by its own admission—emphasized the maximum mileage available for ORV recreation.

SUWA filed a lawsuit challenging that damaging plan. We eventually settled the suit when the BLM agreed to reconsider the designation of around 190 miles of ORV routes in wilderness-quality lands within the San Rafael Desert. In October 2022, the BLM released its "Reconsideration Decision," which closed around 120 miles of erroneously-designated routes. Those closures help ensure that some of the San Rafael Desert's wildest, quietest corners remain that way.

In its new lawsuit, the state acknowledges that routes the BLM closed in its decision are "paper routes"—routes that are shown on maps but are not visible on the ground because they have been reclaimed. The state nevertheless alleges, without support, that closing these non-existent routes will significantly impact access to this area and lead to severe economic consequences for the state and Emery County. And so, the fight continues. We are confident that a court will uphold the BLM's sensible Reconsideration Decision, and we have intervened in the lawsuit to defend it.

—Laura Peterson

THE SWELL AND HENRY MOUNTAINS/DIRTY DEVIL UP NEXT IN TRAVEL PLANNING PROCESS

The Bureau of Land Management (BLM) continues work on travel management plans covering more than six million acres in eastern and southern Utah. These critical plans will determine where off-road vehicles (ORVs) may travel across some of Utah's wildest, most fragile lands.

This year is shaping up to be a consequential one as the agency tackles two of the biggest travel plans on its list: the San Rafael Swell plan and the Henry Mountains/Dirty Devil plan. Together, these plans encompass more than 2.5 million acres in the heart of Utah's redrock country.

In June, the BLM released a draft travel plan and environmental assessment for the Swell, which analyzes the varying impacts of four different ORV travel networks. Only Alternative B comes close to complying with the BLM's obligation to manage motorized use so as to minimize damage to natural and cultural resources. The public comment period closed on July 22nd and we expect to see a final plan in November.

Next in line is a travel plan for the Henry Mountains/Dirty Devil area, a stunning region spanning from Capitol Reef National Park to Canyonlands National Park and the Glen Canyon National Recreation Area. In May, the BLM released preliminary alternatives for possible motorized trail designations. These alternatives represent the agency's first cut at deciding where motorized vehicles will be allowed. We expect to see a draft plan and environmental assessment by late summer or early fall. The agency will open a public comment period at that time.

Last year, the BLM finalized a balanced travel plan for the Labyrinth Canyon area. That decision has subjected the agency to extraordinary pressure to expand damaging ORV use elsewhere. Public involvement in this process is critical to ensuring that the BLM designates route networks that preserve Utah's wild lands. We will need all our redrock activists to speak up for conservation.



TALITHA MCGUIRE IS SUWA'S NEW FULL-TIME STEWARDSHIP COORDINATOR.

TALITHA MCGUIRE JOINS SUWA'S STEWARDSHIP TEAM

Talitha McGuire joined SUWA this year as our full-time stewardship coordinator. Talitha was born and raised in Flagstaff, Arizona. She studied religion and biology as an undergraduate, seeking to understand the vital connections between culture and conservation. Throughout her career, she's used this background to explore why people feel so strongly about public lands and how relationships between individuals, communities, and landscapes can be a force for change. Through working on wilderness trail crews, tracking down endangered birds on cliffs, and river rafting with youth, Talitha has gained a keen love for “the desert, wilderness, this radical thing called ‘sandstone,’ and the lessons that each teach.”

“I was first introduced to SUWA as many are: by a bright yellow yard sign greeting me on my morning commute. At the time I was a scientist, very much wrapped up in trying to describe, in great detail, the links between water temperature, suspended sediment, the presence and absence of species, river flow rates, and the population bottleneck of a particular endangered fish of the Colorado Plateau. Nevertheless, I always noticed that yard sign: *Protect Wild Utah*. ‘I’m trying,’ I would tell it.”

And she is. We are fortunate to have Talitha with us. She dove right into the work, the issues, relationships, and land-

scapes that constitute our stewardship program. Talitha looks forward to expanding SUWA's partnerships and volunteer engagement while facilitating meaningful hands-on stewardship—and concocting the perfect backcountry curry.

JACK HANLEY ASSUMES FIELD SPECIALIST ROLE

Jack Hanley first volunteered with SUWA in 2018. He arrived in a tall yellow van to the northern end of Grand Staircase-Escalante National Monument early one spring morning. His dedication to the work—and to the place—was obvious from day one. Within two years, Jack was hired on as our lead stewardship coordinator, running projects with SUWA volunteers across Utah's canyon country. He remains an architect of the program as it exists today.

Jack moved into his new position as field specialist earlier this year. The role is an expansion of SUWA's field capacity, allowing us to stay abreast of the issues most affecting our wild places. As in his previous role, he brings extensive knowledge, skills, and a critical eye to the essential work of designing protective strategies for these wild lands.

We join a chorus of our volunteers in thanking him for his passion for wild places and for all he has done to improve our stewardship of them. See you in the field, Jack.



AFTER YEARS OF LEADING STEWARDSHIP PROJECTS ACROSS THE STATE, JACK HANLEY TAKES ON A NEW ROLE AS SUWA FIELD SPECIALIST.

THANKS TO DC INTERN AMY HANNUM!

This past spring our DC team got very lucky and landed a wonderful intern in Amy Hannum. Amy is a student at George Mason University completing her Master of Public Administration degree with a concentration in Environmental Science and Public Policy.

From her first day in January, Amy was a crucial part of the team that made Wilderness Week the success that it was. Not only did she single-handedly ensure that all of our amazing volunteers had all the logistical help they needed, she also joined a lobbying team. As a native Pennsylvanian, she made valuable contacts with Pennsylvania congressional offices, resulting in new cosponsors for America's Red Rock Wilderness Act!

During the course of her internship, Amy helped track legislation that impacts the redrock, attended committee hearings, met with congressional offices, and gave lots of love to our office dogs. She is also full of great ideas that brought new energy and excitement to our work. We wish her the best of luck and hope this is not the last we see of her in the *Protect Wild Utah* movement. Thanks, Amy!



MAXIMIZE YOUR IMPACT: EXPLORE DIVERSE GIVING OPTIONS TO PROTECT WILD UTAH

Supporting SUWA extends beyond traditional donations. Through planned giving, donating stocks, utilizing donor-advised funds, or making qualified charitable distributions from your IRA, you can enhance our collective efforts to protect wild Utah. Each method offers distinct benefits and plays a crucial role in preserving the natural beauty and ecological integrity of Utah's wild places now and for future generations.

With help from FreeWill, our website now offers tools to easily give in the following ways:

- **Gifting Stocks:** Donating appreciated stocks provides meaningful support to SUWA and helps you save on taxes by claiming a charitable deduction for the full value of the shares.
- **Donor-advised Funds (DAF):** DAFs are investment accounts designed exclusively to support charitable organizations.
- **Qualified Charitable Distributions (QCD):** If you are over 70.5 years old, making a charitable donation from your IRA can significantly reduce your taxable income and help meet your Required Minimum Distribution (if you're 73 or older).
- **Planned Giving:** We now offer a free online estate planning tool that makes it easy for you to create a will or trust. If you choose to add SUWA to your estate plans (not necessary to use the tool), this is a free, simple, and effective way to ensure that the never-ending work to protect these unique landscapes continues long after we're gone.
- **Beneficiary Designations on Investment Accounts:** Consider naming SUWA as a beneficiary on your IRAs or other retirement plans. This straightforward process usually just requires a simple form from your financial institution.
- **Life Insurance Policies:** You can name SUWA as a beneficiary of your life insurance policy, making a meaningful contribution without altering your current financial planning.
- **Payable on Death (POD) or Transfer on Death (TOD) Accounts:** Setting up these type of arrangements on your brokerage, savings, or checking accounts allows these assets to transfer directly to SUWA upon your passing and is a very easy process.

THANK YOU, SUWA BUSINESS MEMBERS!

SUWA's Business Membership Program is a great way for your small business or company to support the protection of Utah's redrock country. For an annual donation of \$150 or more, we'll print your company's name in our newsletter once a year and on our website at suwa.org/businessmembers. At higher levels of support we offer additional benefits, such as a featured spot in our monthly e-newsletter.

For more information, please contact us at membership@suwa.org or (801) 486-3161. Listed below are businesses from Utah and across the country that currently support Utah wilderness through SUWA's Business Membership Program.

KAYENTA MEMBERS

(\$1,000+)

Caffe Ibis Coffee Roasting Co, UT
Chris Brown Photography, CO
Four Corners OBGYN, CO

Imlay Canyon Gear, UT
Mosaic Realty LLC, CO
Powderhound Marketing, NV

Stone Forest Inc, NM
Tangerine Restaurants, CO

WINGATE MEMBERS

(\$500-\$999)

Dabney & Dabney PLLC, UT
Glenn Randall Writing and Photography,
CO

Holiday River Expeditions, UT
On the Trail Financial Planning, LLC, CA
Salt Lake Mailing and Printing, Inc, UT

SLC Qi Community Acupuncture, UT
State 45, IN
The Wildland Trekking Co, AZ

MOENKOPI MEMBERS

(\$150-\$499)

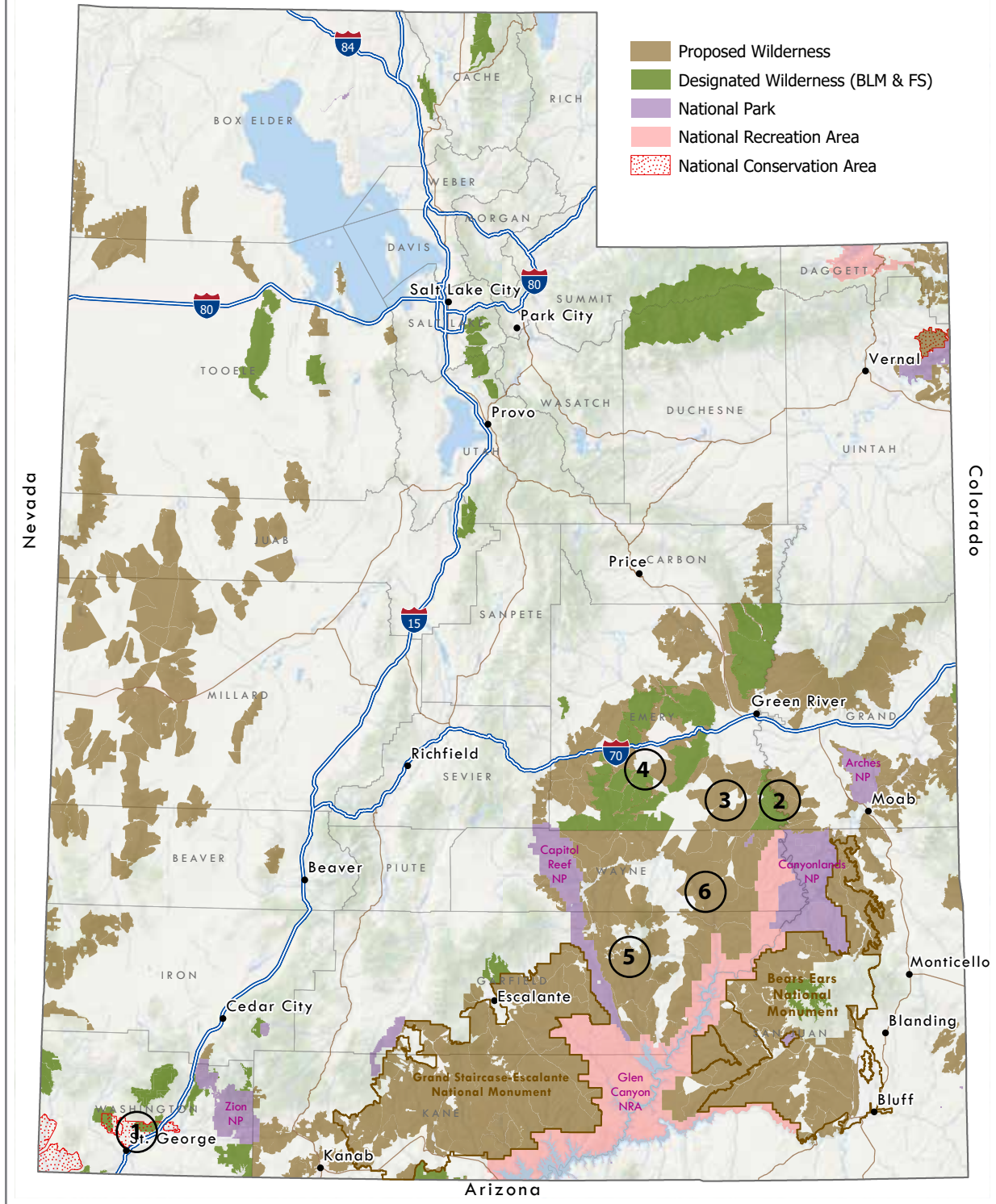
Alta Lodge, UT
Bret Webster Images, UT
Brown Bag Farms, CA
Clayhaus Photography, UT
Consulting Psychologists, AZ
Escape Goats, UT
Fisher Brewing Company, LLC, UT
Fourcorners Photography, NM
Githens Properties, LLC, CO

Gospel Flat Farm, CA
J Groene Construction Inc, KS
James Kay Photography, UT
Kroesche Schindler LLP, CA
Law Offices of David Gibans, CO
Northstar Canoes, MN
Red Rock Brewery, UT
The Carpet Barn. UT
The Group Real Estate, LLC, UT

Tom Till Gallery, UT
Waterwise Design & Landscapes, LC, UT
William Stone Photography, RI
Words and Photographs by Stephen
Trimble, UT
Workspace Installations LLC, CT
ZAK Construction, OR

America's Red Rock Wilderness Act

A People's Wilderness Proposal for Bureau of Land Management (BLM) Lands in Utah



- 1 Red Cliffs NCA (p. 6)
- 2 Labyrinth Canyon (pp. 10 & 14)
- 3 San Rafael Desert (p. 15)
- 4 San Rafael Swell (p. 15)
- 5 Henry Mountains (p. 15)
- 6 Dirty Devil (p. 15)



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JOIN US FOR SUWA'S SUMMER SHINDIG!

Celebrate all we've done together to protect Utah's redrock country at our **member appreciation event!**



**Wednesday, August 28th
6-9pm
Fisher Brewing
320 W 800 S, Salt Lake City**

Enjoy local beer, Bella Pizza, giveaways, and a silent auction featuring local artists and businesses!

Please RSVP by Friday, August 23rd at suwa.org/summershindig or email Kelly at membership@suwa.org.

This is a 21+ event. Bring your ID and wear your SUWA swag!