

REDROCK

W I L D E R N E S S

The Newsletter of the Southern Utah Wilderness Alliance
Volume 36, Number 1 • Spring 2019

Emery County Bill Passes Congress, Protecting Wilderness
in the San Rafael Swell and Beyond!

Cover Photo: Sids Mountain Wilderness in the San Rafael Swell—one of the areas newly protected under the Emery County Public Land Management Act (see page 6). Photo copyright Ray Bloxham/SUWA.



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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In this issue:

Wilderness Notes:

Victory in San Rafael Wilderness Bill4

Features:

Glorious Redrock Landscapes Protected in San Rafael Swell Legislation6

DC News..... 11

Special Insert: Wilderness Protected in the San Rafael Swell and Labyrinth and Desolation Canyons..... 12-13

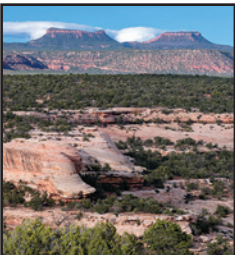
Canyon Country Updates..... 15

Inside SUWA..... 21

America’s Red Rock Wilderness Act Reference Map.....23



page 7



page 11



page 15

Redrock Wilderness • Volume 36, Number 1 • Spring 2019

This issue of *Redrock Wilderness* was written by the following staff and outside contributors: Steve Bloch, Adrienne Carter, Neal Clark, Scott Groene, Mathew Gross, Travis Hammill, Jeremy Lynch, Kya Marienfeld, Landon Newell, Dave Pacheco, Jen Ujifusa and Michelle White. It was edited by Darrell Knuffke and laid out by Diane Kelly.

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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 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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wilderness notes



Victory in San Rafael Wilderness Bill—Sweeter for the Wait and in these Times

After suffering through two awful years of Donald Trump, we all crave a story with a happy ending. And we have one—a tale of hope, stamina, dedication, and success.

The story began over a quarter of a century ago. It is a record of endless legal appeals (including a trip to the Supreme Court); thousands of miles on dusty roads and days—and often nights—spent in the field; tens of thousands of emails, letters and phone calls; countless steps along congressional corridors to beat back six bad bills; and thousands of activists in Utah and across the nation who stood up for the redrock.

There is no guarantee that exceptional effort will bear exceptional fruit; the near-certainty, though, is that without it there is rarely victory. We worked hard and we won: Congress just protected over 663,000 acres of the San Rafael Swell and portions of Desolation and Labyrinth Canyons as wilderness (see feature story on page 6). It is the latest milestone in the long drive towards protection for the redrock country.

In 1983, when SUWA was born around a kitchen table in Boulder, Utah, the rallying cry of Utah politicians was “not one more acre of wilderness!” It was a war cry, yes, but it also seemed to take on elements of a quasi-occult incantation meant to ward off something—the inevitable, perhaps.

In the face of this virulent anti-wilderness fervor, SUWA and the Utah Wilderness Coalition articulated a remarkable vision to protect 5.1 million acres of redrock wilderness. Utah’s political establishment dismissed our proposal as a pie-in-the-sky joke.

The Laughter Has Grown Faint

They were wrong. Since then, SUWA, the Utah Wilderness Coalition and activists across the country have sent to the congressional dumpster a dozen pieces of bad legislation aimed at undermining America’s Red Rock Wilderness Act. This display of wilderness advocates’ political strength and the attention it gained made the redrock a national issue and set the stage for presidential proclamation of two national monuments and congressional passage of six good bills to protect parts of the canyon country.

Our first big gain was in 1996, when President Bill Clinton proclaimed Grand Staircase- Escalante National Monument. In a 1998 follow-up to the monument’s creation, Congress approved a trade-out of state land within the monument’s proposed wilderness for federal lands elsewhere. Two years later, Congress okayed a similar swap of wilderness-caliber land in the West Desert. And in 2006, we worked with Rep. Rob Bishop to pass the Cedar Mountain Wilderness legislation.

Soon we were involved in a bare-knuckle fight that spanned four years and two Congresses, ending in passage of a good Zion-Mojave wilderness bill in 2009. A small bill in that same year traded proposed wilderness along the Colorado River into federal ownership. In 2016, President Barack Obama proclaimed Bears Ears National Monument. And now we have passage of the San Rafael Swell wilderness bill in 2019.

Upping the Ante

The combination of congressional and administrative actions means that 4,697,000 acres of the redrock today have some form of protection. When we overturn Trump’s decision to eviscerate Grand Staircase-Escalante and Bears Ears National Monuments, the protected acreage will swell to 5,576,000 acres. That number, you might notice, is nearly a neat half a million acres more than the wildest dreams of Utah conser-

wilderness notes

vationists three decades ago. The state’s anti-wilderness politicians should have taken the 5.1 million acres when they had the chance.

The San Rafael legislation is the work of thousands of people who gave their time and heart for the redrock over the decades. As was the case with the Zion-Mojave wilderness bill in Washington County, this one began with terrible provisions introduced at the demand of local politicians—provisions designed not to promote wilderness but to diminish it. It then morphed into something good through a political fight.

We hope everyone got the message this time. Just in case, let’s summarize: all the bills we have opposed have failed; all the bills we and our partners in the Utah Wilderness Coalition have endorsed have passed. This is not coincidental.

To say that there are still challenges ahead is to drastically understate the case. We will have to continue to fight the Trump administration every day. Regaining the Utah monuments is a complicated legal undertaking. Utah Gov. Gary Herbert’s lawsuits claiming state ownership of road rights-of-way across national parks and wilderness, the most massive ever filed against the United States, will finally come to trial in 2019. We will lose some land and it will hurt; such losses always do.

But politicians come and go. Wilderness remains and so do we. Our antagonists find the movement to protect the redrock abrasive. It is quite literally that, wearing down our opponents much as water shapes the slickrock—unceasing and relentless if at times imperceptible.

Our gratitude to SUWA’s members is boundless. With your continued support we will fight Trump and the Utah politicians for as long as it takes.

But that’s tomorrow. Today, let’s celebrate.

For the Redrock,

Scott Groene
Executive Director

features

Good
News!

Glorious Redrock Landscapes Protected—at Last—in San Rafael Swell Legislation

Congress passed the Emery County Public Land Management Act in late February, and as this issue went to press it was signed into law. The bill's title is mundane enough, even yawn-inducing. But its contents are tremendous for the redrock.

Labyrinth Canyon, Desolation Canyon, Muddy Creek and the San Rafael Swell will all be protected as part of the bill's designation of 663,000 acres of wilderness (see map on page 8 and special insert on pages 12-13). Its passage ranks as the most significant legislative victory in SUWA's history. The Emery County bill did not start out as a good bill, but through a lot of hard work it became one.

For so many Utahns, the San Rafael Swell region is their first real exposure to Utah's redrock country. Just a few hours' drive from the major population centers of the Wasatch Front, the Swell is an acces-

sible weekend destination. It's a personal landscape to many of us, including to me. As a student at Utah State University, my friends and I would spend weekends camping at The Wedge, peering into the great maw of the "Little Grand Canyon."

Several years ago my high school friends and I spent a glorious weekend at Family Butte, scrambling the cliff faces and marveling at petrified logs. For years the SUWA Roundup has been held at Hidden Splendor in the San Rafael Swell. East of the Swell lies Labyrinth Canyon, where my husband and I took our newly married best friends on a river trip as their wedding gift. So many of us have stories about these places. The protections we've secured with the help of our members and conservation partners ensure that those stories can continue to be written, and that the creatures that call the Swell their home can thrive there for generations.



Muddy Creek Wilderness.

© Ray Bloxham/SUWA

features



Labyrinth Canyon Wilderness.

© Ray Bloxham/SUWA

A Long Struggle and then a Breakthrough

In many ways this bill has been decades in the making. SUWA has defeated six prior proposals for the San Rafael Swell that did not do justice to the landscape. We thought this was going to have to be the seventh.

Emery County had cooked up a proposal as part of Representative Rob Bishop's (R-UT) failed Public Lands Initiative, and when that process crashed in the last Congress, the county still wanted to get it enacted. Representative John Curtis (R-UT) and Senator Orrin Hatch (R-UT) took up the cause and last year introduced legislation that was exactly what county officials wanted: the barest amount of wilderness they thought they could get away with.

From the outset we approached Hatch and Curtis with our own proposal and sought serious negotiations to hammer out a deal. But their party had majorities in both chambers and they thought they could pass the legislation without our blessing. Instead of working with SUWA and our partners, they sought fig-leaf endorsements from the Pew Charitable Trusts and other non-Utah-based groups whose standards for what constitutes a meaningful conservation gain aren't, shall we say, as rigorous as ours.

We remained at loggerheads as spring and then summer passed. Representative Alan Lowenthal (D-CA), the champion of America's Red Rock Wilderness Act (ARRWA) in the House, raised significant concerns in the bill's hearing before the House Natural Resources Committee and attempted to add more acreage to the bill in the committee process. Senator Richard Durbin (D-IL), an ARRWA congressional champion for 20 years, sought compromise with Hatch through several meetings but made no meaningful headway.

From Tough Challenge to Ordeal

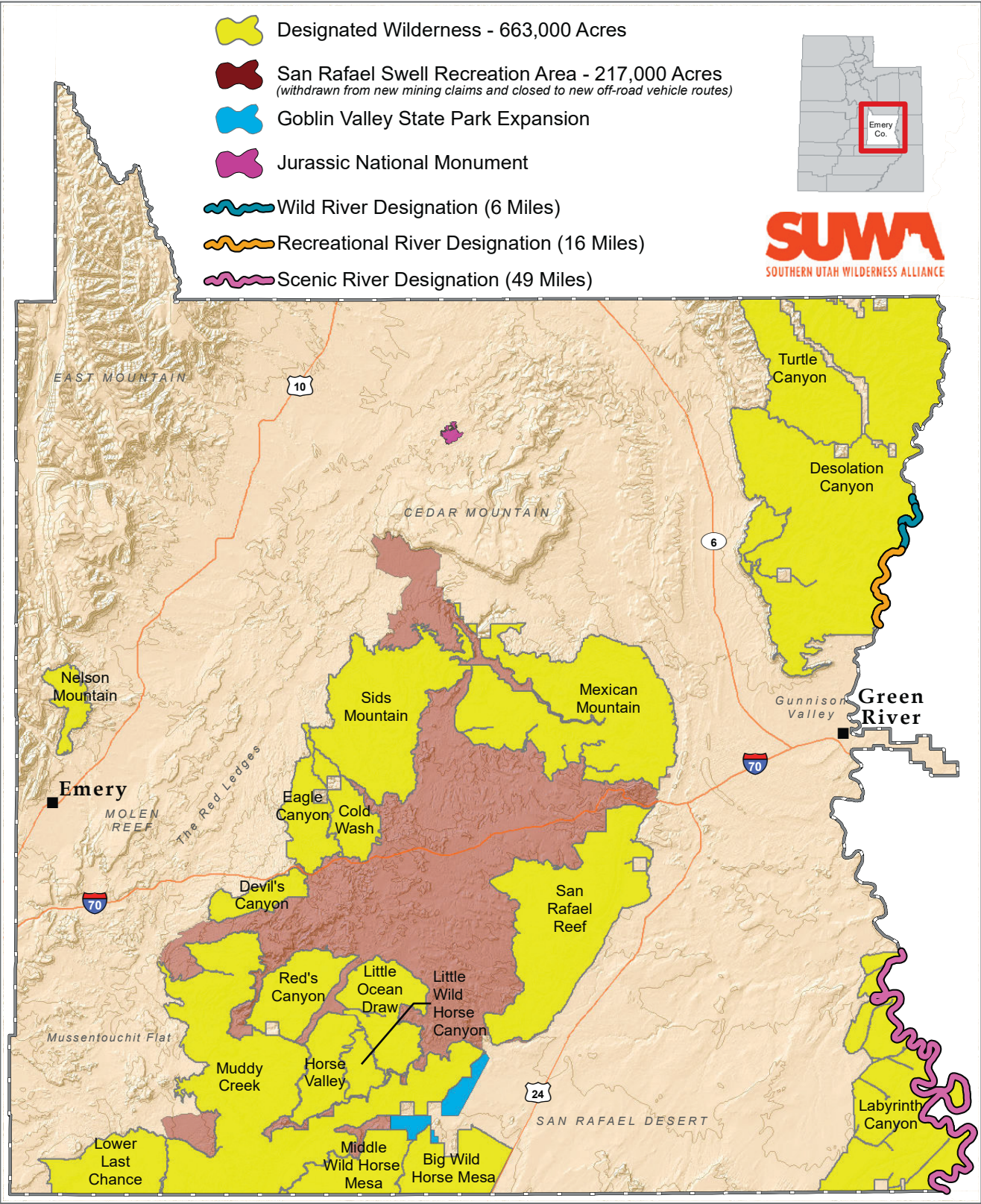
When the Emery bill was added to a public lands package the Senate Energy and Natural Resources Committee had assembled our challenge grew: suddenly, to defeat the bill we'd have to convince members of Congress that not only was the Emery bill bad, but it was bad enough that it should persuade them to oppose a package that had some of their own conservation priorities in it.

We deployed a cheeky last resort, dropping a rubber dinosaur hand puppet at every Senate office with a clear message against the ill-conceived bill. The puppets were a sensation, with staffers Snapchattimg images of them between offices and playing with

(Continued on page 9)

features

Emery County Public Land Management Act



features

(Continued from page 7)

them at the front desks. Suddenly, a bill that seemed okay to many had a lot of bad buzz.

Finally, with just about a week left to go in the last legislative session, we had a breakthrough. Sen. Durbin, who was threatening to hold up the bill, successfully negotiated significant wilderness additions for the Muddy Creek and Labyrinth Canyon regions. With these additions on the southern and eastern border of Emery County, the bill now protected about 663,000 acres of wilderness. And we were able to negotiate this with delegation members who have been traditionally opposed to wilderness—and with Donald Trump in the White House (err, Mar-a-Lago).

“Our strategy over more than 30 years has rested on the belief that if we hold fast to defeat inadequate proposals, eventually we can improve them.”

The Places

The legislation provides well-deserved wilderness protection for Desolation Canyon, Labyrinth Canyon, and large swaths of the San Rafael Swell—most notably in the Muddy Creek area.

- **Desolation Canyon** is one of the premier road-less areas in the lower 48 states, beloved by rafters who seek out the rapids on that stretch of the Green River. Deso, as it is fondly known, is home to a wide array of wildlife including bighorn sheep, elk, black bears, mountain lions, and raptors—and five endangered species.
- For those seeking solitude with a bit less splash, **Labyrinth Canyon’s** stretch of the Green River offers the longest multi-day flatwater wilderness float trip west of the Mississippi.
- **Muddy Creek** is one of the biggest intact wilderness areas in Utah; securing protection for the Emery County piece of it will help us in the future as we seek the same result for the portion that stretches into Wayne County. Wilderness, naturally, does not truck with the arbitrary political lines man doodles across it.

Grassroots Spotlight: Young Womxn and Allies Speak Out for the Swell



© Terri Martin/SUWA

In December, months before the Emery County bill would become law, a group of young womxn and allies from across Utah delivered to Utah Gov. Gary Herbert over 4,000 postcards and a group statement signed by 79 future leaders in support of real wilderness protections in Emery County.



Desolation Canyon Wilderness.

© Ray Bloxham/SUWA

features



Muddy Creek Wilderness.

© Ray Bloxham/SUWA

All told, this legislation largely protects the greater San Rafael Swell, either as wilderness or as a recreation area that is withdrawn from mineral entry (in plain words, no new mining claims) and closed to the construction of new off-road vehicle routes. And about 70 miles of river have been added to the National Wild and Scenic Rivers System.

Lessons Learned

Our strategy over more than 30 years has rested on the belief that if we hold fast to defeat inadequate proposals, eventually we can improve them. We've nationalized the issue of Utah wilderness with the help of our grassroots activists who maintain the drumbeat with their members of Congress around the country. And the bulwark of support from those legislators, in turn, provides us with the leverage to resist the bad proposals that come out of the Utah delegation. The strategy provides only incremental progress and can be frustrating at times, but eventually it works to the benefit of wild country. This legislation illustrates the point. When we compare this bill to what Representative Jim Hansen (R-UT) proposed for Emery County in a 1995 statewide wilderness bill—which we defeated—the difference

is startling. Hansen envisioned almost no wilderness for Emery County.

We may have had to fight during the intervening 19 years, but we'll wait a long time to be proven right. The tremendous final shape of this bill also belies the notion that big wilderness is politically unachievable in Utah. We have always known otherwise and here is proof. Sen. Orrin Hatch, Rep. John Curtis, and the Emery County commissioners deserve credit for pushing past the old ways of thinking and embracing the fact that these lands belong to all Americans and their fate cannot be dictated by parochial stakeholders alone.

None of this could have been achieved without the steadfast support of our members. It is you who have made redrock wilderness protection a movement, who give us the power and flexibility to be nimble in our approaches, and on whose behalf we fight for what's right. Thank you for hanging in there with us. The fights we have to take on are not easy and rarely quick, but they are worth it.

—Jen Ujifusa

DC news

Good News!

Reps. Push to Restore and Protect Utah's National Monuments

While the cases to void President Trump's repeal of Bears Ears and Grand Staircase-Escalante national monuments move ever so slowly through the courts, congressional champions in both chambers are moving to protect them legislatively. Reps. Ruben Gallego (D-AZ) and Deb Haaland (D-NM) re-introduced the Bears Ears Expansion and Respect for Sovereignty Act (BEARS) in January; shortly afterwards Sen. Tom Udall (D-NM) and Haaland re-introduced the ANTIQUITIES Act.

The BEARS Act (H.R. 871) would not only restore the monument as President Obama designated it, but would expand it to the 1.9 million acres tribal leaders originally sought. As of late February, the legislation has 98 cosponsors. It would also restore tribal consultation, requiring federal land managers to use tribal expertise to protect the land and cultur-

al resources. Rep. Gallego said, "No national treasure is under more threat from the Trump administration's effort to sell off priceless public lands to the highest bidder than Bears Ears National Monument. . . . It is our moral responsibility to hold these lands in trust for future generations."

The ANTIQUITIES Act would provide congressional designation, and thus protection from presidential tampering, for the 52 monuments presidents have designated since 1996.

The act would also:

- Reiterate that under existing law the presidential designations of national monuments are valid and cannot be reduced except by an act of Congress.
- Further enhance protections for presidentially designated monuments.
- Expand Bears Ears National Monument to the full 1.9 million acres tribes recommend.

(Continued on page 14)



© Jeff Foot

The BEARS Act (H.R. 871) would not only restore Bears Ears National Monument as President Obama designated it, but would expand it to the 1.9 million acres tribal leaders originally sought.

Wilderness Protected in the San Rafael Swell and Labyrinth and Desolation Canyons by the Emery County Public Land Management Act



Muddy Creek Wilderness. © Ray Bloxham/SUWA



Labyrinth Canyon Wilderness. © Ray Bloxham/SUWA



Desolation Canyon Wilderness. © Ray Bloxham/SUWA



Sids Mountain Wilderness. © Scott Braden



Mexican Mountain Wilderness. © Ray Bloxham/SUWA



Labyrinth Canyon Wilderness. © Ray Bloxham/SUWA



San Rafael Reef Wilderness. © Tom Till



Turtle Canyon Wilderness. © Ray Bloxham/SUWA

DC news

(Continued from page 11)

The bill has 84 cosponsors in the House and 24 in the Senate as of late February.

There has been no movement on the two monument bills in either chamber so far, but we will keep you up to date as they advance.

—Adrienne Carter

With PURE Act, Lee and Romney Seek to Prohibit Antiquities Act Use in Utah

After stopping the bipartisan public lands package from passing at the end of the 115th Congress because of its lack of an Antiquities Act exemption for Utah, Senator Mike Lee (R-UT) is at it again.

In January he reintroduced the Protect Utah’s Rural Economies (PURE) Act (S. 90), this time joined by Sen. Mitt Romney, Utah’s junior senator.

If the PURE Act contains anything of purity it is pure nonsense. The PURE Act would exempt Utah from the Antiquities Act—that is, no president could ever designate a national monument in Utah again. It should be noted that Lee has introduced other, similar legislation in the past—happily, to no avail.

In addition to re-introducing the PURE Act, Lee also tried and failed to add an amendment to the public lands package (S. 47) prohibiting Antiquities Act usage in Utah. Two states—Wyoming and Alaska—currently have exemptions. Senator Dan Sullivan (R-AK) is also a cosponsor of the PURE Act.

—Adrienne Carter

Committees Set in House, Senate for New Congress

As things start rolling in the 116th Congress, assignments to committees dealing with public lands—namely, the House Natural Resources Committee and the Senate Energy and Natural Resources Committee—have been set. In the House, Representative Raúl Grijalva (D-AZ) takes the chair’s gavel from now-ranking member Rob Bishop (R-UT). Freshman Representative Deb Haaland (D-NM) will step into role of vice-chairman as well as picking up the chairmanship for the National Parks, Forests, and Public Lands Subcommittee. Haaland is one of 10 freshmen on the committee.

Sen. Joe Manchin (WV) assumes the role of ranking member on the Senate committee. That is a post long held by Sen. Maria Cantwell (WA) who was superb in the role. It is thus a bit worrisome to contemplate the transition as Sen. Manchin has been known to support and vote for measures conservationists oppose.

You can find a complete list of committee members on our website at suwa.org/CommitteeMembers



canyon country updates

Good News!

Utah Trust Lands Administration Backs off Plan for New Leasing in Bears Ears

Under pressure from SUWA, the Utah School and Institutional Trust Lands Administration (SITLA) in January dropped a proposal to auction a dozen oil and gas leases on SITLA-managed lands within the original boundaries of Bears Ears National Monument.

That is very good news. In addition to being located in the original monument, the proposed leases span roughly 5,700 acres. Two were immediately adjacent to Canyonlands National Park, several more would have been visible from the popular Anticline and Needles overlooks, and some were located in the Lockhart Basin proposed wilderness area. It is noteworthy that SITLA had already received bids on four of the twelve parcels when it decided to withdraw the lands from sale and refund the high bidders’ money.

While these SITLA-managed lands contain the same irreplaceable cultural and paleontological resources that are found on adjacent federal public lands, they are not formally part of the Bears Ears

monument. We hope that SITLA will continue to defer leasing in Bears Ears until the federal litigation challenging President Trump’s unlawful attack on the monument has been resolved (see sidebar on page 16) and the agency can pursue a land exchange that trades out SITLA parcels within the monument to protect irreplaceable resources.

We argued that the proposed sale of these leases was contrary to SITLA’s mandate to manage its lands for both short- and long-term economic gain and, when necessary, to consider a land exchange which would preserve unique non-economic values (such as the cultural, paleontological, and biological resources in Bears Ears). This is precisely why President Barack Obama’s proclamation establishing Bears Ears called on the Interior Secretary to explore a land exchange with the state for all SITLA-managed lands in the monument. Unfortunately, the state refused to pursue such an exchange.

—Steve Bloch



© Ray Bloxham/SUWA

The Utah School and Institutional Trust Lands Administration has withdrawn proposed oil and gas leases in the Lockhart Basin proposed wilderness (above) within the original Bears Ears National Monument.

canyon country updates

Good News!

A Monumental Shift in San Juan County

Elections matter. San Juan County Utah has shown us the true significance of that basic civic fact.

You'll recall that in the 2018 election, Kenneth Maryboy and Willie Grayeyes were elected to the three-person San Juan County Commission after a federal judge redistricted the county. The court found that San Juan County's voting districts were racially gerrymandered and violated the federal Voting Rights Act by placing the majority of Native Americans in a single district. New, fairly-drawn districts resulted in the election of the first majority-Navajo county commission in Utah history.

Maryboy and Grayeyes ran on a pro-Bears Ears National Monument platform, and at a county commission meeting in Monticello in mid-February they moved to keep that promise, introducing and passing a pair of resolutions that mark a dramatic about-face in the county's official position on the monument.

The first resolution rescinded all prior commission resolutions opposing the establishment of Bears Ears or calling for its reduction. The second resolution directed the San Juan county attorney to end

the county's participation in the lawsuit regarding the legality of the president's attack on the monument; the county originally entered the lawsuit on the side of the Trump administration.

Two weeks later, as if to punctuate those resolutions with an exclamation point, they passed a third resolution in support of the Bears Ears Expansion and Respect for Sovereignty (BEAR) Act, a bill re-introduced in Congress by Representatives Ruben Gallego (D-AZ) and Deb Haaland (D-NM) in January. The bill would create a 1.9 million-acre Bears Ears National Monument, as was originally proposed by the Bears Ears Inter-Tribal Coalition in 2015 (see article on page 11).

Utah politicians in the state legislature, clearly dismayed by the demonstration of democracy in action down in San Juan County, quickly introduced bills requiring city and county governments to explain to the legislature their position on public lands issues before advocating for them. Nonetheless, San Juan County's official position is now supportive of a full 1.9 million-acre Bears Ears National Monument.

It bears repeating: Elections matter.

—*Mathew Gross*

What's New with the National Monuments Litigation? It's Grinding Along . . .

Our challenge to President Trump's unlawful attack on Grand Staircase-Escalante and Bears Ears national monuments continues to grind along in federal district court in Washington, DC. Recently, the court allowed the State of Utah, three Utah counties, and the American and Utah Farm Bureau Federations to participate in these cases as full parties to defend Trump's decision.

These new parties have filed additional briefs in support of the Justice Department's motions to dismiss our cases and we have responded and opposed those new filings (largely consisting of rehashed arguments). We still expect that the court will hold a hearing on the "motions to dismiss" by late spring or early summer and issue a decision shortly thereafter, though there is no schedule set for that to happen.

Fortunately, it has been a wet and snowy winter and very little has happened on the ground within the original monument boundaries over the past several months. That said, we are keeping a close eye out for new mining claims, road improvements, and other mischief.

canyon country updates



© Tom Till

SUWA spearheaded a coordinated effort last fall to gather comments on the BLM's draft plans for the unlawfully reduced Grand Staircase-Escalante National Monument.

Fighting the BLM's Deeply Flawed Grand Staircase-Escalante Planning Exercise

We strongly believe that the Bureau of Land Management (BLM) has no business writing plans for the management of Grand Staircase-Escalante National Monument until a court has ruled on the legality of President Trump's savage attempt to cut it nearly in half. Still, the agency hears voices no one else can detect and so has moved ahead, releasing its draft management plans for what remains of the monument as well as the lands stripped from it.

For the monument's sake we have no choice but to participate in the BLM's flawed planning process. SUWA spearheaded a massive coordinated effort last fall to gather comments on the draft plans. We and our partners submitted hundreds of pages of comments, supporting maps, and scientific documents.

Taken together, our materials highlight the failures of the draft plans and lay out what it will take to get them even close to compliance with the BLM's obligations to protect monument resources. Specifically, we emphasized that the draft plans:

violate the Antiquities Act, failing to protect monument objects; illegally open the excised lands to oil, gas, and coal development; allow widespread, destructive vegetation treatments throughout the monument; expand livestock grazing into sensitive lands that have not been grazed for decades; call for the expansion of motorized travel in sensitive areas, including wilderness study areas; and, arbitrarily divide pristine, ecologically-intact landscapes.

By far the best way to protect the entire planning area's resources would be to continue to manage the entire 1.9 million acres under the existing 2000 monument management plan. The BLM's present course is a multi-million-dollar boondoggle that will produce little more than a roadmap for destruction of a landscape and resources the agency has long-acknowledged deserve the highest level of protection.

The next round of the planning process will begin this spring with the release of the final environmental impact statement and plans. We will be there.

SUWA's conservation partners in this effort include The Wilderness Society, Grand Canyon Trust, Western Watersheds Project, National Wildlife Federation, Great Old Broads for Wilderness,

canyon country updates

Western Resource Advocates, Center for Biological Diversity, Defenders of Wildlife, Sierra Club, Wild Utah Project, National Parks Conservation Association, WildEarth Guardians, Yellowstone to Uintahs Connection, and the Wildlands Network.

—Kya Marienfeld

Good News!

A Win for Bighorns as BLM Pulls Helicopter Shuttle Permit

The BLM's Moab field office has withdrawn a permit to allow a private helicopter company to shuttle customers in and out of Mineral Bottom. The landing site is south of Labyrinth Canyon and north of Canyonlands National Park in the Green River corridor.

Last fall, SUWA appealed to the Interior Board of Land Appeals the BLM's decision to grant the multi-year special recreation permit. It would have authorized the company to clatter into and out of the area every week during boating season, bringing the sights, sounds, and environmental disruption of loud, regular helicopter shuttles to a backcountry airstrip within deep canyon walls that currently has no commercial air traffic.

While that traffic would have shattered human visitors' experiences of backcountry solitude, the most serious damage would have fallen on a rare population of desert bighorn sheep. The adjacent Hell Roaring, Mineral Bottom, Spring, and Tenmile Canyons are all critical lambing and rutting habitat for the important native species.

SUWA argued, among other things, that the BLM's analysis failed to consider the helicopters' impact on desert bighorns. Bolstering our argument was the excellent testimony of a bighorn sheep expert who identified specific deficiencies in the agency's environmental analysis. Bighorns are particularly sensitive to helicopter traffic, and even the occasional—but recurring—low-level overflight could drive this endemic population from its important habitat in these Green River-area canyons.

Rather than fight our appeal, the BLM decided to withdraw the permit, opting to “set aside its decision [to approve the permit] and revise its analysis.”

A trip along this desert river corridor promises quiet beauty against the soft murmur of the river. A wonderful bonus is the chance—a pretty good chance—of seeing the bighorn sheep that are emblematic of the desert landscape. The BLM's reversal is a big win for bighorn sheep and for human visitors to a still-wild Green River corridor and its quiet, surprisingly remote tributary canyons.

—Kya Marienfeld

Good News!

Court Dismisses Appeal of Settlement Re: Land Use Plans

The Tenth Circuit Court of Appeals has dismissed an appeal filed by the State of Utah and two of its counties challenging a settlement agreement between a SUWA-led coalition of conservation groups, the BLM, and several off-road vehicle (ORV) groups. The agreement ended nearly a decade of litigation over six of the agency's 2008 Bush-era resource management and off-road vehicle travel plans.

In a brief opinion issued late last fall, the court ruled that the appeals were not “ripe” for adjudication.

The settlement agreement requires the BLM to prepare 13 new travel management plans across six million acres of public lands in southern and eastern Utah over the next eight years, beginning in 2019 and running through 2026. The agency's new plans must minimize the impacts of ORV trail designations on a number of specified resources, including cultural resources and lands with wilderness character. You'll be hearing a lot more over the next few years from us as the BLM moves ahead with these new travel plans, starting this summer with plans in the Henry Mountains/Dirty Devil and San Rafael Desert.

The settlement agreement also directs the BLM to consider designating several new “areas of critical environmental concern” and to update certain protocols and studies related to air pollution in the Uinta Basin.

Judge Dale A. Kimball, a federal district judge sitting in Salt Lake City, initially reviewed and approved the agreement. His order said the agree-

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ment “is a fair and lawful resolution of years of litigation” and is consistent with applicable federal law.

Representing the coalition of conservation groups in this case were attorneys from SUWA, Earthjustice, and the law firm of Waltzer, Wiygul and Garside.

—Steve Bloch

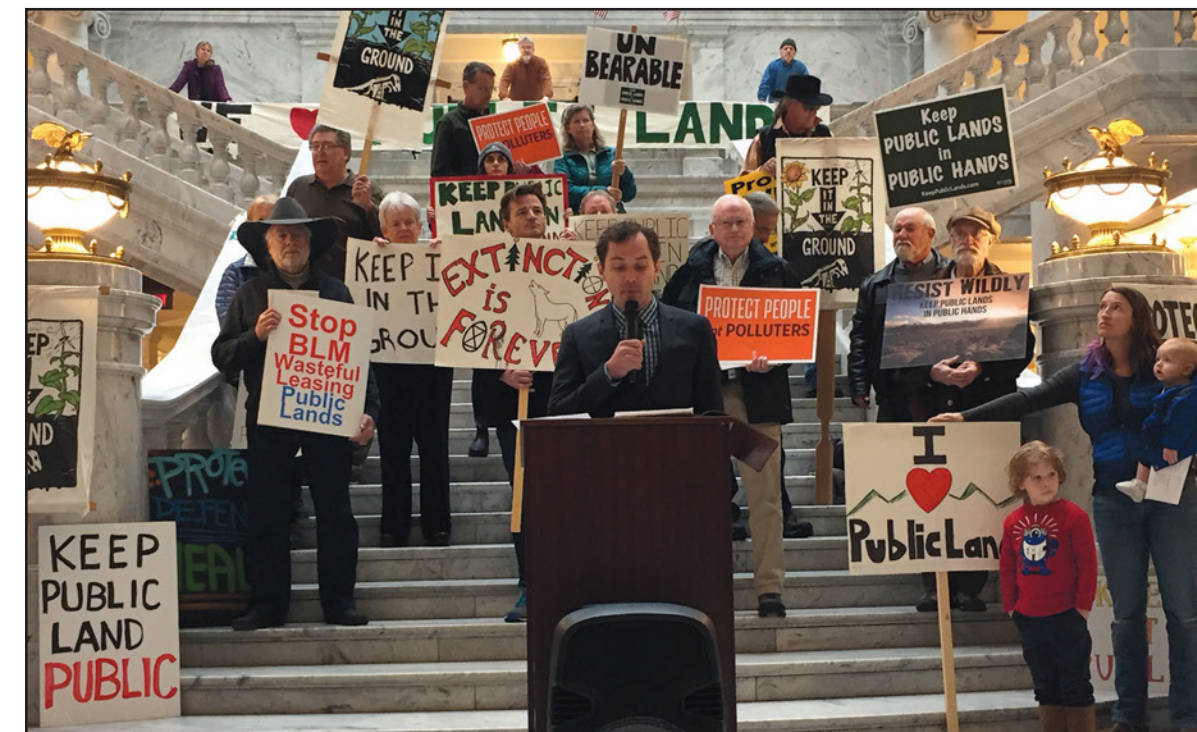
BLM Dresses Bad Leasing Decisions as “Reforms”

As we pass the midpoint of the Trump administration's term in office there are significant changes afoot in the BLM's approach to oil and gas leasing across Utah's redrock wilderness. The changes that were put into place in January 2018 by then-Secretary Zinke and continued under Acting Secretary David Bernhardt have resulted in a seven-fold increase in the number of oil and gas leases offered for development in Utah compared to a similar timeframe under the Obama administration.

No one should be surprised. Zinke pandered openly to his powerful oil and gas friends before resigning in ignominy, the subject of at least 15 ethics investigations. Bernhardt is his predictable successor, most unhappily known as the principle architect of the Bush administration's “lease everything, lease everywhere” oil and gas policies of the 2000s.

The BLM has labeled the dramatic leasing program changes “reforms,” but they were expressly crafted to advance the Trump administration's “energy dominance” agenda and seek to achieve that ill-conceived objective by severely restricting (or eliminating) opportunities for public engagement in the BLM's leasing decisions. They also require the agency to quickly sell off as much public land as possible for energy development while simultaneously limiting the scope and depth of its analyses of potential environmental impacts.

The BLM in Utah zealously promotes this pillage. Since March 2018, the Monticello field office has piecemealed its leasing decisions in southeast San Juan County, Utah without providing the legally-required level of public involvement or fully analyzing



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On the same day the BLM conducted its December oil and gas lease sale, activists protested at the Utah State Capitol during a press conference SUWA and its allies organized. SUWA attorney Landon Newell took to the podium to denounce the Trump administration's reckless approach to leasing and development on Utah's public lands.

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environmental and public health impacts. This has resulted in the sale of leases on more than 112,000 acres of public lands on the doorsteps of Bears Ears, Canyons of the Ancients, and Hovenweep national monuments—some of the most culturally and archaeologically rich lands in the country.

Stay tuned for updates.

—Landon Newell

Good News!

Agreement Reached on Cosmic Array Expansion

We’d like to extend our thanks to the University of Utah’s Department of Physics for working with us to address a number of concerns regarding impacts from its cosmic ray research site expansion in Utah’s West Desert.

Established in 2006, the research site is on public land near Delta, UT. The Telescope Array Cosmic Ray Project, as the university explains it, is a “multi-national experiment enabling the international

astrophysics community . . . to better understand the nature and origin of cosmic rays” and in turn further our collective understanding of the universe. In simplified terms, the project uses a grid pattern of surface detectors to monitor ultra-high-energy cosmic rays as they pass through the atmosphere and reach the Earth’s surface. The expansion will quadruple the project’s scale and add 553 additional detectors. The BLM’s Fillmore field office recently approved the project.

Through meetings and a site visit with university research staff, we were able to reach an agreement that allows for an expansion of the existing array site and ensures protection of wilderness values. The agreement changes the location of certain detectors and communication towers and prohibits the cross-country use of ATVs to access detector locations in the Crater Bench proposed wilderness unit.

It’s always refreshing when a project proponent is willing to sit down and work through concerns. We’re happy to see the university expand its research facilities in a way that is sensitive to environmental impacts.

—Neal Clark

RS 2477 Bellwether Trial Postponed Due to Government Shutdown

The RS 2477 “bellwether” case testing 15 claimed rights-of-way in Kane County, scheduled for trial in the first two weeks of February, was postponed due to the federal government shutdown. The matter has been rescheduled for August 12-23 in the federal district court in Salt Lake City.

The bellwether case, a sort of test run, is designed to identify, clarify, and help resolve many unanswered questions that have arisen in the sweeping Revised Statute (RS) 2477 litigation that Utah and many of its counties filed between 2010 and 2012 to claim thousands of miles of rights-of-way across public lands. Though this bellwether round will unfold in federal district court, all parties expect that the appellate courts will have the final say in this hotly contested and long-running litigation.

The state’s effort to preserve the testimony of aged witnesses in what are called “preservation depositions” in other RS 2477 cases was also postponed due to the shutdown. As a result, between the beginning of March and end of August, 2019 the state is planning to depose 60 witnesses across seven counties. The depositions often require considerable travel time and the deposition of each witness can consume up to eight hours. We are fortunate to have a hard-working internal team of lawyers and many outside attorneys helping us cover this significant workload.

inside SUWA

Wildlands Attorney Luke Henry Moves On



Luke Henry with Doug the rez dog.

Earlier this year, SUWA said goodbye to Wildlands Attorney Luke Henry (and his two dogs Doug and Li'l). Luke was based in our Salt Lake City office since 2016 and we thank him most sincerely for all his work and insights. He has taken a position with the Salt Lake Legal Defenders Association, where he will find himself in court most days representing clients who otherwise cannot afford legal representation. He will serve them well.

Luke monitored Bureau of Land Management (BLM) project proposals in multiple field offices throughout the state, and spearheaded SUWA’s work to challenge BLM vegetation removal projects in Utah’s West Desert. When it came to justifying these projects, the agency usually offered its time-tattered version of “No need to look in the trunk, officer; there’s nothin’ to see.” Luke looked—closely. His peek into the bureaucratic trunk cast much-needed light on the BLM’s use of chaining to destroy pinyon and juniper habitat. He successfully challenged the agency’s repeated attempts to avoid environmental analysis in approving these destructive projects.

Luke shouldered the task of modernizing and standardizing SUWA’s fieldwork technology, as well as supervising a long-overdue update of our off-road

vehicle route inventory data throughout eastern and southern Utah. The organization will benefit from this work for years to come.

Luke is always willing to challenge assumptions and to consider different approaches, orthodoxy notwithstanding. He helped ensure that SUWA approached issues strategically and effectively. He brought a sharp focus to the work and his participation always improved results.

Saying “so long” is a bit easier when we consider that Luke’s new work is very important and worthy. We wish him the best of luck in it.

SUWA Thanks DC Intern Jayd Alvarez

Fall 2018 was a wild ride in Washington, DC, and we are so thankful to have had Jayd Alvarez, intern extraordinaire, in our offices near Capitol Hill. Jayd hails from Rochester, NY and attended Binghamton University (SUNY), graduating with a degree in Environmental Studies with a focus on public policy. In her time with us, she attended meetings with members of Congress, sat through committee hearings, and helped deliver hundreds of dinosaur puppets as a part of the push for a better Emery County Public Land Management Act.

(Continued next page)



Jayd shows Rep. Curtis and Sen. Hatch how much she’s wild for Utah.

inside SUWA

Jayd also worked tirelessly at the premier in DC of the brand new SUWA film, manning the table to ensure that everyone attending signed a postcard to their representatives to support protecting the redrock. We are sad to have to say goodbye, but hope to see her again either walking the halls of Congress or out in the San Rafael Swell.

Best of Luck to Grassroots Intern Josee Stetich

Westminster College student Josee Stetich completed her three-month internship with SUWA’s organizing team in December and she may have taught as much as she learned. Josee tackled our usual range of intern duties—from delivering Protect Wild Utah lawn signs to a constant stream of data entry—without a hitch. She spent the majority of her time with us spearheading an exciting project that gave voice to young womxn on the Emery County wilderness bill (see sidebar on page 9).

Reflecting on her internship, the Bountiful, Utah native said, “I came to SUWA not knowing what to expect, just excited to work with one of my favorite



We thank Josee for her great work last fall and winter.

local nonprofits. I am especially grateful for the opportunity to put together the Young Womxn for the San Rafael Swell event because it challenged my abilities as a leader and put me in contact with an incredible network of people.”

Josee is graduating with a degree in environmental science in May. We wish her the best and thank her for all her help.

Make a Long-Term Investment in Utah Wilderness

Join Our Monthly Giving Program

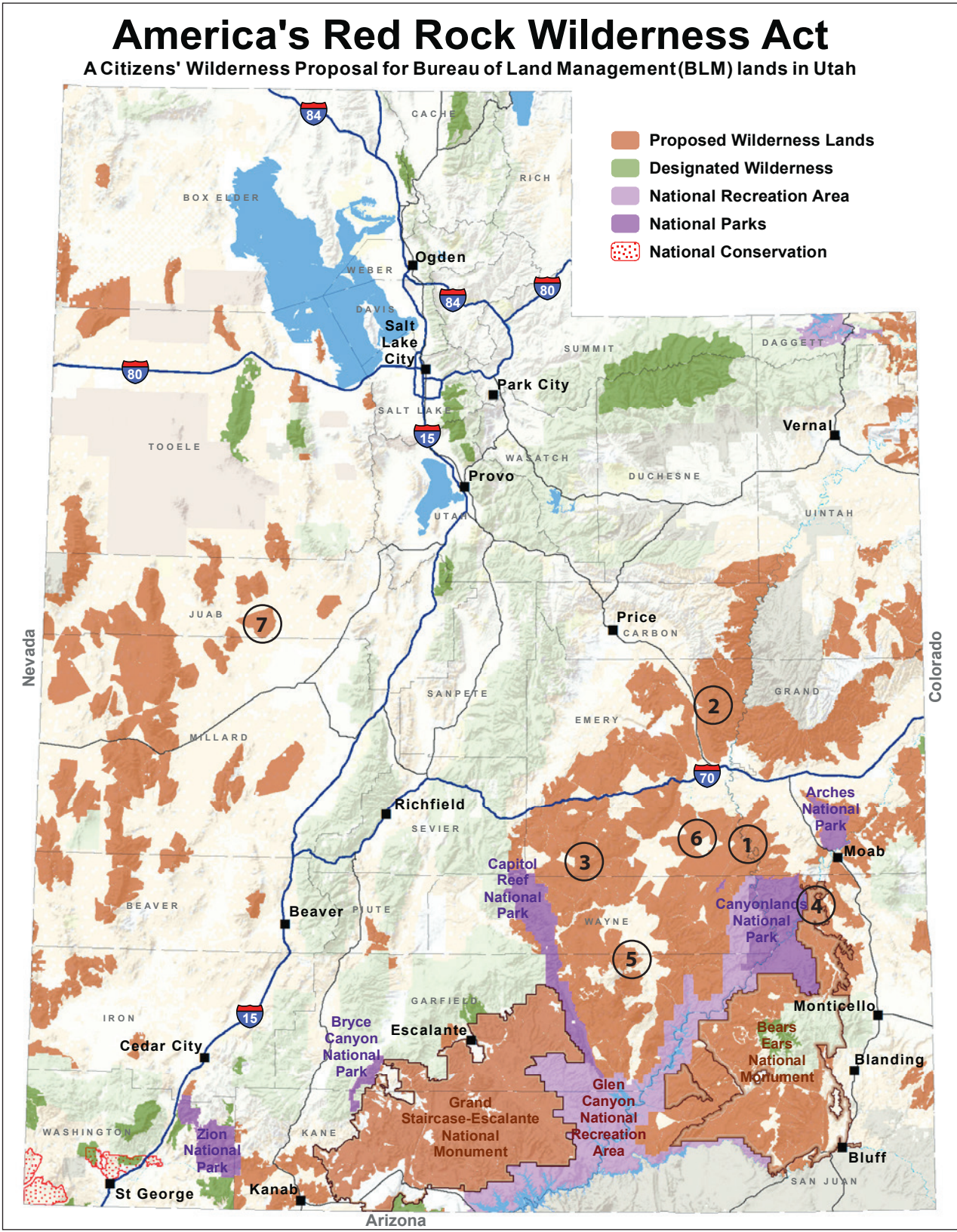
If you’re looking for a convenient, hassle-free way to help SUWA over the long term, our monthly giving program is for you. Monthly giving is easy and secure, and provides us with reliable, year-round funding to fight current and future attacks on Utah wilderness. To sign up, use the enclosed envelope or go to suwa.org/donate, select a monthly amount, and check the recurring donation box.

Leave a Legacy 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 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 Michelle Martineau at (801) 236-3763 or visit suwa.org/plannedgiving.



Reference Map for Articles in this Issue

- | | | |
|----------------------------|----------------------------------|------------------------|
| ① Labyrinth Canyon (p. 6) | ④ Lockhart Basin (p. 15) | ⑦ Crater Bench (p. 20) |
| ② Desolation Canyon (p. 6) | ⑤ Henry Mtns/Dirty Devil (p. 18) | |
| ③ Muddy Creek (p. 6) | ⑥ San Rafael Desert (p. 18) | |



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Service Program volunteers in the San Rafael Swell.

(Re)Claim Your Wilderness in 2019

What happens when new wilderness areas are designated? Boundaries are set. Signs posted. Old routes, trails, and campsites are reclaimed. Preservation begins with a program of site-specific strategies designed to stabilize the land in its natural condition, or to restore degradation through stewardship.

The passage of the Emery County Public Land Management Act (see page 6) provides a rare opportunity and a rare challenge. Tireless hard work produced a good wilderness bill. Keeping these places wild will take similar hard work and a long-term commitment. We are stewards poised to participate in the direct management of this wilderness, our commons. What can we do to best manage these unique resources in perpetuity?

This is where SUWA's Service Program comes in: boots and eyes on the ground, tools and tech in hand. Our service project (Field Volunteers) and monitoring (Wilderness Stewards) divisions will be there for as long as it takes—hiking and monitoring boundaries, reporting what we find, and actively reclaiming impacts to the land.

Please join us in the field in 2019 as we continue our work to ensure that Utah's redrock wilderness is provided the protection it deserves. Visit suwa.org/projectcalendar for project descriptions and dates or contact volunteer@suwa.org to learn more.