

The Newsletter of the Southern Utah Wilderness Alliance Volume 35, Number 2 • Summer 2018

A Not-So-Swell Public Lands Bill for Utah's Emery County *Cover Photo:* The San Rafael River proposed wilderness area was left entirely unprotected in a public lands bill for Emery County introduced by Rep. John Curtis and Sen. Orrin Hatch. Photo copyright Ray Bloxham/SUWA.

### Staff

Steve Bloch, Legal Director Ray Bloxham, Wildlands Field Director Adrienne Carter, Legislative Advocate Neal Clark, Wildlands Director/House Counsel Clayton Daughenbaugh, Midwest Field Organizer Karin Duncker, Development Director Michelle Martineau, Administrative Director Maddie Hayes, Membership Coordinator Scott Groene, Executive Director Mathew Gross, Media Director Travis Hammill, Eastern Grassroots Organizer Luke Henry, Wildlands Attorney Olivia Juarez, Latinx Community Organizer **Diane Kelly**, Communications Specialist Jeremy Lynch, Service Program Director Kya Marienfeld, Wildlands Attorney Terri Martin, Western Regional Organizer Creed Murdock, GIS Analyst Landon Newell, Staff Attorney Dave Pacheco, Utah Grassroots Organizer Laura Peterson, Staff Attorney Gina Riggs, Administrative Associate Jen Ujifusa, Legislative Director Michelle White, Project Attorney

#### Offices

*Main Office* 425 East 100 South Salt Lake City, UT 84111 (801) 486-3161 *Washington, DC* 122 C Street NW Suite 240 Washington, DC 20001 (202) 546-2215

### Moab

P.O. Box 968 Moab, UT 84532 (435) 259-5440



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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Email: info@suwa.org Website: www.suwa.org

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Newsletter design by Leslie Scopes Anderson.

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

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### wilderness notes



# Bears Ears, Hope, and History

In April, SUWA's executive director Scott Groene and I were incredibly fortunate to join a group hiking into the heart of the Bears Ears National Monument that President Barack Obama proclaimed as he wrapped up his presidency in 2016. For the better part of a week we explored the spectacular canyons and archaeological wonders of Cedar Mesa. Vaughn Hadenfeldt, noted guide and Friends of Cedar Mesa board president, led our day hikes; at night we gathered around a campfire with longtime Utah wilderness supporters including Bill Hedden, Hansjoerg Wyss and Mark Udall.

Inevitably, much of our conversation focused on the perfidy of President Trump, Interior Secretary Ryan Zinke, and Utah's congressional delegation, co-conspirators in the evisceration of Bears Ears. Little of the splendid country we saw remains part of the monument. Zinke and Trump reduced its size by 85 percent.

For me, it was a week that did two things: it stoked my outrage at the current state of affairs for public lands and it reminded me of better times and the need to keep things in historical perspective.

My first taste of redrock country came in the early 1990s when I started covering public lands as a *Washington Post* reporter. My reporting trips to Utah often involved education at the hands of Scott Groene (who at the moment is enjoying a well-deserved sabbatical with his family in Africa). As President George H.W. Bush's presidency ended and Bill Clinton's began, an energized land conservation community welcomed what many believed could be a new era. There was plenty of heady talk of a "new West," one where a conservation ethic would replace decades of dominance by the "lords of yesterday"—western scholar Charles Wilkinson's memorable description of the ranchers, loggers, and miners who had driven public land management for a century.

Parts of that hopeful vision became reality. The amount of timber cut today on our national forests stands at only about a quarter of what it was under the first president Bush. Clinton, under the guidance of Interior Secretary Bruce Babbitt, designated 20 national monuments. One of them is Grand Staircase-Escalante in Utah. Other reforms, including public lands grazing, fell short. Some, such as mining reform, went nowhere. And many western politicians, particularly in Utah, remain wholly-owned subsidiaries of the rapacious Lords of Yesterday.

Around our April campfires on Cedar Mesa, I thought about the arc of public lands history during my lifetime. I was 16 years old and a congressional page when Congress enacted the Wilderness Act in 1964. Only one House member and twelve senators voted against it. Even Utah Sen. Frank Moss, a Democrat, voted for the bill. That was a time when the West sent notable conservationists to Washington: Lee Metcalf and Mike Mansfield of Montana, Frank Church of Idaho. Echoes of that conservation ethic reverberated into the 1980s. Rep. Wayne Owens of Utah introduced the first version of a redrock wilderness bill. He would later serve as SUWA's board chair.

How different it is today. As Bruce Babbitt told me back in 1993, "The historical lesson is there is no permanent equilibrium." If that lesson was a painful reality at the end of the Obama administration, today it is both beacon and challenge for all of us who love the redrock. Change is possible. But we shall have to work even harder to move that needle back to where it belongs.

For the Redrock,

Tom Kenworthy SUWA Board Chair

# Emery County Public Lands Bill Is Short on Wilderness, Long on Land Grabs

tah Rep. John Curtis and Sen. Orrin Hatch have introduced the Emery County Public Land Management Act of 2018 (H.R. 5727/S. 2809), legislation that would affect beloved southern Utah landscapes such as the San Rafael Swell and Labyrinth and Desolation Canyons.

The region includes nearly 1.4 million acres of land that richly deserves the wilderness designation that America's Red Rock Wilderness Act would protect. It contains one of the largest, most intact, and still-unprotected blocks of wild public lands remaining in southern Utah. While the public lands within Emery County have been the subject of proposed legislation for the past 50 years, that legislation has never risen to a level worthy of these world-renowned landscapes. Unfortunately, what Hatch and Curtis have proposed is no exception.

Simply stated, there is little or no conservation gain in the legislation. It wouldn't close a single off-road vehicle route, and it wouldn't close any wild places to the threat of leasing. We understand that a goal of the bill is, in fact, precisely to prevent future conservation gains.

### How Did We Get Here?

SUWA has worked to protect the San Rafael Swell, Labyrinth Canyon, and Desolation Canyon for 35 years. We've met with officials from Emery County countless times seeking common ground. Our work has also included litigation over motorized vehicle abuse, oil and gas leasing, and legislative fights to ensure that bad public lands bills never become law.

When Congress passed legislation in 2009 that included protections for wilderness and National

© Ray Bloxham/SUWA

Among the many fatal flaws of the current Emery County Public Land Management Act, Eagle Canyon proposed wilderness (pictured above) receives no protection.



Conservation Area (NCA) designations in Washington County, Utah, it seemed to us a propitious time to explore similar solutions in other counties. So SUWA, on behalf of the Utah Wilderness Coalition, approached the Emery County commissioners and agreed to split the cost of a neutral facilitator in the hope of reaching compromise on a public lands bill for the county.

A handful of their constituents bridled. The commissioners folded and reneged on the agreement. It became clear that our continued participation was a poor use of our time and resources. So we withdrew from a process that had become increasingly internal—commissioners talking to locals and to no one else. We told them to let us know when they had hammered out their proposal and that we remained committed to re-engaging and trying to reach an agreement. The county never re-engaged.

When this latest legislative effort for Emery County began, SUWA submitted a serious, good-faith com-

promise proposal. It would have removed significant acreages of land long proposed for wilderness designation in America's Red Rock Wilderness Act, either outright or for a less-protective NCA designation. The county largely ignored our proposal.

The Utah congressional delegation refused to meaningfully negotiate areas, boundaries, or management language before it introduced the bill in May. While we continue to try to work with Curtis's and Hatch's offices, so far the legislation has strayed little from what Emery County proposed in the first place. *Make no mistake*, the bill that you see today represents a one-sided county proposal propped up by the Utah congressional delegation. It does not reflect any serious "stakeholder process" or negotiation with the organizations working on the ground to ensure protection of these public land treasures.

### Opportunity Exists ...

While efforts to develop meaningful wilderness legislation for public lands within Emery County have (Continued on page 8)

# Less Than Meets the Eye

At first blush the Emery County bill's wilderness and National Conservation Area acreages may seem impressive, but it doesn't withstand even minimal scrutiny. This shortsighted legislation:

- Designates less BLM wilderness than is now protected as Wilderness Study Areas or Natural Areas.
- Wholly fails to protect remarkable and critical intact wild landscapes as wilderness; exacerbates motorized vehicle abuse by effectively enshrining an illegal travel plan and opening now-closed motorized routes.
- Exempts motorized travel from conservation area and wilderness management.

• Includes unprecedented giveaways to Utah in the form of cooperative management and public-purpose conveyances, handing over control of the southern San Rafael Reef—including areas such as Chute and Crack Canyons—to the state (the state would then most likely charge the public for visiting their public lands, with proceeds going to the state or Emery County).

• Removes existing WSA protection to facilitate coal mining.

• Allows the State of Utah to continue its federal court litigation seeking highway rights-of-way through newly-designated wilderness, instead of resolving RS 2477 issues.

• Authorizes a land exchange that fails to identify federal parcels that will be traded, fails to ensure protection of wilderness-quality lands and now-rescinded national monuments, and fails to require consultation with Native American tribes.

### f e a t u r e s



#### f e a t u r e s

failed in the past, and while we have thus far seen little willingness to make the changes necessary to address our concerns, SUWA remains committed to the goal of protecting these remarkable wilderness-quality lands in perpetuity for the benefit of all Americans. But genuine protection, and thus SUWA's support, will require major changes to the bill as introduced—changes in both legislative language and the boundaries of conservation designations. Of the utmost importance, the bill cannot enshrine motorized vehicle use as it now proposes, and must protect the entirety of the Muddy Creek region, Labyrinth Canyon, and the San Rafael Badlands. Here's what we'd need to call this a good bill.

### Motorized Vehicle Use

The Emery County bill takes the dangerous and unprecedented approach of excluding (i.e., "cherry-stemming") all motorized routes and trails from the NCA and wilderness areas, listing them as "Cherry Stemmed Routes" on the legislative map. That effectively ensures that routes in an illegal travel plan will remain open in perpetuity, and drastically undermines a January 2017 settlement between conservationists, the Trump administration, and off-road vehicle advocates. The settlement requires the Bureau of Land Management (BLM) to produce new motorized vehicle travel plans for the San Rafael area that consider impacts to natural and cultural resources.

Furthermore, the Hatch-Curtis legislation creates a bizarre and difficult management situation for the

BLM. The agency would have to manage motorized travel without consideration of, or consistency with, the underlying purposes of the NCA and wilderness designations. This egregious road grab makes a mockery of the so-called wilderness and NCAs in the legislation; if it's not fixed, the bill is a non-starter.

### Muddy Creek Wilderness

The Muddy Creek landscape represents every landform found in the San Rafael region: 200 million years of geologic history from the Permian Coconino Sandstone to Tertiary igneous intrusions folded and carved into towering mesas, sweeping badlands, impassable reefs, slickrock domes and canyons, and black walls of desert varnish. Reaching from the interior of the Swell to the northeast corner of Capitol Reef National Park, Muddy Creek is the second largest block of undeveloped BLM land in Utah, so you'd think its inclusion in a good wilderness bill would be a no-brainer. But this, to repeat, is not even close to a good wilderness bill.

The Emery County bill fails to protect the majority of this wild landscape. Of the 239,000-acre Muddy Creek proposed wilderness—all of which the BLM agrees qualifies as wilderness—the legislation only designates the 30,500-acre Muddy Creek Wilderness Study Area and 8,700 acres of the Muddy Creek Natural Area as wilderness. Even the proposed NCA for this area arbitrarily stops at the southern boundary of Emery County, ignoring the contiguous, wilderness landscape that continues into Wayne County. To give the Muddy Creek region

# Inadvertent Candor Reveals Truth Behind Road Claims

We've long argued that county and state RS 2477 road claims have nothing to do with transportation needs and everything do with frustrating wilderness designation. Now, Emery County is confirming it. At a recent Emery County Public Lands Council meeting, a self-identified member of that body said this:

"I understand the pros and cons of shutting a road down, I understand the pros, but from my stance, I feel very strongly that the county should never allow another road to be closed, because that allows wilderness characteristics for this—these other [environmental] groups that you just mentioned to come in and make it bigger. And so every road you put—that's the only thing we've got left. You know, the drill holes are pretty well erased now, the only thing we've got to keep that out of wilderness is our roads."



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The majority of the Muddy Creek proposed wilderness, the second largest block of undeveloped BLM land in Utah, does not receive wilderness designation in the proposed Emery County legislation.

the lasting preservation it deserves, the legislation must designate all 239,000 qualifying acres as wilderness. Nothing less will ensure that this wilderness treasure is preserved in its entirety without the intrusion of habitat-fragmenting off-road vehicle routes.

### Labyrinth Canyon Wilderness

This world-class stretch of flat water on the Green River is unbroken by rapids or falls on its 50-mile journey from Red Wash near Trin-Alcove Bend to Canyonlands National Park. Labyrinth offers spectacular opportunities for quiet recreation and sightseeing, provides critical wildlife and plant habitat, and contains a wealth of prehistoric cultural resources. The Emery County bill proposes to protect a tiny portion of the western side of Labyrinth Canyon as designated wilderness, but fails to protect most of the Emery County side of the canyon and, absurdly, envisions no protection at all for the opposite side. Why? It falls in Grand County, never mind that intact ecosystems have no regard for the boundaries of county fiefdoms.

To protect the unparalleled solitude of Labyrinth Canyon for our children and theirs, the legislation

must include an additional 138,000 acres of designated wilderness in the canyon—76,000 acres in Emery County, 62,000 in Grand County. In addition, the bill must designate as wilderness the western portion which the Emery County measure now proposes as an NCA. Such a wilderness designation will ensure that the entirety of Labyrinth Canyon and its side canyons are protected within both Emery and Grand Counties—from Red Wash down to Canyonlands.

### San Rafael Badlands NCA

The San Rafael Badlands area constitutes the western reach of the San Rafael Swell. It holds a diversity of landscapes rich in cultural resources, scenic vistas, and geologic wonders, encompassing such places as Molen Reef, Eagle Canyon, Rock Canyon, Cedar Mountain, and the Mussentuchit Badlands (pronounced "mustn't touch it"). This rugged landscape is studded with mesas, buttes, and igneous intrusions painted in a brilliant kaleidoscope of desert colors.

In its present form, the Emery County bill fails to protect any of the sensitive landscapes of these badlands. To truly protect this remote and rugged



© Ray Bloxham/SUWA

The Emery County bill fails to protect most of the Emery County side of Labyrinth Canyon as wilderness and envisions no protection at all for the Grand County side, an integral part of the canyon ecosystem.



A good compromise bill for Emery County would include a San Rafael Badlands NCA focused on protecting the rugged beauty, geologic wonders, and numerous cultural sites of this unique area.

cultural and natural treasure, the legislation must designate a 158,000-acre San Rafael Badlands NCA in a stand-alone legislative section with explicit language "to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the cultural, ecological, wildlife, natural, scenic, educational, and scientific resources" of the NCA. A withdrawal from mineral leasing is essential, too; nothing short of that will ensure that this remote, culturally-rich landscape is safe from future oil and gas leasing. Leasing is a continual threat in this region even though its energy resources are considered of low potential.

### ... But History Most Likely Repeats Itself

All of these failings are mortal by themselves, but they are not alone. The legislation is laden with other highly objectionable provisions involving state management of high-value public land, state-federal land exchanges, release of a wilderness study area to permit coal mining, and state road claims (see sidebar, p.6). Before the bill can gain conservationists' support, it must cure these deficiencies.

If lessons from the past are any indication, the Emery County bill will meet the fate of all other bad public lands proposals for the San Rafael Swell-either dving in a congressional fight or withering on the vine. It will take significant leadership from the Utah delegation, and significant compromise by Emery County officials, to make this legislation worthy of the landscapes it would affect. So far, we've seen no willingness to make the changes necessary to garner our support or the leadership necessary to push Emery County to the negotiating table. If that remains the case, as it likely will, we will do everything in our power to ensure that this bill never becomes law. With your help, this county-driven, one-sided legislation will meet the fate of so many terrible Emery County bills before.

-Jen Ujifusa and Neal Clark

# The County's Way or No Way at All

The House Natural Resources Committee's Federal Lands Subcommittee held a hearing on the Emery County bill in June. Utah Rep. John Curtis and a former Emery County commissioner lavished praise on the "thorough" stakeholder process that produced the bill. They gushed that all sides and perspectives were considered and that this legislation is a model for how a public lands bill should be developed. There was an impressive amount of mutual back-patting, even by congressional standards.

One simple fact puts the lie to those fawning claims: no conservation witness was even invited to testify against the bill.

A first rule in sustaining misrepresentations is to keep the story straight. That didn't happen here. Curtis's district director Lorie Fowlke told the *Deseret News* "We will pull the bill if it's not county-driven." Why then does Rep. Curtis bother to pretend to have relied upon an inclusive process? It's atmospherics, and a much a better look than the truth. The truth is it's an abject capitulation to the demands of a small group of Emery County officials. They wrote it without serious negotiations with the environmental community. And it came with the delegation's promise that the county can veto the bill at any time

We owe considerable thanks to our Red Rock champion, Rep. Alan Lowenthal. He asked tough questions at the hearing about the county's demand to keep all off-road vehicle routes open in conservation areas and to undermine a 2017 settlement agreement that will affect those routes. Emery County officials may have had their hearing, but the many groups that oppose the legislation, the rest of the citizens of Utah, and, really, all the Americans who own these public lands, have yet to get their say.

# DC news

# Utah Delegation Keeps Busy Attacking Public Lands

Even as SUWA's DC staff focuses most of its time and energy on wilderness legislation for public lands in Emery County, the congressional majority party continues to attack public lands, forcing us to fight on other fronts. The Utah delegation is up to its eyeballs in the deadly mischief.

Most of these bills deal with oil and gas activity on our public lands and the relentless stripping away of any sort of environmental safeguards. A House Resources subcommittee recently considered four of them. Utah Rep. John Curtis owns one of the uglier ones. He would impose fees on lease sale protests: if you want a voice in energy-related decisions for your public lands, it'll cost you. Curtis would authorize additional categorical exclusions, sweeping "fits-all" declarations meant to evade site-specific environmental analyses.

Dennis Willis of Price, Utah was in Washington, DC to testify on the energy giveaways. A retired 35-year veteran of the BLM, Willis described them perfectly. "These bills are a pure gift to the oil and gas industry," he said, "an expensive gift benefiting one industry at the expense of public lands and resources and detrimental to people who live with and care about their public land heritage." That, of course, is pretty much their only purpose.

Curtis cooked up another doozy with the acronym of SPEED (Streamlining Permitting Efficiencies in Energy Development Act, H.B. 6088). And it is every bit as bad as it sounds. SPEED still kills—in this case, wildness, wildlife, and public health. SUWA attorney Landon Newell counted the ways in a letter to the subcommittee setting out our deep concerns and our strong opposition to the bill in its current form. Chief among these concerns is the fact that the bill would give Big Oil pretty much a free hand on our public lands and relegate the BLM to a merely advisory role. It also seeks to open new loopholes to allow the industry to end-run federal environmental laws.

Despite vehement opposition from the panel's Democratic members, the bill passed committee on a 21-18 party-line vote. Not all bad news is energy related, though. A few years ago, we made appreciable conservation gains with the Washington County wilderness bill. Those gains were too much for Utah Rep. Chris Stewart. His bill to put a highway through the Red Cliffs Desert Reserve (important habitat for the federally threatened Mojave Desert Tortoise) sailed through the committee on a party-line vote.

Though the chances of these bills progressing in an election year are slim, SUWA will monitor their progress and stand ready to fight should they gain any traction in the coming weeks.

*—Adrienne Carter* 

### Good News! Congressional Support for ARRWA Continues to Grow

Support for America's Red Rock Wilderness Act (ARRWA) continues to grow in Congress. As of early July, the bill has 117 cosponsors in the House of Representatives and 24 in the Senate. ARRWA support has surpassed that of last Congress, during which the bill had 111 House cosponsors and 20 in the Senate.

These cosponsorships matter. When the bill becomes law, not only would ARRWA protect much of the land area in the original Bears Ears and Grand Staircase-Escalante National Monuments as wilderness, it would also protect all 1.5 million acres of deserving lands we are fighting to protect in Emery County (see feature story, p. 5). Beyond that, ARRWA's congressional sponsors remain our staunchest allies in fending off threats aimed at wild Utah.

While we have remarkable congressional support already—over a quarter of the House and nearly a quarter of the Senate—there are still members who haven't cosponsored the bill. Visit **suwa.org/arrwa** and click on the link at the bottom left to ask your senators and representative to become cosponsors. You can find the full list of cosponsors at **suwa.org/ cosponsors**. Thank you!

*—Adrienne Carter* 

# canyon country updates

# Threats Increase as Bears Ears, Grand Staircase Remain in Limbo

More than seven months have passed since President Trump took the unprecedented step of ordering the dismantlement of both Grand Staircase-Escalante and Bears Ears National Monuments.

SUWA responded quickly. With our partners, including Earthjustice and NRDC, we immediately challenged those decisions in federal district court in Washington, DC. So did others. A coalition of Native American tribes sued in defense of Bears Ears, as did a separate coalition of conservation and business groups. Another coalition of groups brought suit to defend the Grand Staircase-Escalante. Altogether, there are five lawsuits pending against Trump's unlawful actions.

Shortly after the cases were filed the United States asked the judge to transfer them from Washington to Salt Lake City. That motion is still pending and the judge has stayed further proceedings until she rules on it. A decision could come down any day. Trump's minions are not waiting around. The Bureau of Land Management (BLM) is racing ahead to prepare new land management plans for the roughly 900,000 acres cut out of Grand Staircase-Escalante, as well as for the five smaller monuments Trump created from the remnants of the original Grand Staircase and Bears Ears. The plans are scheduled to be completed by early 2019.

The BLM is designing those plans specifically to weaken protection for the little that remains of the monuments—including the very objects that Presidents Clinton and Obama enumerated for protection in their establishing proclamations.

### **Silencing Public Voices**

In stark contrast to the public hearings held across the country in the late 1990s for the Grand Staircase-Escalante management plan, Trump's BLM is holding meetings only in southern Utah counties—and imposing abbreviated comment periods into the bargain.



© Ray Bloxham/SUWA

Nearly half of the original Grand Staircase-Escalante National Monument remains unprotected while lawsuits pend.

#### canyon country updates

Commodity types aren't waiting for the cases to be decided, either. We've seen a recent uptick in new mining claims on the public lands Trump seeks to exclude from the two monuments, as well as a few proposals to actually mine. We also fully expect that the BLM will try later this year to offer new oil and gas leases within the original Bears Ears boundaries. As we all knew, and the *New York Times* confirmed this spring, oil, gas and mining interests were very much in the Trump administration's mind—if not actually in charge—as the president carried out his savage attack on the monuments. We are seeing that borne out on the ground. Think of it, perhaps, as payday for pillagers.

Finally, and perhaps most disconcerting, is the palpable change in the backcountry. County officials are becoming increasingly brazen about flouting road closures established in the Grand Staircase-Escalante management plan (closures that remain in effect today, at least until changed by Trump's new plans). Examples of illegal off-road vehicle use are more frequent in both monuments, and there is confusion amongst the public about where they can and cannot (or should not) go. At best, the BLM is turning a blind eye towards these problems; at worst, the agency is complicit in exacerbating them.

Much rides on our and our colleagues' success. Stay tuned—it's going to be a wild ride.

-Steve Bloch

# Take Action to Protect YOUR National Monuments!

When Trump gutted Grand Staircase-Escalante and Bears Ears National Monuments, he removed protections from over two million acres of land. In response, SUWA launched "Monument Watch," an eyes-on-the-ground campaign to identify and fight any illegal activity. But we need your help to keep the monuments safe!

With the vigilance of SUWA members and supporters, we can ensure that no destructive projects take place within either monument—as originally proclaimed—until we win our lawsuits and restore the integrity of these landscapes. This summer and fall, if you're visiting areas within the boundaries of the original monuments, please help us monitor on-the-ground conditions. You can submit information via email or through a mobile app the SUWA team has developed. For more information, please visit **suwa.org/monumentwatch**.



Valley of the Gods in the original Bears Ears National Monument.

© Todd Abbotts

# SUWA Appeals to Utah Supreme Court Over Closed-Door Monument Meetings

Last fall SUWA filed lawsuits against the Kane, Garfield, and San Juan County commissions alleging that all three violated Utah's Open and Public Meetings Act when they met privately with Interior Secretary Ryan Zinke and other Washington, DC officials to discuss the future of Grand Staircase-Escalante and Bears Ears National Monuments.

The Act requires county commissions to conduct the public's business publicly and openly, rather than behind closed doors. Despite this clear mandate, each of the county commissions held closed-door meetings with Zinke, other Interior Department officials, and members of Utah's congressional delegation to discuss the monuments' fates.

Since we filed our lawsuits, the Trump administration—cheered on by the Kane, Garfield, and San Juan County commissions—eviscerated both monuments. Because the county commissions shut the public out of their decision-making processes, it's not clear what they told federal officials about the national monuments and their alleged impacts to local communities in those closed-door meetings.

Our cases were heard in state court in Panguitch (Garfield and Kane Counties) and Monticello (San Juan County). The judges in Panguitch and Monticello dismissed the cases, asserting that the closed meetings were not subject to the Open and Public Meetings Act and that, in the case against the Garfield and Kane County commissions, we lacked standing to bring the case in the first place. We have appealed both cases to the Utah Supreme Court.

SUWA continues to believe that all three county commissions violated Utah's open meetings law. We hope to put a stop to such secret meetings so that SUWA members and other citizens living in these counties, along with the general public, are apprised of important discussions about the future of our federal public lands, and to ensure that elected officials are accountable to their constituents. We look forward to raising these issues on appeal.

#### canyon country updates

David Reymann and Austin Riter with the Salt Lake City law firm of Parr Brown Gee & Loveless represent SUWA in the suit against Garfield and Kane Counties. Troy Booher, Frederic Voros and Dick Baldwin with the Salt Lake City law firm of Zimmerman Booher represent SUWA in the suit against San Juan County.

-Laura Peterson

# BLM Okays Uranium Mine Expansion Just Outside of Bears Ears

The Bureau of Land Management (BLM) recently gave a Canadian mining company approval for what amounts to a huge increase—roughly tenfold—in surface disturbance at the Daneros mine just outside Bears Ears National Monument. The decision will accommodate up to 20 more years of uranium mining there. The ever-compliant agency took the action despite the fact that the Energy Fuels company halted mining operations at the Daneros mine in 2012 because uranium prices had crashed.

The mine sits on wilderness-quality public land five miles west of Natural Bridges National Monument. Other nearby and spectacular wildlands include Cedar Mesa's Grand Gulch, the Dark Canyon Wilderness Area, and the Glen Canyon National Recreation Area. Though the mine site sits outside the original monument boundaries, the route to the only uranium processing plant in the nation (the White Mesa mill in Blanding, also owned by Energy Fuels Resources) is through the original monument.

While existing permits limit the company's operation to 4.5 acres, the BLM's approval allows it to expand surface operations to 46.3 acres. It also allows new mining facilities at a pair of nearby abandoned mine sites, installation of ventilation holes, and construction of new access roads. Furthermore, the approval allows Energy Fuels to remove an estimated 500,000 additional tons of ore, creating enormous amounts of hazardous waste in the process.

The environmental assessment that the BLM wrote for the expansion fails to take all the negative environmental impacts into account. For this reason,

#### canyon country updates

SUWA and Grand Canyon Trust have challenged the BLM's decision with the Interior Board of Land Appeals. As documents are filed and the case proceeds, we'll keep you updated.

-Luke Henry

# Zinke's BLM Auctions Off America's Wildlands, Cultural Heritage

As we pass the Trump administration's 18-month mark there are notable changes in the BLM's approach to oil and gas leasing across Utah's redrock wilderness. In a series of "Back to the Future" moments (reminiscent of the dark days of George W. Bush and Interior Secretary Gale Norton), the BLM has thrown out its 2010 leasing reforms and implemented a number of changes designed to sell more leases faster and in more special places than we've seen in nearly a decade.

For example, every quarterly lease sale now includes proposed leases on wilderness-quality lands spread out across the state; previously, lease sales rotated to coherent regions around the state and the BLM was more discriminating about which parcels it offered for sale. The agency has also done away with the comment period on lease sale environmental assessments and shortened the time for protests over proposed lease sales from 30 days to 10 days—drastically curtailing public involvement in public land management.

### March 2018 Lease Sale

At the March 2018 competitive oil and gas lease sale, the BLM sold 51,400 acres of public land in southeastern Utah for energy development. This lease sale shines a light on the lengths to which the BLM under Interior Secretary Ryan Zinke will go to elevate "energy dominance" over all other uses of public lands.

Included in the sale were wilderness-caliber lands in Labyrinth Canyon, Goldbar Canyon, Hatch Canyon/Hatch Wash, and Tin Cup Mesa. Further, over National Park Service objections, the BLM sold parcels near Hovenweep and Canyons of the Ancients National Monuments. The Park Service had blasted the inadequate environmental analysis the BLM relied on to offer the parcels, stating that the agency failed to analyze impacts to air quality, dark night skies, scenic values, soundscapes, and groundwater quality.



© Ray Bloxham/SUWA

Hatch Canyon, one of many wild places in Utah threatened by the Trump administration's quest for "energy dominance."

Many of the March sale parcels are located in the culturally rich Alkali Ridge Area of Critical Environmental Concern—a National Historic Landmark. In 2015, the BLM briefly considered leasing parcels in this same area but decided it lacked sufficient information on cultural resources. However, despite still lacking that information, the agency reversed its position and sold the parcels this year.

Finally, the agency refused to prepare any new environmental analysis before selling parcels in BLM-identified wilderness-caliber lands located less than a mile from Bears Ears National Monument. Instead, the BLM short-cut its legal obligations by relying on existing environmental reviews that never analyzed the site-specific impacts from the development of these parcels.

### September 2018 Lease Sale

The BLM's September 2018 oil and gas lease sale fits right into this terrible pattern. The agency proposes auctioning off more than 200,000 acres of federal public lands in the San Rafael Desert, an area rich in wilderness, scenic, recreational and ecological values near the Labyrinth Canyon stretch of the Green River. Less than two years ago the BLM deferred leasing in this same area, concluding that it lacked sufficient information about the public lands and resources at risk from development. Under Zinke's "lease everything, lease everywhere" approach, the agency cast aside its prior conclusions and is moving forward with its leasing proposal despite still lacking the necessary information. Sound familiar?

SUWA has been, and will continue to be, engaged at every step of the BLM's leasing process for both the March and September 2018 lease sales. Stay tuned for future updates.

-Landon Newell

# SUWA Protests Plan to Pave Road in Canyon Rims SRMA

The Canyon Rims Special Recreation Management Area (SRMA) is a world-class destination because of its other-worldly scenery and its many recreational opportunities. It is loved equally for its remoteness: though a scant six miles from Moab as the

### canyon country updates

crow flies, the only way to get there is by driving an hour south of Moab to skirt the vast canyon system that surrounds the SRMA. A recent BLM decision threatens this unique experience.

The SRMA sits on a large plateau that encompasses all of Hatch Point, Flat Iron Mesa, and Hatch Wash. Below is a vast system of mesa tops, dominated by enormous petrified sandstone dunes with a variety of wind-carved windows, amphitheaters, and oddly-shaped rock features. The SRMA also offers some of the most expansive views of Canyonlands National Park and the La Sal Mountains available anywhere in Grand or San Juan Counties.

Two major roads serve the area. One is a paved, 22-mile route that carries visitors to the Needles Overlook from U.S. Highway 191. From that overlook, a gravel road runs north for 15.7 miles to the Anticline Overlook. For most visitors to the area the trip ends at the Needles Overlook. But for others—about a tenth of those who reach the Needles Overlook—that gravel threshold is precisely where the magic begins.

But the BLM doesn't do magic. The agency's Moab Field Office approved a project this spring that would, among other area road "improvements," pave the entire 15.7-mile stretch all the way to the Anticline Overlook. That would change the area drastically, along with visitors' experiences of it. SUWA has challenged the paving decision with an appeal to the Interior Board of Land Appeals.

We first learned of the agency's plan to pave the road several years ago and immediately began voicing our concerns. Not only is the paving unnecessary (the gravel road is actually in excellent condition, while nearby paved portions are in disrepair), but the project would cause a range of irreparable impacts to the area's scenic values, wildlife, and remoteness, as the paving has the potential to induce significant growth and development in this otherwise infrequently-traveled portion of the SRMA. The BLM failed to consider these impacts in its final environmental analysis for the project, so we're pushing back.

We are hopeful that the Interior Board of Land Appeals will rule in our favor and against the BLM's short-sighted plans. We'll keep you posted.

-Kya Marienfeld

# Meet Maddie Hayes, SUWA's Membership Coordinator

SUWA is pleased to welcome our new membership coordinator, Maddie Hayes, who stepped into Michelle Martineau's position when Michelle became our administrative director this year.

Maddie grew up in the Salt Lake Valley, then lived a number of years in Connecticut with her family. She developed an affinity for the East Coast, intended to live there indefinitely, and sought a college in the Northeast.

She was first exposed to southern Utah's beauty on an environmental science field trip in her high school senior year. Though she never really identified as a Utahn, she felt a kinship with the surrounding redrock—and was humbled in the process.

In 2015, she graduated from Vassar College with a BA in environmental studies with concentrations in geography and Earth science. After writing a paper about SUWA for a geography class that year, she was recruited for Wilderness Week in Washington,



Maddie truly hit the ground running as SUWA's new membership coordinator.

DC, where she visited members of Connecticut's congressional delegation. The experience left her eager to become more deeply involved. She interned in SUWA's Washington office in the fall after her graduation—spending time on the Hill, meeting activists (Terry Tempest Williams among them!), and learning about threats to wild Utah. The experience inspired her return to Utah.

Before joining SUWA, Maddie worked as the content manager at Alliance for a Better Utah, a Salt Lake City-based organization that works to bring balance, transparency, and accountability to local politics. Her favorite work involved advocating for public lands and meeting like-minded advocates. When the opportunity arose to work at SUWA, she jumped at the chance—and we are so glad she did.

# SUWA Welcomes New Attorney, Michelle White

Michelle White is the newest attorney on SUWA's legal team; we are delighted to welcome her.

Michelle comes to SUWA from the Getches-Wyss Natural Resources, Energy & Environmental Center at the University of Colorado Law School where she was the Center's Getches-Wyss legal fellow. Before that, she spent a summer working in Washington, DC with our colleagues at NRDC. Michelle is a 2017 CU Law School graduate and earned her undergraduate degree from the University of Connecticut.

She will spend the lion's share of her time on various facets of litigation challenging Utah's RS 2477 road claims across public lands. Her work will include covering RS 2477 depositions being taken across the state and working with our team of attorneys on the looming Kane County RS 2477 "bellwether" trial, a first cut by the court and parties at litigating 15 claimed Kane County rights-of-way that includes claims in the Glen Canyon NRA, Paria Hackberry Wilderness Study Area, and other wild southern Utah federal public lands.

Michelle has jumped right into the fray and has already covered her first handful of depositions in Piute County with more depositions coming up this



Michelle White during her days as a horseback trail guide in Yellowstone National Park.

summer in San Juan, Grand, and Iron Counties. We are excited to have her on board.

At the same time SUWA welcomed Michelle we said farewell—for now—to Joe Bushyhead, SUWA's RS 2477 legal expert. Joe recently began a one-year federal court clerkship after which we hope to see him back in action on the legal team.

# A Fond Farewell to DC Intern Brandi O'Brien

We'd like to thank our extraordinary intern Brandi O'Brien for all her work in our DC office from September to May.

Brandi just graduated with her bachelor's degree from George Mason University and is now headed back to her hometown of Rochester, NY.

Her first experience with SUWA was as a Wilderness Week Activist in 2017. She joined team SUWA in September of that year. Brandi was a valuable contributor to the DC office's work. She spent hours at the local Patagonia store telling people about the wilderness-quality lands in Utah. She played a vital role in prepping for and executing Wilderness Week 2018, and attended over 100 events—including hearings, mark-ups, and meetings—on the Hill. In addition to all this work, she



Brandi O'Brien explores a slot canyon in Utah's San Rafael Swell.

found time to visit Utah's redrock country for the first time in March.

She said of the San Rafael Swell: "I was stunned by its immense and diverse natural beauty. It's a hidden gem that I'm grateful I was introduced to so I can continue to explore and be touched by the incredible and unique landscapes. It felt like home, instantly."

Brandi is one of the most passionate people you will ever meet. We have no doubt she will continue to improve the world wherever she goes. Thanks for everything, Brandi!

# Big Thanks to Weissman Intern Caine Wenner

Because of the generous support from the family of the late Dr. Norman Weissman, SUWA has the luxury of working with the next generation of wilderness advocates as interns with our organizing team. Our intern this spring was a talented and enthusiastic University of Utah student, Caine Wenner.

Caine, who is from Salt Lake City, recently graduated with a degree in environmental and sustainability studies. During his three month internship, he was part of a hectic season of activism, mostly relating to the Trump assault on Bears Ears and

Grand Staircase Escalante National Monuments. He provided valuable help with planning and coordinating press conferences, protests, and sit-ins at town hall meetings. Caine also helped keep our volunteer databases current and coordinated volunteers.

Interns like Caine are a godsend to SUWA. And judging by Caine's comments, time spent with SUWA is equally helpful to our interns. "I found this experience to be tremendously valuable," Caine writes. "I've learned a great deal about how a grassroots organization works from the inside and consider it a privilege to know the amazing people that are involved and dedicated to such an important cause."

We thank Caine for his hard work and wish him all the best. And we sincerely thank the family of Dr. Norman Weissman for their generous support.



*Caine's help was invaluable in the aftermath of Trump's assault on Bears Ears and Grand Staircase-Escalante.* 

# SUWA to Premiere New Film this Fall

An actual visit to the stunning public lands of southern Utah is the very best way to engage the American people in defense of these threatened places. Next best, though, are photos and videos. That's why we spend so much time on the road presenting our multimedia slideshow about wilderness lands.

Under the current administration, citizen engagement is more important than ever. To answer that need, we have created a short new documentary film to convey the importance of wilderness protection and to galvanize public support and activism for it.



Our grassroots staff has spent a year working on the film with our talented friends at Twig Media. We will premiere the film in Salt Lake City and Washington, DC in the fall. It will feature interviews with members of SUWA's staff and board, activists, business owners, veterans, students and other diverse voices for wilderness from across Utah—all against the stunning backdrop that only wild Utah can provide. There are exceptional visuals of slot canyons, buttes, arches, waterways, vistas, and the flora and fauna that inhabit these areas. And if you have turned out for a march or protest in Salt Lake City in the past year, you may even find yourself in the film.

We cannot overstate the value of such projects. They increase the visibility of the movement to preserve wild places in Utah and they amplify local voices that are too often drowned out by Utah's politicians in their frantic crusade to exploit our wild public lands for profit. Be sure to visit **suwa.org/events** for more information about the dates of the film premiere.

# Latinx Group Joins SUWA, BLM in the Swell

In early May, staffers from SUWA and the BLM's Price Field Office led a small Latinx community outing on public lands of the San Rafael Swell. We followed the Old Spanish Trail, hiked in wilderness character areas, shared stories around the campfire, and saw fossils, dinosaur footprints and petroglyphs. The experience was a stunner for many members of the group. For all it was their first time enjoying redrock country. For a few it was a firsttime camping experience.

This trip was also the first of its kind for SUWA. It was an effort to inform community members about public lands by fostering direct relationships with those places. A recent *High Country News* article ("Your stoke won't save us," Ethan Linck, May 4, 2018) cited studies that show attachment to a place may be the only thing that predicts environmentally friendly behavior, like conservation efforts and advocacy. So to some degree, people who have an attachment to wildlands or redrock are more likely to volunteer their time or writing skills, or make a trip to an activist event to protect wild Utah. People of color have comparatively low rates of exposure to wild conservation lands. This, in part, explains why redrock advocates are disproportionately white.

Another factor explaining the cultural gap in the conservation community is information. This trip was spent investigating the depth of cultural ties Latinx and Hispanic communities have to our public lands in Utah. In doing this, we became keenly aware that the community broadly lacks access to information on public lands.

Former Utah BLM State Director Juan Palma helped us bridge that information gap around the campfire by talking about public lands conservation, the BLM, and his story of coming into federal land management leadership as a Latino immigrant. Palma offered the group much to ponder about their upbringing, identities, cultural histories, and the relevance of all those to America's public lands. The conversation burned as warm as the fire; we envisioned a future of public lands entwined into current family traditions for generations to come.

The group's excitement in the canyons and around the campfire spoke volumes about the power of place in stoking civic engagement for conserving our wildest landscapes.

—Olivia Juarez



SUWA and BLM staff led a small Latinx community outing to the San Rafael Swell in May—an eye-opening experience for all.

# Redrock Activists Hone Leadership Skills at Retreat

What happens when you bring almost three dozen activists from around the country for a feet-on-theground retreat in southern Utah? Quite a lot and all of it good: an explosion of rich connections and exciting exchanges, deep learning from each other and the land, celebrations—and affirmations—of how citizen activism makes a difference, inspiration and renewed commitment to moving ahead, and a wealth of great memories.

Over two days in early June, SUWA hosted its 2018 retreat for grassroots leaders. This bi-annual training event for redrock activists is designed to deepen understanding about our issues, enhance advocacy skills and build community. The retreat brought together people from Utah and 13 other states. They ranged from fledging, but wildly creative, activists to seasoned veterans.

The group gathered at a beautiful ranch just outside Grand Staircase-Escalante National Monument where the setting sun glowed luminous on the Straight Cliffs of the Kaiparowits Plateau every evening and a vast sea of stars enveloped us every night.



© Terri Martin/SUWA

Activists discuss current issues around the campfire.

At camp we reviewed the significant accomplishments and current challenges of the Wild Utah campaign, and learned more about the new bill that could wreck or, if substantially improved, potentially protect the San Rafael Swell. An excursion across the Burr Trail provided a firsthand look at what Trump's illegal gutting of Grand Staircase-Escalante means on the ground, what an RS 2477 right-ofway claim really looks like, the impacts of grazing, and the threats that state land inholdings pose.

We also focused on skills, with activist toolkit sessions on how to table effectively at local pub-



2018 Grassroots Leaders Retreat participants at Grand Staircase-Escalante National Monument.

© Samuel Graham/SUWA

lic events, write powerful and persuasive letters-to-the-editor, and educate congressional representatives.

Other highlights included a discussion about the social justice aspects of the Wild Utah campaign and a writing workshop designed to help attendees tell their own stories about the redrock. We also met and mingled around the campfire with residents from the nearby town of Escalante. That session led to a thought-provoking discussion about the challenge of being a strong advocate in a community where many disagree with you.

And, of course, we walked the land together, heading out into canyons and along the waterways to personally experience and absorb the beauty of our surroundings. The retreat underscored once again how citizen activism is the pulsing heart of the Wild Utah campaign. SUWA is grateful for all who came and we look forward to joining with more of you in the future!

# Become a Crew Leader for SUWA's Service Program!



© Jeremy Lynch/SUWA

Thanks to the commitment of SUWA's field volunteers, 2018 is proving to be our most productive service season to date. Our crews continue to expand our work across Utah, most notably where impacts to our wild and public lands are most severe. We have traveled from the mountains of the West Desert, across the fractured landscapes of southern Utah's imperiled national monuments, and up into the northern part of the state.

As we move through a summer of service work in Bears Ears National Monument (view our complete calendar at suwa.org/servicetrips), we look ahead to a busy fall season. We're preparing for project work across the state: Bears Ears, Book Cliffs, Canaan Mountain Wilderness, Cedar Mesa, and the Deep Creek Mountains. Our crews will be active nearly every weekend now through early November—and we need your help!

Beginning this fall we will recruit, train, and outfit select individuals to lead service projects in Utah. SUWA's crew leaders will work with our program director and collaborating land managers to increase our program's capacity while ensuring our productive presence across Utah. Do you have experience guiding outdoor groups? Would you like to learn more about what it takes to manage fieldwork while navigating some of our state's most magnificent landscapes? Several diverse opportunities are available—backcountry to front country—and we are looking for a few committed leaders to work with us beginning this fall.

Prospective crew leaders should submit a brief statement of interest (up to a page), along with a resume of relevant experience, to volunteer@suwa.org. This is a volunteer position. You may email preliminary inquiries to the same address or call (435) 259-9151.

We look forward to seeing you in the field, whether you are a new or returning volunteer!

# Visit Us Online

# Summer Offer: Get a Free Koozie with Any Online Purchase!

It's summertime and our online store is stocked with goodies to help you enjoy the great outdoors in style—including t-shirts, trucker hats, and dry bags for all your redrock river adventures. And for a limited time (through August 31st), we'll throw in a Protect Wild Utah beer/soda koozie with any online purchase. Visit our store at **suwa.org/goodies**.

### Stay in Touch on Social Media

For the latest news and insights on Utah wilderness issues, subscribe to our email alert list and connect with us on the following social media sites:

Facebook facebook.com/SouthernUtahWildernessAlliance

Twitter twitter.com/SouthernUTWild

Instagram instagram.com/protectwildutah/



# Give a SUWA Gift Membership!

If you share a love of the outdoors with your friends, why not share your activism too? Gift memberships make wonderful gifts for birthdays and holidays. Simply mail in this form with **\$25 for one membership or \$50 for two**. You can also order online at **suwa.org/goodies**.

Gift Membership #2
From:
(your name)
To:
Name:
Address:
City:State:Zip:
de credit card information below (VISA, MC, AMEX, DISC):
C# Mail form with payment to:
SUWA, 425 E. 100 S. Salt Lake City, UT 84111

# 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. If you own a business and care deeply about protecting Utah's magnificent wilderness lands for future generations, please consider joining today. 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 Maddie Hayes at (801) 428-3972 or **maddie@suwa.org**.

Listed below are businesses from Utah and across the country that currently support Utah wilderness through SUWA's business member program.

#### **Entrada Members**

(\$5,000+) Powderhound Marketing, CO Salt Lake Brewing Company, UT Shinemaker Foundation, CA

### **Kayenta Members**

(\$1,000-\$4,999)

Imlay Canyon Gear, UT Mountain West Cider, UT Salt Lake Mailing and Printing, Inc., UT Stone Forest Inc, NM Tailwind Nutrition, CO Workspace Installations LLC, CT

### Wingate Members

(\$500-\$999)

Action Photo Tours, UT Dabney & Dabney PC, UT Glenn Randall Writing and Photography, CO Injoy Productions, CO Manning Curtis Bradshaw & Bednar, UT Mosaic Real Estate LLC, CO Mountain Chalet, CO Pinnacle Peak Eye Care, AZ Stephen L. Gilsdorf, CPA, AZ Tourmaline Capitol Management LLC, CA Waterwise Design & Landscapes, LC, UT

### Moenkopi Members

(\$150-\$499)

Advanced Media Strategies, WA Adventure Safety International, UT Alta Lodge, UT Baked In Telluride, CO Brian Hollister, CA Brown Bag Farms, CA Caffe Ibis Coffee Roasting Co, UT Carol Montgomery Drake CPA PLLC, NY Charles Cramer Photography, CA Clayhaus Photography, UT Consulting Psychologists, AZ Escape Goats, UT Four Crows Photography, MA Gospel Flat Farm, CA Greater Yellowstone Guides, MT Institute of Taoist Education and Acupuncture, Inc, CO James Kay Photography, UT Janice Trane Jones Fine Art, AZ LAG Visual Arts, CO Lazy Lizard International Hostel, UT Leslie Peterson, ND, Naturopathic Physician, UT Little Canyon Outfitters, UT Lynch Diagnostics, Inc., UT Matheson Design, OR Maui Mountain Coffee Farm, HI Medical Plaza Pharmacy, UT Mule Carry, CA Ody Brook Enterprises, MI Page Speiser LCSW, UT Paul Fuller Massage Therapy, CO Robert D Barewin, Attorney at Law, IL Rupestrian CyberServices, AZ Select Stone, Inc, MT Underwood Environmental, Inc, UT The Wildland Trekking, AZ William Stone Photography, NM With Gaia Design, UT Words and Photographs by Stephen Trimble, UT ZAK Construction, OR



# Make a Longterm Investment in Utah Wilderness

### Join Our Monthly Giving Program

If you're looking for a convenient, hassle-free way to help SUWA over the longterm, 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 gift to SUWA from your estate—whatever the amount—is entirely free from federal estate taxes. This means we are able to use the full amount of the bequest to protect the redrock. Also, bequests generally are not subject to state inheritance or estate taxes. You can also create a bequest so that the needs of your heirs are taken care of first.

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

If you'd like to make a gift to SUWA or have already included a gift to SUWA in your estate, please contact Karin Duncker at (801) 428-3971 or visit us online at **suwa.org/plannedgiving**.



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### **Reference Map for Articles in this Issue**

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Labyrinth Canyon (pp. 5 & 16)

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Goldbar Canyon (p. 16)

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Tin Cup Mesa (p. 16)

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8

Canyon Rims SRMA (p. 17)



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© Bob Shea

"Those who dwell among the beauties and mysteries of the earth are never alone or weary of life."

-Rachel Carson