

REDROCK

W I L D E R N E S S

The Newsletter of the Southern Utah Wilderness Alliance
Volume 31, Number 2 • Summer 2014

Utah Politicos Fuel Sagebrush Rebellion

Cover Photo: Angel Arch and Molar Rock in Salt Creek Canyon, Canyonlands National Park. A recent court ruling denied a state and county right-of-way claim in the Salt Creek streambed, keeping the canyon free of motorized vehicles. Photo copyright Tom Till (www.tomtill.com).



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

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

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This issue of *Redrock Wilderness* was written by the following staff and outside contributors: Steve Bloch, Rachel Briggs, Neal Clark, Clayton Daughenbaugh, David Garbett, Scott Groene, Mathew Gross, Terri Martin, Deeda Seed, Liz Thomas, and Jen Ujifusa. It was edited by Darrell Knuffke and laid out by Diane Kelly.

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wilderness notes



What's the Matter with Utah?

Utah has increased its already commanding lead over all other states in the sheer nuttiness of its federal public land policy. Our legislature passed a law demanding the United State hand over 30 million acres. Our governor sued the U.S. 20 times trying to put off-road vehicles (ORVs) and dirt bikes in designated wilderness areas and national parks. Not coincidentally, the hate index is rising. Armed and hooded people threatened the life of a BLM employee and an elected official led an illegal ORV ride, some of the riders armed, into a canyon closed to motorized use.

There is much on those subjects in this issue. In our lead article, Jen Ujifusa traces the recent history of this anti-federal sentiment and describes the current atmosphere (page 6). And Liz Thomas provides details of the illicit canyon ride (page 14). None of it is happy reading. Yet, to understand the context of our work to save redrock wilderness, it is important reading.

It's equally important, though, to note that the news isn't uniformly bad. Although we have yet to stanch the State of Utah's tsunami of attacks on our public land, our recent court victories make it more likely that we will.

An appeals court just confirmed that Salt Creek in Canyonlands National Park will remain protected from ORV use, despite the fact that San Juan County and the State of Utah wasted over a million dollars on this single claim. The case set important precedent that undermines much of the state's evidence on the routes to which we most object.

Utah's politicians should have learned that while it's easy to blather about "constitutional rights" in the media, it's hard to win ideological claims under a federal court's dispassionate scrutiny. There's little evidence that they've learned much at all. When public lands are the issue, rational behavior has long been in short supply among Utah's elected officials. One response is as predictable as the sunrise: whenever even a tepid conservationist dwells in the White House, the Utah fringe jump at the chance to fire up another sagebrush rebellion. Each is doomed to fail just like the one before it. But that doesn't mean they are without consequences, short-term and long.

The game among Utah pols is to manipulate people's economic insecurity with screwball claims that a good slugfest with the federal government is just the ticket to prosperity. The calculus is pretty clear. If I, a Utah official, can persuade you that all evil rests with the federal government, then you are unlikely to expect much of me beyond, oh, a sharp wardrobe and lots of bombast, right? Maybe this rabble-rousing seems to them a harmless election ploy. There's nothing harmless about it. It's a distraction from the real needs of small towns across the West, healthcare and education high among them. It perpetuates the economic myth that we're a bunch of rough and tough cowboys, rather than recognizing we're part of the global economy, too. And if the mentality ever became operating policy it would create a dusty, fire-prone, chewed up, polluted, species-poor southern Utah, doubly vulnerable to the consequences of climate change. We won't let that happen.

Many of Utah's political leaders are smart enough to know the state will never take over federal lands. But few are courageous enough to tell a few backwoods ideologues to take a hike. So they continue to squander the state's resources on fireworks that leave nothing but drifting smoke and falling ash.

Utah politicians' war on public lands unavoidably affects our work. For one thing, it's creating a climate where wilderness discussions are more difficult. Over a year ago, Utah Rep. Rob Bishop announced his

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intention to write legislation that could affect six million acres of proposed wilderness. In part because of the anti-fed sentiment, it now seems less likely we'll see good legislation. The matter has been delegated to local county commissioners, many of whom believe, wrongly, that public lands belong to them, not to the American public. And the state legislature, led by fanatics intent on seizing public lands outright, believes it also deserves a piece of the action.

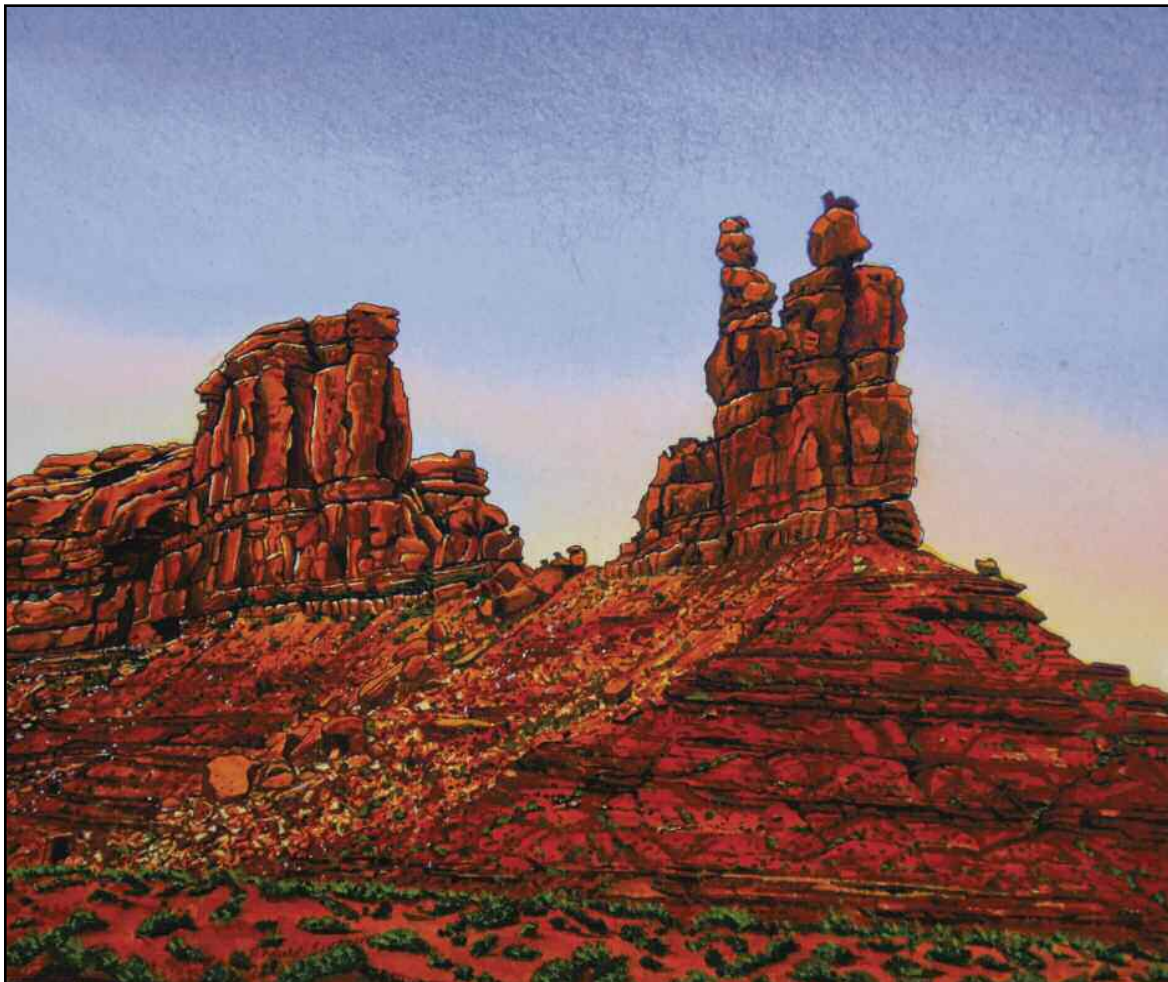
We are still willing to work for a good bill, should the opportunity arise. But we must also be ready to block a bad bill, if that becomes necessary.

We've weathered this stuff for much of SUWA's 30-year history, and we will again. Sagebrush rebels below and fade. But lovers of Utah wilderness endure. Thank you for your activism, your support, and your confidence.

For the Redrock,



Scott Groene
Executive Director



Valley of the Gods. Artwork by Pat Priebe-Swanson.

features

Utah Politicos Repudiate Poster Child (Cliven Bundy) but Little Else

Last April when outlaw-rancher Cliven Bundy began holding forth on the inner workings of his small, racist mind, Utah's conservative politicians set a land speed record for backpedaling. Just days earlier Bundy had been their poster boy, a symbol of the aggrieved martyr complex of a small faction of westerners who attribute all their life problems to the federal government. Bundy was a novel mouth-piece for their anti-federal rage, though in most of the country he was already a pariah for his wanton criminality, his incitement of violence against federal agents, and his abuse of public lands.

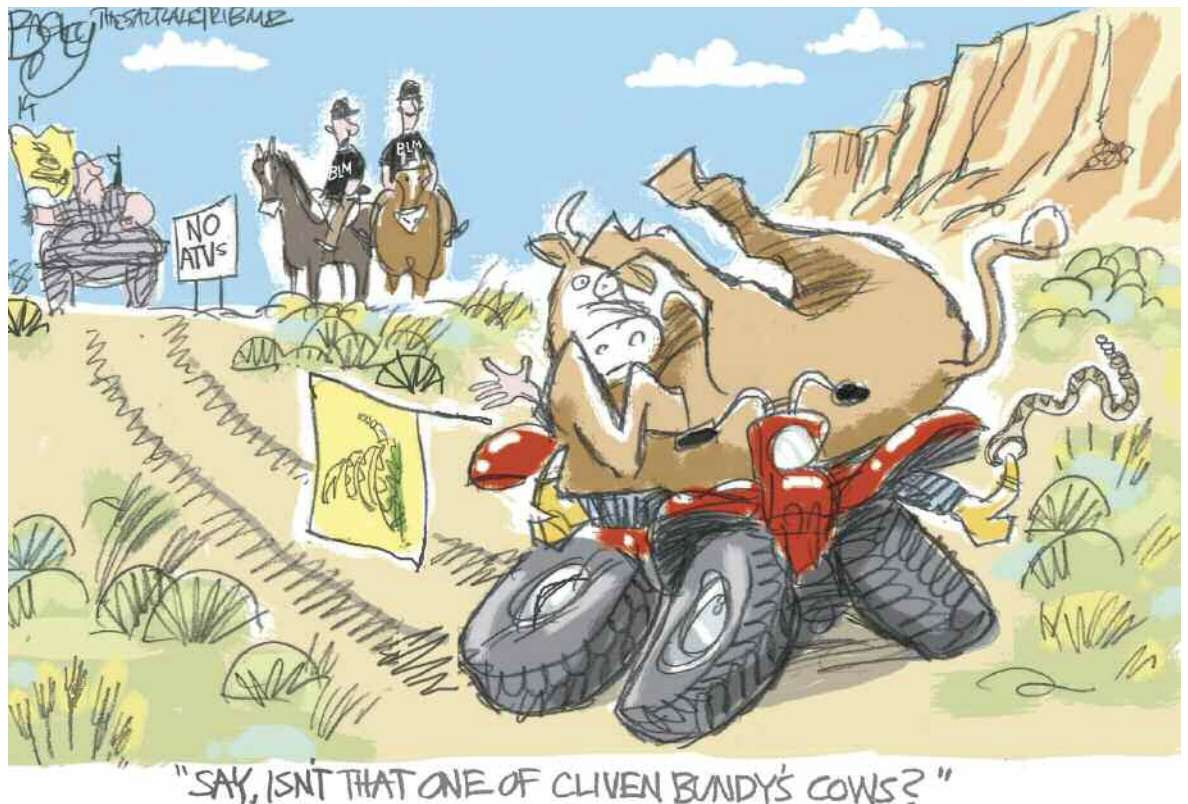
It took Bundy 20 years to become an overnight laughing stock. He had been squatting illegally for two decades on federal lands with his cattle, refusing to pay his grazing fees, and rose to ignominy for inciting a multi-state militia to show up, guns aimed at BLM employees, in defense of his refusal to pay for the services he received on the backs of

taxpayers. In the heady rush of his sudden ascent, Bundy began to declare his views on other topics, including that black people (although he didn't say "black people") were better off under slavery.

For those politicians who had cheered him on, it was an embarrassing peek under the political rock upon which they've built their careers. Bundy's words did him in because it turns out, words have meaning. It's a lesson Utah's politicians would be wise to heed.

Fueling Hate, Evading Blame

Every time a Utah politician uses hyperbolic, violent, revolutionary language in speaking about public land issues, every time disagreements over routine things like grazing fees, ORV routes, or wildlife management are couched in the language of traitors and patriots or freedom and oppression, these words trickle down to the members of our society who are



f e a t u r e s

all too eager for a stroking of their angry, embittered egos. It is a kind of permission to act on their self-righteous sense of entitlement.

Over time, those sound bites bite back. We've seen this before. We're seeing it now.

After the Bundy debacle, a BLM employee who had been helping to round up horses in Iron County, Utah—where wild horse numbers have been controversial—was driving on the interstate. Two people wearing hoods threatened him with a gun as they passed, holding up a sign from their pick-up that read, “You need to die.” To protect public employees from such would-be assassins, the Utah BLM began removing agency decals from its vehicles.

Tensions flared again in San Juan County, Utah, in yet another spasm of vigilantism. San Juan County Commissioner Phil Lyman became incensed over the BLM's closure of an illegally constructed ORV route in Recapture Canyon. So Lyman staged a ride through the closed canyon. He did it despite the fact that it is rich in archaeological sites and despite the fact that the Hopi tribe had asked him not to. The day of the ride Lyman nearly backed down, but he was goaded on by Bundy relatives who were continuing their anarchistic Western road show. Dozens of riders, many armed, rode through the canyon in defense of their perceived inalienable right to drive their motorized Big Wheels across Indian ruins or anywhere else they choose (see article, page 14).

Tantrum-Thrower or Freedom Fighter?

But really, are we surprised? What's a guy to do when he's been conditioned by the political rhetoric he hears to believe his tantrums make him a freedom fighter? He first shoots off his mouth about what he means to do, and then at the first glimmer of hesitation is called the worst thing possible: chicken. Adult behavior at that point hasn't a hope against adolescent bravado.

There's little new in all of this. It's been going on since way before Bundy went berserk, way before Lyman, a certified public accountant, became a certified public nuisance. It's been going on for ages. Reacting to the proclamation of the Grand Staircase-Escalante National Monument in 1996, Sen. Orrin Hatch (R-UT) compared it to the attack

Trickle-Down Lunacy

Whether or not they like to admit it, Utah politicians from all levels of government continue to fuel the States' Rights frenzy with their childish tantrums and hyperbolic rhetoric.

“Like the attack on Pearl Harbor, this massive proclamation came completely without notice to the public,” Hatch declared on the Senate floor. “The biggest presidential land set-aside in almost 20 years was a sneak attack.”

—U.S. Sen Orrin Hatch (R-UT), a self-described “leader in the Sagebrush Rebellion,” on the establishment of the Grand Staircase-Escalante National Monument (“Westerners fear Obama preparing monuments land grab,” *Salt Lake Tribune*, May 4, 2014)

“It feels great,” said San Juan County Commissioner Phil Lyman after he rode two miles past a [BLM] sign forbidding entry by motorized vehicles. “That line I crossed was a pretty arbitrary thing.”

—“Invoking local rights, Utah protesters cross into federal land,” *Los Angeles Times*, May 10, 2014

“The Duties and Rights constitutionally left to the States and the People are being usurped at the Federal level. We must push-back against this encroachment. . . . I will continue to support innovative and constitutional initiatives that seek to limit and beat back the inappropriate power and influence of the Federal Government.”

—Website of Utah House Speaker Becky Lockhart, R-Provo

on Pearl Harbor. No matter that protecting Grand Staircase didn't kill 2,000 people (or even one), nor did it lead to the imprisonment-by-association of everyone who was, like President Bill Clinton, from Arkansas. It certainly didn't provoke our country to go to war. In reality, it was a shot in the arm to rural Kane and Garfield Counties, protected a wonder of the natural world, led to a smorgasbord of scientific discovery, and is now supported by the majority of Utahns.

But Hatch is a political pro. That means he's a survivor. He's seized the tail of the tiger that is conservatism's extremist faction. He's smart enough to feed the beast someone else for dinner and keep

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himself off the menu, at least while he can. But tigers are voracious. As we've seen too many times this spring, it's easy to lose your grip on them.

Don't Let Truth Interfere

Utah Rep. Jason Chaffetz has lambasted public lands as havens for Mexican drug lords, going so far as to brandish graphic shots of headless murder victims and blame land protections for their deaths. He later admitted the shots had not even been taken in the United States. But truth wasn't the point.

Rep. Rob Bishop (R-UT) used the same argument to denounce the recently-designated Organ Mountains-Desert Peaks National Monument in New Mexico as an underworld den of drug runners and human traffickers. Never mind that the lands were wild and public before the monument designation, just as after. Never mind that the Border Patrol dismisses these concerns. The important thing is to inflame, to vilify, to provoke.

State legislator and resident hate-monger Mike Noel (R-Kanab) once announced in committee, apropos of nothing, that "SUWA is the enemy of the state and the people and the children of Utah." Statements like these reveal an unhinged animus that produces neither clearheaded policy nor clearheaded followers. It begets hate and hate alone.

And so here we are. Behavior such as this once had a well-understood and shameful name in public life: demagoguery. But when so much of political speech is demagogic, maybe nothing is.

How long can our politicians expect to throw rancid ideological sustenance to the worst of their followers without consequence? How, when things escalate to standoffs, death threats against civil servants, and armed resistance of American laws, can they then back away as if they were never in league with the people they incite? Perhaps the better question is how long they can do this with impunity?

As Cyclical as Disease

Like many unfortunate cycles—cicadas, legwarmers, chicken pox—the sagebrush rebellion reemerges every time a generation has passed and people have forgotten how horrid it was the last time. Usually there's a Democratic president, and the resurgent resentment of people who only believe in peaceful transitions of power when the election

swings for their candidate. Every generation this resentment festers, swells, and then pops like the boil it is, each time in new, nasty ways. Every generation the politicians who fueled the fever wash their hands of what they wrought.

Fortunately, as this cactus craziness ebbs and flows, SUWA endures. This time will be no different. We were fighting bad developments, advocating for protection, trying to improve day-to-day BLM management and working with Congress well before any of this started—and we'll be doing it long after these folks have taken their pitchforks home. But undeniably, context affects our work.

This iteration of hateful, irrational uprising makes things difficult as we try to work with Rep. Bishop on a large public lands package in Eastern Utah. Where we bring practicality, knowledge, and our inside voices to the table, Bishop is finding himself beholden to a stubborn faction of anti-federal diehards who threaten to torpedo the fragile trust we've built. Not all who line up on the other side of us fit this mold, but enough do, and they do so loudly and without inhibition. That disadvantages those of us who come unarmed and seeking a true détente through civil means.

Can Utah Produce Leaders Equal to the Task?

The only sensible path is through strong leadership. Utah's elected officials must stand up and state clearly that threats, violence and hate are not the stuff of progress and that they will be neither explicitly encouraged nor tacitly tolerated. The delegation and the governor must disengage from the fringe elements they have bottle-fed for so long. They must trade the provocation of enmity for the cultivation of amity. Only real statesmanship can succeed.

Real statesmanship requires rejecting ideas that are abjectly silly, illegal, and reckless, in favor of those that are productive and just. That means the state's RS 2477 lawsuits, which threaten the very possibility of resolution in a legislative agreement, must be dealt with as part of any Bishop package. It means refusing to humor state Rep. Ken Ivory (R-West Jordan) and other proponents of the Utah legislature's appalling land grab. Those boondoggles, which harm taxpayers and public lands, emerge directly from the atmosphere of paranoia that our leaders have cultivated. They must stop spending

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real and political capital on policies that are harmful, wasteful and irrational.

Statesmanship also means listening to the millions of Americans—from Utah’s Wasatch Front and across the country—about their hopes for these lands, instead of to just a handful about their ideological fears. The stakeholders who are committed to seeing these special places protected are diverse, and their voices deserve to be heard over the din of craven excuses of those few who see them merely as spoils to be plundered. So far, they are being ignored.

We are hopeful, but not wildly optimistic. Brant Calkin, former SUWA executive director, had a clear-headed view of elected officials in Utah. The most common utterance, he noted, was, “There go the people. I must hurry after them for I am their leader.”

But if Utah’s politicians decide leadership is just too hard, history reveals the silver lining—someone

will speak up and show the leadership they lack. Concurrent to each burp of sagebrush rebellion has been a realization by the president that the unraveling sanity of angry vigilantes demands swift protection of special western places. President Jimmy Carter and President Bill Clinton acted decisively to rebuke the uprisings of their respective eras by proclaiming important national monuments.

President Obama may need to follow suit. And we’ll certainly be encouraging him. He has already shown an increasing comfort with the Antiquities Act, and in May, upon designating Organ Mountains-Desert Peaks National Monument, he declared, “I’ve preserved more than 3 million acres of public lands for future generations. And I am not finished.”

Words are powerful things. How does Greater Canyonlands National Monument sound to you?

—*Jen Ujifusa*

Crazy Continues in Utah’s Carbon, Iron Counties

Even though a federal judge struck down a similar Utah state law last year, Carbon County commissioners on June 6 passed a resolution proclaiming “that the right of the Carbon County Sheriff to exercise all law enforcement powers upon any lands within the county federally owned or otherwise, shall be held inviolate.” So reports Castle Country Radio.

The resolution further states that “any attempted law enforcement by an official of a federal land agency is not recognized by the county, and shall be deemed an imminent threat to the health, safety and welfare of the citizens of Carbon County.”

This whole enterprise sounds to us like an imminent threat to the mental health of Carbon County. The resolution has all the meaning and menace of the ant’s threat as he crawled up the elephant’s leg intent on mayhem. Castle Country Radio reports that “the resolution advises that any federal official who intends to exercise law enforcement powers shall first declare to the Sheriff his [editor’s note: would it never be a she?] intent to enter Carbon County and the intended action on a case by case basis.”

The resolution goes on with the usual litany of demands for the federal government to hand over public lands in the county to the state. And just one week later, Iron County passed a similar resolution bemoaning that “federal mismanagement of forests . . . have (sic) lead (sic) to the annihilation of millions of board feet of marketable timber on the Dixie National Forest.”

All this proves that crazy ideas are not just alive and well but downright contagious among many elected officials in rural Utah. It also seems to suggest that whomever the commissioners hired to read the U.S. Constitution to them skipped over some really important stuff.

DC news

Sen. Baldwin's Red Rock Cosponsorship Ties Senate Record



In May, Wisconsin Senator Tammy Baldwin became the 23rd senator to cosponsor America's Red Rock Wilderness Act. One more cosponsor will break our all-time Senate record (public domain photo).

America's Red Rock Wilderness Act (ARRWA) has been growing stronger by the month in the U.S. Senate.

Just before Memorial Day, Wisconsin Sen. Tammy Baldwin (D) became the 23rd member of the Senate—and the seventh member of the crucial Energy and Natural Resources Committee—to cosponsor the bill in this Congress. Her addition ties the all-time record for Senate cosponsors and fills the void of Wisconsin Senate support created when Sen. Russ Feingold was defeated.

Sen. Baldwin, a consistent cosponsor of ARRWA when she served in the House, is no stranger to Utah wilderness issues. She also signed letters to Interior Secretaries Ken Salazar and Dirk Kempthorne urging policies to protect the redrock country.

As a senator, she had new constituents to consider and, as a member of the Energy and Natural Resources Committee, a challenging new set of politics to evaluate. But the hard-working volunteers of Wisconsin Friends for Utah Wilderness demonstrated the widespread support for the redrock across the state and Sen. Baldwin responded with a principled stand on behalf of some America's most special places.

The bedrock of congressional support for America's redrock country remains strong and reliable. It's crucial to our ability to defend against attacks and to advance protections.

Thank you, Sen. Baldwin!

—Clayton Daughenbaugh

Help Us Achieve Record Support for America's Red Rock Wilderness Act

With one more senator on board, we will break the record for Senate cosponsors of America's Red Rock Wilderness Act (ARRWA), which Sen. Richard Durbin (D-IL) introduced in April of 2013. With the recent addition of Sen. Tammy Baldwin of Wisconsin, we've matched the record of 23 in a single congress.

Ties aren't all that satisfying, though, are they? Let's demolish the record. ARRWA sponsorship demonstrates broad national support for protecting Utah's stunning canyon country. It matters. If your senators are not already on the bill, please give them a call (or send an email) and ask them to sign on. Constituent contact makes all the difference.

Take Action

Call your legislators at (202) 224-3121 (ask to be connected to the appropriate office) or send a message from our website at: www.suwa.org/SponsorARRWA.

canyon country updates

Good
News!

Tenth Circuit Ruling: Salt Creek Is Not a State Highway

With those words, Senior U.S. District Court Judge Bruce Jenkins in 2011 rebuffed claims by the State of Utah and San Juan County that Salt Creek in Canyonlands National Park was a state highway.

In a long-awaited decision in April, the Tenth Circuit Court of Appeals concurred: Salt Creek is not a state highway. That means that decisions regarding use in the corridor are the province of the National Park Service, not the state and not the county.

Salt Creek Canyon is one of the loveliest little corners of Canyonlands National Park. Aside from the Green and Colorado Rivers, it contains the only perennial stream in the park and is home to the Salt Creek National Register Archaeological District, the area with the highest recorded density of archaeological sites in the park. The threat that motorized vehicles poses to these irreplaceable resources is well documented and led directly to the National Park Service's decision to close the canyon to such use.

A Quiet Place

Angel Arch, the largest arch in the park, also stands in Salt Creek Canyon. Just short of 10 miles up the canyon, the arch is a popular destination for backpackers. While many of the surrounding canyons are open to motorized use, Salt Creek will be protected as a quiet refuge from such activities.

In this litigation, the state and the county relied on an archaic 1866 law known as Revised Statute (RS) 2477 to argue that occasional travel in Salt Creek Canyon by jeeps had created a public highway. The Tenth Circuit rejected these claims and affirmed the district court's findings.

The decision will have important implications beyond Salt Creek. The State of Utah and its counties are pursuing more than 20 similar cases asserting that more than 30,000 miles of dirt trails and cow paths are state highways. SUWA will rely on this decision as it works to defeat these meritless claims.

(Continued on page 14)



© Tom Till

In a long-awaited decision, the Tenth Circuit Court of Appeals rejected a claim by San Juan County and the State of Utah that Salt Creek Canyon is state highway under Revised Statute 2477.

Protecting America's Redrock Wilderness in the Face of Climate Change

In May the White House released a report, the National Climate Assessment (NCA), which confirmed what many of us already knew: the impacts of climate change are real and, in fact, already upon us.

While some parts of the country will actually get cooler and wetter, that's definitely not the case in Utah. The NCA points out that much of eastern Utah's canyon country has already seen significant warming over the past decade and predicts that trend will continue. We've seen this on the ground. Violent dust storms, raging wildfires, extreme drought, and the rapid expansion in the ranges of exotic species are becoming the norm, not the exception.

In 2013, the BLM completed a multi-year study for the Colorado Plateau which looked at current resource conditions as well as trends and "change agents" (climate change was considered a change agent, along with human-related development). The study area includes most of eastern and southern Utah and millions of acres of proposed redrock wilderness.

The BLM acknowledges that a key step to responding to this rapidly changing and warming climate is prioritizing the protection of intact, undisturbed land from human activities. These activities include off-road vehicle use, mineral development, and grazing. Separately, these activities can disturb fragile soils, destroy vegetation, and change water flows. Taken together over hundreds of thousands of acres, the results can be significant, even devastating.

"The Southwest is already experiencing the impacts of climate change. The region has heated up markedly in recent decades, and the period since 1950 has been hotter than any comparably long period in at least 600 years."

—National Climate Assessment



Dust coats the San Juan Mountains of Colorado in the spring of 2009. Photo courtesy of Center for Snow and Avalanche Studies.

Unfortunately, while climate change has come quickly upon us, change is slow to come to the BLM. The agency continues to rely on its Bush-era land use plans which barely mentioned the phenomenon of climate change and adopted a land management regime that prioritized motorized use and mineral development way above protecting lands in their intact, undisturbed state.

Political holdovers and career BLM staff continue to defend the plans to this very day. Rather than reflexively defending what was clearly a major error, the administration needs to act on science and data and make land management decisions that protect the Colorado Plateau.

Taking Action

Protecting intact landscapes is one way for the administration to act on science and data to address and ameliorate some of the negative effects of climate change. Limiting intensive, surface-disturbing

activities in this region will not only help landscapes better adjust to climatic variations, it will help address problems already evident in such things as early and rapid mountain snowmelt.

As we've explained in earlier issues of *Redrock Wilderness*, science now suggests that human activity on the Colorado Plateau destabilizes desert soils. That facilitates large dust storms which coat high mountain snow fields. That, in turn, produces early snowmelt, net water loss, and increased temperatures in the Colorado River Basin.

Early research, led by Dr. Thomas Painter of NASA's Jet Propulsion Lab, examined the effect of disturbed desert soils on early snowpack melt in the San Juan Mountains of Colorado. In the spring, frequent monster dust storms blow in from the west. These dust storms leave a clearly visible pink, brown, or red layer on mountain snow. This leads to a significant rise in the amount of sun absorbed

by the snowpack because of decreased reflectivity of the snow (think of getting into a dark-colored car on a hot summer day).

A City's Water for Over a Year

In 2005 and 2006, Dr. Painter and his team estimate, the snowpack in the San Juan Mountains disappeared anywhere from 18 to 35 days earlier than it would have without that dust because of the change in reflectivity. This early melting of the snowpack leads to a chain reaction throughout the ecosystem.

In fact, researchers have now estimated that the dust-on-snow problem means we lose approximately 5 percent of the Colorado River's annual average flow before it ever reaches the Grand Canyon. That is enough water to supply the needs of Los Angeles for eighteen months.

It seems that the biggest cause of this dust on snow can be attributed to surface disturbing activities in the region, much of this probably in Utah. Fortunately, since much of this area belongs to the American people we can have a direct say in crafting solutions.

Establishing a Greater Canyonlands National Monument would be one bold step towards implementing the sorts of solutions scientists are calling for—the long-term protection of intact native ecosystems and processes—and towards keeping desert soils where they belong.

—Steve Bloch and David Garbett



A localized dust storm resulting from off-road vehicle use in Utah's Factory Butte area. Photo copyright Ray Bloxham/SUWA.



Snow pit for collecting dust from snowpack in the San Juan Mountains of Colorado. The dark surface on the snow is caused by a dust layer (also visible in the snowpack). Photo courtesy of Center for Snow and Avalanche Studies.

canyon country updates

(Continued from page 11)

The State of Utah wasted millions of taxpayer dollars on this quixotic quest to try and prove that the very stream bottom of Salt Creek Canyon was an RS 2477 right-of-way. The state continues to spend millions of dollars each year pursuing similar legal cases.

SUWA, the Sierra Club, the Grand Canyon Trust, the National Parks Conservation Association, and The Wilderness Society were amici (friends of the court) in the case before the Tenth Circuit. SUWA and Earthjustice attorneys represented the coalition.

—Steve Bloch

County Commissioner Defies BLM, Thumbs Nose at Native American Heritage

After weeks of public posturing and saber-rattling, a Utah county commissioner on May 10th made good on his threat to stage an illegal off-road vehicle (ORV) ride into a southern Utah canyon full of archaeological treasures. San Juan County

Commissioner Phil Lyman led dozens of anti-federal protesters, some of them armed, past signs prohibiting ORV use in Recapture Canyon. The BLM made no effort to stop them but, according to the agency, it had cameras and law enforcement agents there to record the event and its participants for future prosecution.

Lyman charges that the BLM “arbitrarily shut down a road in San Juan County” and that the illegal ORV ride was to protest the “jurisdictional creep” of the federal government. Nothing to quarrel with here except virtually every one of the commissioner’s facts. First, the route is an illegally gouged trail on public lands, not a road. Second, the BLM’s action was far from arbitrary. The BLM based its 2007 closure of the trail to motorized vehicles on evidence that the illegally constructed ORV trail and subsequent ORV use was damaging the canyon’s prehistoric cultural resources

The Jurisdictional Creep

When Commissioner Lyman uses the words “jurisdictional creep,” he’s merely reciting one of the pet grievances of the “States’ Rights” movement—what it sees as the federal government’s increasingly heavy hand. He is one of a small but loud and



Anti-federal protesters join San Juan County Commissioner Phil Lyman on an illegal ride through Recapture Canyon. The route, which was illegally created in the first place, has been closed to motorized vehicles since 2007 due to impacts on prehistoric cultural sites.

canyon country updates

increasingly irresponsible cadre of western elected officials worshipping at the shrine of “Take Back Federal Lands.” And his escapade is typical. (For more on this misguided movement, see feature article, page 6.)

Their little crusade, dangerous as it has become, has always been a fool’s errand. It has no legal or historical basis and reflects an extreme view rejected by the majority of westerners. Utah’s governor and other elected state officials enthusiastically feed the fantasies of the rabid, anti-federal right. Their statements, and Commissioner Lyman’s violation of the BLM’s ORV closure order, illustrate perfectly why state and local officials must not be entrusted with our public lands legacy.

BLM Must Prosecute Lyman

Commissioner Lyman broke the law. He ought to be punished for it, as should the others who violated the ORV closure order. After riding into the area the BLM closed to protect cultural resources (including sites eligible for listing on the National Register of Historic Places), the commissioner told the media “[i]t feels great.” It shouldn’t feel great; in fact, it should hurt. Commissioner Lyman and his anti-federal government pals are not freedom fighters, they are lawbreakers that demonstrated a complete lack of respect for cultural heritage and values—both ancient and modern day. The BLM, the Interior Department, and the U.S. Department of Justice must land on Commissioner Lyman and his armed gang like a ton of bricks. If they do not, more than just our special public places are at risk: so are our public employees.

To make all this worse, San Juan County is demanding from the BLM a formal right-of-way along the illegal trail. That request is ridiculous on its face and the BLM should treat it as precisely that. Granting a right-of-way to the county for the illegally constructed trail would send a clear message that vandalism, illegal trail construction, and other unlawful behavior will be rewarded; it would open the floodgates for more illegal construction and vandalism to archaeological resources on public lands.

There is no certainty that the lunatic fringe will learn anything from vigorous prosecution. But it is certain that tepidity will only embolden them. That is how bullies think. That is how bullies behave.

—Liz Thomas



Pottery sherd in Recapture Canyon.

Enemies of Their Own Cause

Sometimes an idea is so bad it creates its own negative publicity storm. The unauthorized trail forged through Recapture Canyon has drawn considerable media attention and the county commissioner’s recent illegal ORV stunt has only further outraged the public.

“In the eyes of most of the American people—and their members of Congress—who really own all that land, Saturday’s ride was accurately discerned as a childish snit fit that should only confirm BLM policy to keep such folks out of environmentally or historically sensitive lands.

The only hope these protesters had of winning an ounce of public sympathy would have been for them to have acted in the true spirit of American civil disobedience and gotten themselves thrown in jail. Where they belong.”

—Editorial, *Salt Lake Tribune*, May 12, 2014

“The protestors no doubt saw themselves as proud Americans defending their liberty against an overreaching government, but their central thesis is bogus. A man helping himself to merchandise in a store may tell himself that he is striving to support his family, but the store owner—and society—will recognize that as stealing.

The BLM does not own that land. It administers it and is responsible for it, and legal title is probably in the name of the United States government, but the land is ultimately owned by the American people.

Is there a case to be made that the BLM should not close Recapture Canyon to ATVs? Of course, public policy is always up for debate. Then again, there is also a good argument that the ancestral Puebloan remains and artifacts there are worthy of preservation and respect. The BLM did not close that canyon after throwing darts at a map.”

—Editorial, *Durango (CO) Herald*, May 11, 2014

canyon country updates

BLM's Moab Master Leasing Plan Begins to Take Shape

The BLM's Canyon County District is making real progress on a key aspect of the Obama administration's oil and gas leasing reforms by preparing a Moab Master Leasing Plan (Moab MLP). This plan will determine what lands are available for oil, gas and potash leases and permits in large areas of public land close to Canyonlands and Arches National Parks. It also covers many outstanding proposed redrock wilderness areas including Labyrinth Canyon, Fisher Towers and Harts Point/Shay Mountain.

The Moab MLP provides a critical opportunity to correct the agency's 2008 Moab and Monticello resource management plans which improperly prioritized energy development and designated hundreds of thousands of acres of wilderness-caliber lands as open for oil, gas and potash leasing and development. This process is not a way to close the public lands in an MLP area to energy and mineral development. Rather, the goal is to make smarter leasing—and eventually, development—decisions that recognize the importance of

an area for wilderness, recreation, wildlife, and other resources.

This spring the BLM released three preliminary alternatives of the Moab MLP for public review and comment. We support Alternative C, which would give the most protection to lands proposed for wilderness in America's Red Rock Wilderness Act. That alternative would either close these lands to new oil and gas leasing or permit leasing only with stringent "no surface occupancy" restrictions. It would also close the Moab MLP planning area to new potash leasing and applications.

The BLM plans to release a draft of the plan and an environmental impact statement this fall; a final MLP should follow by fall 2015.

There are four other MLPs waiting in the wings, including the Colorado Plateau (Glen Canyon-San Juan), San Rafael Desert, and Eastern Book Cliffs. Like the Moab MLP, these plans encompass proposed redrock wilderness areas that the BLM's Bush-era plans left open for development. We are encouraging the BLM to begin working on these other plans as quickly as it can.

—Steve Bloch



© Tom Till

"Alternative C" of the Moab Master Leasing Plan would protect wild landscapes like Fisher Towers (above) from the impacts of new oil and gas leasing.

Major New Power Line Would Disrupt Habitat, Wild Country

A troubled species, wilderness-quality land, and valued scenic areas would all suffer from a major new power line cutting through sensitive landscapes in Utah, Colorado, and Wyoming.

The Bureau of Land Management is weighing the proposed Gateway South project and has issued a draft environmental impact statement (EIS) analyzing it. The project, sponsored by PacifiCorp (doing business as Rocky Mountain Power), entails construction of a 400-mile power transmission line. All of the alternative routes set out in the BLM's draft EIS would pose serious environmental consequences.

Depending on the alternative route, the project has the potential to cut through the Desolation Canyon, Lost Spring Wash, Mexican Mountain and/or Price River proposed wilderness areas. The project may

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also impact areas of critical environmental concern (ACECs) specifically designated by the BLM for the protection of scenic values and cultural resources.

The Greater Sage Grouse, the largest grouse in North America and a candidate for listing under the Endangered Species Act, also faces significant danger from the project. The grouse would suffer both from predation and the displacement that inevitably results from large construction projects.

According to PacifiCorp, the project is intended to “expand the modern electric grid to promote clean energy sources.” While this sounds promising enough, the draft EIS does not directly address the generating sources for energy that would flow through the new line. This glaring omission leaves the door wide open to a situation in which PacifiCorp could merely use the new lines to interconnect its existing fossil fuel generating stations.

SUWA, in coordination with our conservation partners, has commented on the proposal. We will remain involved in the process and will keep you posted.

—Neal Clark

Upper Kanab Creek: A Battle in the War against Pinyon-Juniper Woodlands

The BLM’s Kanab field office continues to gnaw its way through pinyon-juniper woodlands as part of the 51,600 acre Upper Kanab Creek vegetation destruction project.

SUWA appealed the project and lost. That loss means the BLM will ultimately masticate between 90 and 100 percent of pinyon pine and juniper trees (“vegetation treatments” in BLM parlance) over the treatment area. This includes approximately 10,000 acres of proposed wilderness in America’s Red Rock Wilderness Act and lands bordering the Grand Staircase-Escalante National Monument.

It is hard to shrug off a loss when it means the destruction of some of Utah’s remaining wilderness-quality lands (the photo above illustrates the extent



© Neal Clark/SUWA

The land in the foreground was a pinyon-juniper woodland before it was masticated—literally chewed up—as part of the Upper Kanab Creek project. The woodland in the background is part of the Grand Staircase-Escalante National Monument.

of the devastation). Unfortunately, the BLM’s war on pinyon-juniper woodlands is in full swing.

It is difficult to imagine how clear-cutting essentially all of an intact, undisturbed pinyon-juniper system will achieve what the agency loves to call “ecosystem restoration” on the Colorado Plateau. And, as we’ve noted in the past, the BLM has flatly failed to offer a scientifically supportable rationale to defend its approach. Ignoring concerns over the wisdom of gardening entire landscapes in the era of a changing climate, the agency continues to push these projects, claiming they improve habitat quality and decrease fire risk.

David Brower reminded us that “[c]onservationists have to win again and again and again. The enemy only has to win once.” The devastation of the Upper Kanab Creek project will serve as a permanent reminder of what’s at stake and will only strengthen our resolve.

—Neal Clark

inside SUWA

Grassroots Retreat Draws Redrock Activists from Near and Far

Redrock activists from across the country joined SUWA organizers over a long May weekend for a grassroots leaders' retreat at the secluded Rio Mesa Center near Moab.

We enjoyed the redrock cliffs, the circling herons, and being lulled to sleep by the murmur of the nearby Dolores River. We got to know each other over campfires, food, and drinks. We hiked, we swam, and we shared stories of our love for the landscape that unites us. We also took the opportunity to learn about issues on the ground.

In a tour of the Big Flat region northeast of Canyonlands National Park, activists saw burgeoning oil and gas development first-hand and examined an RS 2477 "right-of-way" claim, learning from SUWA staff about the variety of threats to the region. From Dead Horse Point we were challenged to identify the boundary between Canyonlands National Park and

the surrounding Greater Canyonlands region (the landscape provides few hints). But the encroaching development was a reminder that BLM-managed areas outside the park still lack the protection they deserve.

The 25 grassroots leaders who attended brought a wide variety of backgrounds and experience—from some of the very first SUWA members to those just learning about our organization. It was inspiring to bring the collective brainpower of this community of activists to bear on our current campaigns. We came out of the retreat with new connections and solid plans for moving forward.

If you are interested in joining this community of passionate and dedicated activists, please get in touch with your regional organizer: Rachel Briggs (East) at rachel@suwa.org, Clayton Daughenbaugh (Midwest) at clayton@suwa.org, Terri Martin (West) at terri@suwa.org, and Dave Pacheco (Utah) at dave@suwa.org. There are many ways to get involved, from collecting postcards to submitting letters-to-the-editor, to meeting with your members of Congress. We would love to have your help as we work to protect the places that are precious to us all.



Photo by Hau Quan Truong

Twenty-five activists joined SUWA organizers at the Rio Mesa Center in May to fine-tune their redrock advocacy skills.

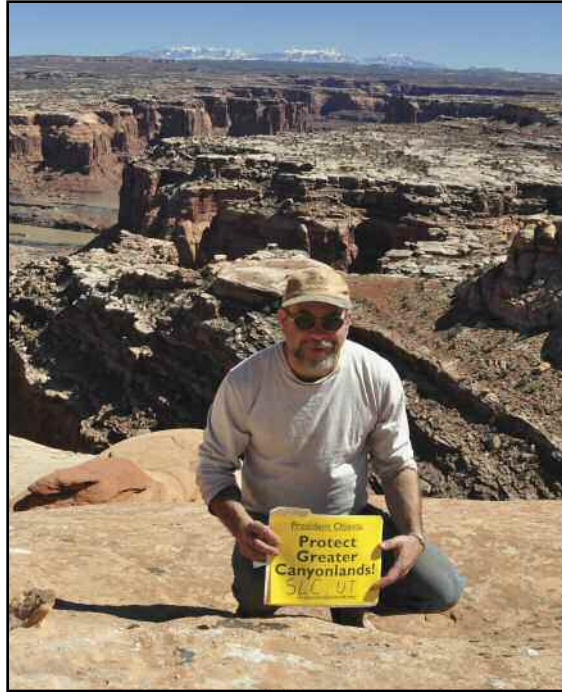
Dave Pacheco Is Back in the SUWA Saddle!

Remember those old Westerns where the hero leaps astride his horse from a dead run and gallops off in a cloud of dust to do good and fight evil? Well, that's how Dave Pacheco has returned to SUWA after a 10-year absence—and we are thrilled to have him back on our organizing team!

Dave will be building our “redrock nation” of activists in Utah, especially along the Wasatch Front. He brings an outstanding level of expertise, enthusiasm and commitment to wilderness as he takes up the reins again at SUWA.

Dave played a major role in developing SUWA's existing network of activists from 1994 to 2004, when he spearheaded our grassroots outreach campaign and directed our door-to-door canvass program. When it comes to educating and inspiring citizens to take action on behalf of Utah wilderness, he's pretty much done it all—from touring the country with our traveling slideshow to pounding the halls of Congress in Washington, D.C. (where he served for a time as our national outreach director).

Wilderness has never left Dave's bloodstream. Most recently he served as the executive director of Wilderness Volunteers, a national nonprofit service organization. Before that, he founded Utah



Dave returns to SUWA's grassroots team as enthusiastic as ever about organizing support for Utah wilderness.

Backcountry Volunteers and directed it for many years.

When not organizing opportunities for citizens to take action on behalf of the redrock, Dave might be seen fighting the perpetual invasion of weeds in his garden or out enjoying the wild lands he has devoted his life to. Welcome back, Mr. Pacheco!

Celebrate 50 Years of Canyonlands and the Next 50 Years of Greater Canyonlands!

This September marks the 50th anniversary of the creation of Canyonlands National Park. To celebrate, SUWA, along with other members of The Greater Canyonlands Coalition, will be looking forward to the next 50 years of a Greater Canyonlands National Monument!

If you're in Moab, come to Star Hall on Friday Sept. 12, 2014 at 7:30 pm for the preview of a new film on Greater Canyonlands and a discussion on the future of the region featuring author Terry Tempest Williams, Grand Canyon Trust Executive Director Bill Hedden, and former Canyonlands National Park Superintendent Walt Dabney. The festivities continue on Saturday, with the Greater Canyonlands Coalition hosting a reception at the Tom Till Gallery on Main Street as part of the Moab September Art Walk, followed by an evening concert at Eddie McStiff's Plaza. We'd love to see you there!

inside SUWA

SUWA's 2014 canvass team is visiting thousands of homes along the Wasatch Front this summer to educate Utahns about the threats to redrock wilderness and how they can help.

Building the Movement to Protect Utah's Redrock Wilderness

We know from polling data that the majority of Utahns care about protecting the national treasure that is Utah's redrock country, and that they're concerned by proposals from local and state elected officials to seize control of these wild lands. To help turn this concern into action to protect the redrock, SUWA canvassers are going door-to-door along the Wasatch Front, educating Utahns about the threats to Utah's redrock wilderness and letting folks know what they can do to help. By autumn our canvassers will have knocked on over 30,000 doors and will have signed up thousands of new SUWA members.



To complement the canvassing, we're simultaneously launching a campaign to show support for Utah's redrock by asking you to plant "Protect Wild Utah" signs in high-traffic, high-visibility locations along the Wasatch Front. The distinctive black-on-yellow lawn signs, sprouting in communities from Logan to Payson, represent your voice to keep our last remaining wild places in their natural condition—for future generations of Utahns to enjoy and cherish. Your sign speaks volumes to thousands of people passing by on a daily and continuing basis. Over time, they're a highly cost-effective way to put your donations to work to Protect Wild Utah!

You can get involved with this effort in two ways. First, if you want us to deliver a sign to you, email Dave Pacheco at dave@suwa.org or call (801) 428-3961. Second, if you can spare a few volunteer hours to deliver the signs to those requesting them, usually in your area, please let Dave know. We ask that you respectfully plant the signs only on your land or business property.

The movement to protect Utah's redrock wilderness has always been powered by concerned citizens—thank you!

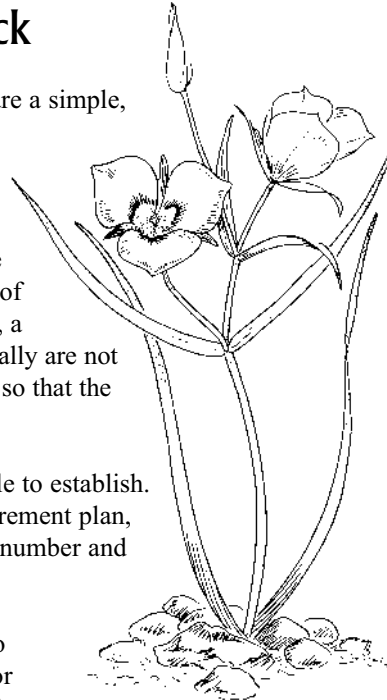
Leave a Legacy of Support for the Redrock

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

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

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

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



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Join Us for the SUWA Roundup this September!



Roundup hikers enjoy one of the many scenic hikes accessible from Hidden Splendor.

Fall is just around the corner and there's no better time to head to canyon country. Please join us at this year's SUWA Roundup, September 19-21 at Hidden Splendor.

The Roundup offers SUWA members, activists and staff the opportunity to get to know each other while relaxing in the beautiful San Rafael Swell. Activities include a discussion of Utah wilderness issues with SUWA staff, a potluck dinner, evening music around the campfire, and—best of all—guided day-hikes in the Muddy Creek proposed wilderness. Sunday morning you'll awake to freshly brewed coffee and breakfast prepared by the SUWA staff in thanks for all your support and dedication.

If you plan to attend this year's Roundup, here's what you should bring: a potluck dish serving five people for Saturday evening (if you plan to eat with the group); your own food for Friday evening and Saturday breakfast, lunch and snacks; camping gear; plenty of drinking water (1-2 gallons person/day); eating utensils; folding chairs and whatever else you like.

To RSVP or for more information please visit suwa.org/roundup2014 or contact Michelle Farnsworth at michelle@suwa.org, (801) 236-3763.

inside SUWA**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 a donation of \$150 or more, we'll print your company's name in our newsletter (once a year) and on our website (with a link) 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 Michelle Farnsworth at (801) 236-3763 or michelle@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+)

Bret Webster Images, UT

Kayenta Members

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

A Wanderlust Adventure, CO
 Juniper Ridge, CA
 Powderhound Marketing, UT
 Stone Forest Inc, NM
 Treasure Mountain Inn, UT

Wingate Members

(\$500-\$999)

Community Builders Cooperative, MA
 Imlay Canyon Gear, UT
 Enjoy Productions, CO
 Institute of Taoist Education and
 Acupuncture, Inc, CO
 Medical Plaza Pharmacy, UT
 Trio Restaurant Group, UT
 Ultralight Adventure Equipment, UT
 Words and Photographs by Stephen
 Trimble, UT
 Zion Mountain School, UT

Moenkopi Members

(\$150-\$499)

Adventure Safety International, UT
 Alta Lodge, UT
 Andrew McNeil, Real Estate, UT
 Avalanche Properties, UT
 Avenues Yoga, UT
 Baked In Telluride, CO
 Black Diamond Equipment, UT
 Brown Bag Farms, CA
 Bruce Hucko Photography, UT
 Caffe Ibis Coffee Roasting Co, UT
 Charles Wood Photography, UT
 City Cleaners, Inc., UT

Clayhaus Photography, UT
 Consulting Psychologists, AZ
 Dabney & Dabney PC, UT
 Deanna Rosen LCSW, UT
 Deer Hill Expeditions, CO
 Dennis Chavez Development
 Corporation, NM
 Four Crows Photography, MA
 Glenn Randall Writing and
 Photography, CO
 Gospel Flat Farm, CA
 Highway 89 Media, UT
 Hohl & Simmerman, WA
 Holiday River Expeditions, UT
 Horsethief Ranch, CO
 Hyperspud Sports, ID
 Inkwater Press, OR
 Injoy Productions, CO
 J Groene Construction Inc, KS

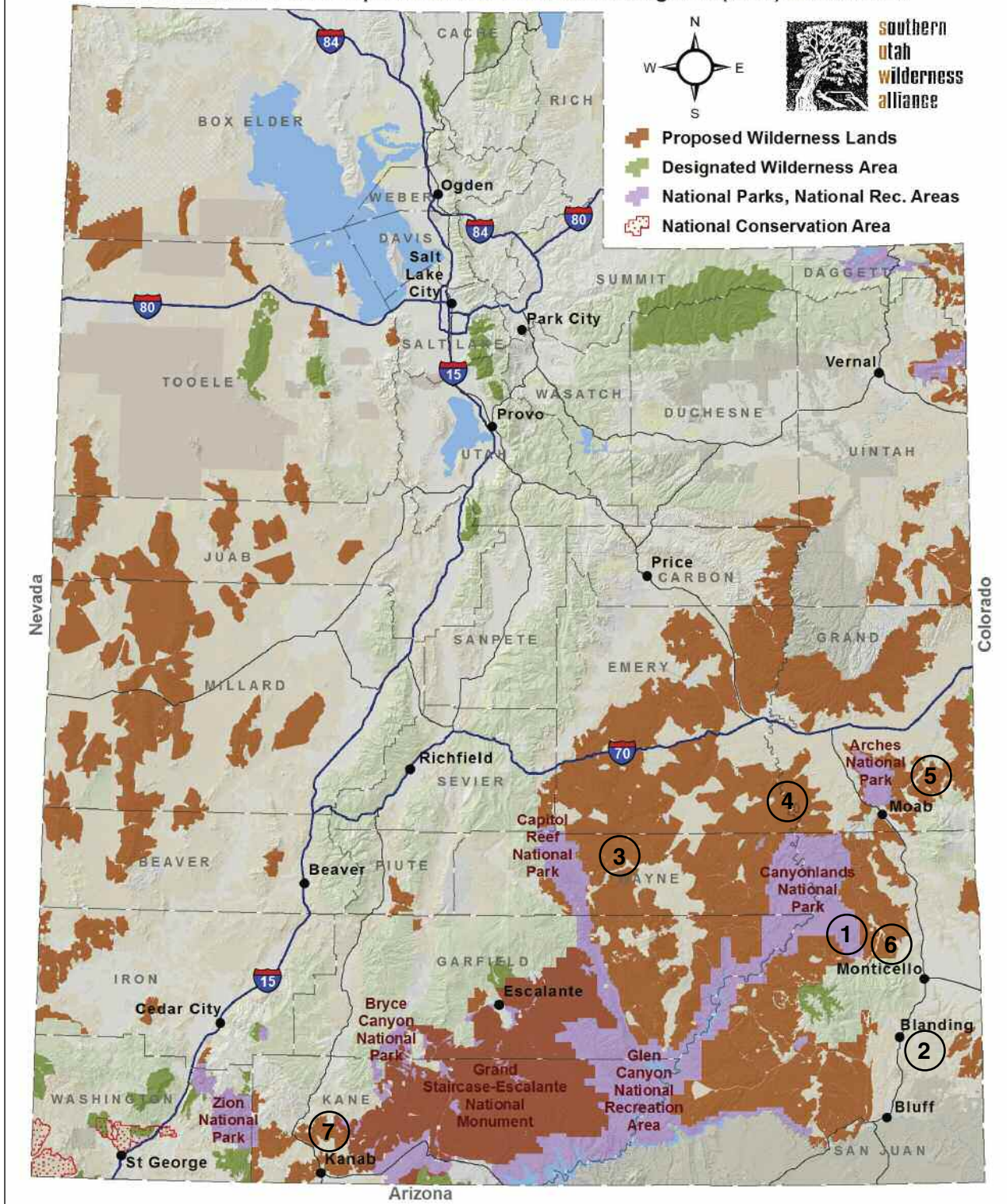
Lazy Lizard International Hostel, UT
 Leslie Peterson, ND, Naturopathic
 Physician, UT
 Lucky Dog Communications, UT
 Manning Curtis Bradshaw & Bednar,
 UT
 Matheson Design, OR
 Maui Mountain Environmentally
 Friendly Coffee, HI
 Mesa Farm Market, UT
 Moab Cliffs and Canyons, UT
 Mountain Chalet, CO
 Muench Photography Inc, NM
 Mystic Hot Springs, UT
 Neiman Wealth Management, LLC, FL
 Nichols Expeditions, UT
 Ody Brook Enterprises, MI
 Pack Rat Outdoor Center, AR
 Page Speiser LCSW, UT
 Paul Fuller Massage Therapy, CO
 Phillips Gallery, UT
 Polar Equipment, CA
 Pinnacle Peak Eye Care, AZ
 Red Rock Counseling & Education, UT
 Richard Farrell CPA, CO
 Ruby Canyon Engineering, CO
 Rupestrian CyberServices, AZ
 Salt Lake Mailing & Printing, UT
 Select Stone, Inc, MT
 Selinda Research Associates, IL
 Stephen L. Gilsdorf, CPA, AZ
 Steven Lamb Attorney At Law, KY
 Streamline Industries Inc., UT
 Sun Dog Automotive, CO
 Tom Till Gallery, UT
 Underwood Environmental, Inc, UT
 William Stone Photography, NM
 With Gaia Design, UT
 Workspace Installations LLC, CT



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America's RedRockWildernessAct

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



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| ② Recapture Canyon (p. 14) | ⑤ Fisher Towers (p. 16) | |
| ③ Factory Butte (p. 12) | ⑥ Harts Point/Shay Mountain (p. 16) | |



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Goosenecks of the San Juan River.

© Robert Heil

SUWA.ORG Gets a New Look

We're pleased to announce that SUWA's website is now tablet/mobile-friendly. In mid-June, we relaunched SUWA.org with a clean, responsive design that automatically resizes and reorders content based on the type of device you're using. Check it out on your phone, laptop or tablet!