

# REDROCK

## W I L D E R N E S S

The Newsletter of the Southern Utah Wilderness Alliance  
Volume 22, Number 4 • Winter 2005-2006

Protecting Wild Utah from  
the Oil and Gas Onslaught





**Cover Photo:** A lone kayaker enjoys a quiet stretch of the White River proposed wilderness in northeastern Utah—a spectacular landscape of canyons, buttes, and pinnacles now threatened by oil and gas development. Copyright James W. Kay ([www.jameskay.com](http://www.jameskay.com))



southern  
utah  
wilderness  
alliance

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.

SUWA is qualified as a non-profit organization under section 501(c)(3) of the federal tax code. Therefore, all contributions to SUWA are tax-deductible to the extent allowed by law.

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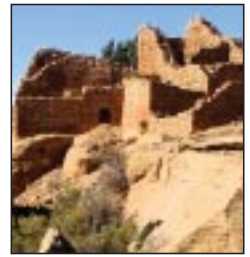
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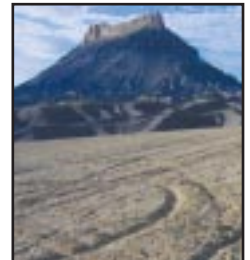
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### Take Action!

See pages 16-18 to learn how *you* can get involved.

## Redrock Wilderness • Volume 22, Number 4 • Winter 2005-2006

This issue of **Redrock Wilderness** was written by the following staff and outside contributors: Justin Allegro, Steve Bloch, Ray Bloxham, Jeremy Christensen, Peter Downing, Scott Groene, Margi Hoffmann, Jen Jackson, Heidi McIntosh, Lindsey Oswald, Bill Raleigh, Chaitna Sinha, Liz Thomas, and Chip Ward. It was laid out and edited by Diane Kelly and proofread by Lindsey Oswald.

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

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## wilderness notes

### Bringing Utah Politics into the 21st Century

Though poll after poll demonstrates widespread support for wilderness protection among Utahns, the majority of Utah politicians stake out solid anti-wilderness positions. This paradox can be traced back, in part, to the western tradition of granting political power over public lands to county commissioners. Under this system, three men (almost always men) were given reign in each county as community decision makers. As the primary contacts with a remote outside world, they followed political decisions emerging from Washington, DC and western state capitols and responded on behalf of their communities. This response was frequently condemnation of the federal government and knee-jerk opposition to conservation initiatives.

But rural America has changed. The Internet and a host of other information sources provide a steady flow of news from around the globe, whereas, just a short time ago, the only news available to rural residents of southern Utah came from local and decidedly parochial newspapers sorted into post office boxes once a week. And despite romantic notions to the contrary, it is more the current exchange rate than the price of beef, timber, or gold that now drives local economies.

Despite these changes, powerful county commissioners continue to rule southern Utah and much of the West. Members of Utah's congressional delegation still defer to the commissioners, as do the local BLM and Forest Service heads—ignoring the facts that Utah's public lands belong to all 297 million Americans, and that most Utahns disagree with commissioners when they scrape illegal roads, lead illegal ORV events, or destroy federal property. Utah Governor Jon Huntsman has even gone so far as to open the state purse for a number of county challenges against public land measures, including a losing lawsuit against the Grand Staircase-Escalante National Monument.

Twenty years ago I served as a lawyer representing the indigent residents of southeast Utah and witnessed firsthand how poorly the commissioners served my clients and their constituents. The real issues were health care, education, and the lack of quality jobs, but the county commissioners routinely dodged these tough problems while running for re-election on an anti-federal government platform. Time and time again, the commissioners wasted scarce resources fighting inevitable change instead of helping the residents of Bluff, Blanding, and Montezuma Creek prepare for that change.



*February on the Burr Trail, artwork by Scotty Mitchell  
([www.scottymitchell.com](http://www.scottymitchell.com))*

Until commissioners in counties like San Juan and Kane change their views or are replaced, until Governor Huntsman stops funding their shenanigans, and until Senators Hatch and Bennett stop granting the commissioners a veto over wilderness, southern Utah's future—both for the land and the people who live there—will be dimmer than it should be. In the meantime, SUWA will stand up against county antics that threaten both the Redrock and local community interests, and, when necessary, we'll take the counties to court (see page 13).

At the Southern Utah Wilderness Alliance, we believe we'll be poorer as a nation if the freedom and beauty of our public lands are lost. We also believe it is our responsibility to leave behind plenty of wild country for our children to roam. And we're more than willing to shake the calcified political system where it blocks us from these ends.

For the Redrock,  
*Scott Groene*



## features

### Dark Days for Utah Wilderness

We're not going to sugarcoat it: the first five years of the Bush/Norton energy plan have opened the floodgates to oil and gas development in Utah's scenic backcountry, threatening many of the wild places we've worked decades to protect. If not for the tenacity and dedication of Utah wilderness activists, many of these magnificent places would already be lost. Because we've stood our ground together, the wilderness casualties have been few.

Still, seismic "thumper" trucks have left lasting scars at the doorstep of Dead Horse Point State Park and Canyonlands National Park near Moab and have threatened sacred, centuries-old cultural sites in Nine Mile Canyon, east of Price. In northeastern Utah, gas wells are riddling the forested plateaus of the Book Cliffs region, and the White River proposed wilderness has become an island of pristine land in an ever encroaching sea of energy development. Meanwhile, at the behest of the Bush administration, the BLM has auctioned over 100,000 acres of wilderness-quality lands to oil and gas developers in the past two years alone. These leases—if they withstand legal scrutiny—give oil and gas companies the right to drill wells on leased lands.

Yes, these are dark days for wilderness, and the most worrisome part of all is our government's continuous attempts to sidestep environmental laws and remove the "public" from America's public lands. Hardly a day goes by without the release of another behind-the-scenes directive aimed at expediting oil and gas leasing and development while suspending environmental review and public oversight. Nevertheless, through persistent efforts on a variety of fronts—including litigation, administrative appeals, media outreach, and grassroots mobilization—we've had considerable success even in this worst of political environments. As oil and gas development leaves almost no stone unturned across our western public lands, America's redrock wilderness has truly become one of the last strongholds for solitude, clean air, abundant wildlife, and blessed silence—and we intend to keep it that way.

#### A Few Bright Spots

Despite the current siege on America's public lands, we've made real gains in both increased pro-



Laurel Hagen

*An abandoned oil well near Utah's Green River—a reminder of the price we pay for speculative drilling on our public lands.*

tections for Utah's wild places and increased recognition that these places are special and worth fighting for. In 2002, we fought off a seismic exploration project on the eastern edge of Arches National Park, in the Dome Plateau proposed wilderness area. *The New York Times* referred to this case as one of the two bright spots nationally in environmental litigation that year. Later, we challenged the largest seismic exploration project in Utah BLM history and, while we lost the case at the district court, we succeeded in reducing the project to roughly one-half its proposed size.

SUWA and the Natural Resources Defense Council are also battling a respectable average in our challenges to Utah BLM lease sales. Our objections to several leases sold between May of 2001 and August of 2002 resulted in four out of five partial or outright victories. Meanwhile, SUWA has been closely watching all drilling permit requests in proposed wilderness, and we routinely comment on these projects—and their shortcomings—to the BLM. When necessary, we challenge the agency's decisions before the BLM State Director or the Interior Board of Land Appeals.

## features



Ray Bloxham

*The Jack Canyon proposed wilderness is among many scenic gems now targeted for oil and gas development.*

At the same time, SUWA and our conservation partners have raised the profile of energy development in Utah's redrock country. Reports on the impacts of oil and gas development on these treasured public lands have run in *The Washington Post*, *The Los Angeles Times*, *The New York Times*, *The Christian Science Monitor*, *The Wall Street Journal*, *USA Today*, the *Denver Post*, *CBS News*, National Public Radio, and NOW with Bill Moyers, as well as in local media outlets such as the *Salt Lake Tribune*, *Deseret News*, and KSL-Channel 5 (NBC). Like the hotly debated Arctic National Wildlife Refuge in Alaska, America's redrock wilderness—and the threats currently facing it—loom large in the national psyche.

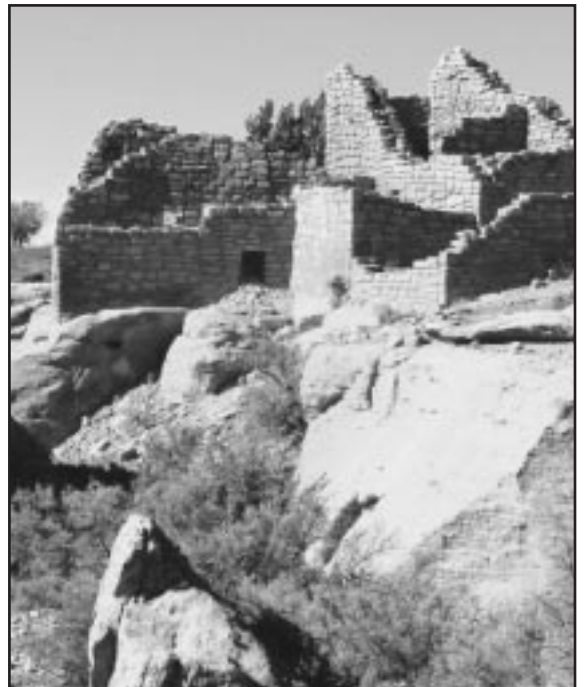
### Debunking the Myths

To be clear, SUWA does not argue for an end to oil and gas development in Utah, and we do not file lawsuits to challenge every new oil and gas well, lease, or seismic project. We are mainly concerned with projects that threaten lands within America's Redrock Wilderness Act, though we occasionally challenge oil and gas development when it threatens sensitive places outside our wilderness proposal, such as Hovenweep National Monument.

Contrary to the propaganda espoused by the Bush administration and industry representatives, oil and gas development in Utah is moving along at breakneck speed, with industry's own internal limitations serving as the primary obstacle to faster

drilling and development. Case in point: from January of 2001 through October of 2005, the Utah BLM office approved 4,796 drilling permits (higher than any five year period over the last 25 years), but only 2,886 have been drilled, leaving a surplus of 1,910 unused permits. And according to the *Rocky Mountain Oil Journal*, there were only 25 drill rigs operating in Utah as of October 21, 2005, a number that has remained static over the past year. In other words, it is the well reported shortage of oil rigs and workers, and not the conservation community's few and far between lawsuits, that accounts for industry's inability to act upon all the permits the Bush administration has handed to them.

When it comes to leasing *new* lands for oil and gas development, the facts once again trump the rhetoric. At the end of fiscal year 2004, while industry held leases on nearly 3.5 million acres of public lands, less than 1 million acres of lands were in production. With approximately 75 percent of Utah BLM lands currently available for oil and gas leasing and development, industry representatives and their political allies still complain of environmental obstructionism. Truth is, in Utah (like most western states), oil and gas companies have millions of acres of leased federal lands and approved drilling permits burning a hole in their pockets.



Laurel Hagen

*SUWA succeeded in getting the BLM to withdraw oil and gas leases near Hovenweep National Monument.*

## features

The Bush administration would also have us believe that drilling our last wild places is the key to America's energy independence. But according to the government's own figures, "technically recoverable" undiscovered natural gas and oil resources within America's redrock wilderness amount to less than 4 weeks of natural gas and roughly 4 days of oil at current consumption levels. Far from being at the core of any government plan to make the United States "energy independent" (a plan widely recognized as out-of-touch with reality), drilling Utah's redrock wilderness will not meaningfully increase our supply of oil and natural gas. On the other hand, simple conservation measures, such as making sure our car tires are properly inflated, would save us as much as 200,000 barrels of oil per day by the year 2013.

SUWA has been walking the walk, as well as talking the talk, to promote a balanced energy policy. We've participated in a state-based initiative, called the Utah Energy Policy Working Group, which has brought together a broad range of interests to develop a consensus-based Utah energy policy. In addition, our staff work together with national conservation groups to show members of Congress why a sound national energy policy must include environmentally sensitive natural gas and oil exploration hand-in-hand with a commitment to promoting conservation and renewable energy.

### Darkest Before the Dawn

As the saying goes, "It's always darkest before the dawn," though some might argue that "the dawn" is really a freight train hurtling down the tunnel towards us. We see it differently. Through the tireless efforts of citizen activists, Utah and its remarkable public lands have survived the cunning schemes of past administrations (think Reagan/Watt) and the seemingly boundless greed of industry barons. We've done it before and we can do it again—there really is no other choice. With your continued support, we'll ensure that "the dawn" is a new day in which Utah's redrock wilderness is recognized and protected as a crown jewel of America's National Wilderness Preservation System.

—Steve Bloch

*SUWA thanks our friends at the Natural Resources Defense Council, The Wilderness Society, Western Resource Advocates, Earthjustice, and other groups for their hard work and support in challenging ill-conceived Bush administration policies.*

## Fact vs. Fiction

**Fiction:** Industry doesn't have access to enough public land in Utah.

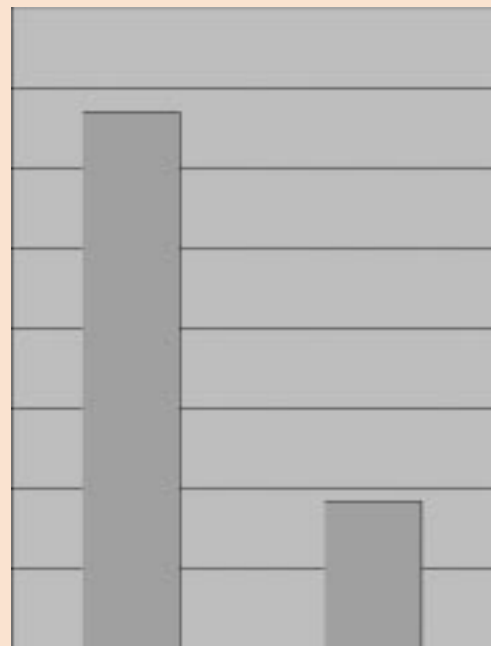
**Fact:** At the end of fiscal year 2004, while industry held oil and gas leases on nearly 3.5 million acres of Utah's public lands, less than 1 million acres of land were in production. Approximately 75 percent of Utah's BLMs lands are currently available for oil and gas leasing.

**Fiction:** In Utah, oil and gas companies don't have enough permits on hand to drill new wells.

**Fact:** From January of 2001 through October of 2005, the Utah BLM approved 4,796 drilling permits (higher than any five year period over the last 25 years), but only 2,886 have been drilled, leaving a surplus of 1,910 unused permits.

**Fiction:** Lands within America's Redrock Wilderness Act are an important source of oil and gas that will help make America energy independent.

**Fact:** According to the government's own figures, "technically recoverable" undiscovered natural gas and oil resources within America's redrock wilderness amount to less than 4 weeks of natural gas and roughly 4 days of oil at current consumption levels. If the more appropriate "economically recoverable" screen were applied, these figures would likely shrink by 80 percent.





**DC news****Keeping the Colorado Wild**

The Colorado River has been called the grandfather of western rivers due to its central importance in the American West and the spectacular erosional landscapes it has formed over the past 300 million years. On September 27th, a House Resources subcommittee held a hearing to examine legislation that could help preserve a remarkable stretch of the Colorado River as it flows from the Colorado border to Moab, Utah.

The Utah Recreational Land Exchange Act of 2005 (H.R. 2069) proposes transferring to BLM ownership roughly 40,000 acres of state land along the Colorado River for “conservation and recreation.” In exchange, the State of Utah would receive 40,000 acres of BLM lands suitable for development in Uintah County (see Autumn 2005 issue, p. 11). In the past, SUWA has supported legislation that equitably trades state lands within proposed wilderness for less sensitive BLM lands elsewhere. In the case of H.R. 2069, the BLM would gain prized scenic and recreational destinations in Westwater Canyon, Fisher Towers, Porcupine Rim, Morning Glory, and Behind the Rocks, to name a few.



© Tom Till ([www.tomtill.com](http://www.tomtill.com))

*State lands along the Colorado River, including areas within the Behind the Rocks proposed wilderness (above), could be acquired by the BLM in a pending land exchange.*

SUWA applauds the selection of these wilderness-quality lands along the Colorado River for BLM acquisition. Still unresolved, however, is the question of how newly acquired BLM parcels will be managed. Currently, there is nothing to prevent the BLM from turning these lands over to oil and gas development once they are acquired.

With this concern in mind, wilderness activists in Grand County wrote letters to Congress recommending that the land exchange legislation be modified to protect sensitive lands from oil and gas leasing. In a letter typical of those submitted, one Moab couple urged their representative to “consider strengthening the [legislation] by including provisions that will ensure lands acquired by the BLM . . . are protected from mineral, oil and gas development.” Others who spoke out included a cattle rancher, an outdoor education institute, and an organization that advocates for the rock climbing community.

In testimony before the House Resources subcommittee, SUWA also urged legislators to withdraw the newly acquired BLM lands from future oil and gas leasing. We are awaiting further action on this legislation and will keep you informed of its progress.

—Peter Downing and Franklin Seal

**Udall Bill Would End RS 2477 Debate**

Once again, legislation has been introduced in Congress that proposes a final solution to the debate over RS 2477—the antiquated provision of the 1866 Mining Act which reads simply: “The right-of-way for the construction of highways over public lands, not reserved for public uses, is hereby granted.” As many of you know, this dusty statute—originally meant to encourage settlement of the West—has become a favorite loophole for wilderness foes seeking to claim highways across some of our most cherished public lands, including national parks, national monuments, and proposed wilderness areas.

As recently as last Congress, Representative Mark Udall (D-CO) introduced legislation to settle the decades-old debate over the language and intent





## Visit the Zion-Mojave Wilderness Online

With the chance of a Zion-Mojave wilderness bill being introduced in Congress, a coalition of conservation groups have launched a brand new website dedicated to informing the public about this stunningly diverse region of southwestern Utah. At [www.zionmojavewilderness.org](http://www.zionmojavewilderness.org) you'll find news articles, photos, legislative updates, and opportunities to take action on behalf of this extraordinary landscape. And be sure to visit often as the site is updated regularly.

of RS 2477. SUWA supported this legislation because it would have protected the public from unsubstantiated RS 2477 claims by providing 1) a reasonable definition of "constructed highway"; 2) a fair administrative process with a deadline for filing claims; and 3) a standard that protects wilderness-quality lands. Udall's legislation was referred to the House Resources Committee but was not considered prior to adjournment of the 108th Congress.

Rep. Udall's new RS 2477 legislation, introduced in July as H.R. 3447, incorporates many concepts from the first bill but contains some unfortunate modifications. For example, H.R. 3447 does not clarify that claimed routes must show evidence of construction, and that repeated passage of vehicles or animals does not qualify as such. Similarly, the bill does not clearly define a "highway" as a major transportation corridor connecting two discernable destinations. For these reasons, SUWA believes that improvements must be made to the bill if it is to truly protect our nation's public lands from bogus right-of-way claims.

There is currently no Senate version of Udall's RS 2477 legislation. SUWA will continue working with Congressman Udall to improve the bill's language should it advance through the legislature.

—Peter Downing

## Update on America's Redrock Wilderness Act

Due in large part to the persistent efforts of SUWA activists across the country, America's Redrock Wilderness Act gained two more cosponsors in the House of Representatives this summer. Thank you to Congressman Mike Ferguson (R-NJ) and Congresswoman Gwen Moore (D-WI) for

bringing our total number of House cosponsors up to 160!

America's Redrock Wilderness Act seeks to permanently protect Utah's wild desert landscapes by designating more than nine million acres of Bureau of Land Management lands as wilderness. Utah wilderness activists play a key role in the advancement of this legislation by contacting their Senators and Representatives in support of its passage. You can help too by urging your members of Congress to cosponsor America's Redrock Wilderness Act today, or by thanking them if they already have (see page 10 for a list of current cosponsors).

—Justin Allegro

## Help Us Build Congressional Support for America's Redrock Wilderness Act!

### Write:

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

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

### or Call:

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

To find out who your elected officials are, go to [www.congress.org](http://www.congress.org)

**H.R. 1774, Sponsored by  
Rep. Maurice Hinchey  
(D-NY26)**

**160 House Cosponsors**

**Arizona**

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**California**

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Doris Okada Matsui, D-05  
Lynn C. Woolsey, D-06  
George Miller, D-07  
Barbara Lee, D-09  
Ellen O. Tauscher, D-10  
Tom Lantos, D-12  
Fortney Pete Stark, D-13  
Anna G. Eshoo, D-C14  
Michael M. Honda, D-15  
Zoe Lofgren, D-16  
Sam Farr, D-17  
Lois Capps, D-23  
Brad Sherman, D-27  
Howard L. Berman, D-28  
Adam B. Schiff, D-29  
Henry A. Waxman, D-30  
Xavier Becerra, D-31  
Hilda L. Solis, D-32  
Diane E. Watson, D-33  
Lucille Roybal-Allard, D-34  
Maxine Waters, D-35  
Jane Harmanj, D-36  
Juanita Millender-McDonald, D-37  
Grace F. Napolitano, D-38  
Linda T. Sanchez, D-39  
Loretta Sanchez, D-47  
Bob Filner, D-51  
Susan A. Davis, D-53

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**Hawaii**

Ed Case, D-02

**Illinois**

Bobby L. Rush, D-01  
Jesse L. Jackson Jr., D-02  
Daniel Lipinski, D-03

# America's Redrock Wilderness Act Cosponsors in the 109th Congress

(as of November 15, 2005)

Luis V. Gutierrez, D-04  
Rahm I. Emanuel, D-05  
Danny K. Davis, D-07  
Janice D. Schakowsky, D-09  
Mark Steven Kirk, R-10  
Jerry F. Costello, D-12  
Judy Biggert, R-13  
Timothy V. Johnson, R-15  
Lane Evans, D-17

**Indiana**

Julia Carson, D-07

**Iowa**

James Leach, R-02

**Kansas**

Dennis Moore, D-03

**Kentucky**

Albert Benjamin Chandler III, D-06

**Louisiana**

William Jefferson, D-02

**Maine**

Thomas Allen, D-01  
Michael Michaud, D-02

**Maryland**

Benjamin L. Cardin, D-03  
Albert Russell Wynn, D-04  
Roscoe G. Bartlett, R-06  
Elijah E. Cummings, D-07  
Christopher Van Hollen Jr., D-08

**Massachusetts**

John W. Olver, D-01  
Richard E. Neal, D-02  
James P. McGovern, D-03  
Barney Frank, D-04  
Martin T. Meehan, D-05  
John F. Tierney, D-06  
Edward J. Markey, D-07  
Michael E. Capuano, D-08  
Stephen F. Lynch, D-09  
William D. Delahunt, D-10

**Michigan**

Dale Kildee, D-05  
Sander Levin, D-12  
Carolyn Kilpatrick, D-13  
John Conyers, D-14

**Minnesota**

Betty McCollum, D-04  
Collin Peterson, D-07

**Mississippi**

Bennie Thompson, D-02

**Missouri**

William "Lacy" Clay, D-01  
Emanuel Cleaver, D-05

**Nevada**

Shelley Berkley, D-01

**New Jersey**

Robert E. Andrews, D-01  
Christopher H. Smith, R-04  
Frank Pallone Jr., D-06  
Michael Ferguson, D-07  
Bill Pascrell Jr., D-08  
Steven R. Rothman, D-09  
Donald M. Payne, D-10  
Rush D. Holt, D-12  
Robert Menendez, D-13

**New Mexico**

Tom Udall, D-03

**New York**

Timothy H. Bishop, D-01  
Steve Israel, D-02  
Carolyn McCarthy, D-04  
Gary L. Ackerman, D-05  
Gregory W. Meeks, D-06  
Joseph Crowley, D-07  
Jerrold Nadler, D-08  
Anthony D. Weiner, D-09  
Edolphus Towns, D-10  
Major R. Owens, D-11  
Nydia M. Velazquez, D-12  
Carolyn B. Maloney, D-14  
Charles B. Rangel, D-15  
Jose E. Serrano, D-16  
Eliot L. Engel, D-17  
Nita M. Lowey, D-18  
Sue Kelley, R-19  
Michael R. McNulty, D-21  
Brian Higgins, D-27  
Louise McIntosh Slaughter, D-28

**North Carolina**

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David Price, D-04  
Brad Miller, D-13

**Ohio**

Ted Strickland, D-06  
Marcy Kaptur, D-09  
Dennis J. Kucinich, D-10  
Stephanie Tubbs Jones, D-11  
Sherrod Brown, D-13  
Timothy J. Ryan, D-17

**Oregon**

David Wu, D-01  
Earl Blumenauer, D-03  
Pete DeFazio, D-04  
Darlene Hooley, D-05

**Pennsylvania**

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Sheila Jackson-Lee, D-18  
Charles A. Gonzalez, D-20  
Lloyd Doggett, D-25  
Gene Green, D-29  
Eddie Bernice Johnson, D-30

**Virginia**

James Moran, D-08  
Rick Boucher, D-09

**Virgin Islands**

Donna Christensen, D-VI

**Washington**

Jay Inslee, D-01  
Rick Larsen, D-02  
Brian Baird, D-03  
Norman D. Dicks, D-06  
Jim McDermott, D-07  
Adam Smith, D-09

**Wisconsin**

Tammy Baldwin, D-02  
Gwen Moore, D-04

**S. 882, Sponsored by  
Sen. Richard Durbin (D-IL)  
14 Senate Cosponsors**

Barbara Boxer, D-CA  
Evan Bayh, D-IN  
Edward Kennedy, D-MA  
John Kerry, D-MA  
Frank Lautenberg, D-NJ  
Joseph Lieberman D-CT  
Debbie Stabenow, D-MI  
John Corzine, D-NJ  
Hillary Clinton, D-NY  
Charles Schumer, D-NY  
Ron Wyden, D-OR  
Jack Reed, D-RI  
Patrick Leahy, D-VT

Please thank  
your legislators  
if they appear  
on this list.

Russ Feingold, D-WI

## canyon country updates

### A New Twist for RS 2477 Appeals Court Says State Law Should Apply

In September of 2005, the 10th Circuit Court of Appeals reversed a Utah federal judge's ruling, holding that she had wrongly applied a federal standard of "actual construction" in evaluating RS 2477 "highway" claims across public lands (see page 8 for an explanation of RS 2477). Instead, the court held that Utah law—which requires ten years of continuous use to establish such a claim—should be applied. The Court of Appeals also reversed the trial court's holding that a 1910 coal withdrawal made the affected lands ineligible for RS 2477 claims, and that the BLM lacks the authority to recognize such claims except for internal planning purposes. We have until November 23rd to decide if we'll appeal.

This case arose in 1996 after three southern Utah counties—Kane, Garfield, and San Juan—began grading routes in wilderness study areas, lands under BLM wilderness review, and lands which had recently been designated as part of the Grand Staircase-Escalante National Monument. It was a temper tantrum of epic proportions and sparked what will likely be at least a decade of litigation. Worse still, it has sucked the State of Utah into an absurd RS 2477 fight that funnels millions of state tax dollars into rural county litigation coffers.

The upshot of the court's decision is that sixteen claims asserted by the three southern Utah counties will now be tried before yet another Utah federal court judge—from scratch and with a new standard. This means more time and more money wasted, all in pursuit of dirt tracks and trails that never appeared on a state highway map, and about which county officials know virtually nothing. The result of the case will have a profound impact on the face of western public lands, including national parks, wilderness areas, and other spectacular places. The district court judge has plenty of wiggle room to define the precise parameters of "ten years of continuous use," and his decision will ultimately set important legal benchmarks.

Once thing is clear from the start, however: the counties still bear the burden of proof to show that the routes at issue received fairly substantial use over a long period of time—all prior to 1976, when RS 2477 was repealed. It will be a tough sell for most of the routes, and SUWA will be there to ensure that they meet that exacting standard.

—Heidi McIntosh

### On a Happier Note . . .

The 10th Circuit Court ruled this summer that SUWA and The Wilderness Society are entitled to intervene in a San Juan County lawsuit claiming that Salt Creek Canyon in Canyonlands National Park is an RS 2477 highway immune from the Park Service's closure order protecting this fragile area from jeep damage. Both the feds and the county—with help from Governor Huntsman's administration and lawyers—argued that despite our 12-year history of advocacy and litigation to protect Salt Creek, our interests were insufficient to allow us to participate in the very lawsuit that could determine its ultimate fate.

The appellate decision overturns a district court ruling denying our request to intervene. The State of Utah and San Juan County have asked the 10th Circuit to reconsider its decision. If the court rejects that request, SUWA, The Wilderness Society and other conservation organizations will be able to participate in RS 2477 lawsuits brought by the State of Utah. And with 10,000 or more RS 2477 claims in the offing, that's a lot of cases with a lot at stake. It's more important than ever that we preserve our right to participate in court, with a voice and a legal team, while these cases are decided.

—HM



## canyon country updates

Actually, San Juan County Commissioner Ty Lewis admitted that they graded routes in Hart's Point to disqualify lands in the 1996 wilderness reinventory. [*Salt Lake Tribune*, 10/1/96]



Does this look like a public highway?

10th Circuit Court: "Rough tracks and cow paths don't cut it. We are skeptical that there is much difference in practice between a 'construction' standard and '10 years continuous use.'"

This is the same guy who led the effort to stop Kane County commissioners from reaching agreement on RS 2477 claims in the Grand Staircase-Escalante National Monument. He's also the guy who ripped out BLM "Route Closed" signs and posted Kane County signs inviting ATV use on agency closed routes. Former Governor Mike Leavitt reacted by saying: "I don't think that resolving these disputes by provocation is the best way." [KSL-TV]

## Road Ruling Affirmed Counties' Rights

*Salt Lake Tribune Op-Ed by Mark Habbeshaw, October 8, 2005.*

The 10th Circuit Court of Appeals recently ruled against Southern Utah Wilderness Alliance and the Bureau of Land Management in overturning a lower federal court's decision.

SUWA and the BLM's arguments and the lower court's decision, based on those arguments, were clearly inconsistent with existing law as it applies to R.S. 2477 rights of way. The 10th Circuit agreed with San Juan, Garfield and Kane counties that Congress granted rights of way across federal lands under terms and conditions of Utah state law rather than recent BLM standards.

The higher court recognized that "most of the transportation routes of the West were established under [R.S. 2477] authority." It is important to recognize that the counties asserted their R.S. 2477 roads to the BLM circa 1978, not to frustrate valid wilderness but to protect transportation systems providing historic and necessary public access.

SUWA's problem is that the county's transportation systems interfere with its desire for additional wilderness, which under the Wilderness Act of 1964 requires that the lands be "roadless." This explains why SUWA aggressively denigrates and challenges the existence of roads that have been enjoyed by the public for 39 years or longer.

It is also important to consider that, in spite of the existence of historic roads and extensive public access to areas, the lands are still considered pristine enough to qualify as wilderness. The 10th Circuit was well aware it was dealing with "one of the more contentious land use issues in the West" in purposefully developing detailed guidance in its 112-page decision. This decision, combined with previous case law cited in the decision, offers precedent capable of resolving the majority of R.S. 2477 issues.

The decision does not require "mechanical construction" to establish a road. It can be constructed by "repeated use" alone; "maintenance" is not required and the "1910 coal withdrawal" does not invalidate R.S. 2477 roads. Extensive continuous use by the public for a period of 10 years, as opposed to occasional or desultory use, establishes "acceptance" of a public highway. SUWA, the BLM and the counties will be held to these and other clear precedents in either asserting or denying the existence of R.S. 2477 roads.

The 10th Circuit also protected public lands and resources by requiring that counties not take unilateral action to "change" or "improve" a road beyond "routine maintenance" but must first consult with the BLM regarding any proposed change to a road. The court advised "in the event of disagreement the parties may resort to the courts."

Perhaps the most important part of the decision was the court's admonishment that the BLM and the counties have a responsibility and commitment to the common good and that they should exercise their respective rights and privileges in a spirit of mutual accommodation.

Let's hope that we can all move forward in the spirit suggested by the 10th Circuit Court of Appeals.

*Mark Habbeshaw is a Kane County Commissioner.*

## Conservationists Sue Kane County over Illegal Signs

As we reported in the last issue of *Redrock Wilderness* (Autumn 2005, p. 14), Kane County officials have been taking the law into their own hands by posting routes “open” to off-road vehicles (ORVs) exactly where the BLM had closed areas to protect them from the noisy, soil-churning machines. While Interior Department officials sat on their hands, SUWA joined forces with Earthjustice and The Wilderness Society and sued the renegade county in federal court. The suit, filed in October of 2005, is based on the Supremacy Clause of the United States Constitution, which ensures that federal laws—which, in this case, protect federal public lands—supercede local and state laws.

Kane County officials assert that the tracks and trails they’ve posted as open to ORVs qualify as county “highways” under the antiquated law known as RS 2477 (though they haven’t attempted to substantiate these claims). While former Utah Governor Mike Leavitt refused to support Kane County or pay for its legal fees when it removed the BLM’s “Route Closed” signs in 2003, Governor Huntsman’s administration stands by the county’s latest shenanigans. In fact, a lawyer from the Attorney General’s office had the gall to compare the county’s actions to those of student protesters violently suppressed by the Chinese government in Tiananmen Square (comments the *Salt Lake Tribune* dismissed as “incendiary inanities”).

Kane County’s juvenile antics will inevitably damage the land and put visitors at risk by sending them down remote, unmaintained dirt tracks. An April 2005 letter from then-Utah BLM State Director Sally Wisely stated, “I am very concerned that such actions . . . may likely present serious safety issues to members of the public . . . and cause resource damage.” Without a doubt, the county’s actions jeopardize some of the nation’s most famous and best loved sites. According to the Kane County ORV ordinance, routes claimed by the county under RS 2477 include the following:

- **Grand Staircase-Escalante National Monument**, where the county claims that hundreds of miles of canyons, streambeds, cow paths, and hiking trails should be open to ORV use;
- **Bryce Canyon National Park**, where Kane County claims that portions of the scenic Under-the-



SUWA Photo

*Kane County claims hundreds of miles of RS 2477 “highways” in the Grand Staircase-Escalante National Monument, including this eroded wash bottom.*

Rim hiking trail and the Riggs Spring hiking trail should be open to dirt bikes and other ORV use;

- **Zion National Park**—Utah’s oldest national park—where the county claims the eastern five miles of the world famous East Rim foot and equestrian trail as a “constructed highway” that should be open to dirt bikes and ORV use. The Park Service has banned vehicle use in this exceptionally scenic area for decades;

The unlawful actions of Kane County piqued the attention of Utah wilderness champion Senator Richard Durbin (D-IL), who has written both to the Department of the Interior and the Department of Justice requesting that appropriate legal action be taken by the federal government. In a letter dated November 1, 2005, the Senator warned that “the posting of unauthorized county signs on public lands directly contradicts the existing legal requirements of the current [Grand Staircase-Escalante National Monument] management plan . . .” He concluded by saying, “I must reiterate my request that both the Department of the Interior and the Department of Justice respond to the Kane County signing infractions by using the full extent of the law.” (To view a copy of Senator Durbin’s letter online, visit SUWA’s website at [www.suwa.org](http://www.suwa.org).)

—Heidi McIntosh

## canyon country updates

Good  
News!

## Judge Upholds Salt Creek Canyon Vehicle Closure

On September 13th, a federal judge upheld a decision by the National Park Service to protect a fragile streambed in Canyonlands National Park from damage caused by motorized vehicles. The Park Service's decision, finalized in 2004, concluded that any level of vehicle use in Salt Creek Canyon would harm park resources in violation of the congressional mandate that national parks be maintained and preserved for current and future generations. The agency's sound decision was promptly challenged in court by the Utah Shared Access Alliance, a Utah-based motor vehicle advocacy group. Fortunately, the court sided with the Park Service and SUWA, finding the agency's management policies to be "well-reasoned, thorough, and persuasive."

Aside from the large river systems of the Green and Colorado, Salt Creek is the only year-round water source in arid Canyonlands National Park. A true desert oasis, it is home to a number of plants and animals found nowhere else in the park. Salt Creek's reliable water source has also been a focal point of human visitation for thousands of years, making it particularly rich in archaeological resources. Today, the area is a popular destination for hikers and backpackers.

The court's September ruling culminates over ten years of litigation by SUWA aimed at protecting Salt Creek Canyon from motorized vehicle

damage and validates the Park Service's 2004 decision to keep vehicles out of this fragile area. The judge also upheld the Park Service's 2001 management policies which guide the agency's day-to-day decision making.

### But It's Not Over Yet...

The State of Utah and San Juan County are currently pursuing an alleged right-of-way in a pending case before another federal judge which, if successful, would bring motor vehicles right back into Salt Creek Canyon. SUWA, The Wilderness Society, and the Grand Canyon Trust have intervened in that case on behalf of the Park Service (really on behalf of Salt Creek Canyon). We'll keep you posted on the progress of this case in future editions of *Redrock Wilderness* and on the web at [www.suwa.org](http://www.suwa.org).

—Steve Bloch

Good  
News!

## Kanab BLM Restricts ORV Use

We're happy to report that portions of the Vermilion Cliffs and Bunting Point proposed wilderness areas north of Kanab, Utah, have finally been rescued from years of abuse caused by off-road vehicle (ORV) riders. In August, the Kanab BLM office issued a Federal Register Notice of Travel Restriction to "protect soil, vegetation, wildlife, cultural, and riparian area resources that have been adversely impacted or are at risk of being adversely impacted" by ORV use.



SUWA Photo

## Tell Us Your Personal ORV Displacement Story

You can help demonstrate the extent of the ORV invasion and protect the places you love by telling your personal displacement story on SUWA's website. Simply log onto [www.suwa.org/testimonies](http://www.suwa.org/testimonies) and add your voice to the growing number of Americans who are troubled by the dwindling opportunities for quiet recreation on our federal public lands. You can also view a map showing all the places in southern Utah where people report having been displaced by off-road activity.



Good  
News!**FWS Considers Protecting Rare Utah Wildflower**

In May of 2003, SUWA, the Center for Native Ecosystems, and the Utah Native Plant Society filed a petition with the U.S. Fish and Wildlife Service to list a native Utah wildflower—the Mussentuchit gilia (pronounced “Musn’t-touch-it”)—as an endangered or threatened species. Located along the western slope of the San Rafael Swell (and in several proposed wilderness areas), this native Utah wildflower is threatened by ORVs, oil and gas leasing and development, grazing, and gypsum mining. Two years later, the Fish and Wildlife Service hadn’t even made the first “finding” required under the Endangered Species Act, though it should have been released within 90 days of receiving our petition.

In May of 2005, SUWA and the Center for Native Ecosystems filed a lawsuit in federal district court seeking to compel the Fish and Wildlife Service to make its required findings on the gilia—namely, whether it warrants protection under the Endangered Species Act. The case was settled in August of 2005, when the Fish and Wildlife Service agreed to make its initial 90-day finding (and, if necessary, the 12-month follow-up that precedes formal listing) by an agreed upon schedule. The agency also agreed to pay our attorney fees.

In an effort to protect these areas from escalating ORV damage, SUWA submitted a petition for emergency protection to the BLM in September of 2004 (see Autumn-Winter 2004 issue, p. 14). Though the petition provided scientific information indicating that immediate action was necessary to protect these lands from permanent harm, the BLM dragged its feet and delayed action for 10 months. This delay allowed long-term and possibly irreversible damage to Trail Canyon’s stream channel and the riparian vegetation essential to this critical wildlife habitat (see Summer 2005 issue, p. 17). Although the BLM should have acted sooner to protect the Vermilion Cliffs and Bunting Point proposed wilderness areas, SUWA applauds the agency for its ultimate decision to restrict ORV travel in these biologically and archaeologically-rich canyon systems.

**Backlash by ORV Groups**

ORV groups insist that riders want to stay on official trails and would do so if the trails were clearly posted, but their reaction to the recent ORV restriction in the Vermilion Cliffs area tells a completely different story. Many, if not all, of the BLM barriers that were used to protect the newly restricted areas were torn down or removed within a matter of days. It appears that ORV riders in the Kanab area do not want to stay on official trails even when the trails are very clearly marked.

This is not the first ORV travel restriction order the BLM has issued in Utah; since 2000, the

agency has ordered modest ORV restrictions for several other sensitive areas in the state. Though radical ORV groups have challenged these restrictions, all have been upheld by the courts. SUWA is urging the BLM to take similar protective actions in other sensitive areas before it’s too late (perhaps using steel-reinforced signs next time around).

—Liz Thomas



SUWA Photo

BLM barriers to ORV travel, like this one built to enforce the closure of Hog Canyon, are frequently destroyed by lawless riders.

## canyon country updates

## 4-Wheeler Hall of Shame

☹ Kay Erickson, the fellow who tried to stop Michael Moore from speaking at Utah Valley State College in 2004, was recently cited by BLM law enforcement and had his ATV confiscated after he allegedly rode in the Deep Creek Mountains Wilderness Study Area.

☹ In July of 2005, the Blueribbon Coalition—an off-road vehicle advocacy group—announced that the automotive chain Pep Boys had donated \$5,000 to their organization “to support their promotion of responsible use of public lands by recreationists and off-road enthusiasts.” The Blueribbon Coalition has opposed President Clinton’s Forest Service Roadless Rule and the BLM’s Wilderness Inventory Handbook, and has sued to block responsible management of ORVs on public lands.

☹ Rainer Huck, President of the Utah off-road vehicle advocacy group USA-All, insists that the impact of ORVs on public lands is minimal. In a November 2, 2005 *Salt Lake Tribune* article, he was quoted as saying, “The concept of all this damage that [ORVs] are causing is simply overblown. The tracks just go away.” We wonder what he has to say about ORV riders hacking through trees with chainsaws, as they did in Hog Canyon. Huck also described illegal, user-created trails as “the people’s choice trails” and “the trails where people want to go.”

☹ State Senator Tom Hatch (R-Panguitch), who passed a bill last year requiring ORV registration stickers, is now working to repeal his own law. Why? He’s apparently taken pity on riders who claim there isn’t enough room for the stickers on their ATVs and they just don’t like the hassle of having to put them on.



Al Herring

*A BLM sign in the Deep Creek Mountains, apparently defaced by an off-road enthusiast with little regard for the law, and even less regard for SUWA. The fence was vandalized soon after.*

## Fate of Factory Butte Remains Uncertain

Earlier this year, a group of Wayne County residents and businesses, together with SUWA, filed a petition for emergency protection with the BLM in an effort to stop spiraling off-road vehicle (ORV) damage to the famous Factory Butte landmark near Hanksville, Utah (see Summer 2005 issue, p. 16). In its petition, the coalition offered a well balanced and sensible management solution which would protect the majestic landform and its surrounding Mancos shale badlands by limiting ORVs to designated roads and a manageable twelve hundred-acre open ORV recreation area.

Nearly 25 years ago, the BLM’s own resource specialists recognized the adverse effects of unregulated ORV use around Factory Butte and proposed a reasonable management solution that would protect the area’s unique characteristics. Disappointingly, none of the agency’s land managers have followed through on these recommendations, choosing instead to continually defer any meaningful action. This head-in-the-sand attitude has led to the detriment of the area’s unique features, including adverse impacts to the area’s scenic beauty, soils, water quality, and an endangered cactus population.

SUWA is participating in a sub-group of the BLM Resource Advisory Council (RAC) to help influence the long-term management of the Factory Butte landscape. Unfortunately, it’s becoming clear that Richfield BLM Manager Cornell Christensen wants to postpone addressing the Factory Butte ORV issue for several more years. If the BLM keeps delaying action in the Factory Butte area until after its resource management planning process is complete, this delicate landscape will continue to suffer significant damage from additional years of ORV abuse. The petition for emergency protection filed this year by concerned citizens would protect the area from further harm now by allowing continued ORV use in designated and manageable areas while preserving the remaining lands in their natural state for all to enjoy.

If you care about the Factory Butte area and want to see it protected from the ravages of unregulated ORV use, ask the BLM to delay no longer

## canyon country updates

and grant SUWA's petition for a Factory Butte area emergency protection order as soon as possible.

To learn more about the Factory Butte area and ongoing efforts to protect this iconic Utah landscape, visit [www.factorybutte.org](http://www.factorybutte.org).

—Ray Bloxham

**Write to:**

Cornell Christensen  
Manager, Richfield BLM  
150 East 900 North  
Richfield, UT 84701  
Email: [cornell\\_christensen@blm.gov](mailto:cornell_christensen@blm.gov)  
Phone: (435) 896-1561



Ray Bloxham

*As unregulated ORV use continues to scar the distinctive Factory Butte landscape, the BLM ignores public outcry for emergency action.*

## Jeep Safari Decision Drawing Near

The Moab BLM office recently released its Environmental Assessment (EA) for the Moab Jeep Safari, a nine-day event that draws thousands of off-road vehicle (ORV) enthusiasts to southeast Utah each spring. Beginning the week before Easter, they fan out in droves across Moab's quiet backcountry, maneuvering their jeeps, rock-crawlers, and modified trucks over almost any obstacle in their path (see Autumn 2005 issue, p. 17). Sadly, some of southeast Utah's most scenic and beloved places are affected, including Mill Creek, Behind the Rocks, Goldbar Rim, and Labyrinth Canyon on the Green River.

The BLM has implemented very few ORV restrictions on the public lands around Moab, but even the modest restrictions that are currently in place are violated en masse during the Jeep Safari. Important desert water sources are polluted by vehicle fluids as jeeps repeatedly splash through streams and desert potholes. Plants and delicate soil crusts are flattened by oversized tires. The peaceful silence of the redrock canyons is pierced by the ear-splitting whine of unmuffled engines. In short, it's a nightmare for the landscape and for anyone trying to enjoy a quiet springtime in the desert during this week of motorized mayhem.

The BLM's EA—which is the basis for a five-year permit for this event and any other motorized event using the Jeep Safari routes—is an enormous disappointment for a variety of reasons. Incredibly, it does not even address the effects of numerous motor vehicles driving over 100 times per round trip through Arch Canyon's perennial stream, causing inexcusable damage to this important riparian habitat and threatening the canyon's wealth of archaeological resources.

In addition, the EA completely misrepresents SUWA's sensible alternative, which is supported by both Moab visitors and local residents alike. In total, the alternative would eliminate less than 8 percent of the 630 miles of route, causing minor modifications to the event while protecting the most scenic and fragile areas. The BLM chose to characterize our proposal as eliminating "integral portions of routes" that would result in "disconnected segments that would render the entire route unusable." It would have been impossible to reach this erroneous conclusion had BLM actually looked at the maps SUWA submitted.

It seems the Moab BLM would rather pacify the radical and uncompromising Redrock 4-Wheelers, who stubbornly refuse to remove a single route from their application, than re-route a few miles of the event so that cultural resources, canyon streams, and proposed wilderness areas are protected.

—Liz Thomas



## canyon country updates

### Comments Needed on Zion Backcountry Plan

The National Park Service has begun development of a backcountry management plan for Zion National Park. Located in southwestern Utah, this crown jewel of the National Park System contains some of the most remarkable scenery in the world. Management of over 95 percent of the park will be addressed through this planning process, including areas recommended for wilderness designation (which represents the majority of the park's backcountry). The Park Service is considering, among other things, whether to allow commercial guiding in Zion's backcountry, whether to alter the number of permits for the backcountry canyons, and whether to change group size limitations.

You can help shape the final backcountry plan for Zion by submitting your comments to the National Park Service. Some points to consider include:

- The current management plan requires backcountry permits for all overnight trips and a few day-use areas, such as technical slot canyons and hikes in the Zion Narrows and "The Subway." Before increasing the number of permits issued, the Park Service should analyze the crowding issue and other potential impacts so that wilderness character will be preserved and visitor experiences will not be degraded.
- The current plan restricts backcountry group size to 12. Before increasing the allowable group size, the Park Service should carefully analyze the impacts of larger groups on other visitors to the backcountry, as well as to the natural resources.
- Commercial guiding is not currently allowed in any of Zion's recommended wilderness areas, but the Park Service is seeking public comments on whether commercial guiding should be approved for these areas. Although SUWA is not opposed to the concept of commercial guiding in wilderness areas or proposed wilderness areas, the Park Service's draft plan should: 1) analyze and disclose the potential impacts of commercial guiding in the backcountry; 2) explain the type of guided tours it is considering; 3) disclose the relationship between guided tour backcountry permits and individual backcountry permits; and 4) disclose the particular areas for which commercial guiding is being considered.

To submit your comments, go to [www.nps.gov/zion/activities/EAScopingLetter.doc](http://www.nps.gov/zion/activities/EAScopingLetter.doc) and print out the mail-in form, or email it directly to: [Zion\\_Backcountry\\_Plan@nps.gov](mailto:Zion_Backcountry_Plan@nps.gov). Your email must include your name and street mailing address.

—Chaitna Sinha

### Feds and State Retreat from Settlement Suit

Back in the spring of 2003, Interior Secretary Gale Norton and then-Utah Governor Mike Leavitt reached a secret agreement that revoked the BLM's authority to conduct wilderness inventories and designate wilderness study areas. Interior officials immediately ordered BLM field offices to halt ongoing evaluations of millions of acres of wilderness-quality BLM lands throughout Utah.

Within six working hours after the settlement agreement was filed in Salt Lake City's federal courthouse, a judge had signed a consent decree giving it the court's stamp of approval and making it legally enforceable. In the two years immediately following the settlement, SUWA and its conservation partners worked to reverse the patently illegal terms of the agreement and reinstate the BLM's wilderness review process. This past summer—two years after the wilderness settlement was inked—we succeeded in getting the court to reverse its earlier decision to endorse the agreement.

With a hearing on the broader issues of our legal challenge set to take place in September of 2005, the State of Utah suddenly decided that federal court was not such a hospitable place and withdrew its original lawsuit attacking the BLM's ongoing wilderness review. But the game's not over yet. Both state and Interior Department officials say that while they will no longer pursue the legality of the deal in court, they will continue to abide by the terms of the 2003 settlement. The ban on BLM wilderness reviews has, in the meantime, become a policy of the Interior Department.

SUWA will continue to pursue its case against the settlement agreement in federal district court and will keep you posted on any new developments. Many thanks to Jim Angell and his colleagues at Earthjustice in Denver for working so hard to cast light on this insidious backroom deal.

—Heidi McIntosh

## grassroots network

### Activists Bring ORV Concerns to Capitol Hill

Citizen activists from eight western states flew to Washington, DC in late September to educate Congress about the growing problem of off-road vehicle (ORV) mismanagement on our nation's public lands. Representing a cross-section of public land users, the group consisted of ranchers, hunters, private land owners, ORV enthusiasts, and conservationists, each with his or her own story to tell.

In meetings with roughly 80 congressional offices and the Deputy Director for Programs and Policy at the Bureau of Land Management, wilderness activists explained how a lack of appropriate, designated routes had led ORV users to trash their private property or ruin their outdoor experience on public lands. With a unified voice, they asked for an appropriate and clearly marked ORV trail system and an end to all cross-country (off-trail) motorized travel. They also urged legislators to sign a letter asking Interior Secretary Gale Norton to address the ORV mismanagement issue immediately.

Over 30 years ago, presidential Executive Orders (signed by Presidents Nixon and Carter) directed the BLM to develop and implement ORV management policies that protect the resources of the land, promote safety for all visitors, and minimize conflicts between various user groups. To help the agency achieve this goal, Congress has provided the BLM with over \$250 million over the past six years to complete comprehensive motorized transportation and recreation plans. Except in the San Rafael Swell and the Grand Staircase-Escalante National Monument—which represent

just 12 percent of Utah's public lands—the BLM has failed to develop the necessary plans to protect Utah's scenic backcountry. In fact, throughout the West, the BLM has generally failed to produce any noticeable results, or worse, has designated ORV routes in sensitive areas where they don't belong.

We'd like to thank Congressmen Mark Udall (D-CO), Tom Udall (D-NM), and Rush Holt (D-NJ) for their influential leadership on this important issue and, of course, our citizen activists for taking time out of their busy lives to make Congress more aware of ORV management problems on our public lands.

If you are interested in participating in a future Wilderness Week event in Washington, DC, please contact Bill Raleigh at [bill@suwa.org](mailto:bill@suwa.org) or (202) 266-0472.

—Justin Allegro

### Slideshow Visits Western States

SUWA's travelling slideshow, *Wild Utah: America's Redrock Wilderness* will tour California in January, Oregon and Washington state in February, Arizona in March, and New Mexico/Colorado in April. If your group would like to schedule a presentation, please contact Bob Brister at [bob@suwa.org](mailto:bob@suwa.org) or (801) 428-3990.

*Wild Utah* is a multi-media slideshow documenting citizen efforts to designate over 9 million acres of Utah's spectacular canyon country as federal wilderness. For the latest slideshow dates and locations, visit SUWA's website at [www.suwa.org](http://www.suwa.org) and click on *Events*, then *Slideshow Tour*.

### Stay in the Loop: Join SUWA's Email Alert List

You can't be part of the solution if you don't know what's going on, and the best way to stay informed on breaking issues affecting Utah wilderness is to add your name to SUWA's electronic listserve. If you have an email address and would like to be part of our "first responder" activist network, go to [www.suwa.org/alertlist](http://www.suwa.org/alertlist) and fill out the online subscription form. This is absolutely the easiest way to stay in the loop on Utah wilderness issues and events while learning how to get involved. On top of that, it's free and it saves trees!

## grassroots network



## Get Involved at *Wild Nights*

Join SUWA in our new Salt Lake City office every second Wednesday of each month at 6:30 pm for this exciting new volunteer event. Each *Wild Night* opens with a guest speaker who'll provide background information on current wilderness issues. Then we'll take action by working on specific projects to make a difference for Utah's threatened wild lands. Refreshments are provided. For more information, please contact Jeremy Christensen at [jeremy@suwa.org](mailto:jeremy@suwa.org) or (801) 428-3991.

### Guest Essay

## The Rebirth of Environmentalism

By Nat Kingdon, Joshua Oweczarek, and Hope Morrison, Juniors at Utah's City Academy High School (written in response to an article released in October of 2004 at a meeting of the Environmental Grantmakers Association entitled *The Death of Environmentalism: Global warming politics in a post-environmental world*, by Michael Shellenberger and Ted Nordhaus).

*To think of dying is to not think of living.*

—Jan Arden

Awareness is the path to involvement, and so who better to spread awareness than the youth—eternal symbol of the future and what's to come. Involvement by citizens properly placed is the very backbone of the environmental movement, and yet the environmental movement lacks youth, mainly because youth have little influence in comparison to the aged and wise. For any movement to succeed, its lineup ought to include a well-rounded roster of the young, spry, and dedicated, as well as the older and more seasoned environmentalists. America's cities are filled with people who overwhelmingly want to see our remaining wild places sanctified and protected. If the public does play a greater role and our goals are achieved, our children and their children will be able to enjoy the wilderness that we today experience. We often take for granted the access we enjoy to the rivers, forests, and deserts around our country. We need to realize that land privatization and destruction puts these liberties in jeopardy.

Environmentalists are often painted as all or nothing types. There is a misconception that the movement is either your whole life or not a part of it. We're here to clear that up. As Josh Oweczarek explains, "I am a 17 year-old junior at City Academy and a volunteer at the Southern Utah Wilderness Alliance. I go to SUWA every Wednesday from about 1:15pm to 2:30pm and help out with various tasks—from writing senators to getting petitions signed—and I still have time to lift weights or hang out with friends." Josh's experience demonstrates that you can still have a normal life and play an important role in saving our environment. The wilderness of Utah is being ruined by ORVs and careless people, and a simple lack of initiative. If we don't act soon, there will be little land left worth saving.

We are offered a bleak image that resembles a ghostly graveyard when we hear "Environmentalism is dead." We hear an old man gasping for air, begging and pleading for the end to come. While there are those who have become cynical, and who might be giving up hope, know that we are still here fighting, and it is the youth that need to be reached. Volunteer programs, like our involvement with SUWA, are helping students like us come to terms with the world around us, and to realize that we too can make a difference. We are the ones in line to inherit the earth, and we are the ones who need to protect it. The idea that the movement is not only dying, but that those who have fought for so long are no longer willing, is atrocious. Simply because the end may not be in sight does not mean that it cannot be reached. With the help of our mentors, the youth movement will rebuild the empire of environmentalism.



## inside SUWA

### Big Thanks to Sean Saville

Working for SUWA has many rewards, none of them greater than the opportunity to live and work in close proximity to the most intriguing wilderness in the American West. On weekends, staff from our Salt Lake City, Moab, and Washington County offices take every opportunity to relax and recharge in redrock country. For our staff in the trenches of Washington, DC, however, memories of wild Utah must be kept alive amid the glare of white marble and the dome of the Capitol Building. Those who accept this challenge are often viewed as martyrs—desert rats willing to trade in their Chacos for loafers.

During his three years as SUWA's DC outreach coordinator and national grassroots director, Sean Saville eagerly embraced such martyrdom, creating a little Utah wilderness of his own on the East Coast. With rare tenacity and a passion for protecting wilderness in Utah, Sean kept the fire burning in his own belly while inspiring people up and down the eastern seaboard to care about Utah wilderness and join the fight to protect it. In three years, he talked to well over 2,000 people, hosted hundreds of slideshows, planned huge rallies, and organized numerous Wilderness Week events, all with the aim of influencing citizens and their legislators to stand up in defense of wild Utah. For redrock warriors in

DC, his door was always open, the sandwich option always on the table, and a futon or floor space always available to lost souls looking for a place to crash in the concrete jungle.

During his tenure at SUWA, Sean was instrumental in reorganizing and reinvigorating the grassroots team. As he moves on to other endeavors, he leaves behind a stronger base from which new staff can work more effectively, and a family of misfits that loves him very much. He kept us sane, he kept us young, he kept us organized, and he kept us on our toes. Now, as we bid him farewell, we tip our hats to one hell of a fighter, a great friend, and a member of the Desert Rat clan not soon to be forgotten.

### Bill Raleigh Rejoins Staff

We're pleased to announce that Bill Raleigh rejoined the SUWA staff as national field director in October. A native New Yorker now living in Massachusetts, Bill is a long-time SUWA member and volunteer who served as SUWA's northeast regional organizer in 2003 and 2004. He's a graduate of Princeton University and the Syracuse University Law School, and has worked on public policy issues pertaining to the environment, civil rights, and adult literacy. In his off time, Bill can



*We'll miss you Sean!*



*Bill is clearly very happy to be back at SUWA.*

## inside SUWA

be found traipsing around southern Utah, skiing somewhere steep, or kayaking in Alaska.

One of the founders of the state activist group “New Yorkers for Utah Wilderness,” Bill attributes his serious involvement with SUWA to former staff member Dave Pacheco: “Dave understands that progressive public policy can only happen through a combination of public education and citizen organizing. He knew I had a passion for wilderness, and he asked me to help spread the message about Utah’s redrock country in the east. Anyone who knows Dave knows it was hard to turn him down.”

Bill will be working with SUWA’s Utah-based organizers, Bob Brister, Jeremy Christensen, and Franklin Seal, to find new allies and new wilderness activists throughout the country. If you have ideas or would like to get more involved, contact him at [bill@suwa.org](mailto:bill@suwa.org) or (202) 266-0472.

## SUWA Welcomes Jeremy Christensen

SUWA is pleased to welcome Jeremy Christensen as our northern Utah grassroots organizer. Jeremy is not new to the wilderness scene; he’s been quietly plugging away at one project or another since 1997 when he first took a summer job with SUWA’s door-to-door canvass. Under the guidance of former Outreach Director Margi Hoffmann and “Slideshow Bob” Brister, Jeremy learned the ropes

and continued to involve himself whenever time allowed, or whenever he could get college credit for spreading the word about the wilds of the Colorado Plateau.

A native of Utah, Jeremy has seen his fair share of wild country. “Every area is so unique,” he explains, “from the agoraphobic distances of the West Desert ranges to the claustrophobic confines of the San Rafael slot canyons, you can head an hour or two in any direction and find yourself somewhere unlike any other.”

His love of the wilds recently drove him north to Alaska, where he spent the summer as a naturalist guide for the Denali Institute in Denali National Park, teaching visitors about the interrelationships between predator and prey, fly-fishing every free minute, and hoping to spot grizzly bears before they spotted him (or his clients). As Jeremy explains, “There were a couple of close calls.” Now back in his native habitat, Jeremy is hard at work organizing activist trainings and volunteer events to help protect Utah wilderness. After several weeks on the job, he says, “I am very happy to have found a home at SUWA. I couldn’t have possibly found a better organization or a better group of people to work with.”

If you live along the Wasatch Front and would like to get involved with SUWA as an activist or volunteer, please contact Jeremy at [jeremy@suwa.org](mailto:jeremy@suwa.org) or (801) 428-3991.

## Members Enjoy Two Very Different Fall Events

### Backyard Barbecue

On Friday evening, September 9th, SUWA hosted a backyard barbecue at our new downtown office in Salt Lake City. Over 150 SUWA members and volunteers enjoyed burgers and beverages, live music, prizes, and a tour of the new building.

Special thanks to Black Diamond Equipment, One World Café, The Patagonia Outlet, REI, and Uinta Brewing for sponsoring the event, and to members of the fabulous band, Mantra, for donating their time and talents.

### 2005 SUWA Roundup

This year’s fall membership gathering, known as the SUWA Roundup, was held on the first



*Jeremy navigates a rapid on the San Juan River.*

## inside SUWA

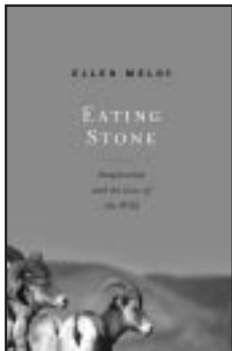
weekend of October at the Hidden Splendor Mine site in the heart of Utah's San Rafael Swell. As always, the event provided a welcome opportunity for SUWA staff and members to spend a relaxing weekend together in southern Utah's redrock canyon country. Approximately 100 SUWA members from Utah and across the country (including a resident of Maine and even a person from Germany!) joined in the festivities—which included day hikes in the Muddy Creek proposed wilderness area on Saturday, a potluck dinner and Utah wilderness discussion on Saturday night, and breakfast cooked by the SUWA staff (dressed in Hawaiian-themed garb) on Sunday morning.

The Roundup is an annual event, so we hope you'll join us next year—same season, same place!



Stunning views abound at the 2005 SUWA Roundup.

Laurel Hagen



## Book Review

***Eating Stone: Imagination and the Loss of the Wild***  
by Ellen Meloy  
Pantheon Books, 2005.

*Reviewed by Chip Ward*

Ellen Meloy's last book, *Eating Stone: Imagination and the Loss of the Wild*, has just been published. It is a smart, wry chronicle of a year when she followed a rare and elusive band of desert bighorn sheep across their spectacular canyon habitat, and it is also an eloquent and moving window onto the ecological wisdom, insight, and empathy gained over a lifetime of living close to redrock wilderness and its creatures. Ellen passed away suddenly in November of 2004 after finishing *Eating Stone*. She was a critically

acclaimed and award winning author and an ardent supporter of the Southern Utah Wilderness Alliance.

Her last work is another masterpiece. A meditation on the loss of the wild and why we should save wilderness, *Eating Stone* argues that "wildlife is best served when humans honor the full spectrum of its worth, be it economic, biological, moral, aesthetic, and even spiritual, the miracle of a species' evolution and remarkable adaptations, its place in our imaginations." And the key to honoring their worth, she writes, "is habitat—spacious, far-flung, unbroken homeland, where nature's hand is autonomous and vital." True to her own nature, *Eating Stone* overflows with Ellen's irrepressible and delightful humor as she adventures along the ledges of a "deep landscape" to seek "days of intimacy with mammalian blood that is not our own, creatures who know the earth is steep in every direction, who, like snow-white angels, fly off the cliffs." If you want to know why wilderness habitat matters, read this book.



**The Ellen Meloy Fund for Desert Writers** is a 501(c)(3) organization created to honor Ellen's life and work. It will provide an annual stipend to enable writers to go out into the desert to write, to give voice to that "deep map of place" that guided and inspired Ellen's work. To learn how you can donate to the fund or submit an application, please visit [www.ellenmeloy.com](http://www.ellenmeloy.com).



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**i n s i d e   S U W A**

## **Make a Difference to Utah Wilderness: Join or Donate to SUWA Today!**

SUWA's membership is our lifeblood. Since 1983, when SUWA was founded by a handful of people committed to protecting Utah's incomparable wild places, our members have been our greatest asset. More than 16,000 concerned citizens from every state in the nation, and even other countries, have joined SUWA's hard-hitting, grassroots commitment to save Utah's magnificent canyon country. These public lands belong to all of us, and it is both our right and our responsibility to speak out for their protection.

**Nearly 75 percent of our funding comes from membership dues and donations from individuals like you.**

SUWA truly is a membership-driven organization. While we receive important contributions from private foundations, this money is often allocated for work on a specific issue or activity. The strong financial support that SUWA receives from individual members gives us the freedom and flexibility to focus on those issues that pose the most immediate threats to redrock country. Our ability to tackle the multitude of administrative, legislative, and on-the-ground threats to Utah wilderness is only possible through the continued generosity of our members.

**There is strength in numbers.**

An active, nationwide membership demonstrates to decision-makers on Capitol Hill the broad base of support that exists for protecting America's redrock wilderness. SUWA members from around the country attend hearings, make phone calls, write letters, travel to Washington, DC to meet with their congressional representatives, submit letters-to-the-editor, organize slide shows, participate in phone banks, and help spread the word about Utah wilderness to their friends and family.

**Protecting America's redrock wilderness is a full-time job.**

We know that you're busy. Even the most dedicated desert rats don't always have the time and energy to stay on top of all of the issues affecting Utah's remaining wild places. That's why we're here: to work full-time on behalf of Utah's spectacular redrock wilderness. As a member of SUWA, you can rest assured that someone is always staying on top of the issues and doing whatever it takes to protect the wilderness lands that you love. At the same time, we make every effort to keep our members up-to-date on the latest threats—through our website, email alerts, action bulletins, phone banking, and quarterly newsletter—so that you can stay informed and involved.

If you are already a member of SUWA, we thank you for your support! If you are not yet a member, please join today. Annual dues are just \$30, and, of course, additional donations are welcome and appreciated. SUWA is a non-profit, 501(c)(3) organization—so all contributions are tax-deductible to the extent allowed by law. There are three ways to give:

- **Online:** donate with a credit card (VISA, Mastercard, or AMEX) through our secure website at [www.suwa.org](http://www.suwa.org) (click on the *Join or Give* link).
- **By Mail:** return the envelope included in this newsletter with check or credit card information to: SUWA, 425 East 100 South, Salt Lake City, Utah 84111.
- **By Phone:** call us at (801) 486-3161 with any questions or to make a credit card donation.

On behalf of the entire staff and board at SUWA, we thank all of our members for your loyalty and support! With your continued assistance, we will succeed in permanently protecting all of Utah's remaining BLM wilderness lands. Please contact us anytime with questions or comments. Thank you!

***SUWA's Membership Services Team: Lindsey Oswald, Giles Wallace, and Anne Williams***

## Giving Options

### Monthly Giving Program

If you're looking for a convenient, hassle-free way to help SUWA, our monthly giving program is for you. Monthly giving is easy and secure, and provides SUWA with reliable, year-round funding to fight current and future attacks on Utah wilderness. All you need to do is commit to contributing \$10 or more per month, provide us with a credit or debit card or a cancelled check, and we'll do the rest. Best of all, you're off the hook for annual membership renewals! Use the enclosed envelope to sign up, or contact Anne Williams, SUWA's Membership Coordinator, at [anne@suwa.org](mailto:anne@suwa.org) or (801) 428-3972 for more information.

### Gifts of Cash

The most common way to support SUWA's efforts is to send us a check or donate with a credit card. Some employers will match your donation to SUWA, doubling the amount of support you can give to Utah wilderness. If your company or firm has a matching gift program, simply enclose the form along with your check or credit card information.

### Gifts of Stock

You can give a meaningful gift to SUWA and gain a substantial tax advantage for yourself by giving stocks or mutual fund shares that have appreciated in value. For information on how to transfer stocks or mutual funds to SUWA's account, please contact Giles Wallace, SUWA's Associate Director, at [giles@suwa.org](mailto:giles@suwa.org) or (801) 428-3971. In addition, please let us know the details of your transfer (your name and contact information, intended date of transfer, type of stock, and number of shares), so that we may promptly process and acknowledge your generous gift.

### Gift Memberships and Honorary/Memorial Donations

Get your friends and family involved in the fight to protect Utah wilderness by giving them a gift membership or renewal. Or, honor a friend or loved one by donating to SUWA in their name. Keep us in mind for special occasions: birthdays, weddings, Christmas, and other holidays—there's no better gift than the gift of wilderness! Simply send us your name and address, along with the name and address of the recipient of the gift membership or honorary donation. Contact Anne Williams, SUWA's Membership Coordinator, at [anne@suwa.org](mailto:anne@suwa.org) or (801) 428-3972 for more information.

### Bequests and Other Planned Gifts

Including SUWA in your estate planning is an excellent way to support our ongoing efforts to protect Utah's wild lands for our future generations. If you have already included SUWA in your will or named our organization as a beneficiary of your trust, retirement plan, life insurance policy, or other planned gift, please contact Giles Wallace, SUWA's Associate Director, at [giles@suwa.org](mailto:giles@suwa.org) or (801) 428-3971, so that we can recognize your commitment by including you in our Redrock Society.

Although we recommend that you meet with your own estate attorney or financial advisor to determine the method of giving that best suits your individual needs, we're happy to answer any general questions that you might have about planned giving. We can also point you in the direction of a professional who can answer specific questions and help identify which technique is best for you. For more information, please visit our website at [www.suwa.org](http://www.suwa.org), click on *Join or Give*, then click on *Planned Giving*.

**Thanks for your support!**

## SUWA T-Shirts and Hats For Sale!

**T-shirts** are 100% organic cotton "Beneficial Ts" from Patagonia. Choose from several colors and styles, including a special women's cut! **Hats** include a baseball cap with SUWA logo (in two colors), plus a floppy hat and sun visor printed with the slogan "Protect Wild Utah." Check out [www.suwa.org](http://www.suwa.org) for more details.



*Artwork on back of short sleeve and long sleeve T-shirts. "SUWA" is printed in small lettering on front.*

**NOTE:** White short sleeve Ts run very large.

### T-Shirts

Circle Choice(s)

Short Sleeve White, \$15	S M L XL	Qty _____
Short Sleeve Black, \$15	S M L XL	Qty _____
Women's Cut White, \$15	S M L	Qty _____
Long Sleeve White, \$20	S L	Qty _____
Long Sleeve Black, \$20	S M L	Qty _____

### Hats

Circle Choice(s)

Baseball Cap, \$25	Sage or Sandstone	Qty _____
Floppy Hat, \$20	Bright Yellow	Qty _____
Sun Visor, \$15	Bright Yellow	Qty _____

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Please make check payable to SUWA or include credit card information (VISA, MC, AMEX). Prices include shipping & handling.

Credit Card #: \_\_\_\_\_

Exp. date: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

Mail form with payment in enclosed envelope to:  
SUWA, 425 E. 100 S., Salt Lake City, UT 84111

## Gift Memberships for the Holidays!

Looking for that perfect non-commercial, non-toxic, non-fattening, environmentally friendly gift-that-keeps-on-giving? A SUWA gift membership could be just the thing! Give **two for \$50** (a \$10 savings) or **one for \$30** and get your friends involved in the wilderness cause.

### Gift Membership #1

From: \_\_\_\_\_

(your name)

To:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

### Gift Membership #2

From: \_\_\_\_\_

(your name)

To:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Please make your check payable to SUWA or include credit card information below (VISA, MC, or AMEX):

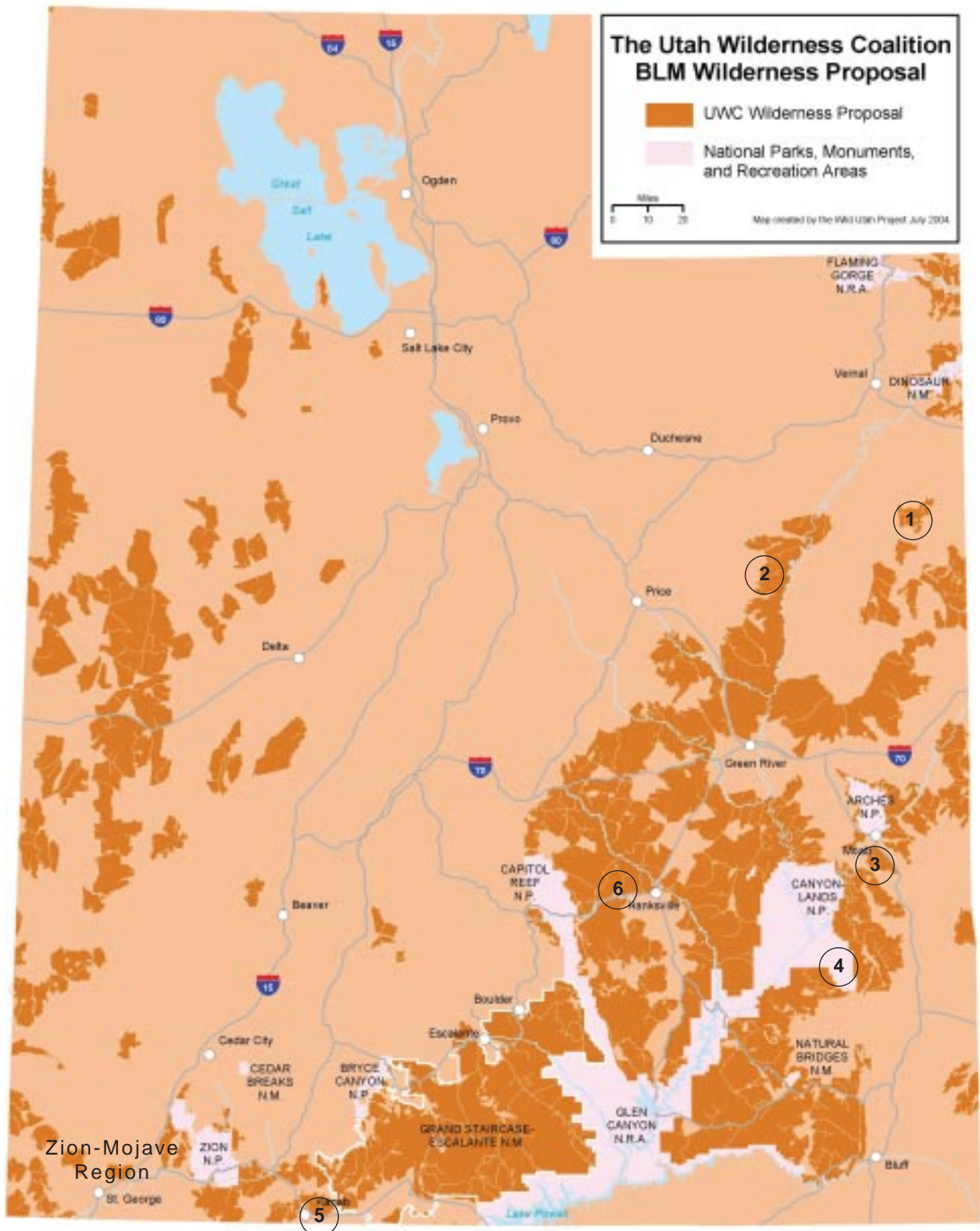
Credit Card #: \_\_\_\_\_

Exp. date: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

Mail form with payment in enclosed envelope to:

**SUWA, 425 E. 100 S.  
Salt Lake City, UT 84111**





## Reference Map for Features, DC News, and Canyon Country Updates

- |                               |                                       |
|-------------------------------|---------------------------------------|
| ① White River (see p. 5)      | ④ Salt Creek Canyon (see pp. 11 & 14) |
| ② Jack Canyon (see p. 6)      | ⑤ Vermilion Cliffs (pp. 14-15)        |
| ③ Behind the Rocks (see p. 8) | ⑥ Factory Butte (see p. 16)           |

## SUWA Index

Number of drill permits issued by the Utah BLM between January 2001 and October 2005 that remain unused: **1,910**

Amount of “technically recoverable” undiscovered oil resources within America’s redrock wilderness: **about 4 days worth**

Barrels of oil we could save if the quality of replacement tires were upgraded to meet new car standards: **7.3 billion**

Barrels of oil we could save if fuel economy standards for passenger cars were increased to an average of 40 miles per gallon over the next 10 years: **60 billion**



*Cloud Ceiling, artwork by Scotty Mitchell (www.scottymitchell.com).*

I hope the United States of America is not so rich that she can afford to let these wildernesses pass by, or so poor she cannot afford to keep them.

~ Margaret (Mardy) Murie



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Salt Lake City, Utah 84111

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