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## Encouraging News for the Canyon Country

n a time when the federal government produces mostly bad news for conservationists, we have a moment to savor. In April, Chief Judge Dee Benson, of the federal district court in Salt Lake City, upheld President Clinton's creation of the Grand Staircase-Escalante National Monument. Chief Judge Benson, appointed by President George H.W. Bush, wrote a lengthy opinion, consistent with earlier judicial rulings, concluding that Clinton had ample authority to proclaim the monument under the Antiquities Act of 1906. Given Chief Judge Benson's stature and the depth of his opinion, the legality of the Grand Staircase and the other Clinton monuments can now be considered settled.

And what a legacy those monuments are. In nineteen executive orders, Clinton put sixteen million acres into protected status (national monuments are essentially identical to national parks). This bold initiative is one of the grandest episodes in conservation history.

The Colorado Plateau has been a major beneficiary. The remote, rugged Grand Staircase, Clinton's first and largest monument, is especially well known. At 1.7 million acres—three percent of Utah—it encompasses most of the Escalante canyons and the dramatic stepped plateaus that make up the Grand Staircase.

The Grand Staircase-Escalante also filled in the missing center of what is now a vast landscape of protected land. Its borders link on the west, north, and east with Bryce Canyon National Park, Dixie National Forest, Capitol Reef National Park, and Glen Canyon National Recreation Area. No wonder that Clinton's signing of the proclamation on the South Rim in 1996 drew such a large and exultant crowd.

More was to come. In 2000, directly to the south of the Grand Staircase, on the lightly populated Arizona Strip, Clinton created the 300,000-acre Vermilion Cliffs National Monument and, to the southwest, the Grand Canyon-Parashant National Monument at one million acres. Like the Grand Staircase, these monuments are closed to mining and will remain largely roadless. Most other lands in the Arizona Strip are included within the North Rim of Grand Canyon National Park and the Kaibab National Forest. Grazing is still permitted in much of this country but increasingly the land is getting

#### LETTER FROM THE CHAIR

some respite from it; in the Grand Staircase alone, the Grand Canyon Trust has bought up 500,000 acres of grazing leases.

This expansive protected area of southern Utah and the Arizona Strip—along with the Greater Yellowstone Ecosystem, the River of No Return country of central Idaho, and Montana's Rocky Mountain Front—constitutes one of the wildest, most remote landscapes in the lower 48 states.

It is not just our species that thrives on the bracing wildness and open spaces of this extraordinary block of land straddling the Arizona-Utah line. In 1996, the year after reintroducing wolves in Yellowstone, Bruce Babbitt came to the Arizona Strip on a similar mission. California condors had flourished on the mammals and wind currents of the canyon country for millennia, only to be driven to the edge of extinction by our bullets, poisons, and power lines. In a last-ditch rescue operation, scientists took the last nine wild condors into captivity. There they bred and increased their numbers to the point that they were ready for reintroduction.

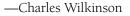
So Babbitt and scientists from the interior department and the Peregrine Fund released six California condors on the top of the Paria Plateau, above the 1000-foot, burnished red and cream colored Vermilion Cliffs, within what is now the Vermilion Cliffs National Monument.

The birds have done well. The flock, finding the carcasses of the fine mule deer herd on the Kaibab Plateau particularly tasty, now numbers forty-one. For years they produced no chicks—they had to relearn how to breed in the wild. Then, last year, Condor 305 hopped out of its cave in the Grand Canyon, the first to fledge in the wild in a generation. It surely uplifts a person—I know I'll never forget it—to see the big birds on the wing or to spot their giant prints on the wet sand of a Colorado River beach.

It could get even better. There is talk of bringing wolves back to the North Rim. The habitat is certainly there: those Kaibab Plateau deer will make fine dining for the wolves also. Oh, will those exuberant howls ever fill up the night...

Monuments. Broad, open country, hospitable to our kind and those returning as well. They're at the heart of what we believe in at the Grand Canyon Trust.







n the center spread of this issue of the *Advocate* you will find excerpts from a speech Terry Tempest Williams made to a large group of Moab-area conservationists on Earth Day. She was exploring the true nature of democracy, as she has been doing with great courage and insight over the last several years. Her full remarks will appear as "The Open Space of Democracy" in the July 2004 issue of *Orion* magazine. I had the privilege of eating dinner with Terry recently, when she asked several of us to dig more deeply into the notion that the human heart is the first home of democracy. It struck me at the time that the American people have always made erratic progress toward a more just society by consistently telling themselves a hopeful story about a humane and reasonable America, no matter how inconsistent such a tale might be with the facts.

A small group of landed aristocrats established a republic built on the enslavement and murder of untold numbers of Africans and Native Americans and in which women could not vote. We told ourselves that it was a beacon of the rights of man. But, that story and that ideal infected us and eventually slavery was abolished, women got the vote, and America really did become an imperfect but earnest model for the rest of the world. In time, our idealism even extended to the environment as we set aside national parks and wilderness and established protections for our air and water and fellow creatures. Governor Napolitano's article in this issue about her determination to nurture the health of the Colorado River is a great example of the essentially American trait to see the world as a better place and work to make it so.

What concerns me today is that many of our leaders are no longer telling a hopeful story about America. Instead, we are told that we are too threatened to continue to enjoy all our freedoms. We cannot afford to help those less fortunate or to worry too much about the future. Public involvement in government decisions must be "streamlined" out of existence. And concern for "luxuries," such as a healthy environment, is a million miles down on the priority list. Considering how important our hopeful stories have been on the way toward a better society, I shudder to think what kind of future these men are creating by sacrificing all to the notion of mean-spirited efficiency.

Along these lines, we got a letter at the Trust recently from a schoolteacher who was chagrinned that we have filed suit to protect the few remaining humpback chub in the Grand Canyon. The letter said, "Are you guys seriously trying to save those lame fish? It's evolution. Get a life!"

These days, when I think of lame creatures like the perfectly adapted, three million year old humpback chub, I think of the movie *Apollo 13*. Recall the scene when Ed Harris, playing Flight Director Gene Kranz, summons his ground crew around a table on which are piled all the materials the marooned astronauts have on board their spaceship and instructs them to design a carbon dioxide scrubber before the crew is asphyxiated. That's us on our spaceship earth, and casually throwing away our fellow creatures is not only morally outrageous, it is as reckless and unintelligent as if the astronauts had thrown away the duct tape before considering what use it might have.

We have been given a world beautiful and complex far beyond our capacity to imagine, and as if to underscore the one-time nature of this gift it is unimaginably far to the next habitable planet, if such a thing even exists. We have everything we need on board to make this a paradise, but we waste things at our mortal peril. That is why storytellers like Terry Tempest Williams are so essential. She reminds us of what life on this gorgeous world, among remarkable fellow travelers, can and should be all about. I thank all of you for your companionship on the journey. or more than 80 years Arizona leaders have fought to ensure that Arizona gets its fair share of Colorado River water. Leaders have done battle in Congress and the courts, and we have seen the construction of the Central Arizona Project to bring that water to thirsty communities in central and southern Arizona.

Now, after decades of fighting over the *quantity* of water Arizona will receive, we are coming to grips with the vital need to fight for the *quality* of that water.

In April, American Rivers released its 2004 report of America's most endangered rivers. Unfortunately, pollution put the Colorado River at the top of that list.

The Colorado is the lifeblood of the Southwest. It provides drinking water to more than 25 million Americans and irrigation water for agriculture throughout the deserts of Arizona and southern California.

Unfortunately, a Nevada missile fuel facility operated during the Cold War continues to dump more than 400 pounds of perchlorate into the river each day. More than 110,000 gallons of radioactive water enters the river each day from a now-closed mill in Moab, Utah. And nitrate levels four times higher than EPA public health limits are being recorded in the river, due to the presence of septic tanks in Arizona riverfront communities.

This report is a clarion call to clean up the Colorado River, and I intend to take up that call.

First, I plan to meet with Arizona's Congressional delegation. The Colorado River is controlled by the federal Bureau of Reclamation, and many of the sources of pollution are federal sites. The federal government must take up its responsibility to clean up the river, and I will work closely with Arizona's federal representatives to ensure this happens.

Every day the federal government allows pollution to flow down a river under its care is a day that state and local governments are left with avoidable expense of purifying that water.

Second, I plan to coordinate a meeting with the Governors of California, Nevada and Utah, three states in the Colorado River basin that are most impacted by the river's pollution. We need to determine what steps can be taken together to begin cleaning up the Colorado. I hope to hold that meeting here in Arizona this summer.

And finally, I will convene a study committee of all stakeholders, including federal, state, county, local, tribal and agribusiness representatives, to identify strategies the state can pursue in order to make this great river clean again. I will expect a report by the end of 2004.

I have rafted the Colorado River, and I have spent a lot of time in its riverfront communities—I was in Parker just a few days before the river report was released. I feel a personal sense of urgency to clean up the our river, and I hope Arizona's other leaders will join me in determining exactly what needs to get done to make it the clean-flowing Colorado River it once was.

### **Clean Rivers**

Guest Column by Governor Janet Napolitano



## Colorado River Restoration in Grand Canyon

**Collaboration and Litigation** 



Colorado River through Grand Canyon.

he Colorado River drains a huge, arid watershed in the country's fastest growing region. Not surprisingly, more money has been spent damming, diverting, pumping, and otherwise appropriating each gallon of the Colorado's flow for human use than on any other significant river on earth. The result has been habitat destruction so pervasive that the natural systems of the river are in shreds where they have not been destroyed altogether.

The ecological costs have been high because the Colorado's biological endowment is as strangely rich and unusual as the famous landscape it has carved down into the Colorado Plateau. The river system nurtured 36 species of native fish; two-thirds of which are found nowhere else; and 85 percent of them are imperiled below Glen Canyon Dam.

The Grand Canyon Trust has identified four areas of resource decline on the Colorado River in Grand Canyon that must be improved in order to restore the river to a healthy condition. These are: native fish, native riparian communities, sediment, and archaeological resources.

The humpback chub, an endangered four-millionyear-old fish found only in the Colorado River, is down from 1989 population levels of 10,500 to 3,500 currently—a 67 percent decline. Other native fish have suffered similar declines. Dramatic habitat changes created by Glen Canyon Dam and the proliferation of nonnative fish are the primary suspects in the disturbing decline of the humpback chub population in Grand Canyon. Releases of cold, clear water from the dam continue to create unfavorable habitat conditions for the humpback chub and favorable habitat conditions for the chub's nonnative predators.

Native riparian communities are also in decline. The sand beach community, composed mostly of grasses and forbs, historically occurred in a wide band adjacent to the river that is now being overrun by the nonnative tamarisk tree. Above the sand beach community is another narrow band of long-lived trees and shrubs that run parallel to the river. Known as the "old high water zone" community, it is being degraded by the invasion of nonnative species and the lack of recruitment of new individuals to balance mortality.

Sediment measurements in the river and on beaches show continuing, long-term declines. This is disastrous because river sediment supports habitat for aquatic and riparian species, provides recreational camping sites, and is critical for protecting cultural resources. No longer is there sufficient input and sediment storage to



balance the natural loss through erosion. Grand Canyon now only receives sediment inputs from its tributaries—about five percent of the amount of sediment that historically entered Grand Canyon each year.

Because sediment flow is diminished, cultural sites are also in decline. Intermittent flows in tributary drainages create destructive gullies and erode archaeological resources. Before the dam was constructed, flood flows quickly refilled gullies with transported sediment.

## Advocacy for Restoration–Collaboration and Litigation

The Trust is striving to implement four, critical river restoration management tools. These are: (1) dam releases mimicking a natural hydrograph to benefit native fish and build beaches; (2) temperature control device to improve habitat conditions for humpback chub; (3) sediment augmentation device to increase sediment retention; and (4) comprehensive nonnative fish control program to benefit native fish. Our advocacy efforts include both collaboration and litigation.

#### Collaboration

The Grand Canyon Trust is a partner in the Glen Canyon Dam Adaptive Management Program (AMP), a 25-stakeholder collaborative process that advises the Secretary of the Interior to implement actions to improve Colorado River resources in Grand Canyon.

The Trust helped develop a two-year experimental actions program within the AMP, now in its second year of activities. Part of the experimental actions program included doing big flood releases, but because the river system did not receive enough precipitation to trigger needed sediment loads from the tributaries, a planned 45,000 cubic feet/second flood release in January 2004 did not occur. Reduced sediment flow due to drought conditions strengthens the argument for mechanical sediment augmentation.

High fluctuating flows, also a part of the experimental actions program, have taken place from January through March. This flow regime is designed to disrupt spawning of predatory nonnative rainbow trout whose population has exploded to several hundred thousand fish, posing a significant predation and competition problem for humpback chub. Trout are also being removed from the Little Colorado River-Colorado River confluence.

Humpback chub.

Another significant effort within the AMP has been the Trust-sponsored Humpback Chub Comprehensive Plan, a proposal to implement experiments and other actions to address dam operations, nonnative species control, water temperature, turbidity, and public outreach. This proposal created a special committee involving several state and federal agencies in 21 projects to protect Grand Canyon resources. The Plan includes all of our proposed management tools—beneficial dam releases, temperature control device, sediment augmentation study, and nonnative fish control programs.

At the March 2004 AMP meeting we secured a recommendation from the AMP stakeholders to undertake the NEPA process to implement a temperature control device at Glen Canyon Dam. This is needed to warm river temperatures for successful native fish spawning and rearing.

Also at the March 2004 AMP meeting, the Trust successfully advocated for a feasibility study of sediment augmentation devices, the first step toward possible implementation at Glen Canyon Dam.

#### Litigation

To stimulate change needed to save the humpback chub, the Grand Canyon Trust filed an ESA Section 4 lawsuit on March 31, 2004, challenging the adequacy of the Recovery Goals for the humpback chub. On August 1, 2002, the U.S. Fish and Wildlife Service issued Recovery Goals for four endangered Colorado River fish—the humpback chub, bonytail, Colorado pikeminnow and razorback sucker. These new Recovery Goals are inadequate in many ways, most detrimentally with their inclusion of extremely low minimum viable population numbers, the number of fish needed for recovery. *The goals state that humpback chub are recovered at 2,100 fish even though the Grand Canyon population has declined while endangered to the present level of over 3,500.* Earthjustice is providing our legal representation.

It is our objective to secure true science-based recovery goals for the humpback chub and other endangered fish to give these native fish a real shot at recovery.

## Public Funding to Protect Utah's Open Space?



Grand Staircase-Escalante National Monument.

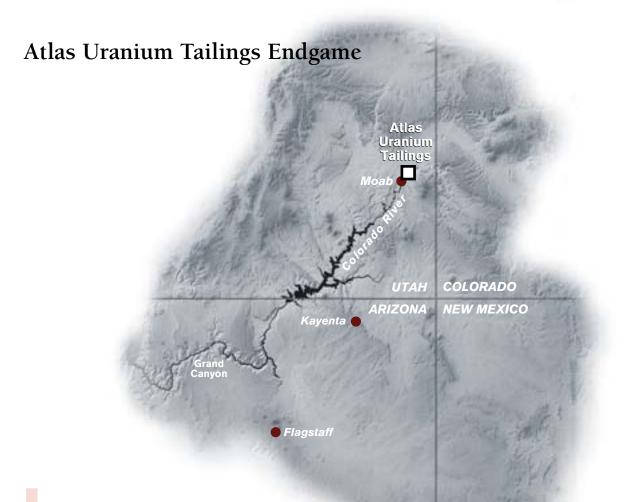
s Will Rogers famously remarked, "When it comes to land, they aren't making any more of it." Once farms, foothills and wildlands are bulldozed for development, they are gone for good. This simple realization has prompted voters in most states to approve large public expenditures aimed at preserving open space for our children and grandchildren. In Nevada, for example, a recent \$200 million bond for open space got 60% voter approval.

In Utah, where real estate interests dominate the legislature, things have been different. A Critical Land Fund was legislatively created in 1999, but its modest initial funding of \$3 million has been eroded by budget cuts to the point where less than \$500,000 has been appropriated to the fund in recent years. Pathetic as that is, the state's \$9 million total investment in 37 projects has been matched by \$45 million in federal, private and local government money to protect 33,000 acres. Substantial funding could accomplish great things, leaving a legacy of protected lands for future generations.

This year, conservationists and a wide spectrum of allies are making a determined effort to bring the question of open space funding to the voters. Republican lawmakers bottled up in committee a proposal for a referendum, so we are collecting signatures to place an initiative on the November ballot. A group called *Utahns for Clean Water, Clean Air and Quality Growth*, with assistance from The Nature Conservancy, Grand Canyon Trust, Utah Open Lands and others, is leading the effort. If the ballot measure is successful, the state will issue \$150 million in revenue bonds to purchase land to preserve rivers, lakes, watershed, open space, wildlife habitat, parks and recreational trails for future generations. The bonds will be retired with proceeds from a modest sales tax increase of 5 cents on each \$100 for a maximum of 10 years.

Proposed projects will be submitted to the Utah Quality Growth Commission by state agencies, local governments and conservation interests. Monies will be earmarked according to a prescribed formula. Efforts toward wildlife conservation (13%), water and air quality (11%), farmland preservation (11%) and enhancement of state parks (7%) will be led by the appropriate state agencies, while a like amount (38%) will be allocated to projects proposed by conservation interests. Local communities will direct spending of 17% of the monies and the fund will be rounded out with projects from the state museums of natural history (3%).

It is still too soon to tell if we will be successful in qualifying the measure for the ballot. Utah's difficult laws regarding ballot initiatives require us to get signatures totaling 10% of the votes cast in the last gubernatorial election in 26 of the 29 senatorial districts. We calculate that this means something like 70,000 signatures. As of this writing, we have over 90,000 signatures with a few days still remaining before the June 1<sup>st</sup> deadline. The Lieutenant Governor will rule on the sufficiency of our petitions in early July. It will be a long month of waiting, worth it because something truly important for the future of Utah is hanging in the balance.



ong time readers of the *Advocate* know about the Trust's program to get 12 million tons of uranium mill wastes removed from the bank of the Colorado River near Moab. This year the Department of Energy (DOE) will finally determine the fate of the toxic pile.

To briefly recap the situation, as of last fall the DOE was evaluating four reclamation alternatives in a comprehensive Environmental Impact Statement (EIS). The principal options were to cap the tailings where they sit in the floodplain of the river, or move them to one of several stable, isolated sites nearby where the wastes could be truly isolated for the long term. DOE had done an about-face from its position at the end of the Clinton administration, when it held that the wastes had to be removed from the river despite the projected \$450 million cost. Instead, they were quietly favoring the far less protective option of capping in place because of its estimated \$250 million price tag.

DOE had requested \$4-5 million in FY 2004 funding in order to begin treating the toxic discharge into the river before completion of the long EIS process. However, President Bush's budget request for the site was just \$960,000, far less than required for the EIS alone. The Trust helped organize a coalition of downstream congressional interests to fight for full funding and we were successful in securing \$4.5 million. DOE is now writing the EIS in expedited fashion and also operating treatment wells that intercept the poisoned groundwater and route it to an evaporation pond before it reaches the river.

Several new developments have caused a stir without changing the stark choice DOE faces. The first of these was a DOE plan to slurry the wastes into a salt cavern 4,000 feet below the ground. This new alternative was expected to be as inexpensive as capping, but possibly much safer. DOE Headquarters in Washington arbitrarily nixed it without serious study. The second development is new information from wells drilled on both sides of the river, which show that the northern end of the Moab Valley, including the area under the tailings, is covered with 15-30 feet of fine river silt underlain by coarse sand and large cobble rocks. Carbon dating shows that all the silt has been scoured away by massive floods twice in the last thousand years. If the tailings are left in place, they will likely be washed down river sometime soon.

The Draft EIS, which DOE has said will have the peculiar defect of not identifying a preferred alternative (probably due to election year politics), was scheduled for release during May. A long review at DOE Headquarters has delayed the release, perhaps as late as August. In the meantime, the Utah congressional delegation and the State of Utah have joined the Trust in asking that DOE hasten the decision to move the wastes out of harm's way to a secure place.

## San Juan Saga Continues



t's after midnight on a cold November evening in Santa Fe New Mexico. Laptop computers and piles of legal documents blanket the dining room table in the motel. File boxes overflowing with briefs, reply briefs, motions and other necessary trial documents line the walls. Tomorrow is the final day in a three-day trial to determine if the San Juan power plant is violating the Clean Air Act. Grand Canyon Trust attorneys Reed Zars and George Hays are printing out their last subpoena and fine-tuning their strategy for wrapping up the trial. The next day at the stone federal courthouse, the last witnesses are examined and cross-examined, final arguments are made, and the gavel bangs down ending the trial.

Two months later, Judge Black rendered a decision rejecting the illogical argument put forth by Public Service Company of New Mexico (PNM) that San Juan's own air pollution monitors could not be used to prove the plant was violating the pollution limits set forth in its permit. PNM's monitors show that the plant exceeded its opacity limit more than 60,000 times in the past few years. Opacity is the density of pollution coming from the plant's smokestacks and it closely correlates with the amount of particles and gases emitted by the plant—pollutants that have been linked to human health problems. PNM argued that although its state-of-the-art continuous opacity monitors were specifically designed to measure the opacity of pollution emitted by San Juan, violations could only be determined by a person "eyeballing" the plume. The court rejected this argument, noting that similar opacity monitors are used to "calibrate" the tester's eyeballs. The court also relied on a letter from the New Mexico Environment Department that said PNM's opacity monitors—not visual inspections of the plume—are the appropriate method for determining compliance with the state's permit.

The decision clears the way for determining the number of violations at the plant. The next step will be to establish what PNM must do to stop violating the Clean Air Act and what penalties it should pay for having unlawfully fouled the air in the Four Corners region.

But that is not the end of the story.

Rick Moore

Based on testimony given at the trial by PNM employees and documents in PNM's own files, numerous additional violations were discovered. As a result, the Trust and its co-plaintiff Sierra Club sent a notice of intent to file a second enforcement action. The April notice letter contains four allegations:

- PNM has knowingly purchased and burned coal with an ash content well in excess of the design specifications of the boilers and exceeding the ability of San Juan's air pollution control equipment to govern the emissions of ash and other pollutants.
- PNM has knowingly operated San Juan as a "load following" facility, even though it was designed as a "base load" facility, something the plant and its pollution controls were not designed to do and causing an increase in emissions.
- PNM has continued to violate the opacity limit in its permit after the Trust and Sierra Club filed their complaint in 2002.
- PNM has violated and continues to violate Clean Air Act regulations by failing to submit true, accurate, and complete annual compliance certifications for the plant.

Pollution from the San Juan power plant has been both an eyesore and health threat for years, regularly obscuring sacred sites like Shiprock, drawing complaints from its neighbors, and reducing visibility at nearby national parks and wilderness areas.

Verl Hopper, a member of both the Grand Canyon Trust and the Sierra Club, succinctly sums it up when he says, "The San Juan power plant is a real stinker and it needs to be cleaned up!"

Stay tuned. 🖬



## Woody Ridge Project Loses Trust Support

n April, Grand Canyon Trust reluctantly withdrew support of the Woody Ridge Forest Restoration Project located southwest of Flagstaff, Arizona. The project, which includes several thousand acres of thinning and burning within a 30,000 acre analysis area, is the fifth forest restoration project developed under the auspices of the 25-member Greater Flagstaff Forests Partnership (GFFP), of which the Trust is a founding member. Woody Ridge marks the first time Grand Canyon Trust has withdrawn support for a Greater Flagstaff Forests Partnership project.

Our objections focused on three areas of concern. First, the Coconino National Forest's decision to proceed with the project included plans to remove large trees in the 82% of the treatment acres where their own environmental analysis showed no need to do so. Second, the project included no plans or resource commitments for monitoring, which is one of the GFFP's three primary goals. Finally, the Forest Service plan failed to ensure that duff and litter would be adequately cleared from the base of rare old trees, as is necessary to prevent fatal root scorch during prescribed fires.

The Trust's positions of objection were based on consensus recommendations forged in the GFFP's collaborative process. That process included two years of project design, field trips, and meetings that, in the end, yielded written recommendations to the Forest Service endorsed by the GFFP's community advisory board and board of directors.

The implications of the Forest Service's decision, which included few if any substantive changes in response to our recommendations, are far reaching. Most immediately, the decision drops a wedge into community consensus. As stakeholders must side with or against the agency and one another based on their individual support or opposition to the decision, controversy fills the void previously occupied by agreement for collaborative action.

Insofar as Flagstaff is a venue in which environmental groups, the Forest Service, and other stakeholders formulate national positions on critical fire issues, the Woody decision suggests a return to authoritarian decision-making within Forest Service ranks. Grand Canyon Trust co-founded the GFFP in an era when the agency sought to move beyond that paradigm and its bitter legacy—which included degraded ecosystems, paralyzing environmental litigation, and record-low public confidence. The Forest Service sought the involvement and investment of diverse interests to forge safe decision space within which restorative forest management could proceed. At press time, at least five environmental groups had appealed the Woody Ridge decision.

Is the Woody Ridge Forest Restoration Project indicative of the new Forest Service under the Bush Administration's Healthy Forests Initiative (HFI)? We believe the jury is still out. To be sure, administrative, regulatory, and statutory changes of the HFI increase agency authority while decreasing public participation and environmental review. But the real test for the Forest Service, at least for the purposes of restoring fire to fire-adapted forests, may have more to do with an institutional commitment to facilitating public discourse and negotiated consensus within transparent and scientifically rigorous planning environments.

Absent that commitment and corresponding institutional changes, a future of gridlock may be more likely than not. And just as gridlock won't restore fire-adapted forests, that's a future our society, forests, and native plants and wildlife can ill afford.

—Taylor McKinnon





"A crisis woke us up. A shared love of place opened a dialogue with neighbors. We asked for help. We found partners. We used our collective intelligence to formulate a plan. And then we had to search within ourselves to find what each of us had to give."



"The human heart is the first home of democracy. It is where we embrace our questions. Can we be equitable? Can we be generous? Can we listen with our whole beings, not just our minds, and offer our attention rather than our opinions? And do we have enough resolve in our hearts to act courageously, relentlessly, without giving up—ever—trusting our fellow citizens to participate with us in our drive for a democracy alive, not dead."

Terry Tempest Williams inspires crowd gathered for Moab Earth Day celebration





"In my private moments of despair, I am aware of the limits of my own imagination. I am learning in Castle Valley that imaginations shared invite collaboration and collaboration creates community. A life in association, not a life independent, is the democratic ideal. We participate in the vitality of the struggle."

"As we look back over the story we have been living in Castle Valley, it does not begin to convey the power and empowering nature of the process. It is through the process of defining what we want as a town that we are becoming a real community. This is not simply a story of not-in-my-backyard, rendered by critics who would denounce the sovereignty of neighbors. It is the unfolding tale of how a small community in the desert is rising to its own defense, saying, "We believe we have a stake in the future of our own community, which we choose to define beyond our own boundaries of time and space and species."

## Jeeps Jeopardize Utah Back Country

ured by the opportunity to venture en masse into the exquisite red rock back country of southeast Utah, thousands of off-road enthusiasts descended on Moab this Spring for the Annual Jeep Safari and left behind a permanently damaged landscape. A single jeep cannot pass over this fragile terrain without leaving a lasting impression and the impact of thousands of off-roadvehicles (ORV) has changed the face of the wild and rugged Colorado Plateau.

The landscape was not the only victim of the ORV onslaught. A private property owner, attempting to defend his court-approved right to close a jeep trail on his property, was run over in a confrontation that landed him in the hospital. Later, a death threat was scrawled across his "No Trespassing" sign accompanied by a noose hanging from a nearby tree. Another four-wheeler, who clashed with a mountain biker, was removed from the backcountry by a helicopter brought in for crowd control.

Some ORV devotees respect the land and its people. The Moab Field Office of the Bureau of Land Management (BLM) issues the special use permit for the Jeep Safari and has an amicable working relationship with the event's organizers, the Red Rock 4-Wheelers Club. The Club's volunteers spend much time and energy working with the BLM on trail maintenance projects and education of visitors about careful use of public lands and have received awards from the BLM for their efforts. Club members guide visitors registering for the Safari. However, many jeepers don't associate with the organized event. That, combined with limited law enforcement, allows some users to create their own rules making the event ultimately unmanageable.

Some public lands users see southeast Utah as their own private sandbox and resist access or use restrictions for the backcountry road system. Their actions have created an erosion problem that causes blinding dust storms rivaling conditions in the Sahara Desert. Cryptobiotic soil crusts and vegetation release unstable soils to the wind when crushed by reckless ORV drivers. The problem is made worse by a severe and prolonged drought now entering its seventh year.

In recent years new, highly specialized vehicles known as "Rock Crawlers" have come to town bringing new threats to the terrain. With tires so large that a ladder is necessary to mount the vehicle, these machines are clearly designed for extreme challenges, not simply taking in the scenery on a dirt road. They assault the wild places unreachable by any other type of motorized transport,



Jeep despoils rare desert water source.

scraping over boulder piles and leaving unsightly black rubber reminders on the rocks.

Last Fall, the Moab BLM Office began taking public comment to revise their Resource Management Plan (RMP), its first update since 1985. As a result of public input, a key component for the new RMP will be an ORV travel plan. At public scoping meetings, the Moab and Monticello area offices revealed their travel plans will be based on maps provided by Grand and San Juan counties, charts which unfortunately resemble a bowl of spaghetti dumped on a page.



ORV damage in "Behind the Rocks" proposed wilderness, near Moab.

A roads analysis was requested by Southern Utah Wilderness Alliance (SUWA) and was completed by Grand Canyon Trust's GIS Specialist Steve Fluck. It revealed that more than 90% of all lands in southeast Utah are within one mile of a backcountry road or trail. Many of these roads are redundant and serve no purpose, such as old seismic exploration routes leading nowhere. Some "roads" are simply two tracks being reclaimed by the desert from lack of use while others are disputable as county roads, having not yet been proved under RS2477 claims.

The Red Rock Heritage Coalition—composed of concerned citizens, business owners and conservation organizations—was formed to offer an alternative travel plan to the BLM and to address impacts of unrestricted ORV use in the beautiful and vulnerable lands surrounding Moab and Monticello. SUWA is a very active participant and the Grand Canyon Trust is also working with the group. The coalition has devised a set of sensible travel plan principles including:

- Vehicles should be restricted to designated roads and trails only. BLM should eliminate "open" designations to prevent cross-country travel and new user created trails.
- All routes should serve some identifiable purpose. Redundant routes should be eliminated.
- Routes designated in the new travel plan should be capable of sustaining high use over the 15-20 year life of the new RMP without causing biological damage or ruining the peace and quiet that most visitors want to enjoy.
- Threats to biological diversity; habitat destruction and fragmentation; edge effects; exotic species invasion; pollution (noise, petrochemical, heavy metal); run-off sedimentation; and wildlife poaching must be considered in any travel plan
- The existence of too many roads increases threats to the irreplaceable cultural resources of SE Utah.

- Ecologically damaging routes, such as those through riparian areas, should be closed.
- There should be fair allocation of routes between motorized and non-motorized users to avoid crowding and conflicts on the same trails.
- To facilitate enforcement of restrictions there should be a "closed unless signed open" policy for backcountry roads. Many visitors are law-abiding and this would help them identify legal routes.
- To balance recreational opportunities, routes into otherwise roadless areas should be closed to provide places of quiet and peace.

For weeks after the Moab Jeep Safari, the local newspaper was filled with letters-to-the-editor complaining about visitors who trashed the town and surrounding lands. Some residents offered opposing views saying "Don't bite the hand that feeds you, the event is an economic boon to the community."

The Grand County Council held a public hearing to gather comments from a disgruntled community concerned about what may come with next year's event. If the BLM can agree to some restraint in the use of public lands stressed by drought and "multiple use" and visitors comply, then all of southeast Utah might avoid being closed for restoration.

—Laura Kamala

You can help determine the future of southeast Utah's backcountry by visiting the Red Rock Heritage Coalition's website at *www.redrockheritage.org* and signing on to the petition in the comments section. The BLM is currently analyzing public comment, to voice support for the Red Rock Heritage Plan you can also write:

Moab RMP Brent Northrup, Project Managel Bureau of Land Management Moab Field Office 82 East Dogwood Moab, Utah 84532

Monticello RMP Gary Torres, Supervisory Planner Bureau of Land Management Monticello Field Office 435 North Main Street Monticello, Utah 8453

## Trust and Tribes Work Together for Sustainable Economy









hange is coming from many directions for the Native American lands that make up more than thirty percent of the Colorado Plateau. A host of forces, from both inside and outside the region, have the potential to transform rural Native American communities that have historically linked cultural values, landscape, and economic development. Communities in the Hopi and Navajo Nations are experiencing a variety of pressures from booming population growth, high tourist visitation, environmental degradation, growth management issues, and increased unemployment.

The primary goal of the Native America Program is to establish long-term constructive relationships with Native American Tribes enabling us to work together to achieve conservation goals.

In the short-term, due to economic uncertainties created by the potential closure of Mojave Generating Station and the Black Mesa Mine, the Trust established a two-year goal to assist the Hopi and Western Navajo communities in creating a more diversified, sustainable economy less dependent on natural resource development.

It's been a challenging task for tribal policy makers in the past and will be for the Trust—especially with the Trust's modest team of one full-time, and three part-time members. It also raises a question: "Where does one start to assist the Tribes?"

The Trust chose to start by focusing its work on two clear approaches: 1) build sustainable development capacity in six traditional Hopi and Navajo communities and; 2) create five model, sustainable businesses.

In the past, most economic proposals presented to tribal policy makers emphasized natural resource development and rarely considered long-term consequences on area ecology, and local cultural values. As a result, local communities strongly resisted many projects. However, tribal governments have recently instituted policy changes increasing decisionmaking authority in chapter and village governments. An example of this policy shift is the Navajo Nation's Local Governance Act (LGA), which grants the Nation's 110 chapters the authority to enact their own traditional forms of government; create land use plans and zoning; approve business site leases; raise revenue through taxes and bonding; resolve disputes; and enact community ordinances.

The Hopi tribal government is structured to allow villages and chapters similar authority. Several Hopi villages are pro-actively exploring development of zoning ordinances, land use planning, and business site leases. These changes create opportunities for committed organizations to help local leaders and members with information and technical assistance to build sustainable economies incorporating effective conservation strategies.

To begin this work, we will thoroughly research the best existing ideas and collaborate with other organizations and governments to educate Native American communities on sustainable development and conservation. We will "traditionalize" this information to fit the cultural and community rhythms of both tribes by contracting with Hopi and Navajo culture and language experts, and artists. Once the information is appropriately packaged, we will engage the six most interested communities and schedule the community capacity building program over an 18-month period. Workshops will include youth, elders, traditional leaders, administrators, farmers, shepherds, business owners, artists, and community members.

The project will enhance the decision-making capabilities of local community leaders and empower a diverse cross-section of tribal members by providing them the knowledge needed to protect local cultural values and help guide development according to those values. As a result, the foundation will be laid for wider application of community-based, sustainable development in traditional Native American communities in the future. **¥** 



### **News** Notes

#### **Protecting Open Space**

Protecting open space and quality of life proved to be a top priority for Flagstaff citizens once again. After being outspent 3-1, Citizens for Open Space emerged victorious in two of three Flagstaff open space bond questions in the hotly contested election held May 18. Question 302, which provided funding for open space and the Flagstaff Urban Trails system, won by a 58% - 42% margin. Question 303 provided funding for purchase of open space on Observatory Mesa and garnered 55% of the vote. Question 304, which was to provide funding for open space purchases on McMillan Mesa, was defeated 53% to 47%.

Question 304 was singled out by opposition forces and was the subject of an intensive "no" campaign in broadcast and print media. Funded by development interests from Phoenix and Flagstaff, the opposition based its campaign on fictitious tax numbers and fabricated stories which claimed the land on McMillan Mesa was not for sale. However, the battle is far from over. After the election it was revealed that Trust for Public Lands and the City of Flagstaff have been negotiating with one of the property owners on McMillan Mesa to purchase the property.

"We fought the good fight and are proud of the success we had given the vociferous opposition," stated Becky Daggett, Executive Director of Friends of Flagstaff's Future and campaign director for Citizens for Open Space. "Our victory combined with others around the state sends a message to all politicians that open space is valued and critical to Arizona's quality of life and tourism economy." Observatory Mesa.

#### **Springdale Office Closed**

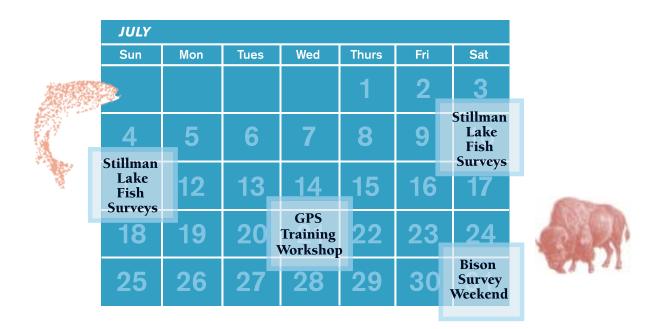
After completing an intensive strategic planning process, which reassessed operations and revised plans for the future, the decision was made to close the southwest Utah office in Springdale. A cost/benefit analysis of the Trust's ten-year investment in the office revealed better ways to advance our mission in the area.

The Trust is not abandoning the area and remains committed to conservation advocacy on behalf of Zion National Park, the Red Cliffs Desert Reserve, the Virgin River, the Arizona Strip and the Dixie National Forest. We will continue collaborative efforts with government officials and local residents to preserve and protect these special places.

#### Owners of San Juan Power Plant Acknowledge Violating the Clean Air Act

The Trust scored a major victory in its effort to clean up the San Juan power plant on May 26th, when Public Service Company of New Mexico (PNM) filed a formal statement in federal district court acknowledging that San Juan has violated the opacity limit in its air quality permit more than 42,000 times. Opacity measures the density of harmful particles and gases coming out of the plant's smokestacks. The admission of the violations by PNM clears the way for the court to determine what the company must do to comply with the Clean Air Act and the amount of a civil penalty PNM must pay for fouling the air over the Four Corners region.

## Trust Volunteers Connect with the Earth



n each Advocate we often detail accomplishments from our volunteer program, or announce upcoming projects, and have spent little time answering the question, "well, what exactly is the Volunteer Conservationist Program?" This summer is the Trust's sixth season bringing together community members to do on the ground conservation. Born out of a desire to blend the Trust's policy efforts with fieldwork, the award-winning program blossomed under Bob Hoffa's expert direction. Each year dozens of returning volunteers join new faces to dig, survey, plant, and muscle the Earth to a restored state.

The vision of the program is to create a sustaining relationship between Colorado Plateau residents and the natural environment by building a community of willing and enthusiastic volunteer stewards. Our goals are to implement key conservation projects that restore healthy ecosystems; to provide meaningful hands-on conservation experiences; and to collaborate with agencies and organizations to further the Trust's mission.

But beyond this strategic framework, the program is ultimately a fun and rewarding way to make tangible, positive environmental contributions. Struggling against a torrent of news about negative human impacts to our environment, for many the volunteer program is a welcome way to make an immediate difference. Working in environmental conservation can often seem like a continual uphill slog through minefields of political, top-level decisions that can quickly derail our efforts. Yet at the end of a volunteer project I can almost guarantee that both volunteers and collaborators will reflect on the work with a sense of accomplishment and satisfaction. As one volunteer sums it up, "You meet new people, find yourself in remote places doing things you never could have imagined, and you're doing important conservation work. What more can you ask for?"

My colleagues and I are continually inspired and impressed by the dedicated individuals who have made the program successful. By showing us their commitment, our volunteers inspire us to be even better advocates of land preservation and stewardship. At our end-of-season appreciation party last December, I suddenly found myself wondering what I was going to do once volunteers stopped dropping by my office to pick up field equipment, return data sheets, or just to chat. Hectic as the volunteer season can be coordinating myriad logistics, it is also an incredibly rewarding job. After spending the winter months becoming intimately familiar with my office walls, by spring I was itching to see "my" volunteers again and get back in the field. Whether tracking cougars or thinning junipers, I was looking for that instant shot of energy from enthusiastic conservationists.

This season we will work with the Arizona Game and Fish Department, National Park Service, and the Fish and Wildlife Service to improve pronghorn antelope habitat, restore native vegetation, monitor wildlife movements, and more. If you are interested in becoming a new volunteer, please look at the program calendar and contact us about working in the field. Our only requirement is a willingness to work hard, get dirty and have fun!

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#### Richard Mayol Director of Communications

Richard joined the Trust team in April 2004 as Communications Director and brings 25 years experience as a nationally recognized, award winning media and communications consultant. Prior to joining GCT, Richard was the co-owner of First Tuesday Inc. and New West Policy Group LLC, public affairs and political consulting firms where he managed and produced public education and media campaigns for ballot measures, advocacy organizations, business and trade associations, municipalities, and congressional, gubernatorial and mayoral candidates across the West. His campaign work helped win public approval for funding McDowell Mountain Preserve in Scottsdale, Arizona; the purchase of Willow and Watson Lakes in Prescott, Arizona and open space funding in Flagstaff and Prescott, Arizona, and Santa Fe, New Mexico among others.

Richard's work at the Trust includes communications planning, press and public relations, and publications and website management. He is a graduate of the University of Tulsa, past Board President of Prevent Child Abuse Inc., and a member of the American Association of Political Consultants.



Karen Murray Volunteer Program Manager

Karen joined the Trust in May 2003 to help run the Volunteer Conservationist Program for the summer. She has a bachelor's degree in Human Ecology from Vassar College, and a master's in Environmental Management, with an emphasis on Conservation Biology, from the Yale School of Forestry and Environmental Studies. Between college and graduate school, Karen worked several field biology positions for state and federal agencies, including the study of bearhuman interactions in Yosemite, Lake Clark, and Denali National Parks, and researching black bears in Virginia. Her interests include wildlife ecology, carnivore conservation, and applying her ecology background to policy and management decision-making processes. Karen manages the Volunteer Conservationist program, and works on Grand Canyon related issues, such as restoring gray wolves to the Southwest. She has given talks at several national conferences, including a paper on wolf-human interactions in Denali at the 2003 World Wolf Congress.



Tony Skrelunas Native America Program Manager

Grand Canyon Trust is pleased to welcome Tony Skrelunas to the program staff. Tony is Senior Program Manager and directs the Native America Program. He rejoined the Trust in December 2003 after spending 12 years working on sustainable economic development as Executive Director of the Navajo Nation Economic Development Division and Government Development Office, as a partner in Horizon Springs Partnership, and as the former GCT Native America Program Director.

Tony coordinates the Trust's work with the Hopi and Navajo Nations, tribal communities, and non-governmental organizations on conservation and sustainable development projects. He is a partner in Southwest Tradition Log Homes—specializing in small diameter log homes, serves as Board President for the Navajo Nation Shopping Centers Inc., and Board Chair of the Native American Community Development Corporation, a non-profit affiliate of the Native American National Bank. Tony earned a B.A and M.B.A. from Northern Arizona University.



#### Vanessa Vandever Native America Program Associate

Vanessa has been selected to serve in the prestigious Morris K. Udall Foundation's Congressional Summer Internship Program. Vanessa has been assigned to Senator John McCain's office and will rejoin the Native America Program in August. She is a member of the Navajo Tribe and worked in the Trust's community outreach and sustainable development projects on the Navajo Nation. Previously, Ms. Vandever worked with the Environmental Careers Organization Inc. in Washington D.C. where she was an associate with the Environmental Protection Agency (EPA) coordinating the EPA/Tribal Newsletter Pilot Project. She is a Stanford graduate with a B.A. in Political Science and is working toward an M.S. in Resource Management at Central Washington University. We are proud of her achievements and value her contribution to the Trust. Congratulations Vanessa!

#### Anna Masayesva Native America Program Associate

The Trust welcomes Anna to the Native America Program team. She is a member of the Hopi Tribe from the Village of Bacavi. Anna will be working out at Hopi 75% of the time. Through her community outreach efforts, she will assist the Hopi Tribe's Community & Economic Planning Department, and individual villages with grant writing and communitybased sustainable development education. Formerly, Ms. Masayesva was a Program Assistant at the U.S. Institute for Environmental Conflict Resolution where she performed research and provided administrative support for several projects and programs. Anna holds a B.S. in Environmental Science from the University of Arizona and will begin her graduate program in 2005

#### **Good-Byes**

he recently completed strategic planning process reassessed operations, and revised plans and priorities for the future. The reorganization resulted in some staff changes.

As we head off in new directions, the Grand Canyon Trust wants to acknowledge the contributions made by the departing staff members.

**Bob Hoffa,** who joined the Trust in June 2001, was the Trust's Wildlands Protection Program Manager and coordinated the volunteer conservationist program. While at the Trust, Bob led our volunteer program and produced a detailed, science-based study titled *Greater Zion Conservation Analysis* that provides an ecological framework for prioritizing conservation efforts in the Greater Zion area.

**Chris Newell** became a staff member in January 2000 and was Southwest Utah Senior Program Manager for the Trust. Chris represented the Trust as a member of the Red Cliffs Reserve Advisory Committee, led our work in the Arizona Strip and worked with the Nature Conservancy and the Utah governor's office on efforts to protect the headwaters of the Virgin River.

Michele James was Species

Conservation Program Manager for the Trust since her arrival in January 2002. Her work at the Trust centered on reducing and eliminating threats to imperiled species and their habitats on the Colorado Plateau. For the past year her primary focus was on producing Sustainable Multiple Use Alternatives for the new management plans for southern Utah's national forests, the Dixie, Fishlake and Manti-LaSal.

The Grand Canyon Trust wishes them well in their future endeavors.

## Your Will Can Help Grand Canyon Trust

#### Why Have a Will?

A will is one of the most important documents you will ever sign. Think about the things a will enables you to do:

- A will lets you direct precisely who will receive all the property you have accumulated over your lifetime. Without a will, the state decides who receives what—all according to inflexible rules.
- Your will can contain a trust that provides financial security and money management for family members who need special assistance.
- Your will permits you to nominate the persons who will handle your estate or serve as guardians of children.
- Your will enables you to assist friends, worthwhile causes, institutions and others that the law omits.
- A skillfully drafted will can allow your family to minimize death taxes and other costs that may sap your estate of vital assets.
- Your will can be an expression of your personal values. You may wish to memorialize a special person in you life, aid an impoverished friend, or distribute cherished heirlooms to special people.

Executing a will is neither difficult nor expensive. Yet the rewards are great indeed, both in peace of mind and in personal satisfaction.

#### How to get a will

Obtaining a will is as simple as 1-2-3.

- 1. Call your attorney. Make an appointment to plan your will. If you do not have an attorney, ask a friend or a relative to recommend one, or call your local bar association.
- 2. Prior to the appointment, sit down and write out all the goals you would like to accomplish through your will.
- 3. Follow your will planning through to completion. Store your will in a safe place and examine it periodically to assure that it is up to date with your family needs and personal desires.

#### Planning a Will That is Practical... and Deeply Satisfying

We have received many bequests—gifts by will—from thoughtful people who considered it only fitting to provide us something from their estates. Their bequests were simply a continuation of the support they had provided all their lives. For these gifts we are profoundly grateful. And it is satisfying to point out that in a well-planned will, the cost of a bequest to our future can be surprisingly modest.

Your bequest can be of a stated dollar amount, or you can leave us a specific property. Some of our benefactors prefer to bequeath a certain percentage of the "residue" (the amount that remains after paying all inheritances, debts and costs). There are special arrangements by which your bequest can provide financial benefits to your family and later be used in out programs.

#### If You Already Have a Will

Great! We hope you keep it up to date. When the time comes to make a change, a simple codicil (amendment) often is all that is needed. If you are considering a codicil, or a whole new will, may we suggest one more satisfying change: a bequest to assist in our programs.

#### **My Will to Help**

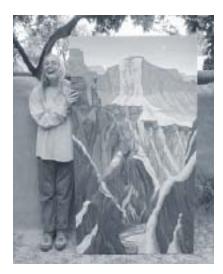
I have included you as a beneficiary of my will or other estate plans, as follows: I would like someone to contact me about planning a gift from my estate.

Name \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Daytime Telephone \_\_\_\_\_



#### Artist Bio

#### Serena Supplee Painter of Grand Canyon's Inner Gorge

Serena's most recent series, *Inner Gorge Metaphors*, reflects her love affair with the Inner Gorge of the Grand Canyon. She portrays what many visitors to the rim may otherwise never see, the interplay of the Vishu Schist & Zoroaster Granite in relationship to the Colorado River. She sees the river as the lifeblood of the canyon and this image has become a personal metaphor for her life. Floating on the twisting turbulent river is like the fluid highway of life, surprises around each bend, obstacles and challenges, elation and joy.

Inner Gorge Metaphors will be on display at the Kolb Studio, on the South Rim of Grand Canyon, January 16 – March 28, 2006 sponsored by the Grand Canyon Association.

See more of her work at serenasupplee.com



#### **Special Thanks to...**

John Running and David Edwards (and Mali) for graciously donating their very fine photography to the Native America Program. See page 16.

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#### The Colorado Plateau Advocate

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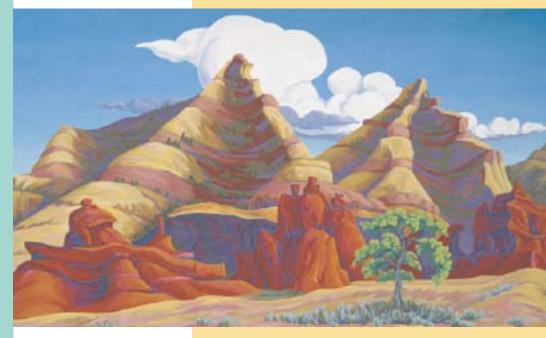
Cover art by Serena Supplee: Front: Artery of the Canyon Back: You are My Symphony

#### This publication is printed with soy based inks.

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**Grand Canyon Trust** 2601 N. Fort Valley Road Flagstaff, Arizona 86001 (928) 774-7488



#### The Mission

of the Grand Canyon Trust is to protect and restore the Colorado Plateau—its spectacular landscapes, flowing rivers, clean air, diversity of plants and animals, and areas of beauty and solitude.

#### Vision

We work toward a region where generations of people and all of nature can thrive in harmony. Our vision for the Colorado Plateau one hundred years from now is:

- A region still characterized by vast open spaces with restored, healthy ecosystems and habitat for all native plants and animals.
- A sustaining relationship between human communities and the natural environment.
- People living and visiting here who are willing and enthusiastic stewards of the region's natural resources and beauty.

