Double Standard for 4WD

by Wayne Hoskisson, Utah Chapter Chair

On Saturday, May 9, 2009, the Utah Shared Access Alliance staged a protest ORV ride up the Paria River in Kane County. Prior to the ride they held a rally to energize (or incite, depending on your viewpoint) approximately 300 people. Eventually the rally moved on to the Paria River. They entered the Paria near the old and long abandoned Pahreah townsite and not far from the Paria movie set. The Paria-Hackberry Wilderness Study Area begins a short distance up stream. Bright stripes of Bentonite clay line the river banks, and red rock cliffs form the upper walls. Cottonwoods grow on the banks and sand bars of the 100 yard wide river. Willows have slowly grown back into the river's flood plain. A few Russian olives grow along and in the river densely enough to be a problem.

Just before ten o’clock a few ATVs, SUVs and trucks straggled into the area. The Bureau of Land Management (BLM) showed up a little before that. There were not many, and they dispersed to a few different checkpoints along the way into the Paria. Some eventually returned and walked up the river to near the WSA boundary where they positioned themselves along the river. A few Kane County deputy sheriffs showed up to watch. By 10:30 a.m. the ATVs and UTVs started showing up in a nearly continuous stream. For some reason they had organized in packs of about ten vehicles. The packs kept coming up the river every few minutes until about 11:30. A little more than 100 vehicles entered the canyon. About 25% were full sized 4x4 vehicles and 75% were ATVs and UTVs. There were only a few dirt bikes. If you have not seen a Utility T errain Vehicle (UTV), they look like a golf cart. There must be a right way and a wrong way to break the law. I may need this principle some day.

The picnic remained a picnic. Personally I felt a little cheated that we had gathered to watch a couple of hundred people break the law rather than to just enjoy the scenery. The protesters clad their vehicles with bright stripes of Bentonite clay line the river banks, and red rock cliffs form the upper walls. Cottonwoods grow on the banks and sand bars of the 100 yard wide river. Willows have slowly grown back into the river's flood plain. A few Russian olives grow along and in the river densely enough to be a problem.

The protesters clad their vehicles with a few signs. One said something about defending the Constitution. I do not recall anything about ATVs or breaking the law in the Constitution, and it does not show up in the copy I have at home. Another sign seemed particularly repellant. It read in large letters blue and red letters, “Just Say NO (large handicap sign logo in a red circle with a slash through it) to People With Disabilities.” I could not imagine why they would use such a shameful sign. Eventually we were given a copy. Below the large type was, “Sponsored by the United States Government, BLM, Presidents Clinton and Obama, Democratic Party, National Park Service, Sierra Club and Southern Utah Wilderness Alliance. They Want People with Disabilities Out of Grand Staircase.” The small print did not make the sign any less repellant. It read in large letters blue and red letters, “Just Say NO (large handicap sign logo in a red circle with a slash through it) to People With Disabilities.” I could not imagine why they would use such a shameful sign. Eventually we were given a copy. Below the large type was, “Sponsored by the United States Government, BLM, Presidents Clinton and Obama, Democratic Party, National Park Service, Sierra Club and Southern Utah Wilderness Alliance. They Want People with Disabilities Out of Grand Staircase.” The small print did not make the sign any less repellant.

Several times I attempted to speak with the BLM officials. They must not have defended the Constitution. I do not recall anything about ATVs or breaking the law in the Constitution, and it does not show up in the copy I have at home. Another sign seemed particularly repellant. It read in large letters blue and red letters, “Just Say NO (large handicap sign logo in a red circle with a slash through it) to People With Disabilities.” I could not imagine why they would use such a shameful sign. Eventually we were given a copy. Below the large type was, “Sponsored by the United States Government, BLM, Presidents Clinton and Obama, Democratic Party, National Park Service, Sierra Club and Southern Utah Wilderness Alliance. They Want People with Disabilities Out of Grand Staircase.” The small print did not make the sign any less repellant.

There must be a right way and a wrong way to break the law. I may need this principle some day, one of the special agents what they were planning to do. He said, “We are here to protect the interests of the BLM.” That was as much clarification as they gave me. Only a few weeks before US District Court Judge Waddoups had ruled we could not participate in a Kane County RS 2477 lawsuit because the Department of Interior would adequately represent our interests. I wonder if Judge Waddoups has noticed this incident and still believes the BLM can represent the interest of the conservation community. Or even enforce the law.

A little later I watched and listened as a BLM spokesman spoke to several packs of ATVs as they entered the WSA. He told the riders, “It is against the law to ride here and you shouldn’t do it. But I know you are going to so you should do it right. Stay on the route.” [emphasis added by author] There must be a right way and a wrong way to break the law. I may need this principle some day.

Kane County Commissioners Habbeshaw and Noel attended the rally but I did not see them on the ride. They could well have been. Some of the riders had hardkith chief masks pulled up over their faces. I believe Commissioner Habbeshaw is under court order not to break the law or induce lawbreaking.

It has been a month since the illegal ATV ride in the Paria River occurred and so far nothing has happened. No citations have been issued. There have been no consequences for those illegally riding. Considering the case of Tim DeChristopher and his protest bidding on oil leases, the BLM seems to have a selective sense of law enforcement. Inconvenience a few oil speculators and get the book thrown at you. Illegally ride 100 vehicles up a river and enjoy a day in the sun. America is still on the wrong track.
Help Chart Utah’s Conservation Course
by Dan Mayhew and Ann Wechsler

T he conservation committee is working on a two-year conservation plan. For the first time, it’s our intention to involve the larger chapter membership both in selecting the focus issue, and, we hope, in putting it in action.

The strength of the Sierra Club comes from volunteer energy and intelligence. Sierra Club member numbers are lower in Utah than surrounding states so we need strong support from our members, a well-designed plan and collaboration with allies to make the strides necessary to improve the environment.

The Utah Chapter Executive Committee provided broad guidance about conservation priorities for 2009. Within those outlines, the conservation committee developed the options listed below and is seeking your input. Please participate by returning the ballot below with your preference or by logging on to the chapter website, http://www.utah.sierraclub.org/, and following the links to the poll.

Each of the options includes at least one positive long-term goal as well as specific short-term threats that need to be defeated. Even for the options not chosen, some staff and volunteer time will continue to be dedicated; however, the emphasis of the committee will focus on the plan developed from the option chosen. The conservation committee will elaborate the winning option into a written plan that will be implemented over the next two years.

Votes via US Mail or the chapter website will be accepted through July 31, 2009. Please vote for only one.

WATER SUPPLY AND CONSERVATION
Current modeling suggests scheduled water deliveries from the Colorado River might not be met 60 to 90% of the time by mid-century. Water supplies will be stressed across an increasingly populated west. In fact, thirsty municipalities are already reaching out for additional supplies—sometimes from sources hundreds of miles away.

The Sierra Club opposes trans-basin water diversions and, under this option, the committee would fight trans-basin pipeline proposals by Nevada’s Clark County, Utah’s Washington County and a private-sector pipeline intended to divert Green River water to southern Wyoming and Colorado’s Front Range. The long-term goals would be to promote conservation and development within realistic water budgets and to protect in-stream flows.

GRAND STAIRCASE ESCALANTE NATIONAL MONUMENT (GSENM) PROTECTION
The GSENM encompasses some of Utah’s most spectacular landscapes ranging from badlands to high-elevation pinyon juniper forests to lush creek corridors.

Inappropriate grazing, invalid rural highway claims, uncontrolled off-road vehicle use and invasive species are some of the threats the committee would fight. Our long-term goal would be to promote a management plan that protects the monument’s resources and passage of a bill, America’s Redrock Wilderness Act, to protect just over 9,100,000 acres of BLM lands including all the qualifying acreage within the GSENM with wilderness protection.

FOREST PROTECTION
Utah has roughly eight million acres of publicly-owned forest lands managed by the United States Forest Service. These lands include Utah’s highest peak, King’s Peak, at 13,528 feet and three other mountain ranges with peaks over 12,000 feet. This terrain provides habitat for species ranging from lynx to black bear to delicate purple orchids.

These lands are threatened by overgrazing, destructive timber sales, invalid rural highway claims, extravagant ski resort expansion and off-road vehicle abuse. Our long-term goal for these lands would be to promote land management plans that protect the full spectrum of forest resources and legislation to protect all qualifying acreage as wilderness.

CLIMATE RECOVERY CAMPAIGN
Although two coal-fired power plants proposed for construction in Nevada near the Utah border and one plant in Utah have been cancelled, in no small part because of the opposition of the Sierra Club’s Beyond Coal Campaign, one more coal burner upwind of St George (Toquop) and three coal burners in Utah remain in varying stages of viability. These plants would emit millions of tons of climate destabilizing gases and, if completed, together with other coal-fired power plants across the US would make it virtually impossible for the world to avoid catastrophic increases in global average temperature.

Under this option, the committee would work with Sierra Club staff to continue turning back coal-fired power while promoting renewable energy such as geothermal, solar and wind. Other objectives could include state-level improved building codes and appliance standards.

SMART GROWTH & TRANSPORTATION CHOICES
The built environment that surrounds us dominates our lives in ways we don’t fully appreciate. For example, if the route to school is not pedestrian safe, it can mean one’s children grow up obese for lack of exercise. Uniform suburban landscapes make impossible the choice to live in a walkable urban setting with mixed uses and nearby services. Smart growth and mass transit don’t require the abortion of suburbia. It simply means good planning to allow choices.

The long-term goal of this campaign would be to provide high-quality public transportation in Utah’s major population centers as well as to make bicycle and pedestrian travel safe and common, and to embed smart growth principals in state funding decisions.

The conservation committee’s efforts to protect the environment by completing and returning this form via US Mail to 2159 South 700 East Suite 210, Salt Lake City, UT 84106-3785, or by logging on to the chapter website, www.utah.sierraclub.org, and following the links to the poll.

During the next year, I would like to see the committee focus on:

Please provide your contact information if you wish to get involved with the conservation committee.
OurAir

28 Steps you Can Take to Help Clean Air
by Marion Klaus and Mark Clemens

A long the Wasatch Front we suffer from poor air quality on cold sooty days during Winter inversions and on hot smoggy days in the Summer and Fall. You might have heard some of the suggestions below, but read through the list to find out if you are doing everything you can to help clear the air. We’ve sneaked in a few suggestions that address other environmental issues too, but this list is primarily about clean air.

1. Walk, ride your bike, carpool or take public transit rather than driving.
2. If you have no alternative to driving, plan and combine your trips so you complete all your errands on the shortest possible loop.
3. Don’t idle your car for more than 5 seconds. Turn it off.
4. Consider moving closer to the destination of your longest and most frequent automobile journeys whether that’s school, work or church.
5. Get your car tuned frequently and replace air filter and oil regularly.
6. If you see a car or truck belching thick and substantial exhaust in Salt Lake County, note the plate number and report it to http://www.slvhealth.org/cfml/sv_form.cfm, or 801/944-7664. If you see a smoking vehicle in Utah County, call 801/851-7600.
7. Make changes in your yard & garden. Rake leaves rather than using a leaf blower. Cut the grass with a push mower rather than a gas mower.
8. If the extra garden work leaves you breathless, consider reducing the area in grass and replacing it with native perennial plants. The change will save water too.
9. If you must use motorized lawn (and snow removal) tools, use them later in the day so your emissions don’t add to the pollution spike in the middle of the day.
10. Fill your gas tank later in the day.
11. Avoid spilling gas and don’t top off the tank. Replace gas tank cap tightly.
12. Properly dispose of household paints, solvents and pesticides. Store these materials in airtight containers.
13. Paint with a brush, not a sprayer. Paint is a significant source of volatile organic compounds (VOCs). Using paint with a sprayer considerably increases the dissemination of VOCs.
15. Reduce or eliminate fireplace and wood stove use.
16. Change your light bulbs to the energy saving compact fluorescent light bulbs.
17. Turn down your heat 5 degrees in the winter and your air conditioner up 5 degrees in summer.
18. Get a Thermwise home inspection from Questar Gas and take their advice. Find details at http://www.thermwise.com/home/Audit.html, or by calling Questar at 800/695-7375.
20. Put your entertainment center and computer on a surge protector that turns off all electronics. They continue to use electricity even when not in use.
21. Put a thermal blanket on your water heater and turn it down a few degrees.
22. Put up a clothes line, or a drying rack if you live in an apartment, and take advantage of Utah’s low humidity to dry your clothes.
23. Turn off your computer when you are not using it.
24. Use non-toxic cleaning products.
25. Buy locally and switch to organic food and drinks.
27. Buy recycled products.
28. Obviously, don’t smoke!
Greener Pastures? Maybe, But No Redrock

by Wayne Hoskisson

For a long time I used to follow Utah conservation issues from a distance. I knew about the Utah Wilderness Coalition wilderness proposal. I was one of the silent supporters of wilderness and conservation in general, one of those who may support a mile wide but only a half inch deep. I knew the names of wilderness heroes like Lawson Legate, Clive Kincaid, Jim Catlin, Brant Calkin and many others who preferred to know them through newsletters and newspapers.

In the summer of 1991 or 1992, my wife and I were camping in the San Rafael Swell. Eventually we ended up camping at the San Rafael River bridge. A summer thunder storm came through and the roads soon turned to slick clay. A car couldn’t climb the slightest incline. We were stuck at the bridge.

Finally the sun came out. We watched the sun glow on the moistened stone of Windowsblind and Bottleneck Buttes, and the cliffs of the northern Reef. The now dark red San Rafael River nearly filled the channel. This was one of those moments everyone should have the opportunity to experience.

A vehicle came up from the Mexican Windowblind Road. Out stepped a man with a grin on his face. He walked up to us, reached out his hand and said, “Hi, I’m Lawson Legate.” We knew the name. I was impressed to find someone from the Sierra Club actually out in the Swell. This was a man who believed in special places. The grins on the faces of the volunteers who followed him were a result of his leadership and vision.

The relationship between the Utah Chapter and Lawson may not have been unique in the Sierra Club, but it was exceptional.

Lawson came to Utah in 1987 to work with the Sierra Club in promoting the Utah Wilderness Coalition’s proposal for Bureau of Land Management wilderness. In 1987 we proposed 5.1 million acres of wilderness. As a result of an appeal of the BLM’s original wilderness inventory, that soon changed to 5.7 million acres. Ten years later and after the efforts of volunteers and staff of the Sierra Club, the Southern Utah Wilderness Alliance, the Wilderness Society and the Wasatch Mountain Club we conducted another wilderness inventory and found that many areas had escaped notice in our original wilderness inventory. The Utah Wilderness Coalition eventually introduced America’s Red Rock Wilderness Act proposing over 9 million acres of wilderness.

Lawson led the chapter through this process for twenty-two years. The details of this struggle always amaze me. Lawson toured our wilderness proposal with many of our congressional champions, including Representative Bruce Venturi, Senator Richard Durbin, and Representative Wayne Owens, the original sponsor of our wilderness proposal.

Lawson authored portions of Wilderness at the Edge, a remarkable description of the red rock and Great Basin wilderness areas in Utah. Although the book is no longer in print, Wilderness at the Edge is worth the trouble to seek out. Many in the environmental community still consider it the finest descriptive survey of a major wilderness proposal. Copies can occasionally be found in used book stores, and Salt Lake City’s Main Library has one copy.

In 1995 the Utah congressional delegation and Governor Leavitt decided they were going to solve the wilderness “problem” in Utah. Eventually they wrote legislation that would have protected a little over 2 million acres. The Sierra Club and our partners decided this was not adequate and thus began a battle in Congress over wilderness that lasted for two years and popped up again and again for the next five years.

Lawson collaborated with the chapter and national Sierra Club staff in defeating the repeated attempts to pass miniscule wilderness bills for Utah. Since those early battles we have seen some major victories. The Grand Staircase-Escalante National Monument (1.9 million acres) was designated because of the strong wilderness campaign in Utah. In 2006 we passed the Cedar Mountain Wilderness Act (105,000 acres), and this year we saw the Washington County bill designate 125,000 acres of wilderness and two new National Conservation Areas. Under Lawson’s watch we have not yet won the big prize, but we have not lost anything either.

Under Lawson’s direction, the Utah Chapter and staffer Marc Heilson ran a victorious campaign against the Legacy Highway reaching a successful agreement with the State of Utah. The highway was reconfigured to a more environmentally-sensitive Parkway. One legacy Lawson leaves us is Marc. After working as a volunteer for several years in Utah County, Marc was hired to work full time for the Sierra Club by Lawson. We will be fortunate to have someone as savvy and hard working as Marc to remain in Utah.

During elections Lawson often worked on campaigns. Last year he worked once again in New Mexico. The Sierra Club saw significant wins with the election of Senators Tom Udall and Representative Martin Heinrich. These two should remain great friends of wilderness while serving in Congress.

In 2008 Lawson became the Sierra Club’s first Director of the Hunter-Angler Program, over which he presided from his office in Salt Lake City. This year he leaves us to become the Eastern Regional Field Organizing Director.

We will miss him in Utah. His longevity, his national connections and his credibility have kept Utah issues a priority for the national Sierra Club. I will miss him. But I hope to see him in his office in Washington, DC.
The Sierra Club, through the actions of the Southwest Waters Committee, shared in the 2009 Partner in Conservation Award from the Department of Interior. The well-attended award ceremony in Washington, DC, on May 7 noted the collaborative effort among the Colorado River basin states, federal, state, and local agencies, tribes, and non-governmental organizations (NGOs) in developing Colorado River Interim Guidelines for Lower Basin Shortages and Coordinated Operations for Lake Powell and Lake Mead.

The award ceremony, itself, was significant. Our award was shared in eight agencies, tribes, organizations, cities, and a few private entities. That the participants and organizations recognized achievement was confirmed by attendance at the ceremony by all but two or three on the list. Secretary of Interior Ken Salazar gave an introduction much like those given for the other awards but then stopped as we were exiting the stage and gave a longer impromptu talk about the collaboration. He gave the environmental groups serious prominence in both of his remarks. Since the room was full and, by my estimate, contained well over 400 people, his comments were a welcome antidote to the mischaracterization, promulgated by Utah’s own Senator Bennett and others, of environmentalists as unyielding adversaries thwarting good policy.

In addition to the Sierra Club, the conservation groups were Defenders of Wildlife, Environmental Defense Fund, National Wildlife Federation, The Nature Conservancy, Pacific Institute, and Sonoran Institute. These NGOs have been collaborating on Colorado River issues for close to ten years, and for a Sierra Club entity this has been, overall, a somewhat unusual effort.

The Colorado River is governed by the “Law of the River,” which includes the Colorado River Compact, various court rulings, a treaty with Mexico and supplemental minutes to the treaty, and various acts such as the Grand Canyon Protection Act. Functionally, this means that the seven basin states have nearly absolute control over the river. To become participants in decision-making, the environmental groups spent many hours over many years in meetings with the states and agencies and tribes, who had a preferred, credible, but often critical, collaborators. One exception to the states’ control is that the Secretary of Interior is the water master of the Lower Basin. Indeed, it was because the secretary demanded that the states develop shortage criteria that this effort was begun. The beginning and middle of this effort were most notable for their lack of progress.

The environmentalists were first out of the gate with a solid proposal entitled Conservation Before Shortage. Indeed, for some time we thought the states might be deadlocked and never get a proposal out. They did, however, bring out an innovative document that became the proposed action in the EIS. The environmental proposal was modified in light of the states’ proposal to Conservation Before Shortage II and became the first alternative.

Our original proposal had conservation triggers based on the level of Lake Mead. The states’ proposal had similar triggers differing only in the sequencing and the exact lake level that triggered these steps.

One concept put forward by the states was innovative, adds considerable flexibility to river management, and could not possibly have been dreamed of by us, as it requires the active agreement of all the states. This concept is ICS, intention-ally created surplus, which is the product of “extraordinary conservation” efforts. Although the word “extraordinary” is seriously suspect, ICS creates a new class of water that is available for limited-term but multi-year storage of water in Lake Mead by the conserving entity. The original Conservation Before Shortage document proposed a larger role for Mexican involvement in river issues. ICS, which is actually a significant alteration of the Colorado River Compact, opened an avenue to a stronger argument for Mexican involvement in Conservation Before Shortage II. Significant Mexican involvement is necessary to save the limnotope (the region where the river demarcates the U.S.–Mexico border) and to resuscitate more of the Colorado River Delta, two of the most environmentally valuable regions along the entire river.

Aldo Leopold described the Colorado River Delta in the Green Lagoons essay included in A Sand County Almanac published in 1949. He explored the terrain with his brother in 1922 and recalled the bird population there in the following excerpt, “A verdant wall of mesquite and salt marsh separated our tents by the sandy desert beyond. At each bend we saw egrets standing in the pools ahead, each white statue matched by its white reflection. Flocks of cormorants drove their black prows in quest of skittering mullets, avocets, willets, and yellowlegs dived one-legged on the bars; mallards, widgeons, and teal streaked skyward in alarm. As the birds took the air, they accumulated in a small cloud ahead, there to settle, or to break back to our rear. When a troop of egrets settled on a far green willow, they looked like a primrose snowstorm.”

The argument to include Mexican interests in a more substantive way could not actually be enacted within the context of the shortage guidelines but, rather, would require a new minute (addendum) to the bi-national treaty on the Colorado. The arguments and possibilities we suggested for including Mexico have been taken seriously, and talks between the two countries are active and continuing with the lower basin states actively participating along with the IBWC (International Boundary Water Commission).

Jim Wechsler served as chair of the Southwest Waters Committee for approximately three years.
The Southern Nevada Water Authority (SNWA) could not meet a June, 2009, deadline to provide an analysis, through computer modeling, to the Bureau of Land Management (BLM) on how its 285 mile Snake Valley to Las Vegas pipeline project would impact the environment. SNWA requested until fall of 2010 to provide the documentation for the BLM’s Environmental Impact Statement (EIS) claiming the BLM failed to define the “parameters” it needs (Henetz, Salt Lake Tribune, April 1, 2009) for a full analysis. The BLM, in turn, claims the EIS depends on both SNWA’s models and the Nevada State Engineer’s decision on Snake Valley. The State Engineer has recently delayed the administrative hearing to 2011. The public has been clamoring for a delay, but probably hadn’t expected the agencies to be blaming each other for mutual tardiness.

Meanwhile, in Utah, the Executive Director of the Utah Department of Natural Resources, Mike Styler, tells Utahns not to worry. At a lunch meeting of the American Society of Public Administrators on December 4, 2008, he declared that Utah does not have to give up rights to the water it currently uses from the Nevada side. The federal statute, The Lincoln County Conservation, Recreation and Development Act of 2004, granted a right of way for the pipeline (Sec. 301b) by the BLM through the Snake Valley. Because the state line runs right through the valley, the Act also requires Utah and Nevada to come to an agreement over the division of Snake Valley water, a hydrologic basin that straddles the state line for about 135 miles. According to Styler, Utah uses more than half of the water that comes from the Nevada side of the mountains, the Utah farmland is rich, and according to western water law, since Utah was using the water in Snake Valley first, the bill protects Utah’s existing water rights. However, the bill allows for maximum sustainable beneficial use of water from the proposed pumping project.

Both Utah and Nevada agree that any allocation must protect existing water rights and follow UT/NV water law; they agree to allow maximum sustainable use, to allow for public comment, to provide environmental safeguards, and to anticipate future unknowns. A subcommittee is charged with formulating a draft on how the states will provide environmental safeguards – for example, how to protect the Wasatch Front from dust storms resulting from over-pumping (mining) of Snake Valley water. Styler assures Utahns that there will be a mutually beneficial and environmentally sound agreement that will protect Utah’s water.

Negotiators are working on a plan to divide the water they estimate will be available, and it is entirely appropriate that hearings have been delayed more than a year. We need to know more about what climate change will mean for this region (current predications are for a drier southwest). We need to understand why Las Vegas needs, or wants, a half million or more people and more golf courses. We must be able to appreciate what pumping, and possibly mining (not recharging) the poorly understood carbonate aquifer will mean for the public lands, the springs, and the rural people of the Basin and Range. The public deserves more than principles and platitudes.

Ann Wechsler serves on the chapter conservation committee and is Salt Lake Group Chair.
Bill Corkle was the volunteer who was always willing to lend a hand. The Sierra Club is lucky to have many volunteers who fit in that category. What set Bill apart was that he always invested his heart.

Bill and his wife Vi have joined Sierra Club trips to document all-terrain vehicle impacts in the San Rafael Swell, phonebanks to support club-endorsed candidates or events, rallies and mailing parties.

Bill and Vi had never backpacked, but when they heard about the damage an invasive tree species was causing in Harris Wash in the Escalante Canyons, they didn’t hesitate. They signed up for a Thanksgiving 2004 service trip to eradicate Russian olive and allow the re-establishment of the canyons’ native plant species. Bill thought a septuagenarian deserved the excitement of backpacking as much as anyone else.

Vi sprained her wrist on the trip and the nights were cold, but Bill focused on the positive. In the report he wrote for the Spring 2005 issue of the Sierra Club Almanac, he rejoiced, “...we again donned our backpacks, (for some unknown reason much heavier now) and proceeded another two miles to our camping site. This proved to be an immense overhang of rock that would have held well over a hundred tents. It was both magnificent and awe-inspiring.”

The application for the change in the water rights is submitted to the State Engineer, Division of Water Rights (DWR), in response to the proposed withdrawal of 29,000 acre-feet of water (over 2.5 million gallons per day) from the Green River for a nuclear power plant. The GCG joined Living Rivers and uranium Wyoming to submit a joint protest and request for a hearing.

The protests responded to the Kane County Water Conservancy District (KCWCD) March 30, 2009, application to divert water from the Green River so that Transition Power Development LLC (TPD) can use the water for a proposed 2-unit nuclear reactor. The water was originally appropriated in 1965 for a coal-fired power plant. The water was commercially appropriated in 1965 for a coal-fired power plant on the Kaiparowits Plateau near Lake Powell. Since the power plant and subsequent plans to use the water for coal mining and housing development never panned out, the water was given to KCWCD in 2003, subject to proof of beneficial use.

TPD plans to site the reactor, called the Blue Castle Station, two miles west of the City of Green River, on land that Emery County has leased from the School and Institutional Trust Lands Administration for an industrial development park. Transition Power leases water from the KCWCD (water rights 89-74, 89-1285, and 89-1513) and leased an additional 24,000 acre-feet of water from the San Juan County Water Conservancy District (water right 09-462). The water would be used for safety-related functions at the reactor, such as, cooling the reactor and assuring safe shutdown in the case of an accident.

The application for the change in the water rights is the first major step by TPD to acquire water and land for the nuclear reactor. Little information about the reactor is available, such as the design of the reactor, where the electricity will be used, and how the reactor will be paid for. Transition Power has never held any public informational meeting in the vicinity of the proposed site.

Several individuals and organizations, including the Uintah County Water Conservancy District, two Green River farm families, a commercial river recreation company, HEAL Utah, Utah Rivers Council, Red Rock Forests, Center for Water Advocacy, the Utah and local Green Parties, and the Center for Biological Diversity, also filed protests. The U.S. Fish and Wildlife Service and the U.S. Bureau of Reclamation submitted letters of concern.

In this time of diminishing availability of water and increasing demands on the uses of the Colorado River Basin water, such a high water-use energy development project is highly questionable.

The application, submitted by the KCWCD Executive Administrator—State Representative Mike Noel—does not provide any information responsive to the criteria that the State Engineer must consider (Utah Code Ann. § 73-5-8). These include the availability of water, physical and economic feasibility of the project, and the financial ability of TPD to carry out the project. The project should not impair existing rights, interfere with more beneficial uses, or be detrimental to the public welfare. Also, the appropriation should not unreasonably affect public recreation or the natural stream environment.

The potential for this project to impact the Colorado River Basin is immense. The water withdrawal and the reactor would adversely impact the agricultural and recreational community that forms the base of the economy of southeastern Utah. The stream environment, which supports endangered fish species, would suffer due to the lowering of the water level and impacts of the intake structures. In this time of diminishing availability of water and increasing demands on the uses of the Colorado River Basin water, such a high water-use energy development project is highly questionable.

The protests and documents related to the protest proceeding as it develops can be accessed on the DWR website: http://www.watrighutah.gov/cblapps/wprprint.exe/wmsramm-89-74. Click on “Select Related Information” menu arrow (in upper left, below “Utah Division of Water Rights”) and choose “Scanned Documents.” The index of scanned documents will appear (many documents are posted one page at a time); scroll to bottom of list for protest documents.

Citizens can also sign up to be notified by e-mail when there is any change in a water right, such as a notice, application, letter, or decision: http://waterrights.utah.gov/cblapps/concerneditizen.exe/Startup—NOW. For additional information: http://www.uraniumwatch.org/transitionpower.htm

Sarah Fields is the Chair of the Glen Canyon Group’s Nuclear Waste Committee.
Legislative Update

Accountability Never Goes Out of Style
by Mark Clemens

Legislative Chair Dan Mayhew was interviewed by a number of reporters after the chapter’s legislative committee issued a press release on its 2009 legislative scorecards. The story was covered by media across the state including the Tooele Transcript Bulletin, Ogden Standard Examiner, KCPW and KUER.

Members of the Utah Senate were graded based on their votes on eight bills. No senator scored 100% in 2009. Two senators scored a B+, Sen Scott McCoy (D-Salt Lake City) and Sen Karen Morgan (D-Sandy). Two senators tied for last with 33% scores for the session: Sen Chris Buttars (R-West Jordan) and Sen Howard Stephenson (R-Drapier).

This is the paradox of 2009. Although many of the environmental champions in the legislature come from Salt Lake County, Salt Lake County is also the home base of a representative who scored zero and the senators tied for last at 33%.

Representatives were also graded on their votes on eight bills. Seven representatives received 100% scores. At the other end of the spectrum, five representatives scored under 15%. They are Rep Ron Bigelow (R-West Valley City), Rep Kerry Gibson (R-Hooper), Rep Eric Hutchings (R-Kearns), Rep John Mathis (R-Vernal), and Rep Ryan Wilcox (R-Ogden). One managed to score 0%, Rep Eric Hutchings (R-Kearns). The Utah Chapter of Sierra Club has been issuing score cards since 2002, and Rep Hutchings is the first to win the infamy of a zero score during that time.

Because the scorecard for the house would take up so much space, we have not reproduced it here. The public can find both scorecards on line at http://utah.sierraclub.org/legislative.asp.

The Utah Chapter is governed by a group of volunteers called the executive committee. This committee consists of eight members elected by the chapter membership and one voting representative appointed by each of the Sierra Club groups in Utah. The terms of elected executive committee (ExCom) members are staggered so that four members’ terms expire each year.

Members of the ExCom are expected to attend approximately five meetings each year held in Salt Lake City and around the state, must be able to handle e-mail correspondence of as many as 5 to 10 messages per week, and usually help either with chapter administrative functions—such as recording secretary or treasurer—or with conservation activities such as organizing, writing and researching to protect public lands or environmental health.

If you should be interested in running for a two-year term on the ExCom from January 2010 through December 2011, please send a 200-word bio or CV and a photo in digital format to the nominating committee secretary at mark.clemens@sierraclub.org. If the committee decides not to nominate you after reviewing these materials, you have the right to run as a petition candidate provided you supply the nominating committee with a petition for your addition to the ballot signed by 15 current Utah Chapter members.

All submissions must be received by the nominating committee before Monday, 20 August 2009, at 12:00 noon, MST. You will be informed within 48 hours about the status of your submission. The ballots will be distributed in the Fall 2009 issue of the Utah Sierran newsletter during the first week of October 2009. Ballots will be counted in December 2009, and the results published in the Winter 2010 newsletter.
Utah Senate Scorecard
2009 GENERAL SESSION

$\text{SJR 1 S2}$ Renewable Energy System directs state energy office to consider drafting a model ordinance for siting wind mills, geothermal and solar production & requires reports to the legislature

$\text{SJR 4}$ Recycling of Electronic Waste Joint Resolution encourages re-use and recycling of electronic products & urges collaboration between Utah Dept of Environmental Quality and Recycling Coalition of Utah

$\text{SB 68 S1}$ Mining Protection Amendments codify a range of advantages for the mining industry including elevation of mining estate above the surface estate & create a mining protection zone nullifying most local regulation

$\text{SB 102}$ Share the Road Special Group License Plate creates a new license plate highlighting bicycle safety & dedicates the revenue generated to groups promoting bicycle operation & safety awareness

$\text{HB 120 S2}$ Snake Valley Aquifer Research Team & Advisory Council creates a Snake Valley Research Team & Advisory Council to elicit & communicate data on the effects & potential damage of groundwater pumping

$\text{HB 122}$ Government Records Access & Management Act Amendments diminish public access to government

$\text{HB 272 S3}$ Utah Scenic Byway Designation Amendments allow scenic byways to be segmented to allow billboard advertising & require all new scenic byways to be approved by every county & municipality on the route

$\text{HB 278}$ B & C Roads Fund Amendments would allow counties to divert up to 30% of road maintenance funds for speculative litigation to try to gain control of rights of way to obscure & disputed rural highways
**UtahChapterOutings**

**EXPLORE WITH US! JULY–OCTOBER 2009**

Abbreviations in capital letters signify the group planning the outing. [E] = educational content, [C] = conservation focus, [S] = service activities. All members and nonmembers are welcome on any of the chapter or group activities listed. Radios, firearms and dogs are not welcome on Sierra Club outings. Interested participants are strongly encouraged to contact the outing leader in advance and inquire as to updates, degree of difficulty, and other outing details. Participants should be prepared for various seasonal weather conditions, temperature changes that occur due to rapid increases/decreases in altitude, and bring enough food, water, and appropriate clothing for the given outing. Outing leaders reserve the right to turn away anyone who appears unprepared for scheduled outings. For the most current and updated outings listings, please visit the website utah.sierraclub.org and look at the outings under the Salt Lake, Ogden and Glen Canyon Groups.

Glen Canyon Group (GCG)  
Participants are requested to call leaders in advance for outing details & to give the leader an idea of group size.

Ogden Group (OG)  
P.O. Box 1821, Ogden, UT, 84402  
UtahSierran.org/ogden  
The public is welcome on all outings. Participants are requested to call the leaders in advance for outing details. For information related to outings in general, contact John Besbekos, 801-985-6854.

Salt Lake Group (SLG)  
Call the trip leaders for meeting times, places, & other details regarding the outings.

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**UtahSierran Summer2009**

**Glen Canyon Group (GCG)**  
Participants are requested to call leaders in advance for outing details & to give the leader an idea of group size.

**Ogden Group (OG)**  
P.O. Box 1821, Ogden, UT, 84402  
UtahSierran.org/ogden  
The public is welcome on all outings. Participants are requested to call the leaders in advance for outing details. For information related to outings in general, contact John Besbekos, 801-985-6854.

**Salt Lake Group (SLG)**  
Call the trip leaders for meeting times, places, & other details regarding the outings.

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**Out & About**

**July**

**GCG, Sat, 7/11, Gold Basin.** Beat the heat in the La Sal. About five miles with moderate elevation gain. Explore a wooded valley with a running stream. Ruined dwellings at old mining claims. Above two little ponds in the woods is a tarn amid rock glaciers at the head of the basin with views of Mts. Tushuhnkkvitz and the ridge between Mellenstein and Tushuhnkkvitz. Meet at the Moab Information Center, Center and Main, at 8 a.m. Tom Messenger, 435-259-1756.

**OG, Sat, 7/18, White Pine Lake in Little Cottonwood Canyon.** It’s 9 miles round trip, 2,400 feet elevation gain, about 6 hours, and strenuous. The trail passes several attractive meadows and ends at White Pine Lake at an elevation of 10,000 feet. The roadless scenery includes beautiful mountain peaks in the background. Call Larry Woolsey at 801-731-1701.

**SLG, Tues, 7/21, Broads Fork Big Cottonwood.** An unforgettable hike in the pristine milieu of Big Cottonwood Canyon. The trail begins at the s-curve parking area and the planned turnaround point is a meadow area hopefully full of wildflowers, including patches of forget-me-not flowers. Expect a moderately steep slope and about 4 miles or so of hiking. Meeting place is the Big Cottonwood Park & Ride at 6:30 pm. Call Rebecca (487-4160) for more information.

**OG, Sat, 7/25, Hidden Valley Trail.** The Hidden Valley trail is a short steep push off the Indian trail. Elevation gain of over 1,600 ft in 1.4 miles one way. Weber Pathways has rated this hike as difficult. The views to the top of Taylor Canyon and of the north flank of Mt. Ogden are well worth the effort. Meet at the 22nd Street trailhead Ogden 9 am. Call Dan Harrison at 801/479-1108.

**SLG, Tues, 7/28, Elbow Ford Terraces-Millcreek.** The plan is to leave a car at the Terraces parking area and begin the hike at Elbow Ford. Then hike from Elbow Ford back to the Terraces. So there will be a moderate ascent from Elbow and gradual descent from the ridge and back down to the Terraces. A very cool hike literally and figuratively. A special invitation to those holding passes to US Forest Service recreation areas. Meeting place is the Skyline High Parking lot at 6:30 pm. Call Ken (484-3112) for more information.

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**August**

**OG, Sat, 8/1, Dayhike to Naomi Peak.** This trek is about six miles round trip and a 280-foot climb to 9880 feet, the highest point of the Bear River Range. No mechanized vehicles are allowed on this wilderness trail, including mountain bikes. The trail goes through bright, open meadows of wildflowers which are at their peak in late summer. The summit offers a breathtaking view of the surrounding peaks and of Cache Valley. Bring lunch and water. Call Joanie 801-399-0014 for more info.

**SLG, Tues, 8/4, Bells Canyon.** Bells Canyon is a very popular destination for hikers seeking the alpine ambiance of the Wasatch Front. Meadows, great views, and a forested path offer all one could ask for in a Tuesday night hike. And including the bonus of being led by a premier Sierra Club outings leader, you can’t go wrong. Meeting at the Skyline High parking lot at 6:30 pm. Call Paul (450-1128).

**GCG, Sat, 8/8, Dark Canyon (in the La Sals).** At the end of the Improved section of the Geyser Pass road on the east side of the central La Sal. Should be accessible with any vehicle. Enjoy a wide alpine (10,000') valley surrounded by high peaks where snow lingers on the north slopes. Stroll the valley floor or climb the surrounding ridges. Meet at the Moab Information Center, Center and Main, at 8:00 AM. Leader Tom Messenger, 435-259-1756.

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**Wahweap Hoodoo in WSA North of Bigwater by Stephen Peterson.**
OG, Sat, 8/15, Dayhike the Lake District of the Uintas. We’ll pass about 16 lakes. It’s 6 miles, has an average elevation of 10,000 feet, and moderate. The scenic mountain views and wild forested areas make this one of the most beautiful hikes in the Uintas. Call Larry Woolsey at 801/731-3701 for more information.

SLG, Sun, 8/23, Crystal Lake Trail Day Hike. Crystal Lake serves as a starting point for trailheads leading to sparkling lakes scattered in the western Uintas. The plan is to hike 3 miles to Island Lake, then a lesser traveled trail for about ½ mile to a couple smaller lakes to have lunch. Finally hike back to the parking area, approximately 8 miles round trip. The trail is not steep, mostly gently rolling but the elevation is around 10,000 feet, so the hike will be moderate in difficulty. This is a great opportunity to experience the wild beauty of the Uinta Mountains. Bring plenty of water (filter would be good), lunch, and appropriate gear for an all-day hike in the mountains. Call Ken (484-3112) for meeting time, place, etc. The meeting place is Popperton Park at the north/east intersection of 11th Avenue and Virginia Street across from the Shriners Hospital. Meeting time 6:30 pm. Call Ken (484-3112) for more information.

September

GGG, Tues, 9/15, South Mountain. Climb the easest hike of the season. The group can walk up the paved road, or along the trail next to the road. Or participants can hike the trail and walk the road on the way down. Either way, a relaxing excursion in a quiet mountain setting. Meet at City Creek parking lot. See 9/1 hike for directions. Meeting time is 6:30 pm. Call Ken (484-3112) for more information.

GGC, Tues, 9/15, Living Room. The end of the Tuesday Hike season, a tradition combining all elements of a fabulous hike. Spectacular views of the valley, and mountain peaks for as far as the eye can see. The destination is a rocky ledge overlooking the valley with an array of stone furniture for hikes to relax and partake in food and drink. Bring flashlights and warm jackets for cooler weather. Meet at Tabby Lane in U of U Research Park, at the intersection of road to the Red Butte Gardens Visitor Center at 6:30 pm. Call Dee (718-1978) for more information.

OG, Sat, 9/19, Bear Hollow Hike. The trail is located near Caussay Dam and Camp Kiesel. It’s about 7 miles round trip, approximately 800 feet of elevation gain, moderate, and will take about 4 hours. The trail is in a wooded area with beautiful rock formations, and moose, elk, and deer in the area. Call Larry Woolsey at 801/731-3701.

October

GGG, Sat, 10/3, Ida Gulch. Walk down Ida Gulch among the monoliths over the divide from Castle Valley. Views all around. Perhaps four miles, a few hundred feet of elevation gain. Meet at the Moab Information Center, Center and Main, at 9:00 AM. Leader Tom Messenger, 435/219-1756.

OGG, Sat, 10/10, Sentry Peak Trail on Antelope Island. It’s 6.5 miles round trip with approx. 700 feet of elevation gain. The trailhead is located near the Garr Ranch, passes Mushroom Springs, and tops out at Dadd Brothers. This trail offers beautiful views of the west side of the island and interesting rock formations. No dogs are allowed on this trail. Call Larry Woolsey at 801/731-3701.

The Sierra Club does not have insurance for carpooling arrangements and assumes no liability for them. Carpooling, riding sharing or anything similar is strictly a private arrangement among the participants. Participants assume the risks associated with this travel. If you choose to carpool to the trailhead, it is only for fair for fees charged by the US Forest Service to be shared by all participants. Test of the outings liability waiver may be found at http://www.sierraslab.org/outings/chapter/outings/index.asp. CST 2007/664-40. Registration as a seller of travel does not constitute approval by the State of California.
Out&About

Break Out the Clubs

AUGUST 21 | COMMUNITY SHARES/UTAH GOLF TOURNAMENT

The Community Shares/Utah Golf Tournament starting at 8 a.m. on Friday, August 21st, is the perfect event for the veteran golfer and the newbie. There are great prizes in a variety of categories, including a 2009 Toyota from Menlove.com for a hole in one (on a selected hole). Newbies will appreciate our multinight and the four-player scramble format.

The annual tournament has been held for several years at Eaglewood Golf Course in North Salt Lake, http://www.eaglewoodgolf.com/. Virtually every hole has inspiring views of the Great Salt Lake, Antelope Island and the Wasatch Range. It’s several hundred feet higher than the valley floor which makes temperatures comfortable through the morning.

Continent breakfast and complimentary lunch are provided. KSL 5 TV Sportscaster Jeremiah Jensen will be our master of ceremonies again this year. He makes the luncheon atmosphere and the raffle fun.

For more information about the tournament check out http://www.communitysharesutah.org/CSU/Events_files/2009%20Golf%20Flyer.pdf. To register, call Peter Brandley at 801/486-9224, or send an e-mail to pbrandley@xmission.com.

CS/U’s annual golf tournament is an opportunity to publicize the work Community Shares does to raise money for 20 of the hardest-working Utah non-profits. But it also showcases those non-profit agencies, the heart of Community Shares Utah. The Sierra Club Foundation in Utah is one of the founding agencies of CS/U. Check us out on-line at http://www.communitysharesutah.org/CSU/HShome.html.

SAVE THE DATE

Western Wilderness Conference 2010: New Aims, New Allies

The Western Wilderness Conference 2010 will take place April 8 – 11, 2010, on the campus of the University of California, Berkeley, California.

Although the event will take place in California’s San Francisco Bay Area, wilderness organizations and advocates from all 12 western states, including Alaska, are involved, and wild lands advocates from those states are enthusiastically invited to participate in this grand event.

Who’s invited? Wilderness advocates, both professionals and volunteers, new advocates; Native American leaders, land agency personnel, outings leaders, individuals, college students and faculty, representatives of organizations working on quiet recreation and on varied land-preservation efforts, decision makers at different levels of government.

Where will they come from? All over the West! From California, Nevada, Washington, Oregon, Alaska, Idaho, Montana, Utah, Colorado, New Mexico, Arizona and Wyoming. Maybe Western Canada and Mexico.

Why attend? Western Wilderness Conference 2010 will:
- provide training sessions to help activists become more effective advocates for wild places;
- promote getting children outside into Nature’s wild places!
- explore how to incorporate Native American traditional land– ethic and cultural values into wildlands advocacy;
- offer a forum to discuss and debate timely wilderness-related topics, particularly as they relate to global warming changes;
- inspire interested new advocates, including students, to preserve our nation’s remaining wild places;
- re-inspire longtime dedicated wilderness advocates to vigorous new advocacy with renewed motivation;
- save The Date
- offer a forum to discuss and debate timely wilderness-related topics, particularly as they relate to global warming changes;
- explore how to incorporate Native American traditional land– ethic and cultural values into wildlands advocacy;
- promote getting children outside into Nature’s wild places!
- provide training sessions to help activists become more effective advocates for wild places; preservation.
- be fun! Speakers, plenary sessions, workshops, music, meals, outings! It’s all part of the celebration of the West’s wild places.

The Sierra Club, California Wilderness Coalition, and Northwest Parks and Wilderness Conference are the main planning organizations. Check out the conference website: www.westernwilderness.org.

Thank you

to Carol Curtis, Marion Klaus, Dan Mayhew, and Ann Wechsler for making up the mailing party that stuffed, addressed and stamped nearly 300 envelopes for the chapter’s annual fundraising letter, the March Window.

–Vicky Hoover, chair, Sierra Club CA/NV Wilderness Committee

ADVERTISE IN THE UTAH SIERRAN AND REACH 4,500 HOUSEHOLDS IN UTAH! CALL (801) 467-9297 FOR OUR RATE CARD, OR EMAIL UTAH.CHAPTER@SIERRACLUB.ORG.