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Winter 2010 Vol. 43 No. 1

Utah Supreme Court Not So Keen on Post-it Notes

On Friday, December 4, 2009, the Utah Supreme Court voided the state air quality permit for a major coal-fired power plant proposed near Sigurd, Utah. The court vindicated the eight-year battle waged by Sevier County residents to protect their pristine mountain valley from toxic smoke and by Sierra Club members and volunteers who understand the long-term implications of climate instability in Utah and around the world.

In unanimous decisions on two cases brought separately, the court ordered the pollution permit for Sevier Power Co.'s planned 270-megawatt power plant to be sent back to the Utah Division of Air Quality and redone.

In rejecting the permit, the justices determined that:

The Utah Division of Air Quality Board failed to require the agency to provide sufficient evidence as to why the permit should not have been revoked for not starting construction within the legally-designated time frame;

State officials failed to adequately consider limits under the Clean Air Act for emissions of nitrogen oxide, a chemical component in smog formation;

The state failed to consider alternative gasifying technologies to burning coal conventionally as the best way to control emissions, in particular carbon dioxide.

One of the cases was brought before the Supreme Court in 2008 by retirees and Sevier County residents Jim Kennon and Dick Cumiskey, neither of whom is an attorney. The other was filed by the Utah Chapter of the Sierra Club. Both plaintiffs alleged that Sevier Power Company, a subsidiary of NEVCO LLC, and the Utah Division of Air Quality failed to comply with state and federal air pollution regulations and as a result, the permit should be remanded.

"We said all along that SPC and the Division of Air Quality were trying to shortchange air quality protections and the

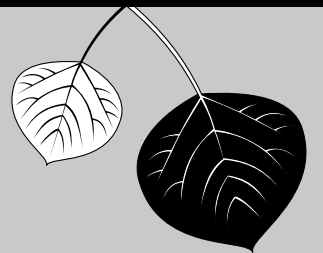
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Citizen-advocate Jim Kennon shows off the landscape where a coal burner won't be built.

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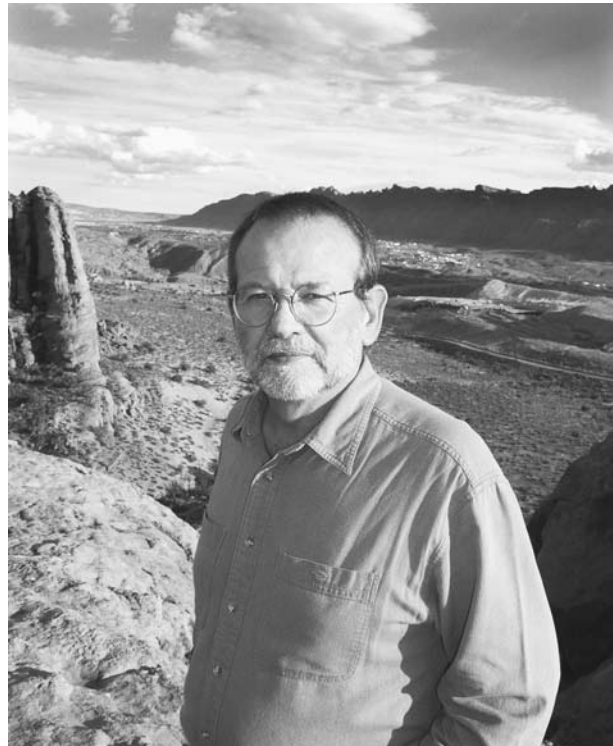
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Wayne's World

Science versus Opinion on the Range

by Wayne Hoskinson



We were forced into the collaboration because we wanted change, and the ranchers were forced into the collaboration because they did not want change.

The Sierra Club often participates in collaborative or stakeholder processes. A group of people comes together to represent their individual or "stakeholder" position. In theory these collaborative processes result in a decision, a project or perhaps legislation that diverse points of view or beliefs can all support. I believe these collaborative processes can work, but there are a number of problems that must be resolved for them to work well.

During much of the last two years I have represented the Sierra Club in the Tushar Collaboration. This collaboration looked at the management of livestock and grazing on two cattle allotments in the Tushar Mountains. The Sierra Club, Grand Canyon Trust, Wild Utah Project, Utah Environmental Congress, Western Watersheds, WildEarth Guardians and others appealed the decision to renew grazing permits in the Tushar Mountains. In an informal appeal resolution agreement we agreed to work with the US Forest Service on developing grazing management plans on two allotments. The collaboration also involved the permittees on the allotments, Farm Bureau, local government, and the Utah Division of Wildlife Resources. The process was facilitated by the U.S. Institute for Environmental Conflict Resolution. For two years we met every few months discussing grazing-related issues. We had field trips to look at conditions of vegetation on the allotments. We spent time gathering data about cottonwoods, willows, aspen and other plants. We looked at the condition of meadows, the condition of the streams in the allotments, and the amount of forage available. We continue to monitor conditions on the allotments and plan to continue far into the future.

The Sierra Club entered the Tushar Collaboration willingly but also as our only real recourse. The Regional Forester may have agreed to withdraw the decision to renew the ten year term permits for the allotments, but that would only mean that grazing would continue at the same level as in the past and without any modification until the forest service could complete a new environmental evaluation. That could take years. The permittees entered the collaboration because they feared if they did not participate the forest service might grant the Sierra Club and our partners all kinds of concessions that would make their ranching operations impossible. We were forced into the collaboration because we wanted change, and the ranchers were forced into the collaboration because they did not want change.

As we worked through all the issues we often encountered the ranchers denying what we had to say about conditions on the allotments or the science behind our positions about remedying the problems identified on the allotments. These were just "our opinions." It seemed that every piece of science, every description of desirable conditions, every description of the inadequate conditions on the allotments were just "our opinions." For some the collaboration was nothing more than a battle of opinions. I find this troubling in a couple of ways. First, such attitudes deny that there is a common reality that

we can measure and make decisions about, that we can somehow grasp the reality of the situation and formulate a reasoned response that will improve conditions on the ground. Second, we should expect a true collaborative process to change some or all participant's viewpoints. Scientific certainty is relative but it is never as uncertain as ignorance. It does not boil down to just of difference of opinions. Where we have good information and informed principles of action we can make wise decisions. Where we lack information we can find a way to get new and better information so we can make wise decisions. It is also possible to start into collaboration with false ideas and premises that do not hold up under scrutiny, but in order to reach that conclusion you need to encounter more than opinions. You need a better description of reality: a line of reasoning that conforms to reality better than the beliefs with which you entered the collaboration. Real collaboration cannot be about merely respecting and accommodating opinions. It must be about reconciling opinions with reality, and adjusting opinions to fit reality.

On the other side of this situation remains the possibility that it is I who is mistaken, that I am the one

with merely an opinion and one that does not fit reality. At first this might seem a dilemma. The possibility of my own fallibility pushes us back to viewing the collaborative process as a reconciliation of opinions, not facts or science. I do not believe this, but to resolve this I must be prepared to correct my opinions to fit the truth or reality of the problem we are trying to resolve. Opinions cannot be held onto when reality differs from the opinion.

Over the centuries we have used science to refine our knowledge of the universe. Our cosmology differs from the one held by most people a few centuries ago. Our knowledge

about the nature of matter and energy has changed over the last century. In spite of this some things remain the same. The sun rises every morning. It rises every morning whether or not we can see it through a gray, overcast sky. Quarks have not changed this. Copernicus did not change this. Our explanations get better. We no longer need someone driving his chariot across the sky to explain the rising of the sun. We do not use the theories of the Flat Earth Society in the equations to calculate the path of a rocket to the moon.

We must ground our decisions on the best explanations of science. We must understand the likely consequences of the decisions we make. Collaboration works when it goes in this direction. It is weakest when opinions and facts carry equal weight.

In the Tushar Collaboration we made real progress in creating allotment management plans that will result in some real improvement. Willows and cottonwoods will once again grow along some streams. Grasses and wildflowers will increase and grow more vigorously. We did not get everything we wanted but enough to make two years of effort worthwhile.



The fence encloses a sixteen by sixteen foot portion of a wet meadow, protecting a small area from livestock grazing. Within the enclosure the sedges are 12 to 15 inches tall. Outside, the sedges are mostly below 1.5 inches tall. The Fishlake National Forest standard for sedges is 4 inches.

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EDITOR: Mark Clemens
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OurLand

Forest Service Challenged over Motorized Trail Expansion

A group of four conservation organizations filed suit in federal court on Wednesday, September 30, challenging the U.S. Forest Service's decision to expand motorized trails in the Ogden Ranger District.

Last year Forest Service officials gave final approval to a new travel plan for the Ogden District that calls for opening dozens of additional routes to off-road vehicles (ORVs). Trails that were once restricted to non-motorized use are now being opened to motor vehicles, while several new ORV trails are also being constructed. Many of these routes would connect to a major system of looping ORV trails between Brigham City and Bear Lake. A part of that system was designated as the Shoshone Trail in 2003.

The organizations challenging the plan include the Sierra Club, Save Our Canyons, the Wild Utah Project, and Western Wildlife Conservancy. The coalition is represented by attorneys from Western Resource Advocates.

"This new motorized trail plan would eliminate the last remaining opportunities for quiet trail use in major portions of the Ogden District," said Sierra Club volunteer Dan Schroeder, adding that ORV enthusiasts already have access to hundreds of miles of routes in the district and over 12,000 miles of routes throughout Utah's National Forests. "ORV riders are a small but highly visible minority of National Forest users, while most visitors go to the Forest seeking peace and quiet. Instead of letting one group dominate, we want to preserve a diversity of recreational opportunities for Utah's families," Schroeder said.

Wildlife protection is also a major concern of the conservationists. "Wildlife habitat in northern Utah has already



been severely compromised by off-road vehicle use and encroaching development, so it is imperative to protect what remains," said Kirk Robinson of Western Wildlife Conservancy. "This plan would increase conflicting ORV use in critical habitat for elk, sage grouse, sharptail grouse, and Canada lynx," Robinson said.

Besides affecting wildlife and quiet recreationists, the ORV trail plan would impact private agricultural lands that adjoin the National Forest. Several of the newly opened routes lead onto private land, and completion of the greater Shoshone Trail system will require opening a number of private roads to public motorized use. Box Elder and Cache Counties are currently in legal disputes with landowners over these routes.

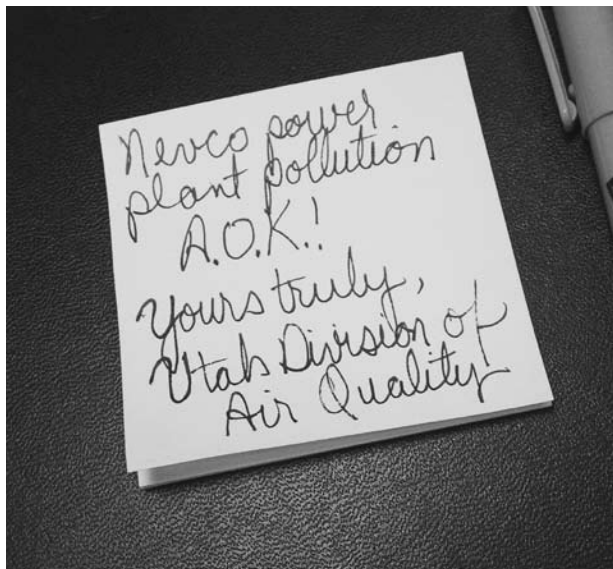
The lawsuit challenges the environmental analysis that went into the Forest Service decision. "The law requires that the government objectively analyze all reasonable alternatives before making such a far-reaching decision," said attorney Rob Dubuc of Western Resource Advocates. "In this case, the administrative record shows that the major decisions were made before any analysis was done. Despite our repeated reminders, the Forest Service has refused to analyze the impacts of the greater Shoshone Trail system and has also refused to admit that additional impacts will occur when ORV riders don't stay on designated routes," Dubuc said.

A Summer 2009 survey of Utah's six US Forest Service units by Brenton Peterson, a chapter intern, revealed that off-road vehicle users have over 5,200 miles of motorized trails and 6,800 miles of road on which ORV travel is permitted, or over 12,000 miles of motorized recreational opportunities. The circumference of the earth at the equator is approximately 24,900 miles.

For more background on problems with ORV use on national forest land in northern Utah, check out the Ogden Group's website, <http://www.utah.sierra-club.org/ogden/ORV/index.html>.

This article largely derives from a news release produced by Dan Schroeder with the cooperation of Save Our Canyons, Western Resource Advocates, Western Wildlife Conservancy, and Wild Utah Project.

CONTINUED FROM PAGE 1



health of our citizens," said Jim Kennon. "That's why we fought this so hard."

The technology selected by Sevier Power Company, circulating fluidized bed combustion of coal, would have spewed tons of pollutants into an area of farms and houses around Sigurd, not far from Richfield, the county seat.

As evidence of the severe deficiencies in the state's review of the pollution permit for the plant, Kennon provided the court with a copy of a Post-it Note that was part of the minimal documentation in the Division of Air Quality review of the permit application. The Supreme Court cited that fact in its decision:

"A record limited to a Post-it note indicating that someone was contacted regarding a review is woefully inadequate to convince a reasonable person that a review took place, let alone that the review was sufficiently rigorous ..."

Although the Post-it Note photo accompanying this article is a fanciful reconstruction, it illustrates well the slipshod and cynical approach of the Utah Division of Air Quality.

"What this decision says is that the Clean Air Act matters," said Joro Walker with Western Resource Advocates, a Boulder, Colo.-based conservation group, who represented the Utah Sierra Club in its case. "The requirements of the law are there for a reason, to protect public health, and the court said you can't shortchange the law with a miscellaneous Post-it Note."

Even if Sevier Power gets a new permit, the company will still need a land-use permit from the county. And in 2008, Sevier County voters approved a ballot measure that requires majority voter approval for the land-use permit before the plant can be constructed.

"Nobody around here wants this plant to be built. It will poison our air, threaten our water supplies and destroy our quality of life," said Kennon, a retired firefighter. "Burning coal is not something that fits in a beautiful place like Sevier County, so if developers try to go forward from here, they still have to contend with the ultimate court, that of the people."

Clair Jones, conservation coordinator for the Sierra Club in Utah, said that the failure of Sevier Power to get a green light after eight long years is another telltale sign that the public, both locally and nationally, is demanding a transition to cleaner energy sources.

"The decision by the Supreme Court is the latest in a series of decisions by utilities, regulators and courts nationwide questioning the viability, impacts and wisdom of burning coal," said Jones. "Five years ago, there were more than 150 proposals to build new coal-burning power

plants nationwide, but the vast majority of those have either been rejected or abandoned as the country moves instead towards cleaner energy."

The Associated Press ran a story the day of the court decision quoting a NEVCO attorney, Fred Finlinson, saying the Nevada-based company might choose not to seek another permit because of expense and delay.

This rebuke by the Supreme Court is actually the second handed to the Utah Division of Air Quality and the Air Quality Board in the NEVCO power plant fight. The Utah Chapter of Sierra Club filed an appeal of the original 2004 air quality permit which the Air Quality Board denied because it claimed the Sierra Club did not have standing, or the legal right even to challenge the permit. The court, four of whose five members were appointed by Republican governors, struck down the Air Quality Board's illegal ploy—once again in a unanimous decision—on November 21, 2006.

These victories would not have been possible without the unflagging and generous support of our counsel Joro Walker, and her team of assisting attorneys, Sean Phelan, Dave Becker and Rob Dubuc.

The fight to stop the Sevier coal plant is documented in a short video released earlier this year. It's available online at: <http://www.youtube.com/watch?v=PZUx6stYJ9U>. The court decision may be found at <http://www.utcourts.gov/opinions/supopin/SierraClub3120409.pdf>.

This article was compiled from a press release with additional material written by Mark Clemens and Tim Wagner.

BeyondCoal

Message to Dick Bass: Leave the Coal in the Ground

by Clair Jones



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DAVID ANDREASON



DAVID ANDREASON



DAVID ANDREASON

Three photos from the kick-off press conference for the NoBassCoal Campaign. Upper right—Sierra Club Alaska Regional Representative Emily Fehrenbacher before a map of Alaska. Bottom—professional snowboarder Forrest Shearer expresses his hope for climate stabilization and recovery.

Several months ago, I assumed the position of the Sierra Club's Beyond Coal Conservation Organizer in Utah. Since then, Utah Beyond Coal has embarked on two promising new campaigns aimed at transitioning our state from dirty coal power to renewable energy sources.

The first, the NoBassCoal Campaign, is a coalition of groups in Utah and Alaska that are asking Dick Bass, owner of Utah's Snowbird Ski and Summer Resort, to pull his funding for the largest coal strip mine proposed in Alaska. Dick Bass and his company, PacRim Coal, which he co-owns with Herbert Hunt, plan to mine through 30 miles of pristine Alaskan wilderness, and 11 miles of prime salmon habitat, forever contaminating the Chuitna River and the Cook Inlet, both highly valued fishing areas.

On November 12th we successfully kicked off the NoBassCoal Campaign with our NoBassCoal Rally and Press Conference, which we held at the Salt Lake City Main Library. About fifty concerned winter sports enthusiasts came out to hear pro snowboarder Forrest Shearer, of Protect Our Winters, speak about the effects of climate change on Utah's famous powder. Emily Fehrenbacher, of Sierra Club Alaska, spoke about the negative impacts

that Dick Bass's investment would have on Alaska's environment and wildlife. We got tons of press around the event, so it was a great success, and we thank all of the Sierra Club members who showed their support by attending.

For each signature we receive, we will place one lump of coal in naughty Dick Bass's stocking...

As this issue went to press, we were collecting signatures through an online petition. For each signature we receive, we will place one lump of coal in naughty Dick Bass's stocking, and on December 15th, we'll deliver it to him at Snowbird, in Utah, and PacRim Coal Headquarters, in Alaska. For those of you who would like to stay involved, visit www.nobasscoal.org

In addition to the NoBassCoal Campaign, we are also now supporting the efforts of the Utah Chapter to stop what would be Utah's first coal strip mine. On November 18th, the Utah Chapter of Sierra Club, along with Southern Utah Wilderness Alliance, National Resources Defense

Council and National Park Conservation Association, filed a petition challenging the permit for the Coal Hollow Coal Strip Mine, in Alton, Utah, south of Panguitch.

The Alton Coal Field underlies hundreds of square miles in Kane and Garfield Counties. Interior Secretary Cecil Andrus put the eastern half of the field off-limits to mining in 1980 because the strip mines would be visible from Bryce Canyon National Park. That portion remains unavailable for leasing today, but several hundred acres of private coal as well as thousands of acres of federally-owned coal deposits are in the miners' sights. The petition mentioned above applies only to a mine proposed to exploit the privately-owned coal.

The Sierra Club was involved fighting earlier incarnations of this project. The many e-mails from Alton and Panguitch-area locals concerned that the mine would cause air, water and soil pollution, as well as decreased tourism revenues and negative effects on the visitor experience at Bryce Canyon, helped to cement our determination.

With two new and exciting campaigns, it seems like the year is ending on a positive note for Beyond Coal Utah!

JOIN OR RENEW TODAY

Your support counts! Join, renew or donate to the Sierra Club, and help us work to preserve wildlands and wildlife, keep our air and water clean, and solve global warming. When you join the Sierra Club you will have the satisfaction of knowing that you are helping to preserve irreplaceable wildlands, save endangered and threatened wildlife, and protect this fragile environment we call home. You can be sure that your voice will be heard through congressional lobbying and grassroots action on the environmental issues that matter to you most. Thank you.



Bear in mind the consequences.

The Yellowstone grizzly bear is an irreplaceable part of America's natural heritage, a symbol of the independence that defines the American character and an icon of all that is wild and free. The Bush administration set forth a proposal that would remove federal protection for the Yellowstone grizzly bear. Since it was first listed as "threatened" under the Endangered Species Act in 1975, the grizzly bear has made a strong recover, but there is still more work to be done. Help Sierra Club protect our forest friends; they prefer the woods than being on display.

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for its continuing generous support of the Chapter's programs.

The Foundation challenges *you* to increase your support for the Utah Chapter in 2010.

Out&About

Western Wilderness Assembly Approaches

by Vicky Hoover, Conservation Officer, Alaska Outings Sub-committee

REGISTER NOW FOR EARLY BIRD RATES!

From April 8-11, the Western Wilderness Conference 2010 will bring grassroots wilderness advocates together at University of California in Berkeley, CA, from all the western states. It's time to launch the next round of western wilderness campaigns – building on the success of the 2009 Omnibus Public Land Management Act. It's time to examine the connection between wild places and climate change. And it's time to celebrate the 50th anniversary of one of the remote, but recently fought-over wild places in America—the Arctic National Wildlife Refuge—a symbol of America's will to set some special places aside from commercial exploitation.

Ten years have passed since the last big gathering of wilderness advocates in California, (at the California Wilderness Conference in May 2000) and it's been even longer since wildlands enthusiasts from throughout the West have come together to inspire each other, share experiences, and empower and train a new generation of activists to safeguard the West's wild places.

The focus of our gathering is wildlands preservation in today's historic time of change. Climate change requires urgent action to protect the ecosystems, landscapes, and wildlife that are seriously threatened. Political change has brought welcome new opportunities that we need to take advantage of.

Hear speakers like Doug Scott, Dave Foreman, Bruce Hamilton, Dr. John Harte, Dr. Steve Schneider, Chris Arthur, Sal Ramirez, Ann Ronald, Tom Killion, Roger Kaye, Juan Martinez, representatives from federal wilderness management agencies, and more address the role of wild lands in an era of climate change and focus on how to gain new allies to the cause of preserving wild places. Hear college and high school age youth discuss what wild places mean to their generation. See the film *Forever Wild* and enjoy music by Walkin' Jim Stoltz and I See Hawks.

Go to westernwilderness.org for conference info and online registration (\$100 early bird). Other questions? Contact Vicky Hoover at vicky.hoover@sierraclub.org or 415-977-5527.

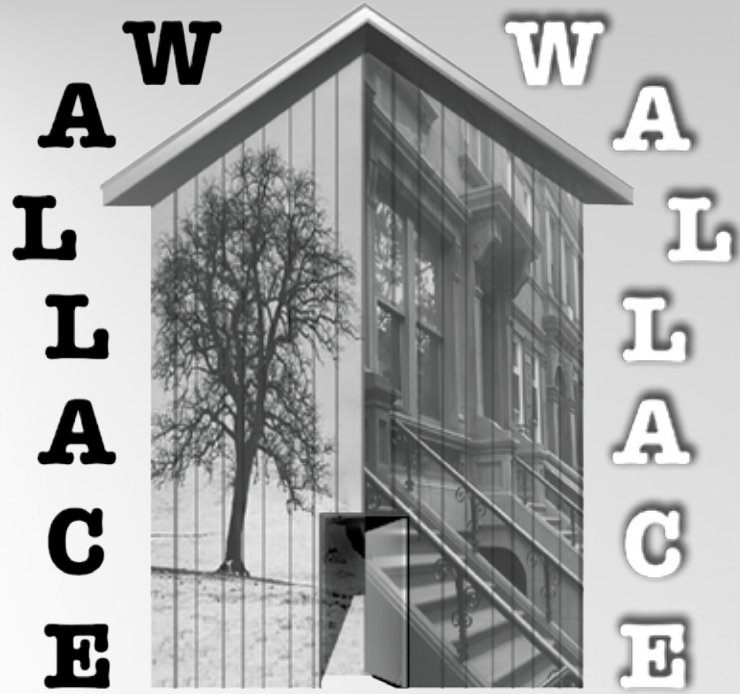


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Special Thanks to the members listed at right for their contributions to the Utah Chapter's 2009 fundraising drives. Thanks also to many other members who contributed anonymously. We thank contributors in the Summer newsletter and the Winter newsletter. If you don't see your name, it might have been published in the Summer issue.

Jane Bowman, MD
Mike & Harper
Richard Dougherty
Ronald & Bernadette Franklin
Theodore Rokich
Glen Smith
Richard Spotts
Jim Struve & Jeff Bell

In 2010, the chapter will continue its effective advocacy on behalf of clean, renewable energy. That also means that we have to put the brake on coal and other fossil fuel development that does not use adequate environmental safeguards. We'll be ramping up our work to protect Utah's public lands and wilderness. **But if you value our work, we'll need your help. Please contribute as generously as you can.**

To protect our members' privacy, if no publishing preference is specified, we do not publish contributors' names.

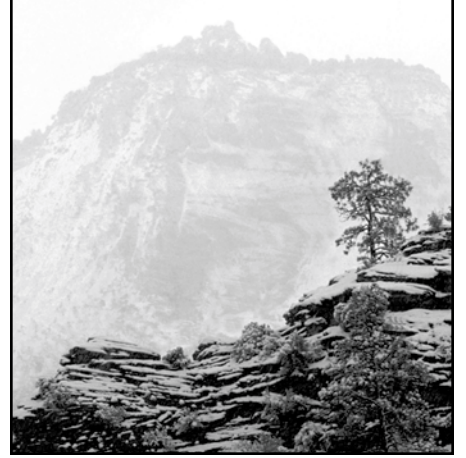
If you don't see your name listed and would like for it to be published in the next issue, please call Mark at (801) 467-9297. We try hard to spell people's names correctly; please accept our apologies if we misspelled your name!



CALLING ALL PHOTOGRAPHERS!

The *Utah Sierran* needs your help. We're on the prowl for great shots of Utah wilderness to enhance our stock photo library. Send your high-resolution (at least 300 dpi at 5x7") photos along with a description of each photo and your name as you would like to be credited, to: peridotdesign@me.com

Your photos could be published in an upcoming issue of the *Sierran!*



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ChapterNews

ExCom Election Results

We received thirty-one ballots submitted in reply to the chapter executive committee election ballot included in the last issue of the newsletter. Candidates for the Ogden Group, Salt Lake Group and the Utah Chapter Executive Committees were listed. The Glen Canyon Group distributed its ballot separately. The Glen Canyon Group election report is below. Results are as follows:

UTAH CHAPTER	OGDEN GROUP	SALT LAKE GROUP
Wayne Hoskisson 31 votes	Bob Becker 18 votes	Ann Wechsler 15 votes
James Westwater 29 votes	Robin Bushman 17 votes	
	Larry Woolsey 15 votes	

Among the ballots were three with write-in votes in the chapter election; there were two write-in votes each for Jean Binyon and Karen Thurber. There was one write-in vote for Ernie Rogers.

Sincere thanks to Marion Klaus and Dan Mayhew who conducted the ballot count. Ballots will be retained in the chapter office for inspection by club members for one year.

GLEN CANYON GROUP ELECTS NEW EXCOM

by Jean Binyon

Members of the Glen Canyon Group Sierra Club elected **Ed Brandstetter** and **Albey Reiner** and re-elected **Johnna Tipton** to its Executive Committee. The three join continuing ExCom members Mike Stringham and Tom Messenger on the five member ExCom for 2010. Over 16% of Sierra Club members in the five-county southeastern Utah area voted.

Brandstetter is a semi-retired scenic photographer who previously served on the ExCom 2006-07 as conservation chair. Reiner is a retired University of Massachusetts professor who moved to Moab five years ago. And Tipton was a college administrator in California before moving to Utah. She has served as ExCom secretary for two years.

The Election Committee was chaired by Mary Suarez who is retiring as vice-chair and membership co-chair. Other members of the Election Committee were Jean Binyon and Rita Rumrill. Information on the Group's officers, outings and other activities is available at: utah.sierraclub.org/glencanyon.

VolunteerCorner

LESLIE HUGO: MODEL OF SERVICE

by Mark Clemens

Three full years of taking minutes for the meetings of the Utah Chapter's Executive Committee! The minutes usually arrived within twenty-four hours of the end of the meeting. For two of those years Leslie was an active voting member of the executive committee too.

Leslie's service with the Utah Chapter is merely a continuation of a career of volunteerism. Before moving to Utah, she served as secretary of the Illinois Chapter of the Sierra Club as well as group representative from the Sauk-Calumet Group on the Illinois Chapter's Executive Committee. She even helped with a hair sampling project to test mercury levels as part of an Illinois campaign against dirty coal.



Her first positive exposure to the Sierra Club was on an outing; she "fell in love with and joined the Sierra Club in 1994 while I was living in Nebraska, after I went on a club-led backpacking trip."

Her other passions include volunteer offices, including music performance, at her church and the Utah Renaissance Festival. Thank you Leslie.

STEVE THIESE

Every volunteer brings skills for our efforts. Steve Thiese has brought great concentration and energy as well as excellent writing and research skills to helping the Utah Beyond Coal Campaign and other conservation efforts. He's been coming into the office daily for two months for two to three hours per day.



While he had time available during a work sabbatical, Steve decided he wanted to make a difference for the environment by working for the Utah Chapter. He has made a big difference in getting the word out about the No Bass Coal Campaign and other tasks.

Red Rock's North Star Fans

by Mark Clemens

Sierra Club volunteers and staff from around the country work to promote wilderness protection in Utah. That's partly attributable to what good folks Sierra Club members are but also to the extraordinary charisma of our wild landscapes. America's Red Rock Wilderness Act (ARWA) now has 154 co-sponsors in the US House of Representatives and 22 in the senate. In most cases, each of these co-sponsors required cultivation and outreach by constituents from their states.

One of the newest co-sponsors is Rep Tim Walz. Walz represents the southern tier of Minnesota reaching from the South Dakota border to Wisconsin. We owe his co-sponsorship in large part to the hard work of North Star Chapter volunteer Paul Lindfors and staffer Joshua Houdek.

After directing an outdoor program for three years in western Colorado, the red rocks found a special place Houdek's

heart. After moving back to the Midwest, he immediately got busy building local support for ARWA. Joshua found many fellow Minnesotans who have been touched by Utah's pristine wildlands, and together these activists are getting a lot done.

As an organizer with Sierra Club's Minnesota North Star Chapter, Joshua formed Minnesotans for Red Rock Wilderness. Another Sierra Club activist, Paul Lindfors, led the charge recently to convince his friend and neighbor, Congressman Tim Walz, to join the three other Minnesota Representatives Keith Ellison, Betty McCollum and Collin Peterson cosponsoring the bill. With this big success, the group is now focusing all efforts on Senators Amy Klobuchar and Al Franken. They kicked things off with a volunteer mailing party in October to send a huge action alert mailing. Wish them well! More at northstar.sierraclub.org/utah



Photo caption: University of Minnesota student volunteers assembling an 850-piece mailing to encourage activists to tell their senators to support America's Red Rock Wilderness Act.

On Wilderness

More Trouble for the Tortoise?

by Mark Clemens



BILL MADER

A bobcat in an alcove in the new Red Cliffs National Conservation Area.

The Omnibus Public Lands Bill of 2009 created 124,000 plus acres of wilderness within Zion National Park, and another roughly 132,000 acres of wilderness mostly on Bureau of Land Management (BLM) lands elsewhere in Washington County. We celebrated congressional passage and President Obama's signing of this legislation in the Spring 2009 issue of the *Utah Sierran*.

The bill also provides for several firsts in Utah. It creates the very first Wild and Scenic Rivers along roughly 166 miles of the Virgin River and its tributaries in Zion National Park. It also creates the first national conservation areas in Utah. One of these, the Red Cliffs National Conservation Area, occupies 44,725 acres of mostly BLM land that was formerly known as the Red Cliffs Habitat Preserve.

Although this area is not contiguous with other tortoise habitat in Arizona, California and Nevada, it is nevertheless crucial, high-productivity habitat for a species that hasn't gotten many breaks over the past fifty years. It was only because of the designation of all this land as inviolable habitat of the desert tortoise that the Sierra Club and other plaintiffs agreed to settle a lawsuit against Washington County and the State of Utah.

County commissioners and their friends the developers and speculators would love to see the unplanned but profitable sprawl

of Las Vegas and Los Angeles reproduced in Washington County. As we speak a so-called Southern Corridor, a belt route connecting Bloomington with Hurricane to the south of I-15, is under construction. Their dream is a belt route or circumferential highway running around St George to the south and north to open tens of thousands of acres of private land to subdivision and building.

“It was only because of the designation of all this land as inviolable habitat of the desert tortoise that the Sierra Club and other plaintiffs agreed to settle a lawsuit against Washington County and the State of Utah.”

As with many other questions of habitat protection, the state and county tried to make the habitat preserve as small as possible. Ultimately they agreed to the existing preserve because development on greenfield sites across the county had been halted by a judge's injunction until

protection adequate for preservation of the species was agreed. The Omnibus Public Lands Bill codifies the habitat protection into law. What's not to like?

The answer is found in Title I, Section 1977, subsection B(2) of the law:

SCOPE; CONTENTS- In developing the travel management plan, the Secretary shall—

(A) in consultation with appropriate Federal agencies, State, tribal, and local governmental entities (including the County and St. George City, Utah), and the public, identify **1 or more alternatives for a northern transportation route in the County**; [emphasis mine]

There it is, the dreaded Northern Corridor. Fortunately, the language establishing the Red Cliffs NCA is unambiguously focused on protection of the tortoise; it would be very difficult—short of repealing this language—to authorize a road across the NCA. However, the designation of a proposed transportation route across the relatively level terrain of the NCA would be a rhetorical victory for the developers so intent on making profits whatever the cost to the tortoise and other desert species.

This background must be seen in light of allegations reported in the St George *Spectrum* that county officials and employees of the Utah Division of Wildlife Resources (UDWR) diverted federal funds improp-

erly. In a December 5, 2009, article in the *Spectrum*, a former county employee and preserve manager William Mader charges that UDWR diverted \$200,000 in federal funds intended for sensitive species to building a state building in Hurricane, Utah, and that another \$10,000 was diverted without proper public notice.

Mader, who was fired according to Washington County Commissioner James Eardley, “because of his inability to cooperate with other agencies involved in the conservation plan, such as the Division of Wildlife Resources and U.S. Fish and Wildlife Service,” also alleges that a UDWR employee worked with the county to map an alignment across the preserve—in violation of the preserve's management plan.

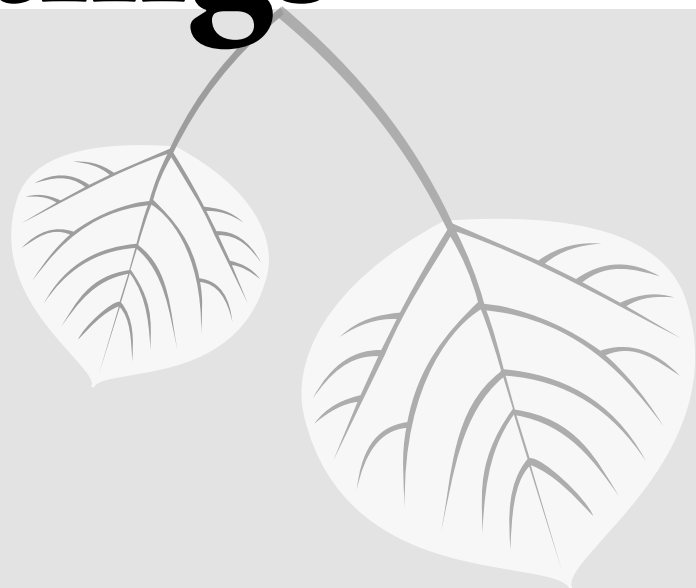
These charges have been referred to federal investigators and must be carefully and impartially reviewed. If true, they reveal county and state employees with the worst possible motives conspiring against the very management plan they are charged with implementing. These charges illustrate how necessary it will be for club members and other environmentalists to submit comments on the travel management plan developed by BLM over the next three years.

Utah Chapter Outings

EXPLORE WITH US! JANUARY–MAY 2010

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.



Out&About



Tom Messenger led a reprise of a hike in the remote Herdina Park section of Arches National Park. From the parking area on the unpaved Willow Springs Rd., we followed washes into a magnificent slickrock playground that provided views of two arches named Eye of the Whale & Leaping. It ended up being a 7.5 mile hike that was tiring, but very rewarding. Hikers included Tom, Jock Hovey, Johnna Tipton, Ryan Barnum, Steve & Rita Rumrill, Moab Marc & Judi Simon.

January

GCG, Sat 1/2/2010, Abyss Branch, Negro Bill Canyon. Easy hike to a side canyon to Negro Bill one before the one Morning Glory Arch. Has a waterfall that may well be picturesquely frozen. Can continue to canyon head(s) above the fall to other pour-offs. About four miles roundtrip with perhaps 200' elevation gain. Meet at the Moab Information Center, Center and Main, at 10 a.m. Leader: Tom Messenger, 435-259-1756.

OG, Sat, 1/9/2010, Snow Shoe in Wheatgrass Canyon (nr Camp Kiesel). This is a moderate round-trip trek that takes 3-4 hours and is 5-6 miles. This is one of the most beautiful canyons in northern Utah. Great views of cliffs and steep canyon walls. We might see moose and eagles. Call Larry, 801-731-3701, for more information.

SLG, Sun, 1/10/2010, Snowshoe/X-country ski in Porters Fork, Millcreek Canyon. Porters Fork is an excellent choice for a Winter snowshoe excursion. The path is a road that ascends through cabins and pines for a little more than a mile, then joins a Forest Service trail which leads to Big Cottonwood Canyon. The group will probably turn around after meandering through the forest trail for about a mile above the road. Bring a snack to indulge in along the way, and there is always the option to enjoy hot beverages at a nearby cafe after the hike. Meeting place is the Skyline High parking lot. Call Ken at 801-484-3112 for meeting time and details.

GCG, Sat 1/16 Snowshoeing in the La Sals. Winter hike on snowshoes in the La Sal mountains. Snowshoeing starts at the cross-country skiing parking lot on the road to Geyser Pass and snowshoe toward Gold Basin area for a round trip of about 3 or 4 miles. Hiking in snowshoes is easy and lots of fun. Call Mike Stringham at 435-259-8579 for information on snowshoe rentals in Moab. Meet at Moab Information Center, Center and Main, at 9 a.m.

OG, Sun, 1/17/2010, Ice Box Canyon Snow Shoe. It's my birthday; please join me in

a snow shoe romp at the Ice Box Canyon. Meet at Art Noord Trailhead at 10 a.m. For more info call Joanie at 801-399-0034. Mmmmm...dark chocolate!

SLG, Fri, 1/29, X-country ski/snowshoe to Ensign Peak. Join us for a steep but not difficult moonlight hike to the summit. The 29th is only one day short of the full moon. Meet 7 p.m. at Popperton Park. Call Robert at 801-949-3597 for more info.

GCG, Sat 1/30 Trekking to Tower Arch from the West. Tower Arch is a solid, but graceful span of 92' in Arches National Park that most hike to from the arch's eastern trailhead off of Salt Valley Rd. We will instead approach it from the west, parking at a trailhead on the Klondike Bluffs 4WD Rd. After leaving the jeep trail, we will cross through a slickrock world filled with dinosaur footprints and row upon row of Moab Tongue sandstone fins before dropping into the stone garden containing Tower Arch. After lunching beneath its span, we'll follow a similar route back to the start, completing a hike of about six miles. Meet at the Moab Information Center, Center and Main, at 9 a.m. Leader: Marc Thomas, 259-2208.

February

OG, Sun, 2/7, Wheeler Creek Ski/Snowshoe. Cross-country skis are recommended for this fun five-mile loop through the backcountry below Snowbasin, but beginners will be more comfortable on snowshoes. We'll start around 10 a.m. and finish by early afternoon. Call leader Dan 801-393-4603, for details and in case there's a change of plan due to snow conditions.

GCG, Sat 2/13 Sauntering the Slickrock Bike Trail. While the mountain bikers are on hiatus, join us in hiking the famous Slickrock Bike Trail in the Sand Flats County Park just outside of Moab. The trail crosses a series of Navajo sandstone domes and fins as it loops its way to overlooking the Colorado River and then back again. The complete trail out and back, including visits to Mountain View Cave and elusive Updraft

Arch, covers a distance of about 10 miles, but there are several spurs that can be used to shorten the distance if desired. Meet at the Moab Information Center, Center and Main, at 10 a.m. Leader: Marc Thomas, 435-259-2208.

OG, Sat, 2/13/2010, 3rd Annual Mardi Gras Ski/Snowshoe party! Come one, come all for a good time in the snow. Dress up in a favorite costume to win fabulous prizes. We will meet at the Art Noord trail Head 10 a.m. for a trek up to the forest service yurt where we will have refreshments and drinks. The trek is about 6 miles roundtrip with some elevation gain. Call Joanie 801-399-0034

SLG, Sun, 2/14, Snowshoe/X-country ski off Mirror Lake Highway. Although the exact location was not determined at press time, the group will probably snowshoe along the North Fork trail in the Uintas above Kamas. If not the North Fork, other choices nearby offer fabulous opportunities to experience the wild away from the city and crowded ski resorts. The winter scenes are spectacular, wildlife is in abundance; what a great way to spend an invigorating day in the forest in honor of St Valentine. Meeting place will be the east part of the parking lot where K-Mart used to be on Parleys Drive near Foothill. Call Ken 801-484-3112 for meeting time and other details.

OG, Sat, 2/20/2010, Mill Creek Canyon Snow Shoe (Salt Lake County). This is a moderate round-trip trek that takes 3-4 hours and is 5 miles. We will go up Bowman Fork to White Fir Pass. Call Larry at 801-731-3701 for more information

SLG, Fri, 2/26, Ski/snowshoe in Birch Hollow, Millcreek Canyon. Join us for a leisurely stroll up the Birch Hollow Trail to overlook Mt. Raymond and Gobbler's Knob. The nearly full moon should be sparkling on the snow. Meet at the Highland High east parking lot at 7 p.m. Call Robert at 801-949-3597 for more info.

GCG, Sat 2/27 Island in the Sky Potpourri. As many short mesa-top trails as we have time and energy for. Possibilities include Mesa Arch (½ mile round trip), White Rim Overlook (2), Grandview Point (2), Aztec Butte (1½), False Kiva (2). Little elevation change except for False Kiva (500') and Aztec Butte (200'). Some slickrock scrambling for False Kiva and Aztec Butte. Meet at the Moab Information Center, Center and Main, at 9 a.m. Leader: Tom Messenger 435-259-1756.

OG, Sun, 2/28, North Fork Park/Cross-country ski. Skiing from the South gate of North Fork Park. Approximately 5 miles round trip. Meet at Rainbow Gardens at 9 a.m., car pool to North Fork Park. Call leader Dan H, 801-479-1108, for details and in case there's a change of plan due to snow conditions.

March

SLG, Sun, 3/14, Snowshoe/ski in Big Cottonwood Canyon. Should be an excellent day to snowshoe in the forest away from the hazy urban environs. The plan is to park in the first Solitude parking lot driving up Big Cottonwood, walk across the street and hike up to a spot where participants will bask in the sun and soak

in the fresh canyon ambiance. Meeting place will be the Big Cottonwood Canyon Park and Ride. Call Ken 801-484-3112 for meeting time and other details.

OG, Sat-Sun, 3/20-3/21/2010, Moab Area Dayhikes. We will hike on both Saturday and Sunday. Call Larry early at 801-731-3701 for more information about the hikes and lodging. This is the weekend of the Canyonlands Half Marathon so lodging reservations need to be made early.

SLG, Sun, 3/21, Ski/snowshoe to Willow Lake. We'll explore the Willow Heights trail to Willow Lake, protected now by Salt Lake City's Public Utilities Department that acquired this important watershed in 2001. Meet 9 a.m. at Big Cottonwood park'n ride lot. Call Robert at 801-949-3597 for more info.

GCG, Sat 3/27 Courthouse Wash (and rim) Loop. Park at the bottom of Courthouse Wash off US 191. Hike to near the gaging station. Climb up to the right and back towards the mouth of the Wash to a ledge above the highway. Walk around the point and back up the side above the river to a scramble up to the top of the slickrock. Then across to a point above Courthouse Wash where a descent can be made into the Wash and return to the parking area. Meet at the Moab Information Center, Center and Main, at 9 a.m. Leader: Jock Hovey 435-259-6691.

April

GCG, Sat 4/3 Wilhite Trail, Island in the Sky. The trail starts from the Upheaval Dome road 2 miles from the junction with the Grandview Point road. After a mile on the mesa top, the trail drops into Holeman Spring Basin with views of the False Kiva alcove. Down on the Moss Back bench, the trail does a half circle around a point to find a way down the Moss Back. We'll stop there with views of Candlestick Tower and the White Rim. About 6 miles round trip with 1100' of elevation change. (The trail continues down Moencopi washes to the White Rim, about another 6 miles round trip and 500' of elevation change.) Meet at the Moab Information Center, Center and Main, at 9 a.m. Leader: Tom Messenger 435-259-1756.

OG, Sat, 4/17, Antelope Island, Elephant. This is a moderate hike of 9 miles round trip, elevation gain about 800 feet, 4 hours. This is a popular trail used by bikers, hikers and runners. It offers great views of the west side of the island, Split Rock Bay, and the Elephant Head. Bison are often seen on this hike. Call Larry for details 801-731-3701.

May

OG, Fri, May 7, 2010: Friday Nights Lights of Ogden. This is an annual night hike to view Ogden City lights. On clear nights you can see north into Willard and south into Salt Lake City. We will hike up Beus Canyon and turn north onto the Bonneville Shoreline Trail and then hike to the 22sd Street Trail Head. This hike is about about six miles, is moderate, it can be done in about three hours. Call Larry 801-731-3701 for all details.



RON YOUNGER

win a backcountry guide

JANUARY 4, 2003: Snowshoe trekkers on East Fork Wheeler Creek Trail at Snowbasin. Be the first (before January 15, 2010) to correctly list the first name of five of these trekkers and receive a Guide Book for the High Uintas. Send your list to Ron Younger at 920 East 1500 South, Bountiful, UT 84010-2138.

Utah Chapter Directory

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The Sierra Club does not have insurance for carpooling arrangements and assumes no liability for them. Carpooling, ridesharing 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 fair for fees charged by the US Forest Service to be shared by all participants. Text of the outings liability waiver may be found at <http://www.sierraclub.org/outings/chapter/forms/index.asp>. CST 2087766-40. Registration as a seller of travel does not constitute approval by the State of California.

News&Notes

Climate Change Threatens Habitat

Global warming threatens to wipe out many of our wildlife species. Some scientists suggest we could lose as many as one million species worldwide if we don't act quickly. Even a fraction of such a loss will have severe economic, social and spiritual impacts for humanity.

If we want America's wildlife to survive, we must help them adapt to rising temperatures. Climate change is already happening and with it will come extreme weather and the loss of food sources. It is our responsibility to ensure wildlife have the food, water and range they need to breed and survive.

If we act now, we can still pass on a world to our grandchildren where polar bears, giant sequoias, wild salmon, sea turtles, rainforests and emperor penguins survive.

LAY OF THE LAND

As the planet's temperature continues to rise, the impacts of global warming will be massive. According to the Consultative Group on Biological Diversity, global warming is already severely affecting forests, oceans, and wildlife – not to mention the rippling outward of its effects on the economy and public health.

If global warming continues unchecked and we do nothing to help wildlife adapt to climbing temperatures, the Intergovernmental Panel on Climate Change predicts that one-quarter of the earth's plants and animals could disappear by the end of this century. Nothing like that has happened on this planet since the extinction of the dinosaurs 65 million years ago. Nothing of this magnitude has challenged our own species in our relatively short history on this planet.

TOWARDS A MORE RESILIENT HABITAT

The effects of global warming will worsen if humans do not realize how interconnected they are with the ecosystems around them and take steps to protect and prepare habitats.

Some scientists suggest we could lose as many as one million species worldwide if we don't act quickly. Even a fraction of such a loss stands to have severe economic, social and spiritual impacts for humanity.

Scientists have already documented the loss of 70 frog species worldwide, over 25% of the desert bighorn sheep bands in California and declines of up to 90% in Peary caribou herds due to global warming related habitat changes.

There are predictions that if global warming continues unchecked, moose and sugar maples will disappear from New York and New England; most of the Florida Everglades will be lost to sea rise; Yellowstone National Park will not be able to support grizzly bears; an ice free North Pole will be unable to sustain healthy numbers of polar bear and walrus and 97% of trout streams in the Southern Appalachians will be gone, along with most

coral reefs and their associated marine life worldwide.

These prospects equate not just the loss of the world's natural heritage but also the massive disruption of an economy worth over \$120 billion to the United States alone.

If we want America's wildlife to survive, we must help them adapt by protecting critical habitat and creating wildlife corridors that will allow for migration as temperatures rise.

Some climate change is already happening and with it will come extreme weather, droughts, loss of food sources, new diseases. It is our responsibility to ensure wildlife have the food, water and range they need to breed and survive.

Protecting wildlife habitat not only ensures that we will be able to enjoy our outdoor traditions for years to come—it also helps combat global warming. By keeping our wetlands and forests intact, we help clean carbon pollution from the air and stop the worst impacts of global warming.

We encourage the adoption and implementation of state-wide Climate Change Adaptation Plans to address the impacts of climate change on ecosystems and native species and to create resilient habitats.

ACCORDING TO CONSERVATION BIOLOGISTS WORKING IN THE FIELD, THE FOUR KEY STEPS TO HELPING WILDLIFE SURVIVE ARE:

- 1) **Cut global warming emissions by 80% so that the climatic shift is minimized.** If the increase is held to 2 degrees Celsius, we will lose fewer species and have more management options. At a 4 degrees Celsius increase, many species will be lost and management options are fewer. At a 6 degrees Celsius increase, the situation is dire and not much can be done.
- 2) **Protect adequate and appropriate space.** This includes protecting large core areas, buffer zones, and corridors to aid species migration.
- 3) **Limit or eliminate non-climate stresses.** Reduce or eliminate habitat fragmentation, over-harvesting, invasive species, disruptive human activities and pollution.
- 4) **Where necessary, apply adaptive management intervention to insure species survival.** In order to help wildlife survive temperature increases, it may be necessary to reintroduce native species, assist in migration, control pests or disease outbreaks, apply prescribed burning, and control invasive species. Such intervention will require regular monitoring and mid-course corrections as needed.

If we act now, we can still pass on a world to our grandchildren where polar bears, giant sequoias, wild salmon, sea turtles, rainforests and emperor penguins survive.

2009 PFEIFFERHORN AWARD TO PETER METCALF

Peter Metcalf, CEO of Black Diamond Equipment Ltd, was awarded the Pfeifferhorn Award on Tuesday, December 8, 2009, by six leading Utah conservation and environmental organizations. These organizations include: Save Our Canyons, The Nature Conservancy, Utah Chapter of the Sierra Club, Wild Utah Project, Wasatch Mountain Club and the Great Salt Lake Audubon Society.

"In creating our business over 20 years ago, we said our purpose was to make a difference on behalf of our fellow community of users, and we committed ourselves to championing the access to and preservation of mountain, canyon and crag environments," says Peter Metcalf, president and CEO of Black Diamond Equipment. "On behalf of Black Diamond's employees, we sincerely thank all of these fine organizations for what they do for Utah and the people of the United States."

Metcalf accepted the award at a ceremony in Salt Lake City's Hotel Monaco on behalf of Black Diamond Equipment. Under Metcalf's leadership, Black Diamond supports more than 25 organizations across the United States—both financially and by encouraging activism and providing on-the-ground support. Additionally, Metcalf has made presentations in both houses of the US Congress in the past year, urging them to protect Utah's wild places. More recently, Metcalf met with the House Subcommittee on National Parks, Forests and Public Lands during the first hearing held on America's Redrock Wilderness Act.

"The Pfeifferhorn – Conservation Leadership Award exemplifies the beauty we strive to protect," states Save Our Canyons's Executive Director Carl Fisher. "It also symbolizes the great vision that we need to accomplish that protection."

The Pfeifferhorn Award is presented each year to the citizen, official or volunteer who has done the most to protect the environment in Utah, and particularly along the Wasatch Front. It's named for a prominent peak on the south side of Little Cottonwood Canyon that dominates the head of Maybird Gulch. Past recipients include Peter Corroon, Gale Dick, George Hansen, LeRoy Hooten, Dan Schroeder and Dianna Lehmann Smith.

"Peter Metcalf has repeatedly used his influence to improve public lands policy and to protect wilderness in the State of Utah," said Wayne Hoskisson, Utah Chapter chair, "Metcalf has made the case better than anyone else that wilderness and intact ecosystems are important to Utah's economy and tourism industry."

For several years, the presentation of the award has been organized by Save Our Canyons. Thanks to Carl Fisher and Havilah Martak for their work on this year's award ceremony. *This article derives in part from a press release issued by Black Diamond Equipment.*

START A COMMUNITY SHARES/UTAH CAMPAIGN AT YOUR WORKPLACE

by Mark Clemens

On the front page of each issue of the Utah Sierran, you'll find the logo of Community Shares/Utah (CS/U), and you might have wondered what it is. CS/U is a workplace-giving federation that allows employees to donate any specified amount through payroll deduction to a range of agencies and charities that work to benefit the environment, deliver critical human services, improve the community, protect human rights and promote animal welfare.

The Utah Chapter of the Sierra Club helped to found CS/U in 1989. Check out the full roster of agencies at <http://www.communitysharesutah.org/>. CS/U helps raise money for the chapter and the other member agencies in most public-sector and several private sector workplaces too.

Our sincere thanks to all who already give. If you don't have the chance to contribute to Community Shares at work and would like to, call me at (801) 467-9297 or send me an e-mail at mark.clemens@sierraclub.org or Lynne Brandley, the executive director of Community Shares at 801-486-9224 or lbrandley@xmission.com.

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.