

Make Straight in the Desert a Highway:  
Ideology and Environmental Conflict on the Colorado Plateau

by

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## ABSTRACT

In the rural, modern American West, two Manichean perspectives of the human-nature relationship have contributed to vehement environmental conflicts. Adopting developer Calvin Black and writer Edward Abbey as archetypes, I explore the endurance of these two ideologies in the redrock canyon country of southern Utah and northern Arizona. Black represents the historically dominant anthropocentric view among Euro Americans that nature ought to be domesticated and commoditized; the competing view, represented by Abbey, is eco-centric and considers the intrinsic value of the broader ecological community beyond its utilitarian function. I argue that environmental conflict in the canyon country has been driven by ideologues who espouse one of these two deeply entrenched and seemingly irreconcilable perspectives. Modern-day conflicts over wilderness, land use, and rural development are endemic, rooted in heritage and culture and driven by particular Anglo-American religious and secular beliefs that reflect differing ways of “seeing” the land.

In particular these contending perspectives are reflected in the “built” landscape. Using one especially ubiquitous human imprint on the land as both trope and subject, I explore the political and cultural meanings of roads as symbols variously of progress and of exploitation. Questions of road development and public lands access became the center point of environmental conflict driven by dichotomous worldviews that demonized the opposition and its position. What developed in the last half century is a discourse dictated by categories created by

ideologues. This dissertation not only explores the particular circumstances that made these environmental contests volatile in an American desert, but it also meditates broadly on the nature of environmental compromise and conflict, the place of people in “wild” landscapes, and the discontents of rural communities upended by new economic realities. This study illustrates generally how people perceive the land, the technology they wield to manipulate it, and the broader cultural and political transformations that result.

## ACKNOWLEDGMENTS

After years of working on this project, it is with sincere gratitude that I now acknowledge my debts. The pleasure of writing this dissertation was in hitting the road to visit some of the most spectacular places on the planet. Along the way I met and spoke with many who are lucky to call the plateau country home. Thanks to the people I interviewed and the anonymous few who directed me to places or records. Maxine Deeter in the BLM Monticello field office and Bill Stevens in the BLM Moab office opened up records to me. I also benefited from the records provided by various county offices in southern and eastern Utah. I wish to thank staff and archivists at Utah State Historical Society, Utah State Archives and Records Service, Special Collections and Archives at the University of Utah, Special Collections and Archives at Utah State University, Special Collections at the University of Arizona, Denver Public Library, and Huntington Library in Pasadena, California, for permitting me to consult their records.

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The voice of him that crieth in the wilderness, Prepare ye the way of the Lord, make straight in the desert a highway for our God. Every valley shall be exalted, and every mountain and hill shall be made low: and the crooked shall be made straight, and the rough places plain:

Isaiah 40:3-4

It is a soul-shattering silence. You hold your breath and hear absolutely nothing. No rustling of leaves in the wind, no rumbling of distant traffic, no chatter of birds or insects or children. You are alone with God in that silence. There in the white flat silence I began for the first time to feel a slight sense of shame for what we were proposing to do. Did we really intend to invade this silence with our trucks and bulldozers and after a few years leave it a radioactive junkyard?

Freeman Dyson, *Disturbing the Universe*

Almost all the country within their view was roadless, uninhabited, a wilderness. They meant to keep it that way.

Edward Abbey, *The Monkey Wrench Gang*

Deep ecologists warn us not to be anthropocentric, but I know no way to look at the world, settled or wild, except through my own eyes. I know that it wasn't created especially for my use, and I share the guilt for what members of my species . . . have done to it. But I am the only instrument that I have access to by which I can enjoy the world and try to understand it. So I must believe that, at least to human perception, a place is not a place until people have been born in it, grown up in it, lived in it . . . experienced and shaped it.

Wallace Stegner, *Where the Bluebird Sings to the Lemonade Springs*



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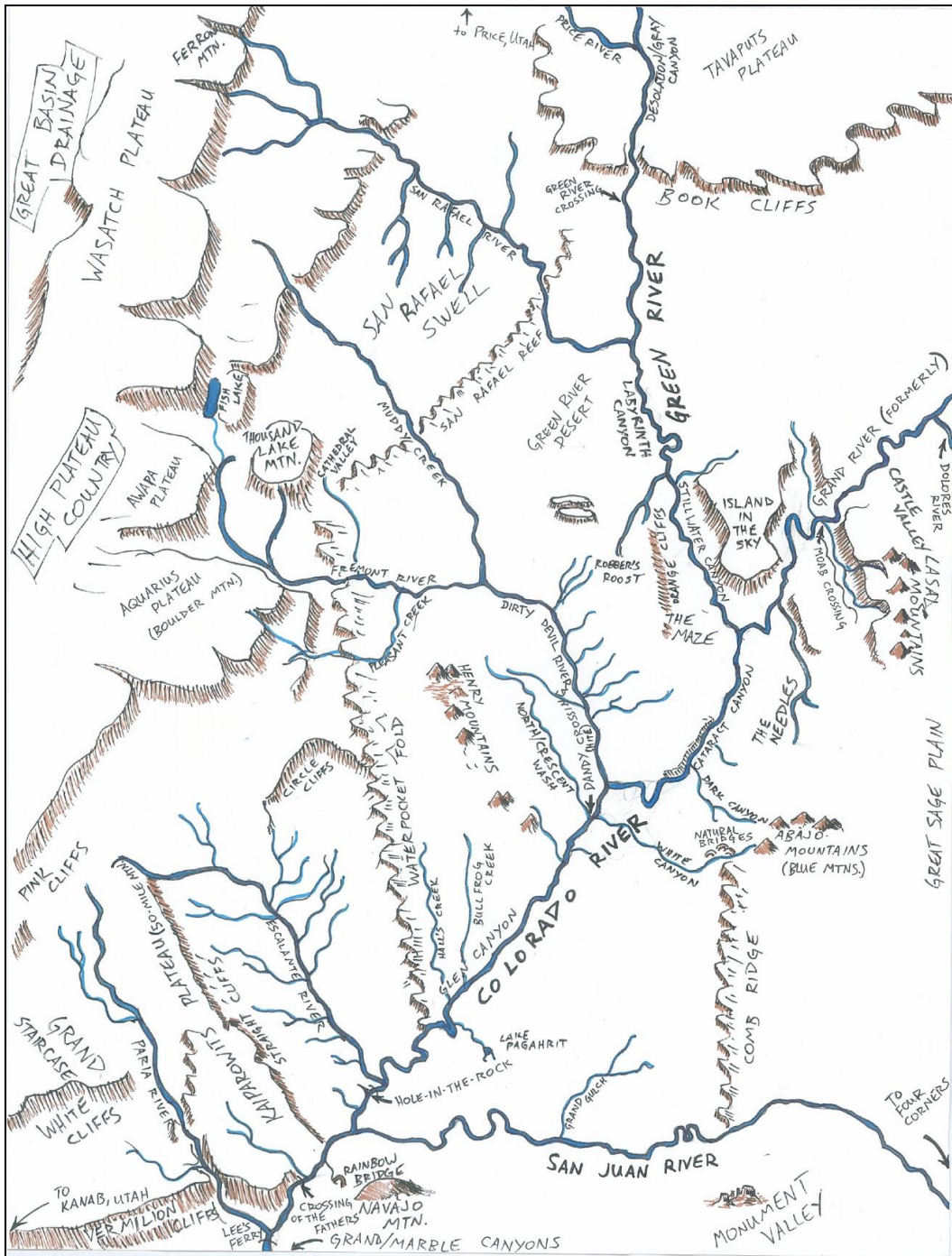
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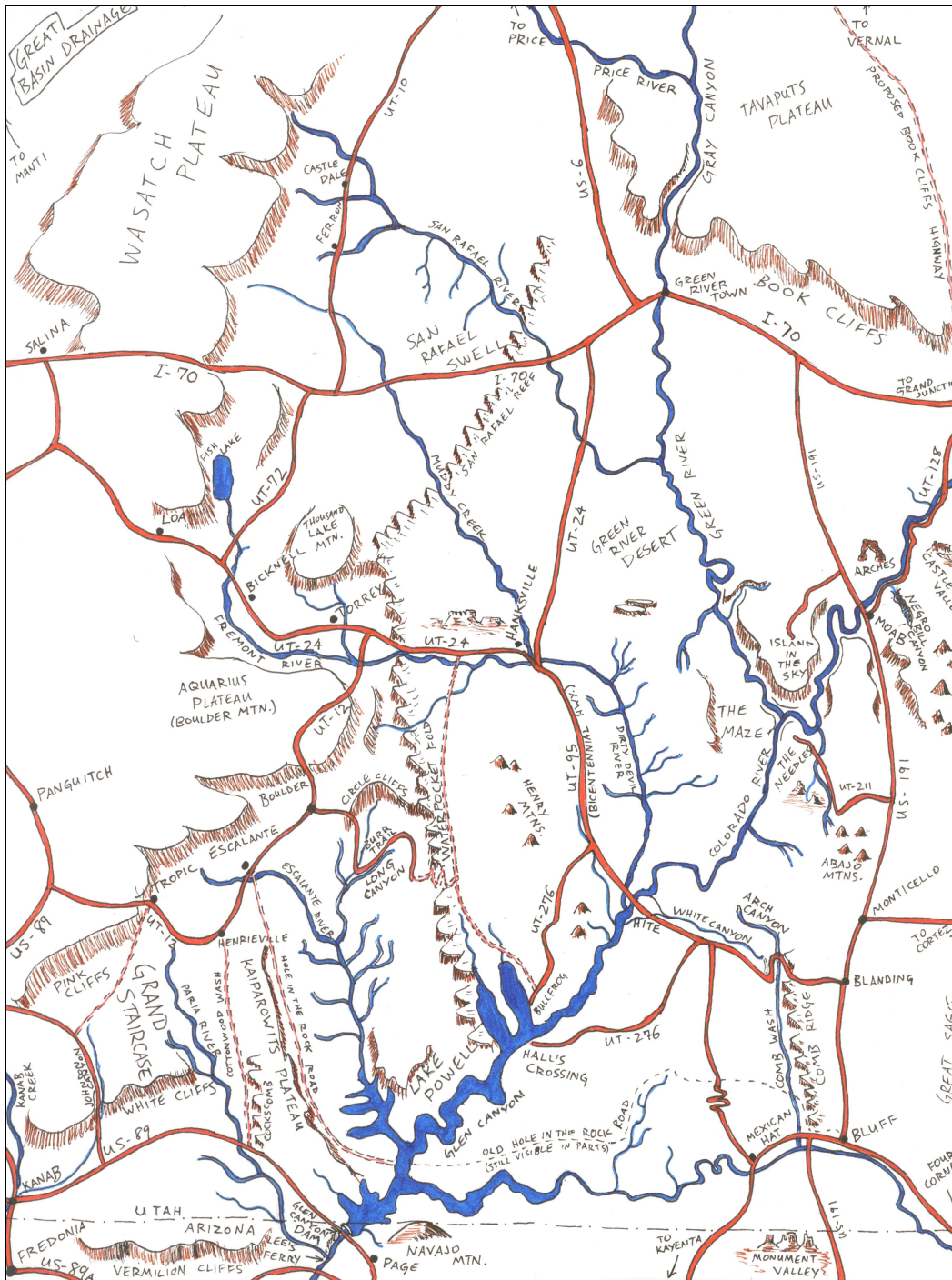
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 Map by Paul Nelson.



Map 2. Natural and human features of the Canyon Country, present day (not scale). Map by Paul Nelson.

## INTRODUCTION

### ROADS AND THE NATURAL/ARTIFICIAL DUALITY

Edward Abbey began his essay “The Damnation of a Canyon” with the following statement: “There was a time when, in my search for essences, I concluded that the canyonland country has no heart. I was wrong. The canyonlands did have a heart, a living heart, and that heart was Glen Canyon and the golden, flowing Colorado River.” Abbey perhaps correctly identified the geographic center of the canyonland country, a province of the Colorado Plateau, which encompasses a large section of southeastern Utah, northeastern Arizona, southwestern Colorado, and northwestern New Mexico. But here, by “heart” Abbey implied that the canyon and free-flowing river represented the heart and mind of many who remembered them before they were dammed. That is why he spoke of the “living heart” in the past tense.<sup>1</sup>

An iconic dam now plugs—and has plugged for nearly fifty years—the Colorado River at Glen Canyon. In the Southwest, nature produces the icons—the Grand Canyon dwarfs them all, a massive crack in the earth formed over millennia by a swift-flowing river cutting deeper into the earth’s crust. But there is nothing natural about Glen Canyon Dam: formed of concrete and steel, tested in

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<sup>1</sup> Edward Abbey, “The Damnation of a Canyon,” *The Serpents of Paradise: A Reader* (Macmillan, 1996), 311. For a history of Glen Canyon Dam and its controversy, see Russell Martin, *A Story That Stands Like a Dam: Glen Canyon and the Struggle for the Soul of the West* (New York: Holt, 1989); James Lawrence Powell, *Dead Pool: Lake Powell, Global Warming, and the Future of Water in the West* (Berkeley and Los Angeles: University of California Press, 2008).

labs, managed by the Bureau of Reclamation and constructed over seven years by an army of migrant construction workers living in a town sprung up just to house the men and their families. The canyon too is now a different creation. The once gently lapping, muddy waters of the river are now clear, blue, stagnant.

People have different ways of making sense of these changes to the landscape. Some saw in the new dam engineering ingenuity and improvement. The dam generated hydropower revenues and enabled the upper basin states to store water that could be released to the lower basin states to meet their allocated share of water from the Colorado River basin. It also served, according to its advocates, a democratic purpose by making the Colorado River canyons more accessible—motor boaters on the new reservoir formed behind the dam could explore side canyons once accessible only to river rafters and hikers. Colorado Congressman Wayne Aspinall referred to Lake Powell as having achieved great success for enabling more people to experience wild places, “not just a few of us.”<sup>2</sup> The epigraph in Reclamation Commissioner Floyd Dominy’s promotional tract *Lake Powell: Jewel of the Colorado* read: “Dear God, did you cast down/  
Two hundred miles of canyon/ And mark, ‘For poets only’?/ Multitudes hunger/  
For a lake in the sun.”<sup>3</sup>

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<sup>2</sup> Quoted in Steven C. Schulte, *Wayne Aspinall and the Shaping of the American West* (Boulder: University Press of Colorado, 2002), 196-97, note 67.

<sup>3</sup> U.S. Department of the Interior, Bureau of Reclamation, *Lake Powell: Jewel of the Colorado* (Washington, D.C.: Government Printing Office, 1965). Gordon Michelle wrote the poem in the epigraph.

For many others, however, the dam was a blight on the landscape, a lamentable transformation from sublime natural river to commercialized stagnant reservoir. Some like Abbey bemoaned the dam's existence and the irretrievable losses that it caused. "I find it hard to learn to love cement, I am poorly impressed by concrete aggregates and statistics in the cubic tons," Abbey told an audience in Salt Lake City a year before he died in 1989. "But in this weakness I am not alone, for I belong to that ever growing number of Americans, probably a good majority now, who have become aware that a fully urbanized, thoroughly industrialized, thoroughly computerized social system is not suitable for human habitation. Great for machinery, yes, but not fit for people." After commenting on the abundant varieties of plant and animal life once present in the canyon, he said, "The difference between the present reservoir, with its silent, sterile shores and debris-choked side canyons, and the original Glen Canyon is like the difference between death and life. Glen Canyon was alive, Lake Powell is a graveyard."<sup>4</sup>

Some might see in the lake, dimly, a wild and caged river aching to break free of the tortuous confines of the dam. They long to restore the canyon and rivers. This vision is a broader critique of technology and modernism, an accusation that in this place ingenuity and development went too far. Indeed, even some dam supporters mourned the loss of a canyon, animal life, wondrous alcoves and side canyons. Barry Goldwater, conservative Arizona senator, lamented toward the end of his career that he had ever voted for the act authorizing

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<sup>4</sup> Edward Abbey, Speech at the University of Utah, 1988, <http://vimeo.com/11008593> (January 30, 2011).





1. This Landsat image shows Lake Powell, snaking up the Colorado River and its tributary, the San Juan River. The green area south of the reservoir is Navajo Mountain; the large green-shaded area northwest of the reservoir is the Kaiparowits Plateau. Courtesy of the Landsat Project digital archives, part of a joint endeavor of the U.S. Geological Survey and NASA.

construction of Glen Canyon Dam.<sup>5</sup> Then there are those who deplore the desecration of ancient Indian sites, flooding of steps that had been etched in the sandstone by the Dominguez-Escalante party in 1776 (the “Crossing of the Fathers”), and forfeiture of other human imprints, stories, and memories on the river. The concrete plug in Glen Canyon did not merely layer one human formation (the dam) atop the earlier traces of human habitation in the canyon. Rather, for those who criticize the dam, the artificial edifice had so thoroughly overwhelmed nature, colossally modifying the river and canyon into a placid reservoir, that the place had lost its very soul.

Indeed, the history of Glen Canyon is about a controversial constructed landscape layered over a natural one, and of the evolving, malleable nature of land and people’s perception of it. Glen Canyon was a site of contest over human values, and those who favored radical modification of the canyon and river won out. Material changes in the landscape reflect those contending values and desires and the triumph of one vision over the other. The built landscape at Glen Canyon—like built landscapes everywhere—is the product of many choices over many years—cumulative cultural creations, products of tradition, what J. B. Jackson refers to as “a composition of man-made or man-modified spaces to serve as infrastructure or background for our collective existence.”<sup>6</sup>

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<sup>5</sup> Jim Stiles, “Let’s Drain Lake Powell,” *The Canyon Country Zephyr* (April/May 1997).

<sup>6</sup> John Brinckerhoff Jackson, *Discovering the Vernacular Landscape* (New Haven, Conn.: Yale University Press, 1984), 8.

A central strain of environmental history is to explore this historical “layering”—to read human worldviews, values, and ideas into the landscape to understand how nature shapes and alters people and, in turn, how people shape and alter nature. Environmental historians seek to understand the natural world as both actor in the drama of history and as the setting in which people act. Thus, culture develops in a dialectical relationship with nature. As Donald Worster, a leader in the field of environmental history, writes, “Environmental history . . . should think of itself as an edge field. It should put us in that complicated situation where the facts of nature and the meanings that humans attach to nature come together—interact, intermingle, conflict, contest, and influence one another.” In the same essay, speaking specifically of the Grand Canyon, Worster goes on to say:

On those plateaus a lot of cultural construction of nature has been going on. . . . And then we come to the great chasm itself, which drops away from our feet into deep evolutionary and geological time. A journey down into that chasm, I will suggest, leaves one with many questions about what we mean by history and about the role that nature has played in the construction of culture and human experience. I will argue that environmental history looks very different if you stay up on the plateau, prowling around the human structures and tourist interpretations that have accreted here, than if you plunge deep within the chasm.<sup>7</sup>

To Worster, the environmental historian’s job is to explore both angles—the way people aim to transform the landscape to their liking, but also to trace the influence of nature on people. The chapters that follow try to follow this analytical model. The human actors in this study confronted a material reality in

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<sup>7</sup> Donald Worster, “Environmental History: The View at the Grand Canyon,” <http://www.nps.gov/history/history/hisnps/NPSHistory/environmentalhistory.htm> (February 25, 2011).

the arid and rugged landscape of the Colorado Plateau that tested and reshaped them. Likewise, they attempted to impose their own vision on the land, sometimes succeeding, often not. In the twentieth century, technology enabled people to reorder the landscape on an even larger scale to give form to original visions of the land. In the Southwest, Glen Canyon Dam is the ultimate symbol of this transformation, directly facilitating the accessibility and industrialization of the Colorado River canyon country.

If how we think about the world is reflected in what we build, then looking at Glen Canyon Dam and the built environment on the Colorado Plateau reveals much about the values and expectations that operated in that region. Euro-Americans brought to the West a specific set of ideas like the irrigated garden which informed how they lived and worked on the land. To the high plateaus Mormons brought with them a curious mix of communal religious values and a capitalistic ethos that drove them to see the land as commodity and to turn it to more gainful uses. The dual ways that Mormons acted on the land reflected a kind of tension in Mormon theology. Mormon scripture variously speaks of the earth as “full” and ordained for the use of man, yet it also speaks of “stewardship” of the earth and its animals and plants and resources. Scripture evokes both entitlement and reverence. Both were at work on the plateau.

The stew of perceptions and expectations becomes richer when we consider other peoples and groups on the land. In the transition from the Old West, reliant on an extractive economy and traditional land uses like farming, ranching, and mining, to the New West of cities and tourism, the region has

become a mixing pot of values, concerns, and economic interests. On the plateau, ranchers, miners, oil and gas men, and ATVers live side by side with environmentalists and river guides. The region inspired writers, artists, and visitors to reflect on its twisted forms and exceptional landscape. Regardless of their background, people of all stripes have developed a fierce loyalty to the region, many calling it “home,” although it remains relatively sparsely populated. It is a region that attracts a number of conflicting ways that people “see” the land: the plateau country as vulnerable and compromised versus resilient and full of untapped potential; as a scenic wonderland versus a hostile desert; as wild and pristine versus inhabited and productive; as a land ordained by providence for human labor versus a land ordained by providence as a refuge for nature. Likewise, some see the remoteness of the region as a liability, while others see it as perhaps its greatest asset.

Given these contending perceptions, it should not seem surprising that the region is steeped in conflict. Perhaps this has always been so, but the rhetoric and violence suggest a constancy and intensity that give the region a particular identity. Quoting again from Donald Worster: “The post-[John Wesley] Powell history of the West has been, to a very great degree, a story of that conflict over ownership, regulation, and access to the land.” Then Worster challenged the historian: “yet even now we have not yet written an adequate account of how that conflict has unfolded or of how it has been fought on the ground from state to state.”<sup>8</sup>

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What follows is an exploration of this theme on the Colorado Plateau—a region John Wesley Powell identified as a distinct province comprising approximately 130,000 square miles and encompassing adjacent corners of Utah, Colorado, New Mexico, and Arizona. I argue that conflicts over land and access in that part of the country are endemic with identifiable root causes. Since some of the conflicts accelerated into regional—even national—debates, the plateau’s story of conflict illuminates the larger history of the West. The source of this conflict derived from a fierce attachment to place—the values, beliefs, and worldviews elicited from one’s interactions with or experiences on the land.<sup>9</sup> Multiple, competing “senses of place” reflect the different ways people think about the land. A main purpose of the study is to examine how competing visions of place contributed to how people acted on the land and vied for control of it, in addition to how the plateau country in turn shaped the cultures and conflicts that developed there.

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<sup>8</sup> Worster, “Rediscovering the West: The Legacy of John Wesley Powell,” in *Old West/New West: quo vadis?*, ed. by Gene M. Gressley (Worland, Wyo.: High Plains Pub., 1994), 118, 120-21. In the sixteen years since Worster issued that challenge, some excellent works have addressed this topic. Charles Wilkinson’s *Fire on the Plateau* is a personal and nuanced perspective of natural resource development conflicts on the Colorado Plateau with a particular emphasis on Native Americans. Jacqueline Vaughn Switzer, Philip D. Brick, and R. McGreggor Cawley have each written about the rise of opposition movements like the Sagebrush Rebellion and the Wise-Use Movement that developed largely in response to the environmental movement. Most recently, Stephen Trimble’s *Bargaining for Eden* deftly presents a look at land-use disputes in the modern American West.

<sup>9</sup> William Lang, “From Where We Are Standing: The Sense of Place and Environmental History,” *Northwest Lands, Northwest Peoples: Readings in Environmental History*, ed. by Dale D. Goble and Paul W. Hirt (Seattle: University of Washington Press, 1999), 91.

To state that conflict has become an essential characteristic of the plateau region is not to admit that compromise has not existed there or that conflict has not at times yielded salutary results. Nancy Langston argues in *Where Water and Land Meet* that conflict actually improved management in the Malheur Lake Basin in Oregon by “disrupt[ing] the hold of narrow orthodoxies on resource management.” In the 1970s environmental lawsuits and conflicts over resource use pushed managers to rethink traditional assumptions of land management. Conflict also prompted some to think deeply about their positions and assumptions, allowing a bit of light to illuminate new information and perspective.<sup>10</sup> As will be shown, however, the land-use conflicts on the Colorado Plateau did not always yield the same fruitful outcomes. Certainly, there have been a number of changed positions over the last few decades, but I am doubtful that any comparable “softening” occurred in the plateau region as it did at Malheur Lake. The plateau region was (and in many ways continues to be) embroiled in endemic, seemingly irreconcilable ideological conflicts that are directly tied to access and land use. It may be true that once-heated opposition to a particular designation such as creation of the Grand Staircase-Escalante National Monument has considerably cooled. But discontent and rage simmer near the surface. The political system has essentially failed at efforts to achieve any measure of consensus, or even to infuse civility in the debates. Many of the environmental debates confronting this region are still mired in unhealthy

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<sup>10</sup> Nancy Langston, *Where Water and Land Meet: A Western Landscape Transformed* (Seattle: University of Washington Press, 2006), 9.

stalemates dating back generations. This study is designed to examine the varying dimensions of these conflicts.

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Glen Canyon Dam may be the iconic symbol of conflict on the Colorado Plateau, but another manmade object has come to represent the essence of conflict in that region: the road. To the casual observer, this may not be immediately apparent. The ubiquity and seemingly benign presence of the road belies its rather controversial presence on the American landscape. But roads are more complicated than the binary perception of either unnatural intrusions on the landscape or benign features that serve a simple utilitarian purpose. They are physical markers on the landscape, yes, but they are also laden with deep, cultural meanings that have polarized the Colorado Plateau for over a generation.

Consider how a fresh roadcut reveals layers of rock and deep time. John McPhee aptly refers to these cuts as “windows into the world as it was in other times.” Without the layers of rock revealed by a newly cut road, geologists would not have as full a picture of deep time, in some places the only thing that reveals the naked rock. The road is, geologists tell McPhee, the stethoscope to a doctor, the x-ray to a dentist, the Rosetta stone to an Egyptologist. “We as geologists are fortunate to live in a period of great road building.” Indeed, McPhee writes, the road is a portal that reveals the bones of the landscape and their imaginations deeper into the earth.<sup>11</sup> For historians, in the same metaphorical sense roads

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<sup>11</sup> John McPhee, *Basin and Range* (New York: Farrar, Straus, and Giroux, 1980), 10-11, 33.



expose other things as well: the human interaction with nature; how people manipulate the land and the deeper, layered cultural impulses behind the manipulation; how people move across the land and for what purpose. How people move about the land, in turn, reveals human economic and political systems. Indeed, as fixed, immovable features of the landscape, roads are useful objects by which to understand how humans from a long time ago interacted with each other and their natural environment.

In the twelfth century, the ancient Chacoans built an elaborate road system in the Southwest, parts of which are still visible today. The roads ostensibly connected points aligned on a meridian. Archeologists at first believed that roads fanned out from Chaco and connected to outlying communities in the Southwest. While some scholars today believe that this was true of short roads, they now believe that in some cases roads projected out for a few kilometers then ended. These roads apparently pointed the way to the traveler's destination, although they were not built the entire distance. A seeming exception is the Great North Road—almost linking Chaco and Aztec—built over a long distance. Beginning at Pueblo Alto in Chaco Canyon, the road runs due north and then curves at Kutz Canyon. The road beyond Kutz Canyon has never been found, but archeologists are convinced it did at one time extend north to Twin Angles Pueblo, northwest to Salmon, and due north to connect to Aztec.<sup>12</sup>

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<sup>12</sup> Stephen H. Lekson, *The Chaco Meridian: Centers of Political Power in the Ancient Southwest* (Walnut Creek, Calif.: AltaMira Press, 1999), 114-117.

The Chacoans knew how to lay the roads in a straight line over long distances and, more remarkably, had the engineering capacity to construct them. The roads they built provide the shortest but, curiously, not necessarily the easiest routes to various destinations. When the Navajos centuries later built roads in the Four Corners area, for the most part they did not retrace Chaco routes—perhaps due to this detail. Stephen Lekson asks why the Chacoans would construct wide roads over rough terrain when a simple footpath over easier terrain would do. Did the roads have a purpose beyond their utilitarian value? Undoubtedly the roads were used to move goods and people, but they also seemed to be expressions of cultural and technological power and perhaps even cosmic values. The Great North Road appeared to have “connected an old place with a new place, an *emerging* place.” Aside from, or in lieu of, the road’s usual function, the road represented a monument to an earlier age and time, what John Stein and Andrew Fowler call “time bridges, symbolic umbilicals that linked one age to another.”<sup>13</sup>

As time pieces, symbolically connecting one age to another, roads as much as any other material object reveal epochal “layering.” Every modern road has an antecedent; cow trails become wagon routes which become well-traveled roads and highways. Connecting one age to another speaks to the road’s enduring presence on the landscape. Paved roads are largely permanent fixtures on the landscape, indelible markers of the human imprint—symbols of efficiency, technological prowess, and conquest. They have meaning beyond their utilitarian

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<sup>13</sup> Quoted in *Ibid.*, 117, 118, 126, 129-130.

function as objects that reveal most intimately the human relationship to land and nature—and to other people.

From one point of view, roads become anthropocentric creations apart from nature—even the antithesis of nature. Consider the contrast between rivers and roads. Rivers are constantly in motion. Their flow transforms landscapes in gradual as well as rapid increments, taking millions of years to trickle and ebb through a rock canyon or altering, leveling, even destroying earth in a matter of minutes with a rush of floodwater. The energy produced by rivers is immense, to say nothing of the energy required to channel and contain them. Roads, of course, require energy to build and serve a similar function as rivers in moving humans from point A to point B, but the similarities stop there: roads are unmoving, inorganic, and unnatural in every conceivable way. Their purpose is to resist change as much as possible.

Until modern times, rivers and roads took people along comparable paths. River waters shift with the slightest curve or grade, moving inexorably down until there is no place lower to go. And water strikes the best possible compromise between shortest distances and negotiable terrain. So, too, do roads, in the broadest sense. The natural contours of the land dictated how and where people moved on the land. As Craig Childs has written of the canyon country, “When you walk out here, you walk the places where water has gone—the canyons, the low places, and the pour-offs—because travel is too difficult against the grain of gullies or up in the rough rock outcrops.”<sup>14</sup> Not unlike early irrigation canals built

in gullies and depressions in the soil, early roads were built with an appreciation for the character and nature of the land.<sup>15</sup>

To a certain degree, that is still true of roads. Even when we think about that great human imprint, the road, it should be remembered that nature for the most part dictates how people and machines move across the landscape. Roads are built to rise and fall and turn with the landscape. Humans also historically settle in places that can support a population—where water can be channeled, where crops can be grown, where cattle can be raised. The land required a give and take; the land tempered people and dictated settlement patterns and how livelihoods would be made. But nature could always be improved upon. Humans have long sought to tame the river, for instance. Rivers cut their own channels, so that, as John Wesley Powell observed, in the high plateaus of the Colorado River basin “the whole upper portion of the basin of the Colorado is traversed by a labyrinth of these deep gorges.”<sup>16</sup> John Seelye has observed in *Beautiful Machine*, however, that “[t]he ‘proper’ channel for a river is not necessarily the one it has carved for itself. By means of canals and locks it can be guided by men along a straight and level line, thereby improving upon natural design.”<sup>17</sup> The reclamation

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<sup>14</sup> Craig Child, *The Secret Knowledge of Water: Discovering the Essence of the American Desert* (Seattle, Wash.: Sasquatch Books, 2001), xii-xiii.

<sup>15</sup> For an excellent discussion of the irrigator’s ditch following the contours of the land, see Mark Fiege, *Irrigated Eden: The Making of an Agricultural Landscape in the American West* (Seattle: University of Washington Press, 1999).

<sup>16</sup> John Wesley Powell, *The Exploration of the Colorado River and its Canyons* (New York: Dover Publications, 1961), 29-30.

movement in the West was largely about “freeing” rivers from their natural course and steering them into channels to serve human needs. Technology could also do for roads what it did for rivers: enable road builders to carve roads up, over, and through the roughest terrain on the planet.

Perhaps it is this overt intention toward the landscape—the imperialist impulse to “improve” upon nature and subdue it for human purposes—that has contributed to the dominant image of the road. This notion of roads as means and symbols of “progress” and “civilization” has been ubiquitous in American history.<sup>18</sup> Roads were and continue to be celebrated as a means of economic prosperity, contributing to the nation’s economic health and social welfare.

Thomas Jefferson argued in 1808 that surplus federal revenue ought to be used for public road and canal projects. “Shall [the revenue] lie unproductive in the public vaults,” he asked, “[o]r shall it not be appropriated to the improvement of roads,

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<sup>17</sup> John Seelye, *Beautiful Machine* (New York: Oxford University Press, 1991), 8-9.

<sup>18</sup> See Clay McShane, *Down the Asphalt Path: The Automobile and the American City* (New York: Columbia University Press, 1995); Jane Holtz Kay, *Asphalt Nation: How the Automobile Took Over America and How We Can Take It Back* (University of California Press; 1 edition, October 1, 1998); David L. Lewis and Laurence Goldstein, eds., *The Automobile and American Culture* (University of Michigan Press, 1983); James J. Flink, *The Automobile Age* (The MIT Press, 1990); Rudi Volti, *Cars and Culture: The Life Story of a Technology* (Baltimore: Johns Hopkins University Press, 2006). Phil Patton, *Open Road: A Celebration of the American Highway* (New York: Simon and Schuster, 1986), 16; Tom Lewis, *Divided Highways: Building the Interstate Highways, Transforming American Life* (New York: Viking Penguin, 1997), ix. See also John B. Rae, *The Road and the Car in American Life* (The MIT Press; 1st Edition. edition (August 15, 1971); Mark H. Rose, *Interstate: Express Highway Politics, 1939-1989* (University of Tennessee Press; Rev Sub edition, October 1990).

canals, rivers, education and other foundations of prosperity and union?”<sup>19</sup>

Indeed, at that time few could, or did, contest the moral authority of the road and other facilitators of prosperity and stability. Through the nineteenth century and into the twentieth, politicians, businessmen, poets, writers, and artists all applauded these built features and their contribution to American society. Indeed, roads became a symbol of freedom. In “Song of the Open Road,” Walt Whitman effused “Afoot and lighthearted I take to the open road, Healthy, free, the world before me, The long brown path before me leading wherever I choose.”<sup>20</sup> Most of all, roads represent the *sine qua non* of economic wealth, permitting the movement of raw materials to factories and the movement of manufactured goods to market; commerce depends on roads. In this sense, they occupy an intermediary position between pristine nature and civilization.

While this notion has been historically dominant in the United States, it was by no means singular. For some, roads represent the first blight on the landscape, both the actual physical imprint as well as the economic development that follows the building of the road. Speaking of the awesome, destructive power of the road, the social critic and public intellectual Lewis Mumford probably meant both senses when he wrote in 1963, “Perhaps our age will be known to the future historian as the age of the bulldozer and the exterminator; and in many

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<sup>19</sup> Quoted in Nathan Miller, *The Enterprise of a Free People: Aspects of Economic Development in New York State during the Canal Period, 1792-1838* (Ithaca: Cornell University Press, 1962), 30.

<sup>20</sup> Originally published in Walt Whitman, *Leaves of Grass* (Philadelphia: David McKay, 1891-92), 120-29.

parts of the country the building of a highway has about the same result upon vegetation and human structures as the passage of a tornado or the blast of an atom bomb.”<sup>21</sup> Consider for a moment the direct impacts of a road on the land. Ecologists speak of the “ecological fragmentation” that occurs as roads divide wildlife and plant communities. Unpaved rural roads present erosion hazards. Where the soil is compressed and impervious, water also erodes the soil adjacent to the road. But the erosion and pollution impacts are more severe on paved roads. Automobile leaks, road salts, chemicals, and herbicides used on roadside weeds contaminate land and water. Then there is the impact on vegetation—seeds, plants, trees—and animals. One estimate places the cumulative damage of roads to public lands in the western United States at about 100,000 square miles, an area approximately the size of Arizona.<sup>22</sup>

The blight of the road, though, goes beyond the physical impacts. Advocates for wilderness areas have always been concerned about how development follows the road. As historian Paul Sutter has argued, the founders of the modern wilderness movement aspired to protect the nation’s unspoiled,

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<sup>21</sup> Lewis Mumford, *The Highway and the City* (New York: Harcourt, Brace and World, 1963), 247.

<sup>22</sup> Howard G. Wilshire, Jane E. Nielson, and Richard W. Hazlett, *The American West at Risk: Science, Myths, and Politics of Land Abuse and Recovery* (New York: Oxford University Press, 2008), 138-40; *Killing Roads: A Citizens’ Primer on the Effects & Removal of Roads*, Produced by Earth First!, May 1, 1990, in Folder 7, Box 4, MSS 148, Papers of the Utah Chapter of the Sierra Club, Special Collections and Archives, Merrill-Cazier Library, Utah State University, Logan, Utah.

wild lands from motorized access.<sup>23</sup> The Wilderness Act of 1964 defines wilderness as “roadless” and explicitly prohibits road construction in designated wilderness areas.

These, then, are two ways of understanding roads—roads as progress and roads as exploitative. A third ambivalent position seeks a balance between the two: the road as desired but also lamented. While people value access, they bemoan the effects of modernization on the landscape. Leo Marx called it the pastoral dream, the middle landscape wherein people hoped to enjoy just the right mix of nature and artifice, wildness and technology. Marx argued that the struggle to reconcile the idea of pastoral landscape and the reality of an urbanized, industrial landscape has long been a part of the American imagination.<sup>24</sup>

In the nineteenth and early twentieth century, road builders seemed to posit that this middle landscape was possible to create. An engineer of a mid-nineteenth century railroad that would hug the western shore of the Hudson River responded to critics who feared the new rail might destroy the artistic landscape. “To a very great extent the construction of the Road will improve the appearance of the shore,” he wrote. “Rough points will be smoothed off, the irregular indentations of the bays [will] be hidden and regularity and symmetry imparted to the outline of the shore . . . adding to the interest, grandeur and beauty of the

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<sup>23</sup> See Paul Sutter, *Driven Wild: How the Fight Against Automobiles Launched the Modern Wilderness Movement* (Seattle: University of Washington Press, 2002).

<sup>24</sup> Leo Marx, *The Machine in the Garden: Technology and the Pastoral Ideal in America* (New York: Oxford University Press, 1964).



whole.”<sup>25</sup> In general, architects designed American parkways to blend seamlessly into the natural and built landscapes. These roadways reflected the democratization of the automobile and also the modernist impulse to create roads that served motorists well. But the intention was often to harmoniously blend engineering and the landscape to not dominate local tradition or defile the natural environment. As Timothy Davis writes, “parkways helped to mediate the tension between progress and nostalgia.”<sup>26</sup>

Created in the wake of the Second World War, the interstate highway system overwhelmed nostalgia because it boasted functionality, efficiency, and modernity. The new standard in the United States was modern design and utilitarian value to move masses from one point to another in the shortest distance possible. This is not to say that the graceful curves and striking vistas were eliminated in the postwar era. In William Least Heat-Moon’s best-selling book, *Blue Highways*, he documents his 13,000-mile long road trip in 1978 along back roads and to places largely untouched by the modern interstate highway.<sup>27</sup> Yet these places had become increasingly difficult to find; parkways had satisfied American demand for an integration of landscape aesthetics, traditional values,

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<sup>25</sup> Quoted in Thomas E. Rinaldi and Robert J. Yasinsac, *Hudson Valley Ruins: Forgotten Landmarks of an American Landscape* (Hanover: University Press of New England, 2006), 69-70.

<sup>26</sup> Timothy Davis, “The Rise and Decline of the American Parkway,” in *The World Beyond the Windshield: Roads and Landscapes in the United States and Europe*, ed. by Christof Mauch and Thomas Zeller (Athens: Ohio University Press, 2008), 36.

<sup>27</sup> William Least Heat-Moon, *Blue Highways: A Journey into America* (Fawcett, 1982).

and modernity, but in the postwar era it had become difficult to reconcile the competing need to showcase historical sites or local culture and also to accommodate higher speeds and heavier traffic. Eventually, engineers looked to streamline road building by forgoing scenic or recreational features.

While some roadways in the United States had been designed strictly for the purposes of aesthetics or scenery, roads constructed on the plateau tended to be more utilitarian in design. Debates in the postwar period focused on competing uses of the road. Creating roads to serve the traditional extractive economy also promised a birth of a vibrant tourist economy showcasing the region's scenic wonders. Advocates often declared that roads would bring people into their communities, promoting commerce and tourism. But the question remained of how to walk the fine line between upgrading and improving roads to encourage tourism but not to mark the communities as fly-bys for high-speed motorists. Few rural folk presumed tourism would be a panacea to the region's economic woes. In some cases, roads harmed the very communities that they were intended to serve. By isolating and disconnecting communities, new high-speed highways like I-70 actually assisted in the demise of small towns along its path. A damning argument against the proposed Book Cliffs highway was that the road would hardly bring new visitors to Vernal, Utah, and Moab, Utah, but would only siphon public funds away from direct community development.<sup>28</sup>

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<sup>28</sup> See Steven W. Lewis to Daryl Trotter, November 4, 1992, Folder 1, Box 12, MSS 200, Utah Wilderness Association Collection, Special Collections and Archives, Merrill-Cazier Library, Utah State University, Logan.

Increasingly, more people began to recognize and regret the road's role in the loss of wild landscapes. During the debates over Echo Park, the publisher Alfred Knopf had argued that roads were needed to open areas like Dinosaur National Monument to the public. Environmentalists retorted that it was precisely because of inaccessibility that the high plateau country was not overly developed.<sup>29</sup> A growing chorus contended that wild areas ought to be preserved because they represented the last remnants of primeval America. These lands ought not to be open to traditional extraction, commercial, or tourist industries. For some people, roads took on an increasingly sinister character on public lands since they facilitated clearcut logging, industrial mining, and off-road vehicle recreation. Environmentalists became ever more skeptical that the middle landscape could be preserved. "What our national parks and forests really need are not more good roads but more bad roads," said Joseph Wood Krutch. "There's nothing like a good bad dirt road to screen out the faintly interested."<sup>30</sup> At the same time, wilderness proponents began to argue that roads did not belong on many wild landscapes at all. In 1970, wilderness champion John Saylor, congressman from Pennsylvania, remarked that enjoyment of wilderness was about "putting the American citizen back on his own two, God-given feet again, in touch with nature. Let's get him away for a blessed few moments from the

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<sup>29</sup> See U.S. Department of the Interior, Bureau of Reclamation, *Essays from the Reclamation Centennial*, Vol. 2 (Denver: Government Printing Office, 2008), 837.

<sup>30</sup> Quoted in James I. McClintock, *Nature's Kindred Spirits: Aldo Leopold, Joseph Wood Krutch, Edward Abbey, Annie Dillard, and Gary Snyder* (Madison: University of Wisconsin Press, 1994), 65.

omnipresent automobile, if we can, rather than catering to what is easiest and least exerting. And let's certainly not turn every quiet wilderness pathway into a 'nature trail' for motors."<sup>31</sup> Indeed, the threat of roads provided the impetus for the preservation of wilderness. Any road could be seen as the camel's nose under the tent.

Although in 1964 the environmental movement was still in its nascence, that year two events on the Colorado Plateau set the stage for the conflicts that would follow. The Bureau of Reclamation completed Glen Canyon Dam and closed the radial gates to begin filling Lake Powell. Ironically, the same year Congress passed one of the most important environmental protection laws ever—the Wilderness Act—which created a national wilderness preservation system composed of millions of acres of the nation's "roadless" lands. By 1964, then, two divergent visions operated on the land. Each moved the land in new directions and land, history, and ideology diverged. Roads, in their own way central to each vision, took on new meanings.

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The case studies highlighted here represent some of the most contentious environmental issues in the plateau country over the last half century. The narrative begins with the arrival of Euro-Americans in the late nineteenth century in what is now southeastern Utah. San Juan country is the setting and Mormon pioneers the characters; by necessity, roads are their vehicle to settle a new land.

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<sup>31</sup> Quoted in Doug Scott, *The Enduring Wilderness: Protecting Our Natural Heritage through the Wilderness Act* (Golden, Colorado: Fulcrum, Pub., 2004), 13.

Their story prologues events to come more than a century later. Some new characters—descendants of the pioneers—enter the story, but other groups also appear, including the young adventurer and budding ethnographer Clyde Kluckhohn who presents a striking counter narrative to the Mormons' quest for progress and subjugation of the land.

Chapter 3 continues the story in San Juan County, Utah, by portraying the Manichean struggle between development and preservation through the twentieth-century life stories of Calvin Black and Edward Abbey. Using two real-life mortal foes who nevertheless respected each other does more than frame the debate; it puts a human face on a conflict often characterized as a struggle between nebulous abstract forces or ideologies. Each subsequent chapter moves from one road controversy to another—from roads in proposed wilderness areas, to the infamous Burr Trail, to a proposed highway through the Book Cliffs, to the web of roads in Utah's newest national monument. Black and Abbey continue to weave through these stories, but new characters also emerge that both disrupt and confirm the narrative structure established in Chapter 3. The organizing schema is roughly chronological; this provides the form to the larger narrative of conflict. In the end, the chapters are woven together by their association with roads, which remain the focal point, historical objects through which other themes might be revealed.

The road itself provides a fitting metaphor to describe the structure and flow of this study. The destination at the end of the road—the outcome—is no more important as the road itself—the process. The lessons to be learned from

these studies are clear, but there is no overriding outcome. In some cases, road building has irreversibly transformed the land; in other cases roads have been reclaimed by the land, either through concerted political effort or the long duration of time or both. The stories do not follow a declension model or reveal a defiled landscape. Comparing the Colorado Plateau to other distinct ecological landscapes, the land has not been radically transformed on the ecological level as, say, the Great Plains with disappearance within a century of native tall grasses and bison by the millions.<sup>32</sup> While the physical changes to the land caused by roads are also real, the actual impact of the road on not just land and ecology but society and culture is subjective. The story may be read in different ways, depending on perspective. In the epilogue, I step off the road and provide my own analysis of the road's impact and the environmental conflicts discussed in earlier chapters. The epilogue reflects back on several decades of intense conflict over access and land use in the West. In a metaphorical sense, the road had ended. Yet the epilogue does more than conclude and analyze; it also takes readers to one more specific location in the plateau country to address conflicts over ORV and ATV use which promise to endure in the West for some years to come.

These chapters are analytical case-studies situated in a particular time and place, but they are also narrative episodes that address issues pertinent beyond the canyons and plateaus of southern Utah. Each, then, is a meditation on broader themes: the role of people in "wild" landscapes, the nature of environmental

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<sup>32</sup> See Sherry L. Smith, ed., *The Future of the Southern Plains* (Norman: University of Oklahoma Press, 2003), 226.

compromise and conflict, the nature of the tourist economy, perceptions of “defiled” and “pristine” nature, and the discontents of rural communities upended by new economic realities. In this way, I venture into the realm of ideas without stepping too far from the geographic locality of my case studies. I intended to broaden the applicability of the local without reducing it to the universal. This is important because my assumption is that place matters. The curious mixture of culture, geography, and history has created a context that makes the conflicts unique. So, my intention is to highlight this peculiarity while at the same time meditate on themes that apply beyond the specific locality.

Throughout time, humans have worked and reworked the land, attempting to shape it to suit their needs and expectations. These visions have butted heads with another human impulse—to keep nature as it is. I argue that, above all, roads have become the symbols of the naturalness of a place, the yardstick by which to measure the human imprint on the land. Each paved or dirt road, each roadless area is a negotiated product of contending biases. Roads, then, tell us a great deal about how people have built and rebuilt, adjusted and adopted, and transformed the land; how thoroughly human objects like roads have blended into or contrasted against the landscape; how landscape is, as geographers tell us, a dialectic—suggesting that the form of the landscape is the product of social practices, and that form in turn reshapes those social practices. So roads are not mere tangible objects or simple carved lines, but impelling forces on the land that reflect culture as well as create it.

## PROLOGUE

### FOUNDING NARRATIVES

Like any historical narrative, this history of conflict over land use and access has beginnings. I refer to these beginnings as founding narratives—stories that possess cultural meaning by identifying a people to a place or an idea. Consider the tales about the Garden of Eden or the Abrahamic covenant: these are paradigms people use to make sense of the world. Although the following narratives are not as well known as the stories that drive the Judeo-Christian tradition, they do have symbolic significance and possess staying power to inform beliefs and worldviews, compel action, and inspire loyalty. Here I relate two paradigmatic stories—founding narratives, if you will—about the landscape and the people who encountered it. The first has become lore among the Mormons whose ancestors settled the San Juan region, the tale of the Hole-in-the-Rock expedition which in 1879 set out from Escalante, Utah, across a broken landscape to make a home “on the San Juan river, at wherever point may be deemed advisable.”<sup>1</sup> The second is a counter narrative of young Clyde Kluckhohn, who in the 1920s sought adventure, wonder, and sublimity in the same desert country traversed by the Mormons a generation before, and whose story (literally and figuratively) intersected with the Mormon narrative in surprising and intriguing

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<sup>1</sup> This was the original directive of the San Juan Mission, or Hole-in-the-Rock expedition, as it was later called. See David E. Miller, *Hole-in-the-Rock: An Epic in the Colonization of the Great American West* (Salt Lake City, University of Utah Press, 1959), 14. I rely on Miller’s account in my retelling of the Hole-in-the-Rock trek.



ways. Although distant in time to modern debates over public land use and access, the symbolic and cultural power of these two opposing narratives help frame the debate about human's place on the land and responsibility to it and also help inform the land ethic and perspective that directly developed in their wake.

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For over four hundred years since Garcia Lopez de Cardenas became the first European to see the Rio Colorado (the red or colored river) near the Grand Canyon, the plateau region of southern Utah and northern Arizona had become, in the words of historian Donald Worster, "a part of the European and American imagination."<sup>2</sup> It was mostly a region of the mind, since few Europeans prior to the nineteenth century did more than peer in from the peripheries. Native Americans, of course, had made their home there, but before the Mormon party in 1879, relatively few explorers, missionaries and traders had penetrated deeply into the region which is now southeastern Utah. Indeed, the Mormons intent on establishing settlements along the San Juan River and in the greater Four Corner's region knew nearly as little about the place as had the visitors who had preceded them.

The first task of the newly "called" Mormons was to settle on the precise route to the San Juan country. The party had considered taking a southern route, and an advance party had been organized to travel from the jumping off point at Paragonah, not far north of Cedar City in southwestern Utah, through northern

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<sup>2</sup> Donald Worster, *A River Running West: The Life of John Wesley Powell* (Oxford University Press), 128.

Arizona and Navajo Country and into the San Juan River region from the south. But that party determined that the route was too dry and the distances between water too great to be feasible for a party of several hundred men, women, and children traveling in covered wagons. Moreover, the threat of Indian attack prompted them to find another route—the advance party’s northern return route along the well-worn Old Spanish Trail through central Utah. This route avoided the broken canyons of southern Utah and land thought to be hostile through northern Arizona, but the Old Spanish Trail (famously dubbed “the longest, crookedest, toughest pack trail” in North America) was still dangerous and arduous for Mexican traders carrying goods and slaves to California.<sup>3</sup> The advance party in charge of finding a suitable passage for wagons for the San Juan Mission considered this route to be too long to take before the onset of winter.<sup>4</sup>

So instead of taking either the southern or the northern routes, Silas S. Smith, leader designate of the Hole-in-the-Rock expedition, selected a more direct route along the 37th parallel through Glen Canyon and the region bounded by the Colorado and San Juan rivers. The settlers, he announced, would travel southeast from Escalante, through the Escalante desert, to the rim of the Colorado River where locals Andrew P. Schow and Reuben Collett had located a two-foot-wide notch—a natural break in the canyon wall that allowed a descent to the river, giving the expedition the name Hole-in-the-Rock—at the western rim of the

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<sup>3</sup> William B. Smart, *Old Utah Trails* (Salt Lake City: Utah Geographic Series, Inc., 1988), 42-51.

<sup>4</sup> Miller, *Hole-in-the-Rock*, 17-30.

Colorado River. Based on Schow and Collett's recommendation, Smith figured the notch could be widened to allow passage of wagons and horses. The plan was to descend to the river, cross it, and forge a trail eastward. What was beyond the other side of the Colorado no one knew for certain; Schow and Collett had explored only "a short distance," probably up Cottonwood Canyon. They never did reach the end of the canyon to catch a glimpse of the rough and broken country beyond Grey Mesa and the Red House Cliffs. Instead, they returned and reported favorably on the route they had located.<sup>5</sup>

On the strength of that report, and possibly that of Charles Hall, another explorer credited with locating a route to the river and beyond, settlers rendezvoused at Escalante in the fall of 1879. It had taken some settlers four weeks to reach the town of Escalante from their homes in southern and central Utah, but thus far the trek had passed through a familiar landscape that had recently been settled.<sup>6</sup> With their provisions already dwindling, the settlers bought what they could in Escalante and continued forty miles southeast to Forty-Mile Spring where the grasslands could accommodate their large number of cattle. Almost immediately they found that their chosen route would take much longer than original expected. The road's condition became the perennial concern. Not far from Escalante the party reached a point on the rim overlooking the country that lay ahead, "and as far as we can see east and south the country looks very

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<sup>5</sup> Ibid., 34-42.

<sup>6</sup> Wallace Stegner, *Beyond the Hundredth Meridian: John Wesley Powell and the Second Opening of the West* (Boston: Houghton-Mifflin, 1954), 161.

rough and broken.” Platte D. Lyman, a leader of the company and diarist, noted the condition of the “road.” On November 21 it was “a soft sandy road,” and three days later a “very heavy road,” probably meaning the route was rough and difficult to traverse.<sup>7</sup> As they wove in and out of sand-and-rock washes, the party of men, women, and children encountered a landscape not entirely similar to the desert homes they had left behind. Neither would be the broken country that lay ahead.

As the main company traveled in a southeasterly direction, a small exploring party moved ahead to locate the precise route into the San Juan region. From Forty-Mile Spring, four men reached the notch at the rim and, with no rope in tow, lowered each other over the ledge using blankets. Building on the path forged by Schow and Collett, the party penetrated deeper into the canyon maze—traveling ten miles in six days—but located no obvious route to build a road. Meanwhile, a second exploring party hoped to find an alternative route via the Colorado and San Juan rivers. Seven of the thirteen men in the party started down the Colorado in a boat that they had lowered down to the river but shortly returned to camp, having encountered “rapids” in Glen Canyon. The men traveled southeast across box canyons, draws, and gulches to the San Juan region.<sup>8</sup> Lyman recorded, “The country here is almost entirely solid sand rock, high hills and

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<sup>7</sup> Journal of Platte D. Lyman, November 4, 21, and 24, 1879, in Miller, *Hole-in-the-Rock*, 160-161.

<sup>8</sup> *Ibid.*, 59.

mountains cut all to pieces by deep gulches which are in many places altogether impassable. It is certainly the worst country I ever saw.”<sup>9</sup>

The attempts to locate a feasible wagon route to the San Juan country had failed. The dire prospects now facing the company were not lost on the men who had not only experienced what it would take to descend to the Colorado River but had glanced out to the vast and daunting region beyond the river to the east. Even before seeing that country up close Lyman felt that “the prospect is rather discouraging”<sup>10</sup>; afterward he almost certainly expected to abandon the mission.

When the party returned to the main camp, they called back the men



2. Platte D. Lyman, Mormon leader of the Hole-in-the-Rock party. In his diary on December 1, 1879, he wrote, “The country here is almost entirely solid sand rock, high hills and mountains cut all to pieces by deep gulches which are in many places altogether impassable. It is the certainly the worst country I ever saw, some of our party are of the opinion that a road could be made if plenty of money was furnished but most of us are satisfied that there is no use of this company undertaking to get through to the San Juan this way.” Courtesy Utah State Historical Society.

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<sup>9</sup> Journal of Platte D. Lyman, December 1, 1879, in *ibid.*, 163.

<sup>10</sup> Journal of Platte D. Lyman, November 27, 1879, in *ibid.*, 162.

working on the road from Forty-Mile to Fifty-Mile Spring and, at a conference, gave the dire report. The consensus, minus one—the ardent George B. Hobbs—was that a road could not be built. Nevertheless, the decision of whether to abort the mission rested with Silas S. Smith, who in a restless night weighed the options and the following day reported, in an improbable verdict, that they would continue moving forward. The country was broken but not impassable. The party had invested too much, traveled too far over too many difficult rocks, and the cattle had eaten too much of the grass along the route to turn back now. Besides, even if they did return, the members of the party had sold their homes and farms. Moreover, the town of Escalante was ill-equipped to support the whole company and livestock through the winter. Unanimously, the company sustained Smith's decision.<sup>11</sup>

The company's task would be to build a road so that others would follow. In other words, they set out not merely to traverse the terrain but to establish a permanent route into southeastern Utah. It is curious to consider why they felt it necessary to build it on this trip—why not send men back to do it after having a better idea of the route? Perhaps the main reason was that sections of the route like the notch at the rim of Glen Canyon could not be used without some road work. The other answer is that they believed they had the requisite man-power to do it now. In any case, the task of building the road was all consuming, requiring large amounts of labor and supplies. In fact, in mid-December Silas Smith left his company for what he hoped would be no more than three weeks to get additional

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<sup>11</sup> Ibid., 63-66.

gun powder and supplies, and to convince the territorial legislature to appropriate money for the road construction. (His absence, in fact, lasted nearly five months, and news of the \$5,000 appropriation did not reach the settlers until after they had reached their destination.) Lyman, acting company leader, put men to work on the road and sent out yet another advance party “to the San Juan if it is possible to get through.”<sup>12</sup> This time the advance party did press through, northeasterly forty miles to Clay Hill Pass, another forty miles to Grand Gulch, then to Comb Wash, following a Navajo trail over Comb Ridge. The party reached Montezuma Creek after traveling twelve days with eight days’ worth of provisions.<sup>13</sup>

Meanwhile, the main party reached the canyon rim of the Colorado River, and men began work to widen the two-foot notch through which 250 people with 82 wagons and their livestock would eventually begin a two-thousand-foot vertical descent to the river. The men used what little powder they had to widen the slit and smooth the forty-five-degree grade. A second crew labored to carve a road through loose boulders and steep grades the remaining way to the river, totalling nearly a mile. A formidable obstacle in their descent was a solid wall of sandstone on the left. Using powder and chisels, the men blasted out a shelf for the left-side wheels, and, a few feet below, holes for oak stakes to be covered by poles and rock. They called this section of the road “Uncle Ben’s Dugway” after

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<sup>12</sup> Journal of Platte D. Lyman, December 17, 1879, in *ibid.*, 164.

<sup>13</sup> *Ibid.*, 83-91.

the man who designed it. It was a marvel if not extremely perilous—a road literally suspended on a near-vertical cliff wall.<sup>14</sup>

The treacherous descent from the canyon's rim to the river, for which the expedition is best known, took place over two harrowing days in January 1880. The first day forty wagons made the descent, and forty-two the next day, with no loss of life or serious injury. At the Colorado, the wagons forded the river in a ferry built by Charles Hall and continued up the opposite cliffs over a road built by a third crew.<sup>15</sup> Elizabeth (Lizzie) Decker's description of the ordeal is worth quoting in full:

We crossed the river on the 1st of Feb. all safe; was not half as scared as we thought we'd be, it was the easiest part of our journey. Coming down the hole in the rock to get to the river was ten times as bad. If you ever come this way it will scare you to death to look down it. It is about a mile from the top down to the river and it is almost strait down, the cliffs on each side are five hundred ft. high and there is just room enough for a wagon to go down. It nearly scared me to death. The first wagon I saw go down they put the brake on and rough locked the hind wheels and had a big rope fastened to the wagon and about ten men holding back on it and then they went down like they would smash everything. I'll never forget that day. When we was walking down [to the river] Willie looked back and cried and asked me how we would get back home.<sup>16</sup>

What remained of the journey was over 100 more miles and more than three months of labor to traverse what Lyman considered "impassable" country. The company regrouped and repaired damaged wagons in Cottonwood Wash while men resumed work on the road up the cliffs out of the wash—in many ways

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<sup>14</sup> Ibid., 96-97.

<sup>15</sup> Ibid., 101-117.

<sup>16</sup> L. Decker to Harrys Slideoff, February 22, 1880, in *ibid.*, 197.



repeating the Hole-in-the-Rock episode. Lyman wrote rather tersely that for several days they had been “building [the] road over and through solid rock.” Beyond Cottonwood Wash, the land became “smoother and more open and looks much better,” although Lyman’s diary continues to be sprinkled with references to “rough,” “rocky,” and “sandy” conditions.<sup>17</sup> Writing home to her parents from Grey Mesa, Elizabeth Decker had difficulty describing the land: “It’s the roughest country you or anybody else ever seen; it’s nothing in the world but rocks and holes, hills and hollows.”<sup>18</sup> For weeks the company inched forward, in wintry conditions, over rock and sand encrusted with mud and snow. They traveled in a northeasterly direction from Grey Mesa over Slick Rocks (“the mountains are just one solid rock as smooth as an apple”<sup>19</sup>), to Lake Pagahrit (a natural lake and dam formed in Lake Canyon), and down Clay Hill (the only passage through the Red House Cliffs). From Clay Hill, the company caught a good view of the country, but the route could not be direct: the road would arc northeast around Grand Gulch, then southeast to Comb Wash. The company would then have to follow the wash south to the San Juan River owing to the north-south Comb Ridge, a rocky escarpment rising 1000 feet above the wash that afforded no possible passage for teams and wagons. They would then follow the course of the river around Comb Ridge to their destination.

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<sup>17</sup> Journal of Platte D. Lyman, February 9, 17 and 18, 1880, in *ibid.*, 166-167.

<sup>18</sup> Decker to Slideoff, February 22, 1880, in *ibid.*, 197.

<sup>19</sup> Decker to Slideoff, February 22, 1880, in *ibid.*

But there was an unforeseen hitch to this plan, for Comb Ridge ended abruptly at the water's edge. Where they hoped to skirt the ridge along the river, that route proved impassable owing to the sheer cliffs that hung its banks. The only conceivable route was a scramble straight up the rocky face of the nose of Comb Ridge—what the settlers called San Juan Hill. Their earlier passage through Hole-in-the-Rock had certainly been treacherous, but after 170 miles building a road over rock, in canyon gorges, and through thick stands of pinyon-juniper, the imminent pull up San Juan Hill to Comb Ridge must have seemed absurdly insurmountable.

As they had at Hole-in-the-Rock, Cottonwood Canyon, and Clay Hill, the company built a dugway, this time a full mile up the slope, with what little powder and willpower remained. That took an arduous ten days. Then came the grueling ordeal of slowly shuttling teams and wagons up the slope. On April 3 they advanced three miles, the next day four along the ridge's precipice. At last, the following day they arrived, ragged and depleted, at the site of Bluff. An unknown member of the party inscribed the words "We Thank Thee Oh God" on San Juan Hill. Beyond that, no one else wrote much of what transpired at Comb Ridge's summit, where—met with a breathtaking view of miles upon miles—the beleaguered pioneers caught a first glimpse of their new home.<sup>20</sup>

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What can we glean from the Hole-in-the-Rock story? In southeastern Utah, the chronicle is etched in the Mormon consciousness as deeply as the Mormon Trail,

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<sup>20</sup> Ibid., 136-137.

creating what historian Charles Peterson called the “Hole-in-the-Rock mystique.”<sup>21</sup> The overland trek lasted six grueling months through utterly remote and wild country, and for what purpose? Seemingly to buffer the outer edges of their territory by establishing a Mormon base in the Four Corners region and to extend a religious reach by establishing friendly relations with American Indians sparsely populated there. Mormons memorialize the trek as a story of physical and spiritual redemption, of forebears dutifully responding to their prophet’s call to bring light, order, community, and God to the wilderness.<sup>22</sup> Historian Samuel Schmieding sets the story of the Hole-in-the-Rock expedition in the context of the Mormon quest for a “physical Zion representing God’s kingdom on earth.” “[F]or the residents of San Juan County and Mormon society in general, the Hole-in-the-Rock tale was a powerful narrative that provided proof of their divine purpose at a time when the Mormon heroic age was blending into the mundane realities of post-frontier life,” he writes. “The slick rock country provided a forum for continuation of the hero’s trial.”<sup>23</sup>

Yet other meanings might also be culled that are neither celebratory nor heroic. Consider what these “pioneers” endured as they stubbornly and persistently attempted to conquer a landscape that was decidedly unconquerable.

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<sup>21</sup> Charles S. Peterson, *Look to the Mountains: Southeastern Utah and the La Sal National Forest* (Provo, Utah: Brigham Young University Press, 1975), 53.

<sup>22</sup> “Second Annual Trip to Hole-in-the-Rock Written for the Record,” *San Juan Record*, October 2, 1941.

<sup>23</sup> Samuel Joseph Schmieding, “Visions of a Sculptured Paradise: The Colorado Plateau as American Sacred Space” (Ph.D. dissertation, Arizona State University, 2002), 330.

These folks deemed that the land was destined to be tamed, that their duty to God was to make straight the crooked path, and that their efforts in the cause were heroic. The residue of the carved road in that impenetrable country is physical evidence of their unquestioning faith in human ingenuity to subdue the land and make it useful to humans. Braving a “wilderness of sand and rock” meant negotiating slick sandstone mountains, canyon gorges, deep sand, and “a treacherous river.” The story of the trek is etched tangibly on the land along the trail—at Hole-in-the-Rock, Cottonwood Canyon, Slickrock, Comb Ridge, and elsewhere. Another physical sign of the strain the land had demanded of the unsuspecting pioneers is the site of Bluff itself. The company stopped short of their intended destination, Montezuma, and founded Bluff at the base of Comb Ridge—not for its desirability but because, in the words of one, “I was so tired and sore that I had no desire to be any place except where I was.”<sup>24</sup>

Indeed, the real danger of the San Juan mission turned out not to be Indians or cattlemen from Colorado, as originally feared. Nature itself proved the most formidable adversary. On the trail, torrential rains mired wagon teams in deep muddy sand. Broken terrain presented almost insurmountable barriers to movement. Then once in Bluff, the company faced a new set of challenges: perennial flooding of the San Juan River, poor soil, and isolation. In fact, the Mormon pioneers never successfully irrigated and farmed in this country; not until they turned from farming to ranching did they prosper on the land. But the settlements they founded—Bluff, Blanding, and Monticello—were tenuous.

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<sup>24</sup> Quoted in Miller, *Hole-in-the-Rock*, 140.

The route forged by the Hole-in-the-Rock crew could hardly be called a road, but that is indeed what the settlers imagined they were making—a permanent, two-way road. Incredibly, for over a year some settlers continued to use that trail. Lewellyn Harris, a Mormon missionary to Mexico, used the route in early 1880. Members of the original company, including Lyman, made a return trip in April 1880, covering in eight days what originally took four months to travel.<sup>25</sup> Surveyors for the Denver & Rio Grande Railroad briefly considered running a line through the San Juan country, along the Hole-in-the-Rock route, but came to their senses, “knowing the country to be impracticable between the San Juan & Colorado.”<sup>26</sup> Like the railway, the San Juan settlers looked for new transportation links. Platte Lyman recommended a new road that would cross the river near the Henry Mountains. Not quite a year to the day Bluff was founded, Lyman noted in his diary that “a new road is being made from Escalante Creek to the Colorado River at a point five miles above the mouth of Lake Wash, at which place Brother hall [Charles Hall] has located his ferry, having moved his boat up from Hole-in-the-Rock, which is an abandonment of that road.”<sup>27</sup> The route to Hall’s Crossing (now Highway 276) became the new east–west link before yet another route further north at Hite’s Ferry replaced it.

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<sup>25</sup> Ibid., 178.

<sup>26</sup> Denver & Rio Grande report by B. D. Cutchlow, Preliminary survey – Farmington to Escalante, 1880-1881, April 13, 1881, in Folder 11, Box 316, Geographical Section, Otis R. Marston Manuscript Collection, Huntington Library, San Marino, California.

<sup>27</sup> Quoted in Cornelia Perkins, Marian Nielson, and Lenora Jones, *Saga of the San Juan* (San Juan County Daughters of Utah Pioneers, 1957), 78.

The original pioneer-carved road is still there to be traversed in parts by foot, horse, jeep, or, for reenactment, wagon. The sweat, fatigue, and wonder of that first journey produced a powerful founding narrative that continues to give purpose and direction to San Juan residents. It is a cautionary tale. The narrative certainly represents the indomitable spirit of industry and sacrifice, of humankind's struggle to tame nature and create a society in a most inhospitable place. No one died on the Hole-in-the-Rock trail except for a stillborn baby, and the new inhabitants did build lasting though tenuous settlements in the San Juan country. That the settlers could celebrate with pride. Yet the settlers and their descendents could not have mistaken the other lessons of the trek—of coming face to face with a harsh land and very nearly being repelled by it. Of his father, Lemuel Redd, who as a young man participated in the Hole-in-the-Rock expedition, Charlie Redd said, "My father was a strong man, and reluctant to display emotion; but whenever in later years the full pathos of San Juan Hill was recalled either by himself or by someone else, the memory of such bitter struggles was too much for him and he wept."<sup>28</sup>

The struggle of the trail and of settling an unfamiliar landscape contributed to the Mormons' abiding connection to the land. For most settlers, the San Juan country was disappointing. James Davis wrote, "I very much liked the look of the country, but my wife felt that we were isolated from all civilization and was very down hearted."<sup>29</sup> George W. Decker, at the time a young

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<sup>28</sup> Miller, *Hole-in-the-Rock*, 138, 140.



3. Reenactment of the Hole-in-the-Rock expedition, 1971. This view is looking northwest with the cleft in the Hole-in-the Rock in the background. Photo by Robert Clayton. Courtesy Utah State Historical Society.

man of fifteen years, remembered it as “the most rugged gorge, the most tempestuous river, the loneliest and most frightening country I have ever seen.” Yet the toil and sheer work involved in settling the country acquainted them and attached them to the land, probably in the same way that indigenous people felt a similar knowledge of and attachment to the land. Speaking of the Hole-in-the-

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<sup>29</sup> Excerpts from the History of the Life of James Davis, in *ibid.*, 156.

Rock, Decker remarked more than sixty years later that “to all that company of pioneers, it certainly is hallowed ground.”<sup>30</sup> Perhaps also was the entire road they had built. For six months they labored on it. Then they set to work immediately to build a city in the desert, transforming with technology, ingenuity, perseverance, and faith the raw natural products of the land to serve human needs. The work that set the course for the original settlers and generations that followed is also the story that defines the advance of western culture. Their labor on the land imbued their new home with meaning. And the settlers believed they *belonged* there. Of course, they were not the first to lay down roots in that region—Native Americans called the San Juan region home long before the Mormons arrived—but the Mormons’ conquest theology put them in the center of the narrative.

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The Hole-in-the-Rock story is one of the founding narratives told about the settlement of southeastern Utah. There are, of course, other narratives of a very different sort that both converge and sharply diverge from Hole-in-the-Rock, and perhaps none so well as Clyde Kluckhohn’s journey to the top of Wild Horse Mesa.<sup>31</sup>

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<sup>30</sup> Transcript of George W. Decker’s Speech at Hole-in-the-Rock, 1941, in *ibid.*, 200-203.

<sup>31</sup> I am indebted to Paul Nelson, author of “Utah’s Canyon Country: Hope and Experience Approach an American Desert, 1500-1936” (Ph.D. dissertation, Southern Methodist University, 2009), for pointing out to me the possibility that Kluckhohn’s travels represented an alternative to the Hole-in-the-Rock expedition. Clyde Kluckhohn first published *To the Foot of the Rainbow: A Tale of Twenty-five Hundred Miles of Wandering on Horseback Through the Southwest Enchanted Land* (originally published New York: Century Co., 1927;



Kluckhohn is best known as a preeminent anthropologist at Harvard University, but his acclaimed academic life was still in the future when as a young man he embarked on several adventures into the backcountry of the American Southwest. Kluckhohn was born in 1905 in Le Mars, Iowa. Still a teenager, he began studies at Princeton University but ill health compelled him to take a break from formal education and to move to a ranch in New Mexico for recovery. There he first became acquainted with the Navajo culture and language, for which he would later become famous, and with the broken and wild deserts of the Southwest. For several years he and his young college companions and Navajo guides journeyed into some of the most uninhabitable terrain on the planet. Kluckhohn successively attempted to penetrate ever deeper into that “enchanted” country. His journeys took him to Navajo Mountain, one of four sacred mountains of the Navajo and described by Charles Bernheimer as “massive and majestic, the commanding, long-distant object of this region. It fascinates, it hypnotizes, for the eye is constantly drawn toward it.”<sup>32</sup> The main attraction in Kluckhohn’s imagination, however, was not Navajo Mountain, or even Rainbow Bridge, recently “discovered” in 1909 and frequent destination for tourist outback treks, still further north. Instead, he set his sights on an imposing geologic formation on

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Albuquerque: University of New Mexico Press, 1992). His account of finally reaching the top of Wild Horse Mesa is found in *Beyond the Rainbow* (Boston: Christopher Publishing House, 1933), now out of print. A biography of Kluckhohn is in National Academy of Sciences, *Biographical Memoirs*, Vol. 37 (1964). For an overall view of Kluckhohn’s work, see the posthumous volume *Culture and Behavior: The Collected Essays of Clyde Kluckhohn* (Free Press, 1962), edited by his son, Richard Kluckhohn.

<sup>32</sup> Quoted in Frederick H. Swanson, *Dave Rust: A Life in the Canyons* (Salt Lake City: University of Utah Press, 2007), 134.

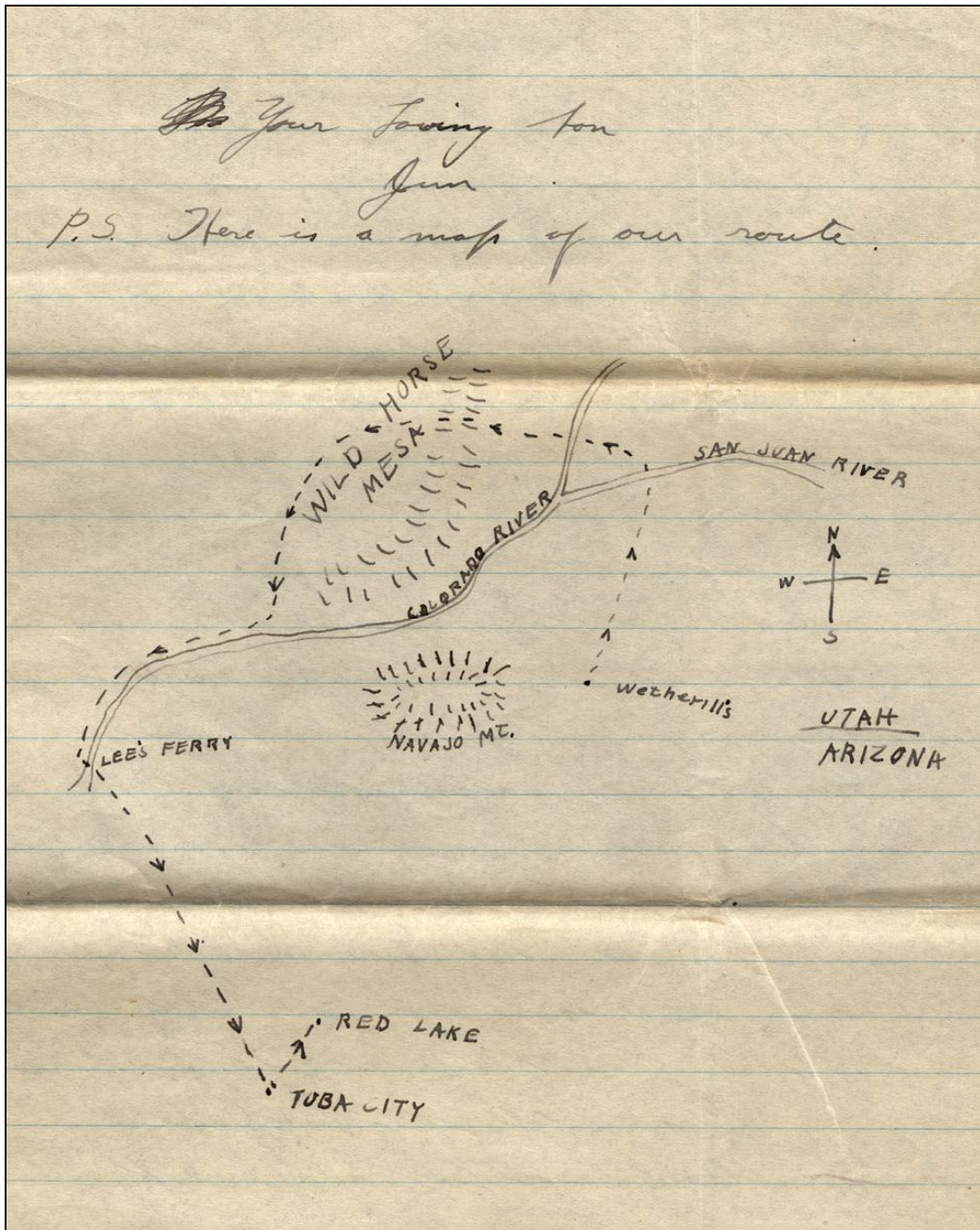
the opposite side of the Colorado River. Apparently, it was primarily the mystery and lore associated with a certain mesa and the potential of discovery—not merely the sight or size of it—that attracted Kluckhohn’s attention. In 1922, “one of John Wetherill’s cowpuncher-guides,” pointing off into the distance, told Kluckhohn that “when you get on top of that little rise where you’ll find your last Navajo *hogan*, look off to the north and west and you’ll see a big high mesa stretch’ back a hundred miles into Utah. It’s way over across the San Juan and Colorado, way beyond Rainbow Bridge, and they say no white man’s ever been on it. Zane Grey tried to get there this last year, but the river was too high, and he didn’t make it. Some people say he believes there’s Mormon villages of ‘sealed wives’ on top of it, but I can tell you there ain’t nothing to that. Nobody could ever get on top of that mesa.”<sup>33</sup>

The massive landform that gripped Kluckhohn’s imagination was Wild Horse Mesa. Its geologic name is Kaiparowits Plateau; the Mormons referred to it as Fifty-Mile Mountain. Feeling “an imperative call to adventure” on that “huge tableland,” Kluckhohn led several parties in an attempt to reach the top of the mesa between 1927 and 1929. William Gernon, James Hanks, Nelson Hagan, and Lauriston Sharp—all young, former college friends—joined Kluckhohn as members of the Kaiparowitz Plateau Reconnaissance Expedition in 1928—although Gernon and Hagan later backed out over differences with Kluckhohn’s leadership shortly into the expedition. The young compatriots kept a record and

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<sup>33</sup> Kluckhohn, *Beyond the Rainbow*, 13-14.

took photographs. In the spirit of scientific advancement, they noted the land and Indian artifacts, creating a map and a key to the geography and archaeological



4. James Hanks, member of Kluckhohn's Kaiparowits Plateau Reconnaissance Expedition, hand-sketches this map of his projected 1928 route to the top of Wild Horse Mesa. Courtesy Northern Arizona University.

sites on the mesa. But above all, the trek was a first-rate adventure. In a letter to his mother written the night before starting out from the Wetherill's trading post, Hanks could not contain his excitement. "All last summer, and so far this summer we have climbed every hill we came to, to get a look of 'the country beyond.' Now that we are really headed for it and will soon be there, where none have ever gone before, I can not tell you how I feel. I suppose it is hard for you to realize, but boys get such a kick out of going."<sup>34</sup>

While Kluckhohn likewise attributed his sense of adventure to his youth, he also believed that the impulse to explore the unknown and the wild was uniquely American. He subscribed to that notion propounded by that "flourishing school of historians" that the "Frontier has been the predominant influence in the shaping of American character and culture." Kluckhohn wrote from a Euro-centric viewpoint in flourishes that resembled (maybe even mimicked) Frederick Jackson Turner himself—of "restless, unanchored" Americans moving ever westward, encountering "a sometimes pitiless and terrible land," and of "the terrible struggle for survival against the Indian and against the land itself." This constant process of westward expansion produced in Americans "a certain freedom, a flexibility in our thinking and a vigor and independence in action" that civilized western Europeans no longer possess. "We share, to be sure, in all the splendid achievements of Western Europe because we have a common ancestry alike in blood and in ideas with the men of Western Europe, but we share more

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<sup>34</sup> James Hanks to "Mother" [Mrs. Stanley Hanks], July 23, 1928, James J. Hanks Collection, The Cline Library Digital Archives, Northern Arizona University, Flagstaff.

distantly, more and more differently.” Kluckhohn attributed his own “craving for the distant and unknown” to the larger American tradition.<sup>35</sup>

In a sense, then, Kluckhohn folded his own wilderness adventures into the larger Turnerian conquest narrative. But his story also diverged from the Turnerian narrative in important and crucial ways. Kluckhohn did not share with the Mormons the notion of “conquering” place, or imposing a certain worldview on to the land. This is not to say that his travels into unknown regions did not produce apprehension—in his writings, Kluckhohn refers to the land as “savage,” “ruthless,” “unfriendly,” and “forbidding”—but he also perceived something that perhaps the Mormons did not, or at least did not care to mention. The land was “ruthless,” he writes, “as well as magnificent.” Kluckhohn’s companion, James Hanks, wrote that far from being something “frightening,” it was a “mere pleasure” to trek into that wild and untrammelled landscape.<sup>36</sup> Kluckhohn and his compatriots welcomed the challenges of encountering a wild landscape. In fact, they rejoiced in it: “We rejoiced that there were yet regions uncrossed by trail where one would be able to travel days or weeks without meeting even a wandering Indian. We rejoiced that the fine isolation of the Mesa was all but impregnably guarded, on the south at least, by the rock-bound courses of two powerful treacherous rivers. All the American blood in us was glad for this fierce

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<sup>35</sup> Kluckhohn, *Beyond the Rainbow*, 15-17.

<sup>36</sup> Hanks to “Mother,” June 22, 1928, James J. Hanks Collection.

landscape, for this land stretched out in utter solitude, for this last considerable frontier.”<sup>37</sup>

It may be that, upon reflection, Kluckhohn “rejoiced” upon encountering such a “fierce landscape,” but his actual journey to Wild Horse Mesa was dangerous and in some cases harrowing. From Rainbow Bridge, the party traveled to Surprise Valley and then to Ben Wetherill’s trading post. After joining a Navajo guide by the name of Hosteen Dogi, they traveled north to the San Juan River, then westward to cross the Colorado River. From there, they would attempt to scale the ever elusive mesa, the prize of their journey.

At the San Juan River, the party’s horses struggled and nearly sank in the wet sand, soaking the men’s supply. On the north side of the river, the men followed “an old Indian trail” out of San Juan Canyon, where they then observed “that savage world of rock.” They moved westward toward the Colorado River. Kluckhohn reveled in both the immensity and the intimacy of the landscape. “Its charm lies in its vastness, its very silence, its freedom from human intercourse. Round every corner one hopes to discover a new rock, bridge or a mighty house of the dead.” Occasionally, they stumbled upon “a lovely oasis” at the head of a side canyon, where they would lapse into “a pleasant lethargy.” About a day’s journey from the Colorado River, the men came upon something extraordinary and totally unexpected: Dogi “showed us clear evidence of trail building of a type that Indians would never have done. We faintly remembered a story of Mormons coming down from central Utah and making a bold way over the Colorado to the

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<sup>37</sup> Kluckhohn, *Beyond the Rainbow*, 14-15.

founding of Bluff and other settlements east on the San Juan.” The next morning, the men spotted canyon walls cut by the Colorado and “the rock window which gave Hole-in-the-Rock its name.”<sup>38</sup>

In his account, Kluckhohn spends some time describing the river crossings. Members of the party apparently expected crossing the Colorado to be rather uneventful, particularly compared to years’ past. In an early letter, James Hanks assured his “anxious” mother that an Indian guide would “take us to the Colorado and across,” and that “since the river is at present very low, and there is an iron boat to row us across everything is rosy.”<sup>39</sup> Kluckhohn, however, provides a harrowing and perhaps slightly embellished account of the Colorado crossing. Finding the river much swifter than they anticipated, Kluckhohn and Hanks rowed the “tattered, torn, and patched” metal boat furiously to get to the other side. Then, realizing the animals would not swim across without persuasion, rowed back. The sun and heat, trapped within the canyon walls, were intense. They finally forced the horses and “the even less enthusiastic mules” into the river. At last on the other side, the animals “stood there shivering and motionless, dripping, panting, terrified, exhausted.” The next day the boat made seven more crossings until all the supplies had been moved, but each time the current swept the boat downstream, and each time the men arduously towed it back up the river.<sup>40</sup>

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<sup>38</sup> Ibid., 182-183.

<sup>39</sup> Hanks to “Mother,” July 23, 1928, James J. Hanks Collection.

<sup>40</sup> Kluckhohn, *Beyond the Rainbow*, 183-188.

In the ascent up the canyon walls, the men and animals scabbled up the various grades, essentially following the route forged by the Mormon pioneers from their descent of Hole-in-the-Rock. They even found an old pickaxe and part of a wagon wheel that had belonged to them. Kluckhohn notes that along a section of the route “the footholds chipped in the rock by our Mormon friends” made passage possible. Seeing these markings in the rock again caused Kluckhohn to turn his thoughts to the Hole-in-the-Rock settlers. “Building a ‘road’ over the rocks was a matter of unending labor with pickaxe and black powder, unending labor over long months. Only the ecstasy of a new religion could have given them the courage to abide in this frightening world, faced always by the possibility of attack from hostile Indians.” Kluckhohn seems to have bought into the heroic telling of that journey; to him, as to Bluff residents who told the “tales of heroic men and fearless women,” it represented an epic undertaking in a “hostile” world. Yet for all his rhapsodic praise, Kluckhohn did not so much celebrate the settling of the San Juan but the incredible trek through what he called “this frightening world.” Kluckhohn preferred the country to remain unsettled, unpeopled; it was the isolation that intrigued him most.<sup>41</sup>

Upon reaching the top of the canyon at Hole-in-the-Rock, the mesa came into view, and “[o]ur hearts leaped up,” Kluckhohn writes. The men slept at the foot of Wild Horse Mesa and in the morning began the ascent. They had no problem reaching the second bench where they admired the “queer obelisks of clay with huge rock boulders perched on top of them” that from a distance had

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<sup>41</sup> Ibid., 188-191.



resembled Stonehenge or Druid Alters. The difficulty lay in finding a passage up the mesa's rim. Like the pioneers seeking a break in the canyon walls to



5. Looking westward toward the Kaiparowits Plateau. This photo was taken shortly after Kluckhohn and his party had scaled the walls of Glen Canyon, emerging through Hole-in-the-Rock. Courtesy Northern Arizona University. James Hanks wrote his sister, "I suppose that you can get some idea of it [the land] from the pictures, but the colors which you do not see, make the country far more beautiful." (Hanks to his sister Mrs. Arthur Mailer, July 3, 1928, James J. Hanks Collection, Cline Library, Northern Arizona University).

descend to the river, Kluckhohn scanned and found a break in the mesa's fortress walls. Kluckhohn was surprised and relieved to find that the route was passable without requiring trailwork of any kind. Expecting either to leave the horses and mules behind while the men made a hasty visit to the top or to spend weeks making a trail to the top, instead the party ascended the rim without major

incident. Kluckholm wrote “[a]t 12:15 p.m. on the 31st day of July we were actually on the top of the Mesa and our six-year-old dream was accomplished.”<sup>42</sup>

What they discovered at the top delighted them. Sagebrush, pinon and cedar trees, and tall grasses—“this enchanted island of vegetation in the desert sea”—blanketed the mesa top. They enjoyed the cool breeze. “We had expected Inferno,” Kluckhohn wrote, “but we found Paradise.” What made it “paradise” most of all was that “[h]ere in this quiet valley shut off from all the noise and dirt of the world was rest and comfort, and off beyond the rim lay soul-stirring grandeur.”<sup>43</sup>

The party was also pleased to find evidence of ancient humans. Shortly after reaching the top, they spotted “what was unmistakably a prehistoric trail.” Further on the mesa they encountered several Indian cliff dwelling and pictograph sites. But other discoveries on the mesa and alongside those ancient sites disheartened them. There were initials carved on a basswood tree, “Ken Porter” etched on the walls of Pictograph Cave, and “Tillman Felix, Arden Woolsey: February, 1928” carved in a cliff dwelling. Cattle trails crossed the mesa “where it was possible” and “in some places where it wasn’t.” The evidence of modern humans clearly disappointed, but they tried not to let this spoil the experience. “We had been so long steeped in the Arizona beliefs about the Mesa that the finding of dates, initials, and cattle altered our fundamental attitudes but little. Psychologically, Wild Horse Mesa was still the one virgin outpost of the

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<sup>42</sup> Ibid., 191-194.

<sup>43</sup> Ibid., 194-195.

vanishing frontier,” he writes.<sup>44</sup> Kluckhohn nevertheless learned the hard way that what to him from the Arizona side had seemed so impenetrable was actually quite easily accessible from the north in Utah. The mesa was better known than he could have imagined: since 1915 the Kaiparowits region had become the site of federal surveying and exploration, and other men had apparently beaten Kluckhohn to the top from the southern side. In 1922, six years earlier, Dave Rust led a party from the Crossing of the Fathers to “the crest of the Kaiparowits Plateau,” where he ran into Raymond Moore who was studying the economic geology of the region.<sup>45</sup>

But on the mesa Kluckhohn thought of none of that. Indeed, his thoughts turned to federal protection of the place. He wanted to extend a proposal by Charles Bernheimer and John Wetherill and others to create a national park from Rainbow Bridge to Wild Horse Mesa. “[I]t is Mesa Verde on an exaggerated scale,” he wrote of the mesa’s qualifications. “The panoramas from the rim are more magnificent. Indeed for sublimity of scenery Wild Horse Mesa surpasses even Grand Canyon.” But he seemed to quickly reconsider for something more fitting for this wild, unspoiled place: “a national preserve denied to settlement.”

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<sup>44</sup> *Ibid.*, 204.

<sup>45</sup> Swanson, *Rust*, 171-172. Working between 1910 and 1938, Herbert Gregory was the first to officially survey the Kaiparowits and the San Juan regions. See Gregory, *Navajo Region* (Washington, D.C.: Government Printing Office, 1916); Gregory and Raymond C. Moore, *The Kaiparowits Region: A Geographic and Geologic Reconnaissance of Parts of Utah and Arizona*, Geological Survey Professional Paper 164 (Washington, D.C.: Government Printing Office, 1931); Gregory, *San Juan Country* (Washington, D.C.: Government Printing Office, 1938).

Did he—could he—imagine a road carrying comfortable tourists to the mesa’s top? No, undoubtedly he did not. In essence, he proposed a wilderness preserve that prohibited development of any kind. He emphasized in all caps, “NO ROADS, NO BUILT TRAILS”—penning these words perhaps coincidentally around the time of the founding of the Wilderness Society and of the U.S. Forest Service’s earliest wild and primitive areas.<sup>46</sup>

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In 1931, three years later, Kluckhohn returned to attempt another triumphal trek to the top of Wild Horse Mesa essentially along his 1928 route. The waters at the San Juan were so high that he probably wisely concluded that even if he were to make it to the other side, the Colorado River promised to be even higher, swifter, and more difficult to cross. So he turned back, repelled by “the Mesa’s stalwart allies, the San Juan and Colorado.” This, however, did not much bother him. “Despite our disappointment, I am a little glad that our last effort was repulsed, that Wild Horse Mesa proved itself still a stronghold not lightly to be taken.”<sup>47</sup>

Indeed, Kluckhohn believed that the region bounded by the San Juan and Colorado River represented some of the last vestiges of “unexplored and unsurveyed regions of the world,” but he was not so innocent to believe that this “last frontier” would remain untouched. He spent his early adult years in the plateau region during a time when it was beginning to experience the forces of modernity. Kluckhohn recognized this—that even then efforts were being made to

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<sup>46</sup> Kluckhohn, *Beyond the Rainbow*, 207-209.

<sup>47</sup> *Ibid.*, 268-271.

penetrate that impenetrable country. The federal government was then undertaking construction of a massive dam in Boulder Canyon that would result in the creation of Lake Mead. The year 1929 marked the opening of a bridge near Lee's Ferry over the Colorado River. Fortunately, he felt, the plateau country generally and Wild Horse Mesa specifically presented a formidable "stronghold," a natural defense from development.<sup>48</sup> Kluckhohn would likely be horrified that today the wild and impenetrable Kaiparowits Plateau is eyed by developers for its vast energy potential. What would he think of the San Juan and Colorado rivers—the swift waters that he so laboriously forded—tamed into a placid reservoir by Glen Canyon Dam? Kluckhohn would undoubtedly be surprised at how much this seemingly vast region has been altered in the 85 years since his travels.

Kluckhohn is important, not simply because he provides a delightful and rhapsodic account of a young man's encounter with the Southwest, but also because he belongs to and possibly helped to inspire the broader counter-cultural tradition that gave rise to wilderness activism in the twentieth century. Indeed, his story provides a counter-narrative to the Mormon Hole-in-the-Rock Expedition. Unlike the Mormon settlers a generation before, Kluckhohn's purpose was not to etch permanent transportation routes and habitations into the land; his was a journey that would linger briefly and then depart. He shared much in common with the next generation of activists who would fiercely defend the region's remaining wild lands from roads and development. He sought, as many have since, in the deep canyons and high mesas an encounter with the sublime, a retreat

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<sup>48</sup> *Ibid.*, 270-271.

from modern culture that by the 1920s and 30s had become a matter of concern.

Another wilderness itinerant of the plateau country, the better known Everett

Ruess, said it this way in a 1934 letter to his brother:

As to when I shall return to civilization, it will not be soon, I think. I have not tired of the wilderness; rather I enjoy its beauty and the vagrant life I lead more keenly all the time. I prefer the saddle to the street car, and the star-sprinkled sky to the roof, the obscure and difficult trail leading into the unknown to any paved highway, and the deep peace of the wild to the discontent bred by cities. Do you blame me then for staying here where I feel that I belong and am one with the world about me?<sup>49</sup>

Like Ruess, Kluckhohn also did more than simply wander into the canyons; he wrote about his travels in inspiring and powerful prose. But if his writings seem too romanticized, they are also deeply rooted in a familiarity and love of the land. To him, the land held an allure and mystery, and all the more so because it was roadless, largely unsettled. With each road leading to a destination, he realized, something was being lost. Speaking of Rainbow Bridge, located across the Colorado River from the Kaiparowits Plateau, a contemporary of Kluckhohn, Richard Frothingam, wrote, “If this sublime illustration of the forces of Nature were accessible by a Pullman sleeper or motor car, its name would be on all men’s tongues.”<sup>50</sup> To Kluckhohn, that would be something to lament. A

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<sup>49</sup> Quoted in *On Desert Trails with Everett Ruess, Commemorative Edition* (Salt Lake City: Gibbs Smith, Publisher, 2000), 53. For more on Ruess’ sojourns into the wild, see W.L. Rusho, *Everett Ruess: A Vagabond for Beauty* (Salt Lake City: Gibbs-Smith, 1983).

<sup>50</sup> Quoted in Thomas J. Harvey, “The Storehouse of Unlived Years: Producing the Space of the Old West in Modern America” (Ph.D. dissertation, University of Utah, 2004), 257.

road leading to the top of Wild Horse Mesa would have reduced his grueling, once-in-a-lifetime adventure to a mere weekend excursion.

In this way, Kluckhohn is an ideological progenitor of later twentieth-century writers such as Wallace Stegner, Edward Abbey, T. C. Watkins, and Terry Tempest Williams who have written passionately about the preservation of Canyon County wilderness.<sup>51</sup> His thinking was an ideological antecedent for the counter-cultural position that, contrary to the dominant worldview (reflected here by the Hole-in-the-Rock pioneers), the earth's sole purpose is not to serve man, that humans are merely part of nature and not lords over it, and that some crooked paths ought to remain crooked. His was an alternative way of perceiving and acting on the land—one of two contending cultural paradigms that later operated in the conflicts over land and access on the Colorado Plateau.

These particular cultural paradigms are both universal and highly specific to the plateau country. The impulse to perceive the land as either something to domesticate or something to keep wild is not by any means unique to the region, but the combination of unique geological features, cultural influences, and preconceived expectations of the region gave those impulses a particular vitality. The redrock country of southern Utah and northern Arizona had become by the 1920s, according to historian Thomas Harvey, “a particular place within Anglo-American culture,” but it was a place that held very different meanings to

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<sup>51</sup> For a sampling of these authors' work, see Stegner, ed., *This Is Dinosaur: Echo Park and Its Magic Rivers* (New York: Knopf, 1955); Abbey, *Desert Solitaire: A Season in the Wilderness* (New York: Random House, 1968); Watkins, *Red Rock Chronicles: Saving Wild Utah* (Baltimore: Johns Hopkins, 2000); Williams, *Red: Passion and Patience in the Desert* (New York: Pantheon, 2001).

different people.<sup>52</sup> The people who visited or sought to make the region home certainly recognized it as unique and distinct from other landscapes, and yet they brought with them very different cultural ideas and expectations that informed how they ought to and how they would ultimately act on the land. Kluckhohn may not have realized this as a young adventurer, but he would later understand that how he perceived the landscape was a product of the culture that he carried with him. Later in his academic career he (with Henry A. Murray) wrote, “Culture directs and often distorts man’s perception of the external world. . . . Culture acts as a set of blinders, or a series of lenses, through which men view their environments.”<sup>53</sup> Yet he probably could not have known just how wildly those perceptions, distorted by culture, would diverge later in the twentieth century over similar issues that he had concerned himself with as a young man.

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<sup>52</sup> Harvey, “The Storehouse of Unlived Years,” 3.

<sup>53</sup> Clyde Kluckhohn and Henry A. Murray, “The Determinants of Personality,” in *Personality in Nature, Society, and Culture*, ed. by Kluckhohn and Murray (New York: Knopf, 1948), 45.



## CHAPTER 3

### ABBEY'S ROAD, BLACK'S HIGHWAY: EDWARD ABBEY AND CALVIN BLACK, DESERT ARCHETYPES

In Edward Abbey's fiction novel *The Monkey Wrench Gang* (1975), George Hayduke, a Vietnam Vet; Seldom Seen Smith, a Jack-Mormon outfitter; Doc Sarvis, a physician; and Bonnie Abbzug, Sarvis's girlfriend, stand atop Comb Ridge with the San Juan country in southeastern Utah spread out before them. From the northern summit the motley group sees "a turmoil of dust and activity. Whine of motors, snort and growl of distant diesels." The equipment is at work building State Road 95 (soon to become Utah Highway 95, or U-95), a new modern highway through mostly trackless wild lands connecting the towns of Blanding and Hanksville. Eager to get a better view of the road operations, the comrades drive a few miles closer toward the construction activities. From their position on the ridge their eyes follow the machinery and men at work on the road.<sup>1</sup>

They note the construction details. The bulldozers have left pinyon pine and cedar "smashed and bleeding, into heaps of brush, where they would be left to die and decompose." A second wave of bulldozers have ripped up loose rock; and drill rigs have blasted into bedrock and dump trucks have carried the rubble to the fill sites. "Powdered stone floated on the air as the engines roared," Abbey wrote. "Resonant vibrations shuddered through the bone structure of the earth. More

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<sup>1</sup> Edward Abbey, *The Monkey Wrench Gang* (New York: Harper-Collins Publishers, Inc., 2000; originally published in 1975), 78-79.

mute suffering. . . . Cut and fill, cut and fill, all afternoon the work went on. The object in mind was a modern high-speed highway for the convenience of the trucking industry, with grades no greater than 8 percent. That was the immediate object. The ideal lay still farther on. The engineer's dream is a model of perfect sphericity, the planet Earth with all irregularities removed, highways merely painted on a surface smooth as glass."<sup>2</sup>

In this way Abbey sets the scene for the Monkey Wrench Gang's war against the "the advance of Technocracy, the growth of Growth, the spread of the ideology of the cancer cells."<sup>3</sup> In their goal to impede or roll back humankind's mark on the land, the gang's ultimate fantasy target is Glen Canyon Dam—ever-present yet elusive. They settle, however, for smaller targets: the machinery used to build bridges and roads—roads like spidery veins weaving in and out of the desert country, many constructed or upgraded since the erection of the dam. U-95 was among these new roads. Originally built as a "primitive" dirt road in 1946, the modern highway was finally completed in 1976, a year after publication of *The Monkey Wrench Gang*.

Abbey modeled the antagonist of the novel—Bishop J. Dudley Love—after Blanding resident, developer, and San Juan County commissioner Calvin Black—a man who had helped build the old, graded State Road 95 and who had tirelessly advocated for its improvement into a modern highway. The fictional Bishop Love was the human face of the technocrats—calculating, armed, jeep-

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<sup>2</sup> Ibid., 79-80.

<sup>3</sup> Ibid., 225.

revving, yellow-toothed—leading a sheriff’s posse to apprehend the four lawless renegades. To be sure, Bishop Love was a caricature, described in the novel as a man who could hear a dollar bill fall on a shag rug. Yet the real-life man who inspired the character of Bishop Love was larger than life in his own way—a self-made millionaire, a strong-willed, in-your-face developer and miner and county commissioner in San Juan County with a long career championing limited government, state ownership of federal lands, and maximum economic development of natural resources. *The Monkey Wrench Gang* made him infamous, but by his own will and force of personality he had already created a legacy for himself. He was the face of development and “progress” in southern Utah.

The lives of Edward Abbey and Calvin Black become intermeshed in a broad clash over development and preservation in the Southwest. U-95 is a good place to begin to tell the story. Figuratively, the highway can trace the path of the controversy. Although Black and Abbey seldom confronted each other face to face, the evolution of the highway weaved their life stories together in provocative ways. Edward Abbey first gained access to a country he later grew to love via a road (State Road 95) that his future nemesis—Cal Black—had helped to build. This fact epitomizes a basic irony: the very roads Abbey and others have fought against are the same roads that allow them access to the country they passionately defend. Yet however ironic (and complex) the life stories of Abbey and Black may be, each man became, through their own force of character and hard-line positions on matters of development and preservation, figureheads of particular ideologies at work in the modern West.

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Portrayed as the Mormon bishop of Blanding, Calvin Black hailed from the outer periphery of the Mormon cultural region. The Hole-in-the-Rock expedition and the settlement of the San Juan country had been among the last Mormon efforts to extend their domain. Although originally conceived as yet one more site among many future sites of a geo-political empire sweeping throughout not only the Intermountain West but also—at least in imagination—the whole of North and South America, political pressure and changing economic and social realities at last ground Mormon expansionist plans to a halt. Brigham Young may have believed that in the deserts and mountains of the West he was creating a temporal and spiritual homeland where the Saints would assume center stage in the cosmic events of the Last Days.<sup>4</sup> But by the end of the nineteenth century, the Mormon quest for empire had been entirely subsumed into the mainstream body politic. Young's plans to establish a relative autarchy achieved through home industry and manufacture was not to be; whereas Mormons had established roots in places throughout the West in an effort to develop economical self-sufficient and

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<sup>4</sup> William Mulder, "The Mormons in American History," *University of Utah Bulletin* 48, No. 11 (January 1957), 26. Just prior to his death in June 1844, Joseph Smith had boldly articulated his religious *and* geo-political and economic aspirations: "I calculate to be one of the instruments of setting up the kingdom of Daniel by the word of the Lord, and I intend to lay a foundation that will revolutionize the whole world." Quoted in Joseph Smith, Jr., et al., *History of the Church of Jesus Christ of Latter-day Saints, Period 1, History of Joseph Smith, the Prophet, by Himself*, 6 vols., ed. B. H. Roberts (Salt Lake City: Published by the Church and Deseret Book Co., 1902-12), 6:365.

politically autonomous communities, by the twentieth century continued isolation was seen as neither possible nor even desirable.<sup>5</sup>

The rocky transition from provincial isolation to national incorporation was climaxing in the decade following the Mormon settlement of southeastern Utah and would further play out in the decades to follow. It would be, in many respects, a slow and tortuous process. The tension between accommodation and retrenchment—a tension perhaps never fully resolved among Mormons—characterized the settlers’ relationship to religious “outsiders” and to the land. In one sense, the isolating character of the region appealed to their special sense of inhabiting a sacred homeland, but in another it frustrated their yearning to reap the economic benefits of incorporation into the American mainstream. When the Hole-in-the-Rock party entered the San Juan country, they found themselves at odds with the region’s earlier inhabitants, engaged in a land tussle between Ute Indians and especially cattle outfits such as Edmund and Harold Carlisles’ Kansas and New Mexico Cattle and Land Company which were already utilizing the region for their economic enterprises. Yet Mormons also channeled their energies toward carving out a ranching economic empire that both pitted the Mormon settlers against and also required a close association with the “gentile” world.<sup>6</sup>

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<sup>5</sup> Leonard Arrington, *Great Basin Kingdom: An Economic History of the Latter-Day Saints* (Cambridge, Massachusetts: Harvard University Press, 1958), 195-231.

<sup>6</sup> See Charles S. Peterson, *Look to the Mountains: Southeastern Utah and the La Sal National Forest* (Provo, Utah: Brigham Young University Press, 1975), 92-100; Robert S. McPherson, “Monticello,” in *Utah History Encyclopedia*, ed. Allen Kent Powell (Salt Lake City: University of Utah Press, 1994).

The adoption of ranching as the economic mainstay reflected in one sense a jettison of old Mormonism and traditional notions of Mormon place. Most Mormon settlements in the Great Basin were characterized by the “Plat of Zion”—Joseph Smith’s idea of a village’s square patterns and wide streets surrounded by farm- and pasture-land. The design was economic but also, as Samuel Schmieding observes, to provide sacred center points “where spiritual energies concentrated in waiting for the sacred event, the surrounding landscape sustenance for God’s chosen people.”<sup>7</sup> Indeed, the Mormon village lying at the base of the Rocky Mountains produced a powerful image of order, permanence, stateliness, godliness. The image is a common American motif—the agrarian myth—in which farmers diverted water from streams that originated in the snowy mountain peaks and carefully laid out their farms in square sections and straight-lined canals and laterals that gave the appearance of mastery over nature. Technology made the image possible.<sup>8</sup> It was an image that had some representation in southeastern Utah; Bluff attempted to follow the Mormon village pattern, as ranchers congregated in the community rather than in the open range, and even Blanding bore the marks of other Mormon towns with its

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<sup>7</sup> Samuel Joseph Schmieding, “Visions of a Sculptured Paradise: The Colorado Plateau as American Sacred Space” (Ph.D. dissertation, Arizona State University, 2002), 317-18.

<sup>8</sup> For a discussion of the agrarian myth, see Donald Worster, “The Kingdom, the Power, and the Water,” in *The Wealth of Nations: Environmental History and the Ecological Imagination* (New York: Oxford University Press, 1993), 117-122. See also Wallace Stegner, *Mormon Country* (Lincoln: University of Nebraska Press, 1942), 21-32; Richard V. Francaviglia, *The Mormon Landscape* (New York: AMS Press, 1978).

irrigation canals, sturdy homes, and stately streets laid out on a grid. Blanding may not have been founded on the same communal impulse of Bluff, but it was predominantly (and nearly exclusively for many years) Mormon—what historian Charles Peterson refers to as “the heir of old Bluff,” which had mostly been abandoned by the original settlers by 1920.<sup>9</sup>

But the visual representation could not be perfectly reproduced. The original settlers of San Juan found that their new home could not be as easily transformed into an orderly, stately landscape. Like elsewhere in Utah and the West it was arid country: but its red rock, broken canyons, and poor soils looked quite different from where the Saints predominantly settled along the Wasatch Front. Beyond appearances, the San Juan country was a poor place to wield the technology of irrigation. Probably no more than several thousand irrigable acres exist in all the county, and even most of those lie along the tempestuous and unpredictable San Juan River, which could (and did) flood at any time—in one instance destroying a season’s labor. Creating a productive landscape could not be easily achieved by diverting water from rivers for irrigation. Mormons impounded and diverted water for irrigation everywhere they settled. The great Colorado River and many of its tributaries in the Four Corners region, however, remained largely wild and untapped as an irrigated water supply partly because the soil was not amenable to agriculture and partly because rivers had cut so deeply into the earth that diverting it to fields proved impossible.

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<sup>9</sup> Peterson, *Look to the Mountains*, 47-49.

While irrigation canals provided the sense of human permanence elsewhere in Mormon country, settlers in San Juan turned to roads to order and to stabilize a chaotic landscape. Roads, not fields, reflected order and mastery. As such, they promised to transform the country from a “wasteland” to a “productive” Eden, becoming as Charles Peterson observes “the major business of the county court.” Yet road building and improvement to existing trails progressed slowly. Despite the expenditure of public funds (often to the detriment of education and other services) and the first push of boosters hoping to cash in on oil discoveries in San Juan County to turn rutted wagon trails into highways, the reality of well-built roads remained far off. Through the first half of the twentieth century, the San Juan region had the deserved reputation as one of the most remote, inaccessible regions in the United States.<sup>10</sup> Even visitors who exulted in the primitive and wild qualities of the region found the primitive modes of transportation to be an annoyance. Robert B. Aird, reflecting on his 1923 travels in the San Juan region, wrote that although he had deliberately sought “the untamed ruggedness and the grandeur of extreme nature,” the rough terrain and other “limitations prevented our even exploring as much as we wished.” He wrote: “[T]he rugged nature of the San Juan country, the great scarcity of waterholes, and the very meagerness of our outfit prevented our attaining that almost perfect sense of freedom of Wordsworth when he said, ‘and should the chosen guide be nothing better than a wandering cloud, I cannot miss my way.’”<sup>11</sup>

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<sup>10</sup> Peterson, *Look to the Mountains*, 46, 219-20.



For Calvin Black, life in Blanding on the San Juan frontier was confining in much the same way. He saw his first paved road and his first “colored” person at age twelve, when his family took a trip to Salt Lake City. Not until his teenage years did he stay in a motel or eat at a restaurant. When his family did go on vacation, it was usually to camp on a highway where his father labored on a road project. For Black’s generation, and the generations before him, mobility, or lack thereof, was life-defining. Perhaps the strongest recollection was the economic difficulties. The Black family had virtually no money and little means of support. The family did what it could to get by. The children tended a small garden and raised a few pigs, cows, and chickens; Hyrum Black, the father, held several odd jobs in the county, including at one time state road maintenance foreman. The sorry conditions of his youth never concerned him. From a young age Calvin Black learned to work long and hard. The difficult circumstances of his early life no doubt instilled in him a sense of frugality and independence that became hallmarks of his adult life. “One of the most vivid memories of my life was watching my mother and father continually sacrifice and go without so that I and my six siblings had the things we wanted,” he recalled, later in life. “I’m afraid I will have to confess that perhaps the most overpowering drive I have is to continually drive myself so I won’t have to face what I felt so strongly were Mom and Dad’s sacrifices.”<sup>12</sup>

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<sup>11</sup> Gary Topping, ed., “An Adventure for Adventure’s Sake Recounted by Robert B. Aird,” *Utah Historical Quarterly* 62, No. 3 (Summer 1994): 288-89.

<sup>12</sup> Quoted in Buckley Jensen, “Remarkable Life from Humble Start,” *San Juan Record*, October 1, 2008.

Blanding's isolation and limited economic opportunity compelled many of Calvin's school mates to leave the county in search of education or work. For him, college may have been an option, but because his sister's attendance there had placed a terrible financial burden on his parents, he decided to start working right away. Black decided to give trucking a try. He and his father bought a truck which they used to haul ore over the network of gravel and dirt road in the county. Then, when there was nothing for him to haul, Black got into the mining business.<sup>13</sup>

Mining requires good roads—not necessarily well-graded but at least wide and smooth enough to accommodate large equipment. Because miners staked their claims where minerals occurred regardless of the proximity to towns or contours of the land, miner's roads resembled a hastily constructed web—with threads reaching out to some of the unlikeliest places on the high desert. Among the loneliest spots is the uranium Whirlwind Mine, one of Black's earlier ones, on a section of state land within the boundaries of the Navajo Reservation. Because no road from Oljato, a trading post on the Navajo Reservation near the Utah-Arizona border, led to the state section, Black and his partners, Merwyn and Burdett Shumway, built the road themselves. Black later called the twenty miles to the mine "flat," but "flat" is a relative term, and in that country this flat road

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<sup>13</sup> Calvin Black, interview by Lynn Coppel, transcript, May 29, 1978, Southeastern Utah Project, Utah State Historical Society and California State University, Fullerton, Oral History Program; Calvin Black, interview by Milan Pavlovich and Jeffrey Jones, transcript, July 24, 1970, Uranium Industry Project, Utah State Historical Society and California State University, Fullerton, Oral History Program.

had to negotiate broken canyons, rock outcrops, and sand. The last few miles wound uphill to the top of a mesa. Using road equipment borrowed from the state, the young men made the road as suitable as possible, but it still took seven hours to travel 110 miles to the mine “driving as fast as you could stay in the cab.” Black recalled that “she [a Ford truck, the only model he would own] pulled me through, but I vowed to give her something better to run on than the red, rocky terrain of this desolate area.”<sup>14</sup>

Black encountered many of the same conditions his father had endured as a road foreman—weeks at a time away from home, no modern conveniences, broken machinery, inclement weather. On the high plateaus, the weather in the winter can turn bitter cold. Black recalled one long and dangerous night grading the road to the Whirlwind Mine without a blanket or windows in the truck to keep out the chill. And almost no wood was available to build a fire. He also remembered being told three times by the Navajos to stay out of the reservation—warnings that went unheeded—and working his mine with a gun at his side in case any of the locals gave him trouble. Black justified pushing his road through the reservation without permission on the basis that “the Navajos had very poor roads and any improvement was better for them.” Then there was the ordeal of extracting the ore; after about one-and-a-half years of labor and 15 to 20 thousand

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<sup>14</sup> Ted Capener, “Uranium in them Hills!” in “The Life Story of Calvin ‘F.’ Black,” compiled by Karl Lyman, 226, in possession of Blue Mountain Shadows, Blanding, Utah; Black interview (1970), 4, 8-10.

dollars, the miners made their first shipment of ore. And each load of ore required twenty-two hours on the road—traveling 220 miles at ten miles an hour.<sup>15</sup>

The difficult process of locating a mine, building a road, and hauling the ore re-played itself throughout the Four Corners region. At the dawn of the atomic age, the Atomic Energy Commission (AEC) offered rock-bottom prices for uranium in ore that could be processed at the mill in Monticello. Later, the AEC opened a mill in Durango, Colorado, and added a fifty-cent-per-pound bonus on uranium. San Juaners scrambled to locate and file claims and produce ore. Still, small operations barely survived even at that higher price. Yet again the AEC raised prices, setting off a boom in development on the eastern edge of the Colorado Plateau. The uranium boom, coupled with the discovery in 1954 of some of the nation's most important oil fields, had a marked effect on the county. Motels, trailer courts, grocery stores, and even towns sprang up in remote places to cater to the influx of prospectors and miners. But what transformed the land most indelibly was the hundreds of miles of new roads—not unlike the one leading to the Whirlwind mine—built by miners, prospectors, and engineers. The AEC, under the rationale of national security, funded much of the road building as part of its Access Road Program.<sup>16</sup>

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<sup>15</sup> “The Life Story of Calvin ‘F.’ Black,” 4; Black interview (1970), 7-9.

<sup>16</sup> See Gary Shumway, “A History of the Uranium Industry on the Colorado Plateau” (Ph.D. dissertation, University of Southern California, 1970), 219-26; Christopher Smith, “Uranium Oxide: Yellowcake Not All It's Cooked Up to Be,” *Salt Lake Tribune*, August 4, 2003; Powell, ed., *San Juan County*, 282-98; Michael Amundson, *Yellowcake Towns: Uranium Mining Communities in the American West* (Boulder: University of Colorado Press, 2002).

The boom may have produced a few millionaires, but it broke many others whose mines could not repay the heavy initial investment. Black was one of the lucky few, although he certainly struggled early on. At first, Black's Olijato Uranium Company produced just enough to keep the business afloat and his family fed. In the lean years he labored in mines in Cottonwood Canyon east of Blanding and did some prospecting on the side, filing claims and paying the annual assessment fees.<sup>17</sup> Later he changed partnerships and bought up and sold stock to his claims—some shares for many times more than he purchased them. In two decades Black filed 600 claims. Most were speculative. He sold or traded many of them, but several materialized into profitable mines. As he told a reporter, “You stake your claim and you take your chances. Come boom or bust, you can't shake the feeling that you're an explorer off on a great adventure.” Following that script, Black eventually turned his holdings into a working, profitable business.<sup>18</sup>

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Given his life's work to make the land productive, it is little surprise that Calvin Black was among the locals in attendance at a ceremony in Hite, Utah, on September 17, 1946, to commemorate southeastern Utah's new, long-awaited State Road 95. He had every reason to celebrate. Hyrum Black, his father, had worked on the road to Natural Bridges National Monument and had been the

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<sup>17</sup> Black interview (1970).

<sup>18</sup> Ted Capener, “Uranium in Them Hills!” in “The Life Story of Calvin ‘F.’ Black,” 226.

maintenance foreman in charge of extending it to the Colorado River. Calvin spent long days and nights helping his father push that road to the river. At the dedication, he heard speakers extol the virtues and necessities of roads. Speakers praised the road builders for carrying on the work of their forbearers. Ephraim Pectol of Wayne County told the crowd, “All who made this trek will go into history as pioneers for the future automobile road and the future development of this great Wonderland.”<sup>19</sup>

Developing that part of the country was a slow and arduous process. Well into the mid-twentieth century, San Juan County remained much as the Hole-in-the-Rock pioneers found it in the nineteenth century. Part of the problem was geographical: the region was isolated from major population centers and difficult to access. The county’s western portion is a twisted maze of canyons, mesas, mountains, and imposing geologic barriers to land travel. East of Comb Ridge, the land levels out to a broken expanse of sage. The few sparsely settled towns—in 1951 the *New York Times* referred to Blanding as a “trading post”<sup>20</sup>—hugged the San Juan River or lay northward to the east of Comb Ridge and the Abajo Mountains. The best road—dirt for most of the way—ran north to Moab, but

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<sup>19</sup> Proceedings of dedication of Hite Road and Chaffin’s Ferry at Chaffin’s Ranch, Hite, Utah, September 17, 1946 [hereafter “Hite booklet”], 7, Folder 20, Box 311, Geographical Section, Otis R. Marston Manuscript Collection, Huntington Library, San Marino, California. See also David H. Mann, “Missing (Road) Link Is Ready to Open,” *Salt Lake Tribune*, September 1, 1946.

<sup>20</sup> “Access Roads to Open Up Scenic Southeast Utah Wonderland,” *San Juan Record*, May 17, 1951.

other roads led east to Colorado and south into Arizona. State Road 95 was the first permanent road in San Juan County to run west.<sup>21</sup>

Building State Road 95 was merely the first step in realizing the promise of a conquered landscape. The road was by all measures primitive. The road builders did not have access to modern bulldozers and graders. The Utah Department of Roads did not forge a new route or barrel through hillsides, but instead followed the route forged in the 1930s from Blanding to Natural Bridges National Monument and the old pioneer route the rest of the way to the Colorado River. The road was circuitous over rough and wild country. As J. M. Adams said at the dedication of State Road 95, the road would “make it possible to open the way for thousands of acres of land and will make these desert wastes productive of agricultural and mining products. If a region has the finest climate, the best soil and every other natural asset, if it cannot boast of a good road, it is still a waste land. To the beginning of something finer we have entered upon this project.”<sup>22</sup>

Like road builders, farmers also spoke the language of conquest—taming rivers, domesticating the land—but in fact what they set out to achieve was more subtle than that. As Mark Fiege writes, “farmers and engineers believed that they were developing and perfecting the earth’s raw potential. Indeed, the earth itself at times seemed like God’s unfinished construction site; its topographical features already carried the outlines of a future landscape that the irrigators would

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<sup>21</sup> Utah State Road Commission, General Highway Map, San Juan County, Utah, 1948, Folder 19, Box 390, Geographical Section, Marston Collection.

<sup>22</sup> Hite booklet, 18.

complete. As a manifestation of providential design, the earth seemed to invite the dams and canals that the irrigators would build.”<sup>23</sup> The central point here is that the task was not merely to subdue nature but to work with it—and in the process complete it. Workers of the land took natural landscapes and transformed them into human landscapes. Do this required technology, but it also required knowledge of natural processes and perhaps even an appreciation for the natural world—its limitations and its capabilities. Engineers were best positioned for this work, for they considered themselves to be, as Linda Lorraine Nash writes, “intermediaries between the natural and social worlds, as those most capable of understanding nature and natural laws, and as those best equipped to shape human use of the landscape.”

The road builder’s task was to find passage over the natural barriers that seemed to divinely forbid access. This is not to say that they did not use the contours of the land to their advantage. The first roads did follow the steep grades, curves and elevations of the land. The task, however, was to provide passage over and around rough places, not to “improve” the land the same way agriculture did. Roads cleared the land of vegetation; modern technology enabled them to barrel over and around some of the roughest places on the planet. If not principally to conquer nature, engineering became the principle means to reshape nature.<sup>24</sup>

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<sup>23</sup> Mark Fiege, *Irrigated Eden: The Making of an Agricultural Landscape in the American West* (Seattle: University of Washington Press, 1999), 17.

<sup>24</sup> Linda Lorraine Nash, “Transforming the Central Valley: Body, Identity, and Environment in California, 1850-1970” (Ph.D. dissertation, University of Washington, 2000), 192, 195.



That first effort to construct an east-west route across the Colorado River in southeastern Utah may have excited the local crowd, but a perfected road it was not. In fact, it was quite rough, as Edward Abbey recalled in an essay providing the best physical description available of the original State Road 95.<sup>25</sup> By 1953, when Abbey first encountered the road, even the original road dedicated in 1946 had been modified—the route descended Comb Ridge instead of arcing north of it along the base of the Abajo Mountains—but its rough, primitive character was just as it had always been. Abbey portrays the road cutting through an entirely wild and open country—what he refers to as a sea of warped and eroded red rock set against a backdrop of distant buttes, mesas, and Laccolithic mountains—as rough and primitive as the landscape it traversed. Abbey encountered sand pits, potholes, ruts, and a precipitous drop along the harrowing descent down Comb Ridge. The journey required periodically stopping and working on the road to make it passable. At one point his truck got a flat tire. Admittedly, Abbey had no intention to move quickly over the road, but even still nearly a full day had been required to reach Natural Bridges National Monument only thirty or thirty-five miles from their starting point.

On the second day, the small group descended toward the river over a “red wasteland” of dust, sand, and sandstone. At Fry Canyon, Abbey recalls driving across “a little wooden bridge that looked like it might have been built by old Cass Hite himself, or even Padre Escalante, centuries before.” The trail continued

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<sup>25</sup> See Edward Abbey, “How It Was,” in *Slickrock: The Canyon Country of Southeastern Utah*, Photographs and commentary by Philip Hyde (New York: Scribner’s and Sierra Club, 1971), 18-31.

on to more miles of axle-busting ruts and deep sand in the bottom wash of White Canyon. Before the day's end, the little party reached the river and the old settlement of Hite, inhabited by a few families and a handful of "prospectors, miners, bums, exiles, remittance men." From there, they rode Art Chaffin's "home-designed ferry," reached the other side, and continued on the journey up North Wash.

Abbey writes in his essay that he took it for granted that the road would remain rough and primitive, but even as the new dirt road was being completed, plans were made to improve it. At the dedication of the road in September 1946, speakers spent perhaps as much time reflecting on the need to upgrade the road as they spent praising it. Utah Governor Herbert Maw, who in the ultimate irony arrived at the dedication late, delayed by the poor conditions of the new road, told the gathering, "Today you come down here and you are praising this road. It isn't such a hot road (Applause). Incidentally let me tell you this: I think it is a disgrace to the state of Utah to, after a hundred years, force the citizens who live in the outlying areas to travel over the kinds of roads some of them travel over (Applause)." What he meant was that they deserved a modern highway, paved and oiled, with three lanes and the curves widened. He continued: "I want to say that we should never permit a condition to continue, where any town in Utah is not connected to a main highway with an oiled road." The statement was indeed visionary—oiled roads connecting *every* town in Utah.<sup>26</sup> Speakers speculated wistfully about the day, perhaps twenty years out, when the crooked path would

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<sup>26</sup> Hite booklet, 40-41.

be made straight. Certain of the righteousness of their work, the celebrants on that September day in 1946 would be surprised by and unsympathetic toward Abbey's nostalgic defense of remoteness and the rough roads that kept parts of San Juan County so wild and untamed.

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Edward Abbey is known as an iconoclastic writer of the West—a man of contradiction and fire who spoke and wrote passionately about the western landscape and the preservation of open spaces. Few writers more clearly and unmistakably identified with the American Southwest. Unlike Black, however, Abbey was a transplant to the West. Born in the town of Indiana, Pennsylvania, and raised on a farm in the backwoods of the Allegheny Mountains near Home, Pennsylvania (which he often erroneously claimed as his birthplace), he gained a certain appreciation and nostalgia for green Appalachia. In Norway, where he traveled in 1952 on a Fulbright, the pastoral landscape reminded him of home: “I easily remember my home. Yes, yes, I think of home, I think of Home.” He later argued that “home” was not the place of your childhood but “where you have found your happiness.” Where, then, did Abbey find his happiness? He later said his “home” was in “those mountains, those forests, those wild free lost full-of-wonder places which rise yet (may they always!) above the ~~stench and~~ squalor of the towns.”<sup>27</sup>

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<sup>27</sup> James M. Cahalan, *Edward Abbey: A Life* (Tucson: University of Arizona Press, 2001), 24-25; Edward Abbey, *Desert Solitaire: A Season in the Wilderness* (Ballantine Books), 298; Abbey to Marian Skedgell, Managing Editor of E. P.

Abbey later reflected on what he believed was a pivotal event: a 1944 hitchhiking trip at age 17 to the West. In his essay “Hallelujah, on the Bum,” he wrote of encountering the front range of the Rocky Mountains: “An impossible beauty, like a boy’s first sight of an undressed girl, the image of those mountains struck a fundamental chord in my imagination that has sounded ever since.”<sup>28</sup>

Other encounters left indelible impressions in his mind. He would frequently get in a car and drive to wherever the roads took him. Those remarkable experiences derived not so much from the destination as the journey, and he savored them. In his essay about the first time he drove old State Road 95, he writes of an unexpected confrontation with a flash flood in North Wash along the Colorado River. “From within the flood, under the rolling red waters, you could hear the grating and grumble of big rocks, boulders, as they clashed on one another, a sound like the grinding of molars in a pair of leviathan jaws. The kind of sound, in other words, for which neither imagination nor fantasy can ever really prepare you. The unbelievable reality of the real.” With the floodwaters still rushing below them, Abbey and his companions set up camp. Abbey recalls the ecstasy of listening to the roar of the waters while smelling the juniper fire, tasting the beans and bacon, and enjoying the beauty that surrounded him. The next morning everything was serene, though the flood left the road nearly

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Dutton & Co., March 10, 1970, Folder 6, Box 3, MS 271, Papers of Edward Abbey, Special Collections, University of Arizona, Tucson.

<sup>28</sup> Quoted in Cahalan, *Edward Abbey*, 28-29.

unrecognizable. The day after was spent getting the truck out of North Wash, but he wrote the hard labor “was worth every minute of it.”<sup>29</sup>

In this and in other writings, Abbey articulates what historian Thomas Dunlap has called a “faith in nature,” believing not merely in protecting the earth, but that nature alone has rights that ought to be respected. Here, Abbey makes the case for a personal connection to wild land and to the power of nature to heal, rejuvenate, enliven. Dunlap refers to environmentalism as a kind of religion, akin to traditional religion in its power to bring meaning and purpose to individuals. Unlike other pursuits with origins in the Enlightenment, environmentalism appealed to reason, but like religion it also “looked beyond knowledge, seeking meaning, and believed each of us needed to form conscious ties to the world.”<sup>30</sup> In Abbey’s writings you sense his belief in a deeper meaning that might be found in the natural world: the mystery, the charm, the majestic. His was an emotional though not otherworldly experience in nature, for he believed the Earthly experience was all that was needed. But his abiding connection to nature was arguably as strong as another’s connection to the divine or the supernatural. He looked to no other power or meaning in the universe beyond the material world under his feet.

Abbey sought to experience nature directly, and he came to know well the environment of the American West. He wrote of these experiences; his large

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<sup>29</sup> Abbey, “How It Was,” 18-31.

<sup>30</sup> Thomas R. Dunlap, *Faith in Nature: Environmentalism as Religious Quest* (Seattle: University of Washington Press, 2004), 19.

corpus of writing reads like a travelogue. Usually he inserted himself in his writings, using his personal experiences as material. Some of his seasonal park ranger jobs such as at Organ Pipe Cactus, the north rim of the Grand Canyon and, most famously, Arches, provided the material for his books. *Desert Solitaire: A Season in the Wilderness*, first published in 1968 and now considered an environmental classic, is based roughly on Abbey's 1956-57 seasons as park ranger in Arches National Park but is also a collection of experiences at several locations over the course of a few years.<sup>31</sup> In it, Abbey provides what may be called nature musings on everything from rocks and rivers to flora and fauna to human's relationship to nature. More than nature writing, however, *Deseret Solitaire* reads as a celebration of wilderness and as a call to protect and preserve land from motorized travel and industrial development.

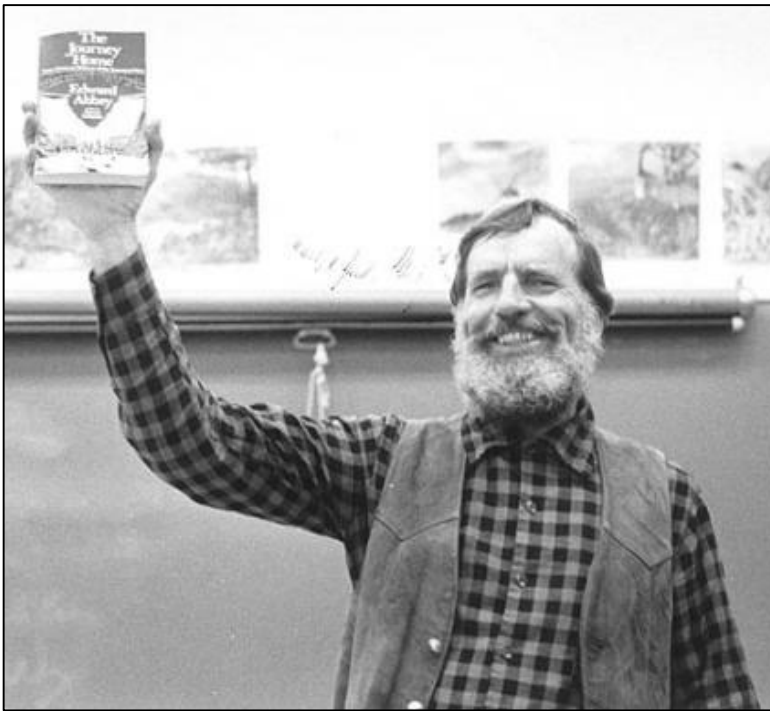
To be sure, Abbey understood the virtues of growth and development—limited though those virtues might be in his mind. Roads facilitated economic growth, and growth produced jobs, and jobs allowed locals to remain in small backwater communities without being forced to look elsewhere for work. Speaking in 1978 about southern Utahns who advocated for construction of a massive power plant on the Kaiparowits Plateau, he said, “Those people aren't stupid. They live in the cleanest, healthiest, most beautiful place in the world.” Yet, he dedicated his life to warning westerners to be wary of the camel's nose under the tent when they invite “just a *little* industrialization so all their kids will have jobs and a *little* industrialization has a tendency always to become a little

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<sup>31</sup> Cahalan, *Edward Abbey*, 102.

more . . . and then a little more. Until you wake up one day to find yourself in some place like Gary, Indiana.”<sup>32</sup>

Abbey believed some places ought to be left undefiled and that the government was obliged to protect those places by limiting access and development. At one point he even proposed banning *all* forms of motorized travel in national parks. Access would not be totally restricted—people could enter and leave as they pleased on foot, horseback, even in “a team and wagon”—but not in a motorized vehicle. In a letter addressed to Horace Albright, former director of the NPS, Abbey opined, “The parks should be for people—not for machines.”<sup>33</sup>



6. Edward Abbey, holding up a copy of his new non-fiction book *The Journey Home* (1977), with the cover image of a cracked Glen Canyon Dam.

<sup>32</sup> Emphasis mine; Winfred Blevins, “Mariah Interviews Edward Abbey, ‘The Thoreau of the American Desert,’” *Mariah: The Complete Outdoor Magazine* (October/November 1978): 91.

<sup>33</sup> Abbey to Albright, March 13, 1970, Folder 6, Box 3, Abbey Papers.

And Abbey's message to keep the West's remaining wildlands wild and primitive reached a devoted following. People took notice of the accelerated development occurring throughout the West in the decades following World War II, in the national forests and parks and in the primitive backcountry. A man from Cheney, Washington, wrote Abbey nostalgically, "As you say, we old codgers have had a chance to see the country as it once was, and thank God for that." He wrote that he spent his childhood on a ranch along the Fremont River in south-central Utah. Returning to the ranch after a long absence, he was horrified to discover "a 70 mph highway [State Road 24] right through the middle [of it]."<sup>34</sup> The irony was that Abbey, perhaps more than any other writer, introduced people to the sites and sounds of the red rock and canyon country, and his writing provided an irresistible lure to many to see for themselves this majestic country. But he did not often divulge the location of a sublime wilderness or canyon; he preferred these places remain incognito.<sup>35</sup> Still, some places were already being discovered and developed, and neither Abbey nor anyone else could stop it, despite futile attempts. At the end of *Desert Solitaire* Abbey despairs of the new road building taking place in Arches. In fact, he admits that when nobody was looking he pulled up stakes put in by road surveyors.

When Abbey first arrived in Arches in 1956, the park was still a primitive backcountry, undiscovered and relatively scarce of travelers. But gradually more visitors poured in, facilitated by the new road. Ultimately, he lost his beloved

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<sup>34</sup> Virgil Hays to Abbey, November 8, 1970, Folder 6, Box 2, Abbey Papers.

<sup>35</sup> See Cahalan, *Edward Abbey*, 107.



Eden, for the new road drove him out. Abbey would spend a lifetime searching—perhaps in vain—for places to live where he would be relatively free from people and development. He once told a friend that “if you can’t pee in your own front yard, you live too close to the city.”<sup>36</sup> Mostly, he worked to ensure that primitive and wild places would remain as they are. The problem was that the West was changing. Everywhere he went, beloved places were being eaten up by development and sliced in two by roads.

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One such road was State Highway 95, which would replace the old dirt road that Abbey memorably wrote about in the 1971 publication *Slickrock* with a modern high-speed highway. The new highway, begun not long after the dedication of the original dirt road but not completed until 1976, would be a 28-foot-wide bituminous all-weather roadway designed for a speed of 50 miles an hour. State and local officials were calling it the “backbone” of the Golden Circle—a highway connecting the canyon country’s scenic destinations and parks.

The first section to be improved was the stretch from Blanding to near Natural Bridges National Monument. The old dirt road passed well north of present-day U-95. From Blanding it ran west through Big Canyon, Brushy Basin, and Cottonwood Wash, then on to Milk Ranch Point and Elk Ridge before descending to Natural Bridges. The upside of the route was that it bypassed Comb Ridge altogether, but the downside was that at a higher elevation it was much too long, winding, and expensive to maintain. The uranium industry needed a direct

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<sup>36</sup> Ibid., 142.

route that could handle large hauling trucks. As was done throughout the West, the Atomic Energy Commission (AEC) funded the realignment of State Road 95 and the upgrading of the road to Hanksville. The AEC viewed the road—and a web of other roads created during this period—as a matter of national security—so much so that road engineers did not even make time for preliminary surveys. A history of San Juan County posits that “such extraordinary measures by the Atomic Energy Commission and State Road Commission are strong evidence of the national and state interest finally paid to isolated and remote San Juan County.”<sup>37</sup>

To negotiate the formidable Comb Ridge, a route was chosen through a break at the ridge that had previously been an ancient indigenous foot trail. A road crew worked its way down from the summit, blasting and drilling through the solid rock, while a second crew worked its way up the sloping ridge on the west side. Once that section was completed, the AEC continued to push the road west toward Natural Bridges where it merged with the old State Road 95.<sup>38</sup>

Certainly, the new road cut by the AEC was an improvement over the old route in that it shortened the route to Natural Bridges, but it was still rough and winding—a far cry from a smooth, paved highway. The descent down the ridge

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<sup>37</sup> “Access Roads to Open Up Scenic Southeast Utah Wonderland,” *San Juan Record*, May 17, 1951; Powell, ed., *San Juan County*, 234-35.

<sup>38</sup> Julian D. Sears, *Geology of Comb Ridge and vicinity north of San Juan River*, San Juan County, Utah: U.S. Geol. Survey Bull. 1021-E, 1956, 176; Powell, ed., *San Juan County*, 235-36.



7. Old State Road 95, in its harrowing descent of Comb Ridge, early 1950s.  
Courtesy Utah State Historical Society.



8. Construction of Utah Highway 95 through the formidable Comb Ridge.  
Courtesy Utah State Historical Society.

was especially harrowing—the very route that Abbey used in 1953—and was frequented by large uranium trucks on a continual basis. To create an even straighter highway would require yet another cut through the ridge. Bisecting a passage through that seemingly impenetrable wall of sandstone was the engineering feat of the highway. This time there was no attempt to conform the road to the existing landscape; using the muscle of machinery and explosives, road crews in the early 1970s blasted out a huge slice of the rock. The dugway leading up to the cut was possibly bolstered by the rock that had been cut loose from the summit. Now, motorists speed by without even the thought that at one time the ridge had been nearly impenetrable.<sup>39</sup>

Like the section of road through the ridge, the remaining highway took form in phases over several decades. In the 1950s the AEC built the “improved” route to Natural Bridges and graded the rest; beginning in the 1960s road crews realigned and paved various sections. The Utah Department of Transportation divided the new highway into manageable sections; the BLM granted right of way and ensured compliance of construction requirements.

The first funding cycle, secured in 1964, would be used to build the bridges. Unlike the old days, there could be no simple crossing at Hite. The site of the ferry that shuttled passengers and automobiles across the perpetually moving Colorado River would soon become the upper end of Lake Powell—what Abbey referred to as “a motionless body of murky green effluent, dead, stagnant, dull, a

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<sup>39</sup> Robert S. McPherson, *Comb Ridge and Its People: The Ethnohistory of a Rock* (Logan: Utah State University Press, 2009), 192.

scum of oil floating on the surface.”<sup>40</sup> Whereas the old road snaked down Farley Canyon and crossed the Colorado River at Hite Ferry, the new highway would arc around the north end of the reservoir and cross not just the Colorado but the Dirty Devil River as well. A third bridge was also planned where the road crossed to the north side of straight-walled White Canyon. In each case, the steel-arch modern bridges contrasted sharply against the twisted, rugged landscape. Completed in 1965-66, costing nearly \$2 million, they created the only road crossing of the Colorado River between Glen Canyon Dam in Arizona and Moab, Utah.<sup>41</sup> In a 1970 U.S. Senate hearing about extending Canyonlands and Glen Canyon NRA, Harry H. Heland, Utah State Road Commission director of highways, touted the existing accomplishment of State Route 95 for crossing three deep canyons near the north of Lake Powell. “National recognition afforded these two bridges in the desert for their esthetic values is evidence that Utah has taken the effort necessary to provide road service in an esthetic manner,” he argued.<sup>42</sup> In his mind, these three manmade steel bridges were every bit as impressive and important as the three sandstone natural bridges in their namesake monument forty miles east.

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<sup>40</sup> Abbey, *The Monkey Wrench Gang*, 120.

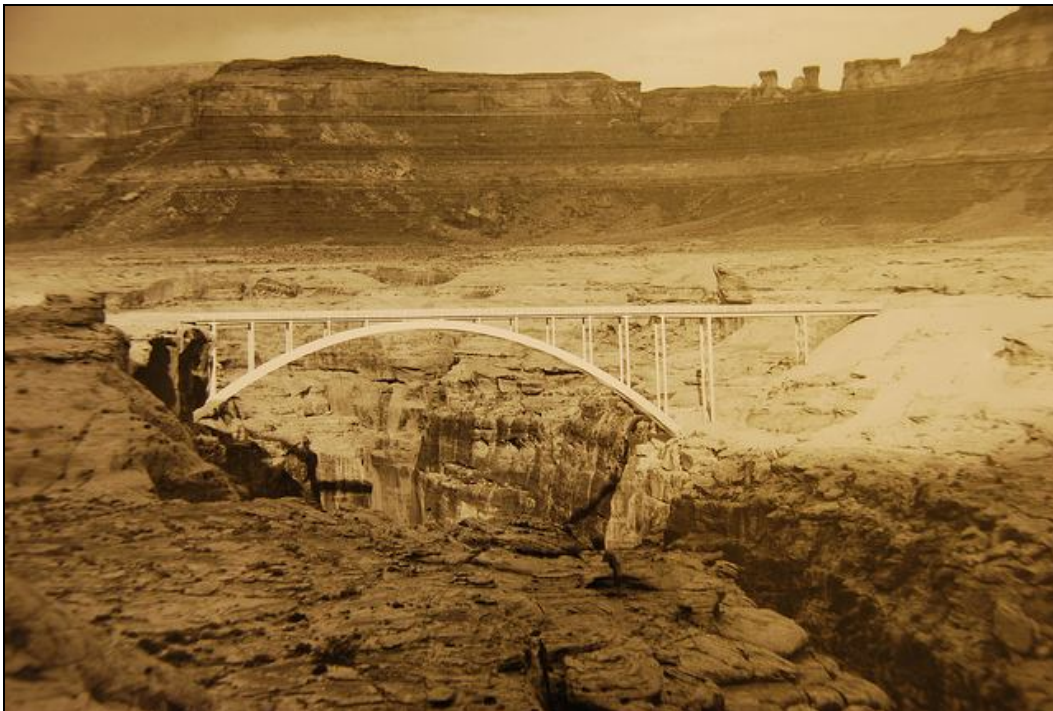
<sup>41</sup> Dedication Ceremony for the Colorado River Bridge, Dirty Devil River Bridge, White Canyon Bridge, June 3, 1966, Box 1, Series 9917, Road Commission, Department of Highways Dedication Program Booklets, Utah State Archives and Records Service, Salt Lake City.

<sup>42</sup> Statement of Harry Heland, from United States, Congress, Senate, Committee on Interior and Insular Affairs, Subcommittee on Parks and Recreation, *Canyonlands National Park and Glen Canyon National Recreational Area: Hearing, Ninety-first Congress, Second session, on S. 26 and S. 27, May 5, 1970* (Washington: U.S. Government Printing Office, 1970), 85.





9. The ferry at Hite, 1965. Art Chaffin operated this ferry on the Colorado River from 1946 to 1964. Courtesy Utah State Historical Society.



10. The new steel arched bridge over the Dirty Devil River, 1965. This bridge was a tribute to the Anglo-American impulse to cover a region characterized by deep canyon gorges with a transportation network of straight lines. Courtesy Utah State Historical Society.

Some people believed that road engineers were creating a road that complemented the desert aesthetic. Where visible from the highway, the old road was to be obliterated and seeded for a “natural” appearance. Where the old road could not be seen from the new, no restoration or landscaping was required. The BLM carefully considered which grasses to use in reseeding the cleared land on the highway’s shoulders. Native plants like four-wing saltbush, sand drop seed, black brush, or sagebrush offered a more natural appearance than exotics.<sup>43</sup> Since the highway would pass through range land used by deer as well as domestic livestock, road designers had to determine the best way to build a road and fencing for winter range cattle without harming deer migration moving from winter to summer ranges. Three-strand barbed-wired fences were used to keep cattle off the highway while still allowing wildlife passage. The BLM also recommended no blasting in a section of the highway between Atomic Rock to Fry Canyon during bighorn sheep lambing season May through June. In general, it had instructed road crews to use non-intrusive road building methods to minimize the road scars and the adverse impacts to land and water resources.<sup>44</sup>

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<sup>43</sup> Frank G. Shields, BLM District Manager, Monticello, September 5, 1972, notes; “Environmental Analysis, Bureau of Public Roads – U-6593, U-95 Atomic Rock to White Canyon Segment,” May 10, 1974; both documents on file in the BLM field office, Monticello, Utah.

<sup>44</sup> Sheridan Hansen, Area Manager, October 9, 1968; Thomas Moore, Chief Division Resource Management, to R/W U 6468 and U 6670, June 19, 1969, Folder “U-95, The Needle – U-261, UTU-6468”; “Comments on U-95 (White Canyon) Staff Report,” June 28, 1973; “Environmental Analysis, Bureau of Public Roads – U-6593, U-95 Atomic Rock to White Canyon Segment,” May 10, 1974; all documents on file in the BLM field office, Monticello, Utah. See “Environmental Analysis, Bureau of Public Roads – U-6593, U-95 Atomic Rock

Road construction is, however, by nature a highly environmentally disturbing act. U-95 entailed heavy cuts to the land and cultural resources. In one section of the highway, construction crews to inadvertently destroy several key archaeological sites west of Mule Canyon, completely destroying a site showing evidence of late Basketmaker or Pueblo I occupation, another small Pueblo site, a Basketmaker site revealing evidence of a pit house, and a large site that had contained important late Basketmaker and Pueblo pit structures and dwellings. Only a pit structure and trash at the last site could be salvaged.<sup>45</sup>

Road cuts had other impacts on the landscape. In some sections of the highway such as up Elk Ridge and to Cedar Mesa, engineers forged brand new routes instead of overlaying the new highway over the existing road alignment. Making a new alignment cut an entirely new path through the broken country, resulting in further damage to the land, soil, and vegetation. It was violent work, even though the engineers designed the construction to be as unobtrusive as

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to White Canyon Segment,” May 10, 1974; Frank G. Shields, BLM District Manager, Monticello, to BLM State Director, November 3, 1972, folder “U-95 U-6670 Federal H. A.”; both documents on file in the BLM field office, Monticello, Utah.

<sup>45</sup> See “Negative Environmental Impact Declaration, U-95 White Canyon to Atomic Rock,” [1973]; Frank G. Shields, BLM District Manager, Monticello, to BLM State Director, Utah, April 27, 1973, memorandum; “Analysis and Recommendations for Archeological Values – U-95,” Staff Report written by Richard E. Fike, April 23, 1973, Folder “U-95 U-6670 Federal H. A.”; all documents on file in the BLM field office, Monticello, Utah. For the BLM’s reaction to the damage, see Blaine J. Kay, Director, Utah State Department of Highways, to R. D. Nielson, BLM State Director, April 18, 1973; “Report of Meeting with officials of Utah State Highway Department, University of Utah, and Bureau of Land Management in reference to highway U-95 – May 30, 1973,” written by R. D. Nielson, June 6, 1973, Folder “U-95 U-6670 Federal H. A.”; both documents on file in the BLM field office, Monticello, Utah.



possible. Of particular concern was the section of highway from Atomic Rock to White Canyon, a stretch that adheres mostly to the old alignment. Still, the impact to the landscape was tremendous. Since the new road would straighten out and eliminate sharp curves and dangerous dips in the road, even where following the old road, straightening the road would take the highway off the old road by up to 150 yards.<sup>46</sup> Road architects attempted to mitigate damage to the landscape wherever possible. The BLM feared that a highway culvert might cause irreparable damage to Fry Canyon, a deep narrow gorge adjacent to White Canyon a few miles west of Natural Bridges. Instead, they proposed building a new bridge across the canyon, not unlike the old one used for the old road. In fact, the Scenic Highway Group had lobbied to keep the old bridge over Fry Canyon and approaches to it left in place. The Utah State Department of Highways argued that keeping the old bridge would be a liability. Bob Brock of the BLM proposed a new bridge with a walkway for those interested in viewing the canyon. Again, the Utah State Department of Highways ruled that the walkway would be a liability, and one was never built.<sup>47</sup>

Through 1976 road crews blasted, cut, filled, graded, and paved sections of U-95. Completion of each section became a matter of celebration. On November 2, 1974, C. Alfred Frost blessed the road, Mormon style. He began by

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<sup>46</sup> Frank A. Ularich, Engineer, Utah State Department of Highways, August 14, 1973, memorandum, on file in the BLM field office, Monticello, Utah.

<sup>47</sup> Bob Brock, BLM, "U-95 – Atomic Rock to White Canyon," Staff Report, June 27, 1973; Ularich, August 14, 1973, memorandum; both documents on file in the BLM field office, Monticello, Utah.

thanking “our Heavenly Father” for the men and women who worked on the road, then asked that it be blessed “for the beneficial use of man—that it be used for commerce and industry in transporting the necessary goods and materials necessary for mankind to pursue his livelihood here on earth” and that man would “travel this graceful road” to “get away from the strife and hustle and bustle of his life” and “have his soul renewed.”<sup>48</sup>

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Who, then, would benefit from the new highway and for what would it be used? Seldom Seen, a character in Abbey’s novel *The Monkey Wrench Gang*, assured his companions that “The only folks [who] want this road are the mining companies and the oil companies and people like Bishop Love. And the Highway Department, which their religion is building roads. Nobody else ever heard of it.”<sup>49</sup> That about fits the original purposes of the road when the AEC covered the costs: to provide access for prospectors and haulers moving ore to the processing plants. The circle of benefactors widened when the waters of Lake Powell reached Hite. Now the road would benefit the marinas and hotels and stores that would cater to the boaters and sightseers, but roads boosters also recognized its broader impact on tourism in southern Utah. Calvin Black had argued most earnestly during the highway’s construction that it “will not only provide for local needs, but will connect the hundreds of thousands of acres of beautiful, scenic lands the

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<sup>48</sup> County Commission Minutes, November 18, 1974, Roll Accession 160296, Series 84229, San Juan County (Utah), County Commission Minutes, Utah State Archives and Records Service, Salt Lake City, Utah.

<sup>49</sup> Abbey, *The Monkey Wrench Gang*, 77-78, 313.

Congress has designated as National Parks, Monuments and Recreation Areas for the use and enjoyment of all Americans.”<sup>50</sup>

What Black did not state explicitly but would have been known by anyone who knew him was that he stood to gain from the highway’s construction. Since dedication of the original road in 1946, he had dreamed of its completion and had prepared for it. After making a start in the mines, Black had become a successful entrepreneur with businesses and real estate in several western states and in his home county so numerous they read like a directory.<sup>51</sup> Among his many developments in the late 1950s and early 1960s, the largest and perhaps Black’s preferred was development at Hall’s Crossing on Lake Powell. One of his sons remembers going to the site “while there was still a river there and Dad was trying

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<sup>50</sup> Calvin Black, Commissioner, San Juan County Commission, to Henry C. Helland, Director, Utah State Department of Highways, [1972], on file in BLM field office, Monticello, Utah. See also R. D. Nielson, State Director, BLM, to Helland, August 15, 1972, on file in BLM field office, Monticello, Utah.

<sup>51</sup> He bought stock and real estate in Carlsbad, New Mexico, considered buying land in California, and purchased property at Hall’s Crossing for a marina on the anticipated Lake Powell. He bought up additional mining claims or the interest of his partners, like Rust Black. In February 1965, he recorded about “investigating the purchase of a sawmill” and a “Wax Museum.” In 1966 he considered more land purchases including land in Park City, Utah; ranches in Nevada and Loa, Utah; and a mine in Montezuma, Utah. And he discussed many other business deals. In March 1966 alone he pondered purchasing a motel in Monticello, two motels in Blanding, and several other businesses and properties. He made an offer on a shopping center in Phoenix, leased an oil well in Tucson, and considered copper leaching in Milford, Utah. His empire continued to grow. In 1968 he and a business partner bought Silver Saddle Café in Blanding, and he explored the possibility of a mortuary and a car dealership in Boise, Idaho. The next year he purchased the local radio station and another in Page, Arizona. To manage these holdings spread across the state he kept a car in Salt Lake City, a truck in Kanab, a truck at Hall’s Crossing, and numerous vehicles and a small plane in Blanding. Excerpts from the Journals of Calvin Black, in “The Life Story of Calvin ‘F.’ Black,” 113, 115, 116, 117, 120, 123.

to explain to me the development that was going to take place there.” The lake would have a marina, stores, facilities, and a ferry. The idea for a ferry across the reservoir germinated while he was in the army stationed in New York where he took a ride on the Staten Island Ferry. When he returned home from the service in 1957, not long after passage of the Colorado River Storage Project Act, he believed a “water highway” on the lake would be possible to connect the two sides of the lake and transport tourists up and down the lake, as far south as Wahweap and north to Hite, and maybe up the San Juan River. By working with nature, he believed, a new water road would be the easiest ever built in the canyon country.<sup>52</sup>

Black put his energies into the developments at the future site of the lake marina. Partnering with J. Frank Wright, an old river runner who had worked with Norman Nevills, he formed the Lake Powell Ferry Service, Inc. and received a concession permit from the NPS for a marina, trailer court, and the ferry. Beginning in October 1963, his company operated a small barge on the river and a boat dock—“a small wooden platform with a barrel of gas and a hand pump”—a trailer court, an office and a store.<sup>53</sup> To expand the marina required a good road

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<sup>52</sup> Cal Black to Henry C. Helland, Director of Utah State Department of Highways, no date, on file in the BLM office in Monticello, Utah; “The Life Story of Calvin ‘F’ Black,” 7-8; Black interview (1970), 57-58; Calvin Black, “History of the John Atlantic Burr,” May 4, 1985, in possession of Blue Mountain Shadows, Blanding, Utah.

<sup>53</sup> “Development of Halls Crossing,” 97; Black, “History of the John Atlantic Burr”; “Narrative History of Halls Crossing,” December 26, 1971, in “The Life Story of Calvin ‘F’ Black,” 105-107; Diary, in “The Life Story of Calvin ‘F’

connecting the reservoir to the U-95, then under construction. Black went to work championing the upgrading of the old dirt road to the location. “When there is an oiled road into Halls Crossing,” he estimated, “I believe there will be need for at least 40 motel rooms, a restaurant of 60 seats, slip, buoy and dry storage facilities for 200 boats, a trailer court of at least 50 spaces, and, of course, employee housing, a school, service station, and other related facilities.”<sup>54</sup>

Pushed by Black, construction of Highway 276 to Hall’s Crossing was a major undertaking. The National Park Service dumped several million dollars for construction of the road within the Glen Canyon National Recreation Area, and half a million on facilities in the Bullfrog Basin area across the bay. When completed, Highway 276 provided direct access to Hall’s Crossing and by ferry to Bullfrog Marina and the new paved road running north from Bullfrog to U-95.<sup>55</sup> Gradually, Hall’s Crossing expanded (a floating gas barge, pumps, service station, office, trailer court, repair shop, and dry storage yard) but not into the city Black hoped to create, with schools, golf course, swimming pools (for those too timid to

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Black,” 113, 115; “Interview with son Alan Taylor (Buddy) Black,” in “The Life Story of Calvin ‘F’ Black,” 51.

<sup>54</sup> “Narrative History of Halls Crossing,” December 26, 1971, in “The Life Story of Calvin ‘F’ Black,” 105-107; Black to Gerald Matthews, Utah Department of Highways, March 19, 1967, Folder 23, Box 1, Reel 1, Series 20902, Governor Rampton County Trip Records, Utah State Archives and Records Service, Salt Lake City.

<sup>55</sup> San Juan County to the Secretary of Commerce, no date, Folder 3, Box 1, Reel 1, Governor Rampton County Trip Records; Allan T. Howe to Black, May 24, 1971, in San Juan County Commission Minutes, June 7, 1971, San Juan County (Utah), County Commission Minutes.

brave the lake), and parks. Part of Black's original vision was realized in 1984 with dedication of the long-sought ferry at Hall's Crossing.<sup>56</sup>

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To Edward Abbey, construction of U-95 and its offshoots like Highway 276 defiled the land he had grown to love and know so well. The highway straightened out and obliterated the charm of the old road that Abbey remembered so fondly. Mostly, Abbey objected that this intruding highway would provide a route for industry and big business, grown even bigger since the dammed waters of Lake Powell reached Hite. As Moab native and wilderness advocate Ken Sleight blamed "local people, starting with Calvin Black," and "the prevailing culture" in Utah. "[Black] wanted to build roads and he did build roads and it was very hard," Sleight told reporter Ken Verdoia in an interview. "U-95, right after Lake Powell, well, after the filling, here comes roads, . . . and off those roads come more roads, hooking up all the various concession sites that they decided on. And now . . . they still want to make more roads."<sup>57</sup>

It was the composite development and industrialization of the canyon country that inspired *The Monkey Wrench Gang*. Ken Sleight suspects that Abbey conceived the idea for the novel in 1967. Sleight, who had made a living leading river rafting expeditions since 1953, knew of Abbey through his writings, but they met when Abbey, who was working as a park ranger at Lee's Ferry, approached

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<sup>56</sup> "Development of Halls Crossing," 98.

<sup>57</sup> "Interview: Ken Sleight," in *Glen Canyon: A Dam, Water and the West* <http://www.kued.org/productions/glencanyon/interviews/sleight.html> (March 8, 2011).

Sleight to inspect his outfit. They sat at the edge of a boat and talked of Lake *Foul*, as Sleight always called Lake Powell, until two or three in the morning. “We spoke with derision about the Glen Canyon Dam. That god-awful dam was destined to become the object of many discussions.” A few hours after Sleight launched his boat on the river, Abbey pulled alongside in his ranger powerboat and called to him, “Ken, we’ll take that god-damned dam down yet.”<sup>58</sup>

Abbey began writing the novel in earnest in the early 1970s. He wrote in his journal on February 28, 1971, that it was “time to be thinkin’ of work, man. Time for the Wild bunch to ride again, the wooden shoe mob, THE MONKEY WRENCH GANG! Strikes! Again!”<sup>59</sup> Abbey believed that people were ready for the political and social message of his book. In the Foreword to a new Ballantine edition of *The Brave Cowboy*, republished in 1970, fourteen years after originally published during the “Good Old Ike Era,” Abbey wrote that the nation had become more receptive to anarchism and defending wilderness. “Now both ideas are flourishing in the fiery heads of the boldest of the young. For which I say, Praise Be.”<sup>60</sup>

Abbey’s struggle was against the builders and developers bent on taming the nation’s wild, primitive areas. Calvin Black with his strong persona, ambition,

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<sup>58</sup> Cahalan, *Edward Abbey*, 108-09; Ken Sleight, interview by the author, April 20, 2009.

<sup>59</sup> Edward Abbey, *Confessions of a Barbarian: Selections from the Journals of Edward Abbey, 1951-1989* (Little, Brown and Company, 1994).

<sup>60</sup> Edward Abbey, “A Foreword to the new Ballantine edition of *The Brave Cowboy*,” March 1970, Folder 6, Box 3, Abbey Papers.

and unflinching commitment to road building probably seemed a logical choice to play the Gang's principal antagonist. Perhaps Abbey heard about Black during his stint as a ranger in Arches National Park. More likely he came to know Black in the 1960s after he returned to southeastern Utah to work as a ranger at Canyonlands. Abbey would later move back to Tucson, but while writing *The Monkey Wrench Gang* he kept close tabs on affairs in the Four Corners area by asking Moab native Ken Sleight, "What damn thing is Cal Black up to now?"<sup>61</sup> Probably even Abbey did not know the extent of Black's economic empire, but apparently he knew enough to construct a composite portrait—although an exaggerated caricature—of Black as Bishop Love. Black was easily cast as a profit-motivated western capitalist. And with Black's business connections tied to construction of the highway, critics like to point out that his support for this road and others was self-serving. As Abbey's monkeywrencher Seldom Seen Smith (based loosely on Ken Sleight) sarcastically acknowledged, the road was "to help out the poor fellas that own the uranium mines and the truck fleets and the marinas on Lake Powell, that's what it's for. They gotta eat too."<sup>62</sup>

The fictional Bishop Love was not simply a developer but, as his name implies, a Mormon ecclesiastical leader. If readers remember much at all about the antagonist, it is of a jeep-revving, power-hungry Mormon bishop. One of the Gang says of Bishop Love, "We got plenty like him in Utah. They run things as

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<sup>61</sup> Cahalan, *Edward Abbey*, 157–59.

<sup>62</sup> Abbey, *The Monkey Wrench Gang*, 77-78.



best they can for God and Jesus and what them two don't want, why, fellas like Bishop Love pick up.”<sup>63</sup>

That the local leader of the posse was a Mormon is not surprising, given that a majority in southeastern Utah belong to the LDS church. Making the antagonist a Mormon was for Abbey a broader critique of the Mormon Church. Abbey cared little for Mormonism’s founder, Joseph Smith, or Smith’s claims of a golden bible, although Abbey’s disdain was probably no more for Mormonism than for any other organized religion. Still, as he wrote in his journal, he respected their “agrarian socialism, communal feeling, healthy and sane way of life. A good way of life.” Mormons exhibited a kind of social behavior that—paradoxically, in light of today’s Mormon culture—flourished for a time on the cooperation of egalitarianism, not the competition of capitalism. In *Desert Solitaire*, he praises Mormons for building “coherent, self-sustaining communities with a vigorous common life in which all could participate, free of any great disparities in wealth, small enough to make each member important.” Abbey had a fairly idealized view of the earlier Mormon pioneer period and, like his disdain for the various reincarnations of State Road 95, he lamented the “evil institution” that the church had become. “Like all institutions, they think they’re doing good. The Mormon church has sold out completely to the capitalist system. They are one hundred percent in favor of industrial development and profit making—damn the consequences. . . . They made a religion out of money making!” That seemed to be complaint number one. Then he rattled off a few more—among them the

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<sup>63</sup> Ibid., 241, 249, 250.

crackdown on dissidents, narrow mindedness, and treatment of women as “breeding machines.”<sup>64</sup>

It is this less-flattering opinion and portrayal of Mormonism and its culture that emerges in *The Monkey Wrench Gang*. If there was ever something to admire about the Mormons, that something had been abandoned in the pursuit of a better, more comfortable life. The problem for Abbey and environmentalists was that as a block Mormons generally opposed wilderness protection. Whether this stance stemmed from their theological notion that the earth is full and created for the use of man, or because their isolation and independence created a fierce resistance to government oversight of the land—or both—Mormons in southern Utah are among the most conservative in the country. Abbey’s portrayal of rural Mormons is as two-dimensional, simple-minded, power-hungry denizens—not unlike earlier popular characterizations in novels like Zane Grey’s *Riders of the Purple Sage*.<sup>65</sup>

Abbey, on the other hand, put his faith (if you want to call it that) elsewhere, believing that capitalism defiled rather than perfected nature. Thomas Dunlap has characterized environmentalism as a kind of secular religion that challenged certain ideas in Western culture, and indeed, *The Monkey Wrench Gang* is both product and sacred text of that movement. The novel belonged to the postwar counterculture generation of cynics, anarchists, and anti-modernists who

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<sup>64</sup> Interview with Abbey in Doug Biggers, “From Abbey’s Tower,” *Tucson’s Mountain Newsreal* (September 1979): 6-7.

<sup>65</sup> Zane Grey, *Riders of the Purple Sage* (Random House, 2007; originally published in 1912).

had become disillusioned with technology because of the specter of nuclear war, distrustful of the industrial machine because it killed individualism and polluted the planet, and skeptical of government because it catered to war mongers and capitalists. Like others of the countercultural generation living during the Vietnam War, Abbey believed it necessary to make major structural changes to western civilization by dismantling the industrial economy and starting over. In nature, Abbey and others of his generation sought refuge, and perhaps the foundation of a new society and culture. Abbey's novel laid out a vision and a strategy in its defense.

Abbey practiced what he preached. In April 1975 he and a friend snuck into White Canyon on U-95 and, reminiscent of the mischievous monkeywrenchers in his not-yet-published novel, damaged the road equipment to the tune of \$20,000 by pouring sand or sugar in fuel tanks or shooting holes through machinery tires at the construction site. Above all, Abbey wanted to drive a bulldozer off a cliff like Hayduke, but he settled for smaller acts of sabotage, because he could not get the engine to start. Abbey may have also been responsible the next year when somebody put 110 pounds of sugar in the gas tanks of twenty vehicles building U-95 and caused \$50,000 in damages. Later, in a 1984 interview, Abbey admitted, tongue-in-cheek, that he did "quite a bit of field research for that book. . . I was full of rage and it made me feel good temporarily."<sup>66</sup> Temporarily, because while the damage was expensive and

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<sup>66</sup> Cahalan, *Edward Abbey*, 160-61; "U-95 outlook is good," *San Juan Record*, January 29, 1976.

certainly an impediment to U-95, it did not long delay the \$23 million highway project.

Authorities went after a handful of suspects known to be opposed to the highway and development in general. Ken Sleight believes that Black instigated the search against him. Black even publicly accused Sleight of carrying out the sabotage, though he had no evidence to back up his claims. “I was about to sue the bastard,” Ken later recalled. “It got kind of nasty after a while.”<sup>67</sup> No evidence turned up against Sleight or anyone else; the perpetrators so well hid their tracks that the investigation uncovered nothing, nor was anyone ever charged for the sabotage. At that time Black had no idea that his man was Abbey or that Abbey’s as-yet-unpublished novel would soon provide added fuel to the simmering emotions in the Southwest.

The only satisfaction road supporters got was during one of the few times Black and Abbey—who in later years shared a cordial relationship—spent time together. According to Black’s wife, Carolyn Black, someone filled Abbey’s gas tank with dirt while the two nemeses dined together in a Blanding café.<sup>68</sup>

The covert monkey wrenching was one of a few confrontations that occurred close to completion of the highway. According to a brief note in his diary, in January 1976 Black had a physical confrontation with those who belonged to what he called the “Sahara Club” over construction of the highway, but we know nothing more about the exchange. The Sierra Club protested gravel

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<sup>67</sup> Sleight, interview by the author.

<sup>68</sup> Carolyn Black, interview by the author, August 11, 2006.

removal from Glen Canyon National Recreation Area for construction of the highway but later decided to negotiate.<sup>69</sup> Neither the monkey wrenching nor the protest, however, put a halt to the highway project. In 1976 U-95—the Trail of the Ancients Scenic Byway—was completed and dedicated, promising to open up southeastern Utah’s scenic and mineral riches.

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The life stories are reflections of and contributions to dominant Euro American ideologies at work in an American desert. Each man articulated and represented a compelling vision of how to act on the land. Abbey’s environmental ethic articulated in his sizable corpus of literature dipped into ideas that have deep roots in American culture. Before Abbey, intellectuals had begun to express what James Meadowcroft calls “a veneration of nature and the natural” and other modern green perspectives. These views did not coalesce into a mainstream political philosophy until the 1970s. Although the environmental movement incorporated a diverse collection of ideas and ideologies, some essential points were common throughout all green philosophies: the fundamental value of nature, the reality of natural limit, and a rejection of the capitalistic development mode. Any green ideology posited the need to restructure the human relationship to the non-human world that acknowledges the human connection and interdependence to nature rather than sole dominion or lordship over it. Meadowcroft maintains

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<sup>69</sup> Journal in “The Life Story of Calvin ‘F’ Black,” 119, 123.

that the environmental movement widely rejected the modern industrial machine that equates “progress” with economic growth.<sup>70</sup>

From one standpoint, these ideas suggest an eco-centrism that is decidedly neutral when it comes to humans’ place in the natural world. Critics of the green philosophy at times deride environmentalists for caring more about the spotted owl or any other species than their own. It is a charge oft-levelled by some in the conservative, rural West, suggesting a necessary choice between eco-friendly practices and the well-being of human beings. Yet Meadowcroft points to a fourth shared idea—that living in sustainable harmony with nature “will also set humans free” to live more authentic, happy lives.<sup>71</sup> Abbey believed not only that industrial development wrecked the environment but that it ultimately did a disservice to the communities it aimed to help. In the undefined natural world, Abbey found his peace. To him the natural world existed and operated perfectly independent beyond human need, yet humans could also play an integral moral role in it.

Black’s ideology, interestingly, contains woven strands of religious and secular ideas about land and nature. His was a faith in economic growth, in the power of technology to mold the natural world into a commodity, and in man’s preeminent role in this undertaking. Each of these ideas derived in part from the dominant American mainstream, but they also had particular prominence in Mormon religious beliefs. Black’s notion of “creating”—that is, turning raw

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<sup>70</sup> James Meadowcroft, “Green Political Perspectives at the Dawn of the Twenty-First Century,” in *Reassessing Political Ideologies: The Durability of Dissent*, ed. Michael Freeden (New York: Routledge: 2001), 176.

<sup>71</sup> *Ibid.*, 177.

materials into usable, consumable products (like desert into irrigated farmland or trees into 2x4s)—is more closely aligned with Mormon theology than mainstream Christian doctrine. To most of Christendom, when God created the earth he did so *ex nihilo*. Mormons do not share this belief that God created the earth and his spirit children out of nothing but that he (always male) organized “intelligences” and matter from preexistent forms.<sup>72</sup> The idea of organizing a chaotic mess into an organized form is a useful way to think about what Black meant by creation. Although certainly not a uniquely Mormon concept, the organization of raw materials into useable products had theological precedence for Black. By so creating they were co-partners with God.

Other notions of land use advanced by Black also paralleled Mormon theology. Black’s rhetoric that the land and its bounties were entitlements derived widely from Mormon (and Christian) belief that God created the earth for human’s use and dominion. *Homo sapiens*, designed in God’s image, sat atop the food chain, the capstone of God’s creation, and heirs of celestial glory. In Mormonism’s peculiar theology, this point is especially emphasized. Joseph Smith and other early Mormons spoke not merely of humans as “angels” of God but as total heirs to his glory and possessions.<sup>73</sup> Taken to the logical (some might

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<sup>72</sup> For Joseph Smith’s teachings on this subject, see *Teachings of the Prophet Joseph Smith*, compiled by Joseph Fielding Smith (Salt Lake City: Deseret Book Co., 1977), 350-354.

<sup>73</sup> On June 16, 1844, Joseph Smith declared that “every man who reigns in celestial glory is a God to his dominions. . . . They who obtain a glorious resurrection from the dead, are exalted far above principalities, powers, thrones,

say heretical) extreme, Mormons consider themselves Gods in embryo, destined, in fact, to become possessors of their own worlds and humanoid populations. Such anthropocentrism easily suggests the sense of entitlement for land and its resources that many Mormons in southern Utah felt. The idea of eternal increase finds satisfying expression on earth as Mormons accumulate large property, homes, cars, families, and jobs as physical expressions of divine favor.

Historians and other scholars disagree, however, on the overall impact of how Christian notions of land, God, and creation contribute to how people perceive and transform the land. Lynn White, Jr., and Roderick Nash have argued that Judeo-Christian religious culture is responsible to a large degree for many of the world's ecological challenges because, in the words of White, Jr., it "not only established a dualism of man and nature but also insisted that it is God's will that man exploit nature for his proper ends." In reading scripture, humans saw the creation story as God setting man above the rest of creation, thus giving them dominion over the earth and its resources.<sup>74</sup> Mark Maryboy, a Navajo who served with Black on the San Juan County commission, recognized this type of thinking among his Mormon colleagues. In quoting Mormon leader Brigham Young as saying, "Build cities, adorn your habitations, make gardens, orchards, and vineyards, and render the earth so pleasant that when you look upon your labors, you may do so with pleasure, and that angels may delight to come and visit your

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dominions and angels, and are expressly declared to be heirs of God and joint heirs with Jesus Christ, all having eternal power." Ibid., 374.

<sup>74</sup> Lynn White, Jr., "The Historical Roots of Our Ecological Crisis," *Science* 155 (March 1967): 1203-07; Roderick Nash, *Wilderness and the American Mind* (3d ed. New Haven: Yale University Press, 1982), 13-20.



beautiful locations,” Maryboy added, “It is an interesting religious notion that angels would not be willing to visit God’s creation until man had improved upon it.”<sup>75</sup>

Yet another reading of Christian scripture may be gleaned—one not of dominion but of stewardship. Wendell Berry, historian Thomas G. Alexander, Mormon apologist Hugh W. Nibley, and others have argued that Christian scripture points to a different relationship between man and earth, one that is if not akin to modern-day environmental thinking is at least in line with the view that humans are more participants in a larger ecological system than lords over the Earth.<sup>76</sup> Indeed, early Mormons embraced a communalistic ideology that was at odds with the individualistic, capitalistic mainstream. Brigham Young and other early church leaders sometimes spoke against private landownership. They railed against excessive timber cutting or destructive grazing practices. Yet their notion of steward was usually understood as gardener or improver. While they often spoke of caring for the land, the idea was not so much to live in harmony with nature as it was to bring nature harmoniously into the ideals of a celestial place.

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<sup>75</sup> Quoted in Ken Sleight, “The Political Mark Maryboy,” *Canyon Country Zephyr*, October-November 1998.

<sup>76</sup> See Berry, *The Gift of Good Land: Further Essays Cultural and Agricultural* (San Francisco: North Point, 1981); Alexander, “Stewardship and Enterprises: The LDS Church and the Wasatch Oasis Environment, 1847-1930,” *Western Historical Quarterly* 25 (autumn 1994): 341-66; Nibley, “Brigham Young on the Environment,” 3-29, in *To the Glory of God: Mormon Essays on Great Issues—Environment, Commitment, Love, Peace, Youth, Man* ed. by Truman Madsen and Charles D. Tate (Salt Lake City: Deseret Book, 1972).

Modern-day Mormons living in San Juan County would not disabuse these ideas. They, too, articulate a land ethic that, if not eco-centric, at least acknowledges the need to manage (“tend”) wisely the land and its resources. It is not uncommon to hear ranchers with deep roots in the region claim to be the “true environmentalists.” But neither should it be forgotten that the ideological descendants of the region’s original Mormon settlers perceive the land and its resources in primarily anthropocentric terms. Some of this is certainly driven by religious notions. Consider the words of scientist and Mormon apostle John Widtsoe who so clearly and unapologetically attempted to convey the spirit of *Genesis*: “The destiny of man is to possess the whole earth; the destiny of the earth is to be subject to man. There can be no full conquest of the earth, and no real satisfaction to humanity, if large portions of the earth remain beyond his highest control.”<sup>77</sup> Yet to attribute this statement solely to religious ideology would be a mistake, however, since it so clearly blends the religious and secular notions of land as historically dominant in American culture. Mormons today espouse what writer and activist Stephen Trimble calls “the sanctity of industrious hard work” as zealously as they had once embraced communal ownership of resources. “Secular entrepreneurial energy replaced sacred stewardship.”<sup>78</sup>

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<sup>77</sup> John Widtsoe, *Success on Irrigation Projects* (New York: John Wiley & Sons, Inc., 1928).

<sup>78</sup> Stephen Trimble, *Bargaining for Eden: The Fight for the Last Open Spaces in America* (Berkeley and Los Angeles, California: University of California Press, 2008), 41 (see also pp. 203-207).

Religious notion's now dovetail neatly into the dominant thinking of the American mainstream.

Both Abbey's and Black's worldviews had developed primarily through lived experiences in the Southwest. The land gave form to their visions. To Black, the country was big enough for as many roads as could be built to service developments along the lake. "You could honestly say that when we build these roads, because of the vastness and nature of the area, it will make little more of a mark than to plow the ocean!" he exclaimed rhetorically to a congressional subcommittee in 1970.<sup>79</sup> Paved roads like those built to Hall's Crossing or into Arches and the Needles District in Canyonlands National Park "opened" nature's wonders to the public while still retaining the natural feel and appearance of the place. Building roads was just the first act of creation. Like old State Road 95, roads might be improved, made faster, slicker, and straighter. Then the lakeside marinas, gas stations, visitor's centers, and more roads extending like tentacles to the outer hinterlands would surely follow.

As a young man, Black affirmed that roads were infeasible in the broken canyon country. "After I started prospecting and saw how rough that country was, it just did not ever seem possible—building a road," he said of upgrading the dirt road to a modern paved highway. But by the time Calvin Black reached

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<sup>79</sup> Statement of Calvin Black, County Commissioner, San Juan County, Utah, from United States, Congress, Senate, Committee on Interior and Insular Affairs, Subcommittee on Parks and Recreation, *Canyonlands National Park and Glen Canyon National Recreational Area: Hearing, Ninety-first Congress, Second session, on S. 26 and S. 27, May 5, 1970* (Washington: U.S. Government Printing Office, 1970), 58.

adulthood, he had begun to appreciate the power of machines to transform the land or at least his perception of it. He took his first airplane ride at the age of twenty-five. “When I saw that country from the air for the first time, it did not look as big and formidable as it had.” He appreciated modern Cat tractors and graders for their ability to cut and grade and fill in a way his father as road foreman had never known. As an independent miner, Black built his own access roads to his mines, became a strong advocate of road building (including U-95), and later as San Juan county commissioner secured state and federal funds to pave other poorly maintained dirt roads. Roads were essential; they belonged on the landscape, providing the means to extract wealth from the land. No man was more responsible for the network of modern roads in the county.<sup>80</sup> His infatuation with roads was such that BLM veterans recall how Black thought the term “black is beautiful” referred to asphalt.<sup>81</sup>

In his lifetime, Black witnessed the powerful impact of road building in the desert. With completion of Glen Canyon Dam, U-95, and the promise of new oil and gas wells or mines, marinas, hotels, and gas stations, at last—it seemed—San Juan County was becoming a destination. Part of this new promise stemmed from a heightened sense of a newfound power over the land—that where once the broken terrain set the limits, now technology and human ingenuity proved the greater force. Faith in progress likely transformed attitudes about the land and

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<sup>80</sup> Black, “San Juan County Roads and Resources,” in *San Juan County, Utah*, ed. by Powell, 244-45.

<sup>81</sup> Christopher Smith, “Utahn’s War Let’s Visit the Tomb of a Well-Known Sagebrush Soldier,” *Salt Lake Tribune*, November 2, 1995.

nature. Now that the county could be crossed by high-speed vehicles, the land did not seem so forbidding, vast, or untouchable. Now that bulldozers and graders tore through the east–west length of the county paving new roads, now that the lake allowed boaters to weave in and out of the Colorado River side canyons, the physical barriers to travel were not so great. Once technology allowed human access to some of the remotest places on the planet, tourists’ perceptions of place shifted from fear to awed appreciation of beauty. And for the residents of southeastern Utah, the mental inertia based on the land’s perceived limits gave way to a new kind of faith in human power over nature.

Whereas Black came from a tradition that viewed the lived-in landscape as paramount, Abbey believed that the spirit of the desert demanded apartness from people. Abbey recalls the story in *Desert Solitaire* of driving the old Flint Trail, built by uranium miners like Black but subsequently abandoned because they found nothing worth bringing up in trucks. He reveled in taking that trail in a four-wheel-drive jeep, “up and down hills, in and out of washes and along the spines of ridges.” Each traveled mile was rougher than the last until finally he reached the end of the road, about as far away from “civilization” as it was possible to be. It was as though the road draws you unwittingly yet irresistibly in, luring you to stay and linger, to your peril with limited supplies until necessity forces you to exit the way you came in.<sup>82</sup>

Indeed, Abbey writes that “this sweet virginal primitive land will be grateful for my departure and the absence of the tourists.” To him, the paradox

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<sup>82</sup> Abbey, “Terra Incognita: Into the Maze,” in *Desert Solitaire*, 313-29.

was that while the desert—“desolate and still and strange”—called to him and roads provided passage, the desert could not be inhabited. Arches National Park was one of those places that stood apart from the rest of industrialized modern America. Even he longed to return to “this new America of concrete and iron” which he found repulsive and welcome at the same time. But he expresses ambivalence about whether the desert would survive the impending onslaught of cars and tourists and modern development. Abbey could not know if the desert he was leaving, perhaps permanently, would ever be the same again. A new main road into Arches would be built, and then perhaps paved roads to every scenic attraction in the park, propelling people in and out of the park at a pace that did not allow the visitors to have the kind of intimate experience of the place that Abbey craved and wrote about so movingly.<sup>83</sup>

In other words, he was increasingly skeptical that the middle landscape described by Leo Marx could be preserved.<sup>84</sup> Old State Road 95 built in 1946 represented the ideal. In his mind, the old rough roads used by locals for so many years had almost blended into the landscape. Abbey referred to the original dirt road as “primitive,” which evokes the image of wilderness untrammelled by man. Not so with the new modern high-speed highway. There was something about paving over, about erasing the natural contours of the land, about the audacity of cutting through natural barriers instead of going around them, about new steel

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<sup>83</sup> Quotes in Abbey, *Desert Solitaire*, 293, 302, 334.

<sup>84</sup> See Leo Marx, *The Machine in the Garden: Technology and the Pastoral Ideal in America* (New York: Oxford University Press, 1964).

bridges spanning previously unspannable gorges and canyons. There was something about speeding by without consideration of the character of the terrain, without feeling the place. The loss was not only nature's but a deeply felt human loss.

In his essay recalling old State Road 95 before the lake submerged the old trail and the modern highway bridged the canyons and carved deep scars into the ridges, Abbey wrote,

All of this [the new road], the engineers and politicians and bankers will tell you, makes the region easily accessible to everybody, no matter how fat, feeble or flaccid. That is a lie. It is a lie. For those who go there now, smooth, comfortable, quick and easy, sliding through as slick as grease, will never be able to see what we saw. They will never feel what we felt. They will never know what we knew, or understand what we cannot forget.<sup>85</sup>

In lamenting the loss of the old road, Abbey did not reflect on time primeval before people had permanently scarred the landscape. He emphasized pre-industrialization, not pre-human contact, and wrote about a primitive backcountry, not a pristine, untouched wilderness. In a way he was contrasting a romanticized view of the pioneer period with the profoundly more cynical view of a destructive and transformative modern era. But it was also recognition that the canyon country has a deep human history that should be acknowledged, if not celebrated. A reviewer from the National Park Service criticized Abbey for referring to the Escalante River region as a “clean and pristine wilderness” in an unpublished essay originally intended for *American Heritage*. The country, the reviewer noted, had a history of mining and grazing and even then was being drilled for oil. “Of

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<sup>85</sup> Abbey, “How It Was.”

course the Escalante area is not an untouched wilderness—but what is?” Abbey responded simply. “The old corrals and cabins do not detract from the land’s primitive quality; and as for that oil-drilling near Davis Gulch, the last I heard it was a dry hole. Anyway, all the more reason to have the area made official wilderness, quick. Before they do muck it up.”<sup>86</sup>

Machines and technology provide the difference between a primitive landscape and a fully domesticated one. Of course, it is all a matter of perspective. What to some is degradation is progress to others. What to some is loss to others is gain. Where to some construction means overwhelming nature, to others it represents improving on nature or at least using the fruits of what nature so generously endows.

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Perhaps it is unfair to characterize Black and Abbey as Manichean opposites. In a sense, neither man fits squarely in the boxes popular perceptions put them in. Abbey never felt entirely comfortable with the self-styled environmental crowd. If “progress” is development, and development brings ecological ruin, Abbey’s monkeywrenchers do not entirely represent the antithesis to progress. Hayduke and Seldom Seen Smith drove big cars and tossed their beer cans out the window like the rest of them. In “The Second Rape of the West” Abbey famously confessed, “Of course I litter the public highway. Every chance I get. After all,

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<sup>86</sup> John M. Morehead, National Park Service, to Rita Gordon, *American Heritage Magazine*, November 4, 1969; Abbey to Morehead, February 27, 1970, Folder 6, Box 3, Abbey Papers.



it's not the beer cans that are ugly; it's the highway that is ugly."<sup>87</sup> For Black, despite his reputation as a hard-headed money-maker, people who knew him speak nearly unanimously of his magnanimity and good nature. Although his opponents say that having an argument with Black was like "riding a bull," he disarmed his critics by his command of the issues and facts, not personal attacks or insults. Moreover, while he made no apologies for his drive to develop and "improve" the land, he also spoke of having a regard for the environment and styled himself as one of the "true environmentalists." Calling Abbey an "environmentalist" and Black a "developer" is a good method of characterizing positions or ideologies but not necessarily true to life.

Still, I am not the first to point out the contest between these two warring factions. Abbey received at the tail end of his life an interesting letter from Tom Austin, the Chief of Police in Blanding, Utah, who had grown up on a Midwest farm, then "migrated to Utah to keep from starving to death." He said that while in college his professors had introduced him to Abbey's work, which spoke to him as someone who had fallen in love with the Southwest. Later, after joining the police department, he read *The Monkey Wrench Gang* at the behest of his colleagues "so I would know what to watch for if any of 'those long-haired-hippie-bastards' showed up in my town." As a cop he "highly resented the tactics" of the Gang but admitted that he enjoyed the story. Austin tells Abbey that in a

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<sup>87</sup> Quoted in Cahalan, *Edward Abbey*, 154. For a full discussion of the contradictions and ironies in Abbey's life and work, see David Mark Pozza, "The Unity of Opposites in the Works of Edward Abbey" (Ph.D. dissertation, Indiana University of Pennsylvania, 2001).

college paper he represented Abbey as “the figurehead of the radical environmental movement in the United States” and Calvin Black as a “leader among the radical materialistic factions in the state of Utah and certainly San Juan County.” The representations probably seemed natural to Austin. In his writings Abbey had been a persistent “voice in the wilderness” urging direct action to defend the earth. *The Monkey Wrench Gang* in particular helped inspire the creation of Earth First!<sup>88</sup> Austin undoubtedly knew and worked with Black. By the mid 1980s Black had a reputation in the state and even beyond its borders—and especially among environmentalists—for being a determined and successful developer.<sup>89</sup>

*The Monkey Wrench Gang* itself helps to establish the bifurcation. In a sense, the novel characterizes to the point of exaggeration. Abbey’s novel is purposefully irreverent and provocative but, according to him, “though fictional in form, is based strictly on historical fact. Everything in it is real or actually happened. And it all began just one year from today.” He was not just referring to the sand in the gas tanks or the chases by quasi-official local vigilantes. He meant the engineers who would stop at nothing to achieve “perfect sphericity” and men like Bishop Love who “can hear a dollar bill drop on a shag rug.” Abbey was also sure that the wheels of “progress” would roll on, and he was sure that people would come to the defense of Mother Earth. The novel is a reflection of a

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<sup>88</sup> Susan Zakin, *Coyotes and Town Dogs: Earth First! and the Environmental Movement* (New York: Viking, 1993), 6-7.

<sup>89</sup> Tom Austin to Edward Abbey, February 1986, Folder 4, Box 2, Abbey Papers.

contemporary situation and a projection for the future. The two stories—the one of industrial progress, the other of environmental defense—had already begun to diverge and branch apart as the two groups dug in and announced their positions.

Both men in life and death carefully crafted their personas and achieved iconic status. Abbey is better known because his writing immortalized the Southwest, attracted a cult following, and is respected literature in its own right. But Black has a following of his own, mostly among southeastern Utahns. Like Abbey, his life and work lives on—in the developments and especially roads that he helped to create.

The story of conflict between development and wilderness neither began nor ended with the two men, but each came to represent the ideological poles. On one side, a man who “loved to get on a CAT, take out a few trees, [and] build a few roads,”<sup>90</sup> and on the other, a man who yearned for a world less encumbered by crowds and destructive machines. Seldom did the two men directly cross paths, but the antagonism on both sides was always present. At a speech given at the University of Utah in 1988, Abbey said, “It may be true that Utah has the world’s worst county commissioners. I’m thinking primarily of San Juan, Grand, and Garfield counties.” Making special reference to “my old friend Calvin Black from Blanding” as being among that group, he paused to ask, “Hey Cal, are you out there? Got any new plots for sale?” to the delight of his audience. Despite jabbing public statements, Abbey respected Black “as a person.” Late in 1988, in a letter

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<sup>90</sup> Carolyn Black interview.

of condolence upon learning his old nemesis had contracted cancer, Abbey wrote to Black:

Dear Cal—  
I hear rumors that you've come down with a serious illness. If true, I hope you beat it. Although you and I probably disagree about almost everything, you should know that I have never felt the slightest ill-will toward you as a person. Furthermore, you still owe me an airplane ride. Good luck & best wishes,  
Ed Abbey.

Sadly, Abbey died unexpectedly a few months after penning the note, a year before Black succumbed to cancer.<sup>91</sup>

In life and in death, Black and Abbey each represented an ideological posture in the cultural and environmental battles of the West. Each articulated compelling visions of acting on the land. In the 1970s over construction of U-95, these perspectives had begun to come into conflict. The road forged a new path, a beginning. It was, for people who welcomed it, the long-awaited east-west route across the Colorado River. For Abbey and like-minded, it was a lamentable scar on the land, and—like Glen Canyon Dam—a call to action. In other contexts, on other roads, the conflicts would become even more intense, perhaps even more polarizing.

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<sup>91</sup> Abbey, Speech at the University of Utah, 1988, <http://vimeo.com/11008593> (January 30, 2011); Abbey to Black, December 1, 1988, in “The Life Story of Calvin ‘F.’ Black.”

## CHAPTER 4

### ROADLESS IN NEGRO BILL CANYON: THE HUMAN IMPRINT IN WILDERNESS

In the canyon reaches just north of Moab, Utah, the Colorado River jogs around the northwest point of Porcupine Rim and takes another turn around Big Bend before briefly emerging from the deep canyons into the north end of Spanish Valley above Moab. About midway along this stretch between Big Bend and the river's confluence with Highway 191, a small creek has slit open the rock cliff on the south side of the mighty Colorado. The place is Negro Bill Canyon. At the base of the canyon, Navajo sandstone walls streaked with black desert varnish rise like sentinels. In the canyon bottoms a perennial, unnamed trickle of water laps gently over the rock and sand. A trail follows the small creek, then, after a few miles, negotiates higher ground to reach Morning Glory Arch. To traverse that trail is to witness one of the largest natural arches in the world, but it is also to walk past many human markings that are no longer easy to see. If you know where to look, an outline is visible of an old road, now closed, that entered the canyon from the west and followed the high ground above the creek for a time before descending and crossing the creek along its course about a mile and a half up the canyon. Built in the days of the uranium boom, the road led to William "Negro Bill" Granstaff's old nineteenth-century homestead and to uranium mining claims of the modern era.

When the Bureau of Land Management (BLM) earmarked Negro Bill Canyon for wilderness study in 1979, the road became the centerpiece of a

volatile conflict over access, road definition, and land use in wilderness areas. In the narrowest sense, the debate revolved around the question of whether the old remnants of the canyon jeep trail disqualified the area from wilderness status. The 1964 Wilderness Act required the Department of Interior to inventory all of its “roadless” lands of 5,000 acres or larger and judge whether they should be added to the National Wilderness Preservation System. This section of the Act encouraged a widespread presumption that wilderness is roadless and any road therefore disqualified the surrounding area from being considered for wilderness protection. But what constituted a road? In the BLM wilderness area review of the late 1970s, the agency adopted a nuanced definition that classified each vehicle route according to whether it had been built by machinery or by hand tools; whether it had been used and maintained on a regular basis; and whether it was considered a “public thoroughfare” under an old nineteenth-century mining law known as R.S. 2477. The BLM ultimately distinguished a “road” from a “way,” with the latter defined as a temporary road maintained solely by the passage of vehicles that did not impinge on the wilderness characteristics of a particular area.

Consequently, conflicts over whether an area should be protected as wilderness or remain open to resource development often boiled down to what appeared to be arcane debates over whether a particular route was a road or a way. Many locals in Grand County, Utah, living a stone’s throw from Negro Bill Canyon, balked at this federal effort to create a spectrum of road definitions. To them, the distinction between a road and a way obfuscated a long history of humans working and living on the land. If someone had worked a small mine in a

remote canyon and occasionally used a motor vehicle to access it, then the area was not a wilderness, they argued. Opponents of wilderness advocated for stricter definitions of “roadless” to minimize the potential acreage that might be considered for protection. Advocates of wilderness on the other hand argued for more flexible definitions to maximize the areas that might be protected.

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The movement to designate certain lands as wilderness derived from the idea to open up the nation’s scenic lands to an over-stimulated, consumer-oriented society while simultaneously protecting its wild lands. Wilderness was not, as Roderick Nash argues, a rejection of civilization. Rather, it was a means to strike balance, to ensure that the industrial machine did not entirely dominate or subdue nature. Technological and industrial “progress” had their place and importance, but increasingly in the twentieth century they also came to represent many of the problems of modern society. Human beings, growing in number, possessed the technology to alter the landscape to a greater extent than ever before. In fact, evidence was mounting that a mechanized and highly technological society had already transformed the land in irreversible ways. From the outset, the Wilderness Act of 1964 framed wilderness preservation as a means to “assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States.”<sup>1</sup>

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<sup>1</sup> Roderick Nash, *Wilderness and the American Mind* (New Haven: Yale University Press, 1973; Rev. ed.), 241-42; Wilderness Act of September 3, 1964 (P.L. 88-577, 78 Stat. 890).

The Forest Service had been experimenting with the wilderness idea for decades before Congress passed the Wilderness Act, thanks to the efforts of Aldo Leopold, Arthur Carhart, and Bob Marshall. The agency had created “primitive” areas since the 1920s, but these were administrative designations not protected under federal law. The 1964 act established a national wilderness system and immediately designated 9.1 million acres of national forest wilderness that was to remain “unimpaired” and retain “its primeval character and influence.” The initial act to establish wilderness was merely a prelude; the wilderness system would be organic and expanding. Section (3)(b) of the act mandated that the Forest Service initiate a review of its remaining “primitive” areas and make a recommendation to Congress within ten years of which areas should be included in the wilderness system. Furthermore, the Wilderness Act stipulated that Forest Service roadless areas could not be “impaired” until Congress took action. Next, Congress told the land agencies in the Interior Department to inventory their roadless lands and make recommendations.<sup>2</sup>

The Wilderness Act did not specifically require the Forest Service to extend the review process beyond its already administratively designated wilderness, wild, and primitive areas, but the Forest Service determined that a

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<sup>2</sup> Michael Frome, *Battle for the Wilderness* (Salt Lake City: University of Utah Press, 1997; original printing in 1974), 213-25; Doug Scott, *The Enduring Wilderness: Protecting Our Natural Heritage through the Wilderness Act* (Golden, Colorado: Fulcrum, Pub., 2004), 57. For information on the Wilderness Act and its origins, see Paul S. Sutter, *Driven Wild: How the Fight Against Automobiles Launched the Modern Wilderness Movement* (Seattle: University of Washington Press, 2002); and Mark Harvey, *Wilderness Forever: Howard Zahnizer and the Path to the Wilderness Act* (Seattle: University of Washington Press, 2005).



review of its lands did not violate the spirit of the legislation. In 1971, then, the Forest Service initiated the Roadless Area Review and Evaluation (RARE) study. After a court decision in the mid-1970s declared that RARE had major flaws, the Forest Service began a second nationwide roadless review in 1977. Completed in 1979, RARE II, as the new roadless review was called, recommended 15.6 million acres for wilderness, 10.6 million for further study, and release of the rest.<sup>3</sup> Throughout the process, the pro-wilderness faction fought against Gifford Pinchot-style utilitarian conservationists urging commoditization of the public domain. Wilderness proponents believed that preservation belonged at the table of multiple use (which Congress had already affirmed in Section 2 of the 1960 Multiple-Use Sustained-Yield Act) while at the same time hoped to allay fears that the wilderness designation would “lock up” valuable resources for use.

In the Wilderness Act, the two sides seemed to have reached a tentative compromise. Although the act essentially prohibited development and motorized access to officially designated wilderness, it allowed grazing, existing mining uses, and even water development if deemed appropriate by the president of the United States. Existing mining claims would be recognized and new mining claims could be filed until December 31, 1983; the President could authorize water development; the Secretary of Agriculture could recognize existing grazing permits in wilderness areas. These were important compromises included in the bill to appease those fearful that wilderness would lock out resource

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<sup>3</sup> R. McGregor Cawley, *Federal Land, Western Anger: The Sagebrush Rebellion and Environmental Politics* (Lawrence: University Press of Kansas, 1993), 45.

development.<sup>4</sup> Wayne Aspinall of Colorado, perhaps the most persistent and effective opponent of the Wilderness Act in Congress, backed the final compromise version of the bill in large part because it clearly demarcated those areas to be managed for economic uses and those that would be protected. In one place roads and development would be allowed, while in another they would be off limits. Put another way, designating one area for wilderness essentially meant permanently opening another for commercial use. “If we stop mining and stop grazing and stop water development and stop lumber harvesting in an area, we have stopped maximum use,” Aspinall explained. “I am not afraid to stop maximum use in some areas” lacking high commercial value.<sup>5</sup>

Among the acres designed as wilderness in 1964 were forest lands not considered to have high commercial value. Congress deliberately omitted the lands administered by the Bureau of Land Management (BLM)—the most undesirable, least valuable of the federal lands—from the wilderness system. Although some proponents of wilderness wanted these BLM lands included in the 1964 legislation, the compromise bill left them out, in large part because it was difficult to sell to the public and to some conservationists that relatively unknown,

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<sup>4</sup> Some of the fiercest battles over wilderness designation have stemmed from these loopholes in the Wilderness Act. Among the more contentious debates centered around Bureau of Reclamation plans to build water developments in places like the Gila Wilderness in New Mexico, the Bob Marshall Wilderness in Montana, the Flat Top Wilderness in Colorado, and primitive areas in Idaho.

<sup>5</sup> Quoted in Carol Edmonds, *Wayne Aspinall: Mr. Chairman* (Lakewood, Colorado: Great America Printing Co., 1980), 162.

low elevation, vegetatively monotonous desert lands deserved to be included in a national wilderness preservation system.<sup>6</sup>

That BLM lands became valuable in an economic sense reflects a shift from the old days when the government could not dispose of the unappropriated domain fast enough. Westerners who had once believed these areas to be wastelands now had the motivation and means to exploit them for their resources. The mechanization of the nation contributed to this shift. Technology pushed roads and development deeper into wild country. Roads could now be built over rough terrain and across long distances, and technology could extract valuable minerals from deep below the earth's surface. But there was also another shift: the same mechanization that invited economic exploitation also introduced an industrial society to recognize in the West's open lands ecological and aesthetic values quite apart from commercial uses.

In the second half of the twentieth century, more conservationists began to recognize the value of desert lands and the need to protect some of them from industry and private gain. This recognition was subtle but profound. While people had been using the land for generations, only slowly did perceptions shift from places that nobody wanted or hidden treasures to threatened, fragile places in need of protection. In a 1985 speech about protecting remaining BLM roadless areas, Dick Carter of the Utah Wilderness Association clearly made this point. "Sorry, these are known lands and not hidden and too many of us want them," he said. "It's time to change our thinking—these are the last great remains of wilderness

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<sup>6</sup> Cawley, *The Sagebrush Rebellion*, 46.

in the United States and they have been discovered and coveted, if you will. And they will be lost unless we look truthfully at BLM lands and quit hiding them in our collective romanticism.”<sup>7</sup>

The agency charged with oversight of these lands was for the most part slow in responding to the call to protect wild lands from being overrun by developers. Congress created the Bureau of Land Management in 1946 by merging the General Land Office and the United States Grazing Service. The newly created Bureau of Land Management inherited from the former the older tradition of disposal and from the latter the government’s desire to promote commercial use of the public lands. In fact, the BLM was left to drift with no new management directives aside from the duties and responsibilities of its two predecessor organizations. Under the early leadership of Marion Clawson and Edward Woolzley, the agency became committed to the principle of multiple use and to the classification of lands for their “best” and “highest” use, which, by BLM standards, tended to be either grazing or mining. Even into the 1970s the BLM catered to traditional extractive industries, although like its sister land agencies, it had begun to bring recreational interests into its fold.<sup>8</sup>

Notably, congress passed a provision broadening the reach of the Wilderness Act by initiating a wilderness review process on BLM lands. In 1969

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<sup>7</sup> “Defending the Desert,” A Speech by Dick Carter at the Utah Wilderness Association Annual Rendezvous, Salt Lake City, Utah, April 27, 1985, Folder 11, Box 7, MSS 200, Utah Wilderness Association Collection, Special Collections and Archives, Merrill-Cazier Library, Utah State University, Logan, Utah.

<sup>8</sup> Cawley, *The Sagebrush Rebellion*, 35-36.

national environmental organizations urged the Public Land Law Review Commission, charged with making a recommendation to the president on the future of the nation's public lands, to extend the Wilderness Act to the BLM. In its final report, the commission proposed expanding the wilderness review process to areas not specifically mandated in the original wilderness legislation. The BLM's new policy directive to begin a review of public land for wilderness designation was tucked into the Federal Land Policy and Management Act of 1976 (FLPMA). The act did far more than mandate a wilderness review; sometimes referred to as BLM's "Organic Act," FLPMA established guidelines and policies for managing its lands. Notably it stated that the federal government would retain the public lands in perpetuity unless "it is determined that disposal of a particular parcel will serve the national interest." Management was to be based on principles of sustained yield, multiple use, and conservation "in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values." Finally, the BLM had its management directive.<sup>9</sup> Yet the act muddied as much as it clarified. Charged with mediating between varying interests in an increasingly polarized environment, the BLM had the unenviable task of being all things to all people—to serve its traditional users alongside its newer, preservationist-oriented constituency.

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<sup>9</sup> U.S. Department of the Interior, Bureau of Land Management and Office of the Solicitor, *The Federal Land Policy and Management Act, As Amended* (Washington, D.C.: Government Printing Office, 2001), 1-2.

FLPMA established criteria in Section 603 for identifying areas with wilderness characteristics. The Wilderness Policy and Review Procedures dated February 1978 set the guidelines for conducting the review. The process was to begin with an initial inventory to identify areas exhibiting wilderness values. Then a more intensive review would be made, followed by a study. Those areas formerly designated as natural or primitive prior to November 1, 1975, were to be reported to the president by July 1, 1980. Otherwise, the law gave the interior department until October 21, 1991, to report recommendations to the president. The Carter administration, however, fast-tracked the process by requiring BLM state directors to report their recommendations by September 30, 1980, “or sooner, if possible within limits of man power and funding.” The rapidly approaching deadlines meant rapid-fire review and evaluation of vast sections of the public lands held by the BLM. The directive was for the state BLM director to evaluate the public lands all at once, with the option of conducting smaller, regional reviews if resources were not available.<sup>10</sup>

The review would be based on the criteria established in the 1964 legislation. The public lands would be evaluated on four criteria—size, roadlessness, naturalness, and outstanding opportunities for solitude and primitive recreation. The question of size was the most objective. The area must be at least 5,000 contiguous acres, not including private or state holdings within the unit’s boundaries. Smaller areas could be considered if they met specific characteristics.

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<sup>10</sup> U.S. Department of the Interior, Bureau of Land Management, *Wilderness Inventory Handbook: Policy, Direction, Procedures, and Guidance for Conducting Wilderness Inventory of the Public Lands*, September 27, 1978, 3-4.

If the size criteria was straightforward, evidence of outstanding opportunities for solitude or a primitive and unconfined type of recreation was trickier. Indeed, what affords a solitary experience for one individual may be different for another. Still, the criteria did not make or break the initial inventory, since if an area did not meet the standards it might move on to intensive review anyway.<sup>11</sup>

Really at issue were roadlessness and naturalness, qualities which might on the surface appear to be fairly clear-cut. It would seem easy to determine whether something is a road or not a road, or whether a human “intrusion” had made a substantial impact on the land, thus detracting from the naturalness of the area. In fact, assessing wilderness integrity was fraught with more difficulties than might be imagined. It may have been otherwise had the review assessed the “natural integrity” of an ecosystem or a place. Instead, the standard was “apparent naturalness,” which according to the handbook “refers to whether or not an area looks natural to the average visitor who is not familiar with the biological composition of natural ecosystems versus man-affected ecosystems in a given area.” Indeed, given a large percentage of BLM lands have been heavily grazed that hardly anything can be said to be *ecologically* untouched by humans (and their livestock). This is a key reason why “apparent naturalness” remained the judging criteria. Focus on the perception of naturalness contributed to the idea that the size of the area was important, since a larger area might absorb greater human impacts better than smaller areas. So, the concern was not the human

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<sup>11</sup> *Wilderness Inventory Handbook*, 13-14; Associate Director, BLM, to “All SD’s,” June 28, 1979, 6-7, Folder 5, Box 23, Utah Wilderness Association Collection.

impact itself so much as the noticeability of the human imprint. Even noticeable impacts might be mitigated, because for potential wilderness areas the BLM guidebook permitted returning human developments to a natural condition “by natural processes or by hand labor.”<sup>12</sup>

In one sense, the criteria embraced an expansive definition of wilderness that more closely aligned with what some believed to be the original intention of the 1964 Wilderness Act. It would be easy to assume that when the Act referred to wilderness as “an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation” and as “an area where the earth and its community of life are untrammelled by man,” that it implied a clear-cut definition of wilderness. To so assume would be a mistake. Howard Zahnizer selected the term “untrammelled” deliberately: a trammel is a net used to catch fish or birds, so untrammelled, as Zahnizer understood it, meant “free, unbound, unhampered, unchecked.”<sup>13</sup> That is, unworked areas, not those completely devoid of the human presence, as one might infer. Many areas considered for wilderness designation since passage of the Wilderness Act had been worked, in some case intensively. It is not uncommon to encounter a barbed wire fence, old corral, line shack, or the outline of an old road in wilderness areas. By the standards proponents applied to wilderness

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<sup>12</sup> *Wilderness Inventory Handbook*, 12-14, 27; Associate Director, BLM, to “All SD’s,” June 28, 1979, 4-6, 8, Folder 5, Box 23, Utah Wilderness Association Collection.

<sup>13</sup> Mark Harvey, *Wilderness Forever: Howard Zahnizer and the Path to the Wilderness Act* (Seattle: University of Washington Press, 2005), 203.



designation, these do not constitute permanent human markings because “permanent” refers to structures intentionally maintained for current and future use. Thus, the 1964 act used qualifying language to define wilderness, stating that an area of wilderness “*generally* appears to have been affected *primarily* by the forces of nature, with the imprint of man’s work *substantially* unnoticeable” (emphasis added).<sup>14</sup> Wilderness was not to stand outside of the human experience; rather, wilderness often contained marks of human presence and undertakings.

These criteria seemed a departure from traditional notions of wilderness as “pristine” or entirely untouched by humans. According to the “purity doctrine,” as wilderness advocates derisively called it, wilderness should contain no trace of man’s imprint. Wilderness opponents often favored a purer definition of wilderness as a place where humans had never been, could not go, or would have no intention to visit. “There is only one or two places in this country [Grand County, Utah] that would fit the description of wilderness, and one is that big stand of rocks on that rim [west of Moab]—you can’t walk them, let alone make a road through them,” said Ray Tibbetts, a long-time resident of Moab, Utah. “They’re there because they’re there, and that makes it a wilderness. Another one, there’s a big island out by Dead Horse Point. I don’t know if it’s got 5000 acres, but on top of that mesa is wilderness because there are no roads, you get up there and it gives you the attitude that that’s what it is.”<sup>15</sup>

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<sup>14</sup> Wilderness Act of September 3, 1964 (P.L. 88-577, 78 Stat. 890); italics mine.

<sup>15</sup> Raymond Tibbetts, interview by the author, July 3, 2008.

Defining wilderness as pristine and as a place untouched by humans might be seen as a tactic opponents used to keep more land in the multiple-use framework. The presence of trails and stock ponds and mining claims made it difficult to convince opponents of wilderness that the area's highest use was to protect it and leave it untrammelled. If a place had been grazed or accessed for mining, then it belonged to the ranchers and miners. If it had seen no human intrusion or was largely inaccessible, then the highest use might be wilderness. This line of reasoning had been applied by the Forest Service in its early wilderness evaluations—to clearly distinguish “pristine” areas in the high country from more accessible forest areas in the lowlands that the agency thought might better serve the needs of the commercial timber industry. Moreover, with passage of FLPMA, some believed wilderness designation of the public domain was unnecessary; as John F. Tanner of the Association of Counties wrote in 1978, the law already contained “adequate provision for the protection of wilderness values” by the BLM without formal congressional designation of wilderness areas.<sup>16</sup>

In the years after passage of the Wilderness Act, debates in Congress addressed the original intent of the act and ultimately rejected the purity doctrine and definition of wilderness as unwanted wastelands. Congress eventually passed

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<sup>16</sup> See Kevin Marsh, *Drawing Lines in the Forest: Creating Wilderness Areas in the Pacific Northwest* (Seattle: University of Washington Press, 2007), 71-76; John F. Tanner, Executive Director of Utah Association of Counties, to Scott M. Matheson, Governor of Utah, September 26, 1978, Folder 20, Box 4, Reel 4, Series 19269, Governor Matheson County Records, Utah State Archives and Records Service, Salt Lake City, Utah.

legislation adding lands in the eastern states—many of them with long histories of human use and habitation—to the wilderness system. For instance, when in 1968 Congress designated the 3,700-acre Great Swamp Wilderness in New Jersey, the roadbed and the utility lines in the area had to be removed—and are today no longer visible on the land.<sup>17</sup> In debates preceding passage of the Endangered American Wilderness Act of 1978, Congress specifically addressed the purity doctrine and determined not only that areas where the human imprint was “minor” or at least not “substantially noticeable” might still be considered for wilderness, but that a wide range of recreation would be permitted in wilderness areas. As Idaho Senator Frank Church stated in regard to the purity doctrine in 1973, “Nothing could be more contrary to the meaning and intent of the Wilderness Act. The effect of such an interpretation would be to automatically disqualify almost everything, for few if any lands on this continent—or any other—have escaped man’s imprint to some degree.”<sup>18</sup>

The statutory dismantling of the “purity” doctrine meant that lands like Negro Bill Canyon, which were close to towns, might still be considered for wilderness designation. The BLM wilderness review proceeded on the same assumption—that places previously inhabited and worked by humans ought to be considered for wilderness if the human impacts were “substantially unnoticeable.”

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<sup>17</sup> Scott, *The Enduring Wilderness*, 61.

<sup>18</sup> House Report of the Endangered American Wilderness Bill (Report 95-540, July 27, 1977); quoted in Marsh, *Drawing Lines in the Forest*, 73, 125.

Proponents of wilderness recognized that the criteria would open the process to many more acres than would otherwise be considered.

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No quality came to define wilderness more precisely than roadlessness. The act specifically prohibited a “permanent road within any wilderness area.” Just what constituted a “road” was a matter of great debate. The debate hinged largely on the interpretation of Revised Statute 2477, a little known clause in the mining laws of 1866 that reads, “The right of way for the construction of highways [meaning roads] over public lands, not reserved for public uses, is hereby granted.” R.S. 2477, passed during a time when the government sought to encourage settlement of the West, gave states and counties carte blanche right-of-way over the public lands. In that way, the federal government reduced the burden of overseeing development of these roads; anyone had a right to build and use a road. Many roads that crisscross the public lands owe their existence to this statute. R.S. 2477 clearly served its original purpose, but it was also highly controversial. FLPMA repealed R.S. 2477 while still permitting, or “grandfathering,” existing rights-of-way established prior to 1976. It was no longer permissible to build a road over public land without permission, but if a county could prove that a road had been in place prior to 1976 and used for public purposes, the government would recognize the road and allow its maintenance. This opened the door for counties to claim R.S. 2477 right-of-way on thousands

of dirt trails, tracks, and routes crossing public lands, national parks and wildlife refuges.<sup>19</sup>

The question of 2477 status revolved partly around what constituted a “highway” under R.S. 2477 and who might designate it as such. The Department of the Interior regional solicitor general in Salt Lake City believed the proper place to answer these questions was in the state and its courts. The state of Utah considered a route to be a “public thoroughfare” if it was used continuously by the public for ten years. A road may have been built by private interests to reach a stock pond or mining claim. Those private interests may have constructed it and maintained it but had no right to restrict the public’s use of it where it crossed public land. If the public failed to use it, they had no right-of-way. But if the public did use it (for hunting, hiking, collecting, etc.), the road would remain open to the public, according to the Utah statutes, “until abandoned or vacated by order of the highway authorities having jurisdiction over such highway.” Utah state law dictated that roads not otherwise designated belonged to counties, unless the road never became a “public thoroughfare,” in which case it became property of the United States.<sup>20</sup>

Yet according to a federal solicitor general, if a road had been built by an individual to a mining claim and subsequently abandoned, ownership of the road

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<sup>19</sup> Terri Martin, “RS 2477: A Loophole for Vandals,” *High Country News*, March 21, 1994.

<sup>20</sup> Regional Solicitor, SLCU, to State Directors of Utah, BLM, SLCU, April 24, 1978, Folder 14, Box 5, Series III, MSS 148, Papers of the Utah Chapter of the Sierra Club, Special Collections and Archives, Merrill-Cazier Library, Utah State University, Logan, Utah.

would revert to the federal government. The solicitor general argued that claims to roads, trails, and ways made in accordance with state law were legitimate only if for ten years prior to passage of FLPMA these routes had been in “continuous” public use. The sticking point was where roads met these criteria but sat at odds with federal land use plans, like wilderness designation.<sup>21</sup>

Federal road definitions instinctively went against the grain for those who believed a road was self-evident. Many thought that if you could drive on it, however rough and slow it might be, it constituted a road, regardless of its history or use. In response to the federal definitions, in 1978 the Utah State legislature passed a law establishing the Class D road system. According to the legislation, a Class D road was “any road, way, or other land surface route that has been or is established by use or constructed and is maintained to provide for usage by the public” not already designated in the state road system. Under this definition, even rough four-wheel tracks or primitive jeep trails qualified as roads. In this way, opponents of wilderness aimed to assert as much authority as possible in identifying and protecting “roads” while minimizing the amount of acreage considered suitable for wilderness. Clearly, the state law was an aggressive stance to assert as much “home rule” as possible over the federal lands. Opponents of wilderness designation in Utah sought to secure a strong position vis-à-vis the BLM by claiming the existence of and authority over vehicle routes on public lands. Numerous such roads existed in Grand County, not least the short route up

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<sup>21</sup> Regional Solicitor to State Director, April 24, 1978, Folder 14, Box 5, Series III, Sierra Club Papers.

Negro Bill Canyon, which was among the “roads” added to the Utah state road system in 1978.<sup>22</sup>

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Negro Bill Canyon derives its name from “Negro Bill” Granstaff, its earliest inhabitant. As the legend goes, in 1881 William Granstaff used the canyon to evade angry Moabites seeking his blood, but details of the incident and his subsequent life in the canyon are scant. He reportedly ran a homestead and grazed cattle in the canyon. John Riis in *Ranger Trails* wrote that Granstaff must have had a rough past because he had multiple gunshot scars on his body.<sup>23</sup> The road up the canyon undoubtedly began as a small trail, fit for equestrian travel. Not until about 1940 was a short segment of the trail widened to allow motorized access. As part of a new road being built along the south bank of the Colorado River, the Utah State Road Commission had to run the new road a short distance up Negro Bill Canyon because the old existing wooden bridge across the perennial stream running out of the canyon was not strong enough to hold a bulldozer. After that, the road was used and lengthened, possibly by ranchers but primarily by prospectors. Also, at the time of the wilderness inventory, D. H.

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<sup>22</sup> State Road System Designation, 1978, Budget Session, Enrolled copy of S. B. No. 37, in Folder 14, Box 5, Series III, Sierra Club Papers.

<sup>23</sup> John Riis, *Ranger Trails* (Richmond, Virginia: The Dietz Press, 1937), 83-84. John Riis, an employee of the U.S. Forest Service in the early twentieth century, was son of the famous social reformer and journalist Jacob Riis.

Shields and Mike Shumway had staked two hundred mining claims in the canyon.<sup>24</sup>

Trails like this are not hard to identify, especially from the upper table lands above the canyon. There was no logical order to the trails, except to the people who first forged them. They developed like other roads in this country, first as stock trails, then seismograph roads for oil and gas exploration, mining roads, and jeep roads. As one mining company moved out and another moved in, new routes appeared. As Ray Tibbetts explained, “Sometimes you’d have a road here and another hundred yards you’d have another road parallel to it, because they didn’t care. The bulldozer operator got more money by putting in a new road.”<sup>25</sup>

The human presence in the canyon did not escape the BLM staff charged with carrying out the wilderness review of the area. The staffers did not believe the trails and routes disqualified Negro Bill Canyon from wilderness consideration. The initial review counted twenty-four miles of “ways,” five livestock reservoirs, and five miles of fence in the proposed area. In any case, the pinion-juniper cover generally concealed the ways from view except for one particular area on the higher ground between the canyon and Porcupine Rim. The canyon itself had “little evidence of human activity and still appear[ed] very

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<sup>24</sup> Sterling C. Davis, Utah Department of Transportation, to Craig Rayle, Sierra Club, September 10, 1979, Folder 2, Box 8, Utah Wilderness Association Collection; James Baker, “Winning [and Losing] the West,” *Sierra*, May/June 1985.

<sup>25</sup> Tibbetts interview.



natural” and was “deep and winding so that sights and sounds of other people would be easily avoided.” On the whole, the area contained “outstanding opportunities for solitude in the sandstone” and “basically retains its natural appearance.”<sup>26</sup> Thus, the review concluded that the 27,600-acre area merited wilderness consideration. It did, however, recommend removing from the wilderness review the smaller Negro Bill West unit located between the canyon and Moab. Lacking the red sandstone formations and canyon of the main Negro Bill unit, the smaller unit was less than 5,000 acres and was therefore dropped from the wilderness review process.<sup>27</sup>

The 27,600-acre Negro Bill Canyon Wilderness Study Area (WSA, an acronym used by the BLM to identify roadless areas that merited consideration as wilderness) was among the over 6.3 million acres identified by the BLM in the statewide initial inventory for wilderness consideration. The entire process was highly controversial. The areas that BLM officials earmarked for wilderness study and the areas thrown out of the process were heavily debated. Not unlike the FS’s RARE I, the BLM’s initial wilderness inventory pleased no one. Wilderness proponents derided the initial BLM wilderness review in the same way they criticized RARE I. At least early on in the inventory, the BLM did not adequately involve the public or apply wilderness criteria consistently.<sup>28</sup> Moreover, critics

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<sup>26</sup> Wilderness Inventory, Situation Evaluation, Negro Bill Canyon, UT-060-138, on file in the BLM office, Moab, Utah; Tibbetts interview.

<sup>27</sup> Wilderness Inventory, Situation Evaluation, Negro Bill Canyon, UT-060-138B, on file in the BLM office, Moab, Utah.

claimed that the process was hasty and shoddy, and that many more acres should have been included in the inventory. The BLM's Janet Ross confirmed these deficiencies, at least in the Moab district, where she worked as a wilderness specialist on the review, but later quit in disgust over the process. Ross remembers, after she was hired as a wilderness specialist, asking the wilderness coordinator Laura Webb how to do a proper wilderness inventory and being told, "Oh, it doesn't matter. Just make it up as you go along." According to Ross, the initial wilderness review of Mancos Mesa in San Juan County was done in just one day, one indication that the review was rushed—what she referred to as a "frustrating experience" and "a total political boondoggle."<sup>29</sup>

On the other side, the anti-wilderness camp was just as critical of the wilderness review, but for different reasons. They believed that land had been incorrectly inventoried as roadless and they accused the BLM of being run by environmentalists sympathetic to the idea of wilderness. When the inventory identified in the Moab District contained the highest percentage of land in the state designated for wilderness study, it was a hard pill to swallow. The federal government already owned and managed between 80 to 90 percent of the land in the district; now opponents feared WSA status would "lock up" a large portion of that from economic development.

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<sup>28</sup> In June 1979 the Associate Director urged staff to inspire "continued public confidence and successful completion of the wilderness review." Associate Director, BLM, to "All SD's," June 28, 1979, Folder 5, Box 23, Utah Wilderness Association Collection.

<sup>29</sup> Amy Irvine, "Janet Ross: Claiming the Land on Her Own Terms," *Canyon Country Zephyr*, August-September 1999.

Raw emotions erupted in a wilderness study open house held by BLM staff to discuss the initial round of wilderness review. Sixty people showed up to the meeting in Monticello, Utah on April 11, 1979. Nine out of ten opposed wilderness of any kind. A few favored wilderness in Grand Gulch or Dark Canyon. While the exchange at that meeting was civil, a meeting the next day in Blanding turned heated. Janet Ross on the BLM staff noted that San Juan county commissioner Calvin Black came bursting into the room and started screaming at Bob Turri and Paul Happel for proposing areas that had roads. Black purportedly declared, “We’ve had enough of you guys telling us what to do. I’m not a violent man, but I’m getting to the point where I’ll blow up bridges, ruins, and vehicles. We’re going to start a revolution. We’re going to get back our lands. We’re going to sabotage your vehicles. You had better start going out in two’s and three’s, because we’re going to take care of you BLMers.” BLM wilderness inventory team leader Paul Happel responded, “Mr. Black, I hope you are not threatening me.” Black replied, “I’m not threatening you, I’m promising you.” Local resident Devar Shumway then said, “If Cal will be our leader, I’ll be the first to follow him.”<sup>30</sup>

The tense and threatening atmosphere continued in the evening meeting when more citizens arrived to express their disgust for wilderness, government oversight, and a BLM supposedly run by “bureaucrats, over-educated, and outsiders.” The confrontation devolved as Black called one BLM employee a

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<sup>30</sup> Moab District Staff Report, written by Janet Ross, April 11 and 12, 1979, Reel 1, Series 19269, Governor Matheson County Records, Utah State Archives and Records Service.

parasite on society. “All things in life come from the earth, and you’ve never produced anything,” he said to Bonnie Neumann, a BLM employee. Black praised the work of those extracting materials from nature as honest productive labor while denigrating the service work of BLM employees.<sup>31</sup>

A few weeks later, Black visited the Moab office with a copy of the staff report in his hands, concerned about the words he had used at the wilderness inventory open house. Although still opposed the wilderness concept, he told BLM staff that San Juan County was willing to cooperate by doing wilderness field inventories and submitting data to BLM.<sup>32</sup> In later attempts to explain his words, he said his action reflected what “people were saying in their anger and frustration” in response to the actions of the BLM in the wilderness review. In short, he claimed he played the part of messenger. “I feared that talk might turn into action,” he later wrote, implying that his was a benign role in escalating that tension.<sup>33</sup> The minutes of the wilderness open house meeting, however, give a different impression—of Black as the leading voice of anger and incitement.

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<sup>31</sup> Moab District Staff Report, written by Janet Ross, April 11 and 12, 1979, Reel 1, Governor Matheson County Records.

<sup>32</sup> Moab District Staff Report, written by Ed Scherick, May 24, 1979, Reel 1, Governor Matheson County Records.

<sup>33</sup> Raymond Wheeler, “Boom! Boom! Boom! War on the Colorado Plateau,” in *Reopening the Western Frontier*, ed. Ed Marston (Washington, D.C.: Island Press, 1989), 298. Black said something similar to Gunn McKay in Moab, “that residents are frustrated with federal agencies and are actually considering committing acts of vandalism on areas of land being considered for possible wilderness designation ‘if they don’t start paying attention to us.’ ‘People might get hurt. There’s going to be a lot of vandalism.’” (Letter to the Editor, *San Juan Record*, April 26, 1979). In an undated letter, Bill Haase wrote, “I was at the

Probably too much could be made of this episode. But Black likely had a personal reason to be critical of the review, given that his own mining claims—like one at the head of Moqui Canyon within the Mancos Mesa wilderness study area—might be impacted by the designation. Yet Black’s monkey wrenching rhetoric was uncharacteristic of a man who normally spoke in a measured tone. Navajo Mark Maryboy once said that arguing with Cal Black was like riding a bull, but it was the force of his personality and the weight of his argument that bucked you off the saddle, not the threatening nature of his words. “When Calvin goes in for the kill, he leans into the person and gets into their face. Most whites just move right back and their hands show how nervous they are. I have learned to lean right in and touch him while staring him right in the eye, but I have to be ready with facts and figures that support what I am saying.”<sup>34</sup> It was an aggressive style, but more posturing and showmanship than actual threat of violence. Black meant it when he said, “I’m not a violent man.”

Still, the atmosphere in southeastern Utah was unsettling. Dick Carter of the Utah Wilderness Society claimed he had been threatened by men in pickup

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meeting [where Black threatened employees] so I know the threats by Black were very real, and not just what ‘other’ people were saying. Black got swept up in the emotionalism of his own rhetoric that evening. [Joseph] Bauman [of the *Deseret News*] concluded his article by saying that Black had better spread the gospel of non-violent dissent before someone gets hurt. Personally, I think Cal Black got burned over those statements. Rumor has it that Frank Gregg called some of the Utah congressional delegation and requested them [sic] to put a lid on Black. This may be the case, as things have been relatively quiet down here.” See Haase to Brian Beard, no date, Folder 3, Box III.A: 12, Sierra Club Papers.

<sup>34</sup> Mark Maryboy, “We Can’t Drink Black Gold,” Speech to the Hinckley Institute of Politics, January 11, 1990, Folder 1, Box 1, Mss B 663, Mark Maryboy Papers, Utah State Historical Society, Salt Lake City.

trucks near Hanksville, and BLM District Manager Gene Day endured all kinds of hatred, threats, and lawsuits. “Some of [Black’s] townspeople, their marbles already loosened, their fears incited by Black, is where the problem lies,” wrote BLM employee Bill Haase of the palpable tension over the wilderness review. “Put a gun in their hands and someone will get blown away. After last Thursday’s meeting, we all go to bed with this fear. It’s hard to sleep when friends and their families are potential targets.”<sup>35</sup>

The threats of rebellion and violence reflected a general sentiment and growing political movement among those who objected to wilderness designation, environmental regulations, and federal ownership of the public lands. All of these concerns came to rest under the cloak of a movement known as the Sagebrush Rebellion. But the “Rebels” were simply pouring new wine into old bottles. Many westerners had long resented the federal presence in the West, although the writer and historian Bernard DeVoto has observed the irony of western attitudes toward the federal government, summed up in the phrase “Get out and give us more money.”<sup>36</sup> Anger and mistrust never boiled far from the surface, usually over perceived “rights” and “sovereignty” to exercise jurisdiction over land and resources. Rebels spoke of the West being on “unequal footing” with the East, since most public lands was in the West. Although the Sagebrush Rebellion which

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<sup>35</sup> Dick Carter, Letter to the Editor, *Deseret News*, July 10, 1980; Bill Haase to Brian Beard, April 15, 1979, Folder 3, Box 12, Series III, Sierra Club Papers.

<sup>36</sup> See Bernard DeVoto, “The West Against Itself,” 45-73, in *The Western Paradox: A Conservation Reader*, ed. Douglas Brinkley and Patricia Nelson Limerick (New Haven: Yale University Press, 2001).

began in Nevada in 1979 was mostly political theater, the movement to transfer ownership of the public lands to the western states received quite a bit of support from westerners of all stripes, perhaps particularly by western politicians. It was both a rural and an urban movement given lip service by congressional delegates, state legislatures, and western state governors and embraced according to public opinion polls by a slight majority of citizens of the Rocky Mountain States. Orrin Hatch was joined by Utah's other senator, Jake Garn; Dennis DeConcini and Barry Goldwater of Arizona; Alan Simpson and Malcolm Wallop of Wyoming; and Paul Laxalt and Howard Cannon of Nevada when he introduced Senate Bill 1680 on August 3, 1979, calling for the "return" of "rightful title" to public lands and national forests in the West.<sup>37</sup> Utah legislators also expressed antigovernment sentiment; for example, during a special session some wore insignias that read, "Welcome to the West: Property, U.S. Government."<sup>38</sup>

Part of the problem was that rural westerners like those in Moab felt shackled by increasing federal restrictions and powerless to advance their own desires. The Sagebrush Rebellion offered a regional forum to resist environmental legislation and federal intrusion into local autonomy. Other organizations like the Western Association of Land Users (WALU), organized and headed by Moabite Ray Tibbetts, had similar objectives. According to Tibbetts, some groups sympathetic to the objectives of WALU were afraid of speaking out. A rancher

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<sup>37</sup> Senator Orrin Hatch, *Congressional Record—Senate* (August 3, 1979): S. 11657.

<sup>38</sup> "How about Cutting Back Utah's Biggest Landlord?" *Deseret News*, June 16, 1978.

was reluctant to criticize federal land management for fear of getting hit with a notice of trespass or being harassed by the BLM. A group of river runners had refused to join the group because the BLM controlled permits to the rivers.<sup>39</sup> However, probably only a few hesitated to join for fear of reprisal. The new organization had a strong following among people who objected to the direction taken by the BLM in administering its lands under FLPMA especially those who feared restricted access to the public domain.

For individuals sympathetic to the Sagebrush Rebellion and members of WALU the wilderness study designation in Negro Bill Canyon seemed the ideal opportunity to translate frustration into action. About a year before the Sagebrush Rebellion caught the nation's attention, prospector Mike Shumway had driven his bulldozer a mile and a half into the canyon to access D. H. Shields' mining claims. A few months later, as the BLM prepared to initiate its wilderness review, the BLM worked out an agreement with Shields that kept access open to the mining claims but closed the road to the public. The BLM then dug a trench and placed boulders at the mouth of the road. According to Shields' account, after the initial wilderness review had been finalized by mid-1979, the BLM sent Shields a letter instructing him to discontinue work at the mine or face fines or even a jail sentence for non-compliance. Shields was understandably disappointed. "I don't understand the reason why they all of a sudden have this absolute authority over mining prospectors and developers, when they said that the area was open to multiple use when I decided to stake the open area several years ago," he

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<sup>39</sup> Tibbetts interview.



complained. “I just know that I must be allowed to at least complete the minimum work or I will lose my claims.”<sup>40</sup>

Unfortunately, we do not have the other side of the story, but several aspects of Shields’ version of events seem wrong. Since the BLM had placed boulders at the mouth of the canyon, it probably forbade Shields from driving up the canyon in a motorized vehicle. Furthermore, the BLM had waived a provision in the 1872 mining act requiring miners to complete \$100 worth of assessment each year on their claim. While Shields made it sound like the BLM told him he could not have access to his claim, in fact the BLM did not have authority to deny miners access to valid claims, even in a designated wilderness area. The BLM could not and would not order Shields to stop work on his mine; it would only be able to restrict motorized access and certain kinds of surface disturbances. Likely, Shields was doing work on his claims with a motor vehicle in violation of the BLM effort to close the road and was told to stop his vehicular use in the WSA or face fines.

In the meantime, Grand County commissioners decided to call attention to BLM’s management of Negro Bill Canyon by opening up the road and putting it on the county’s class D road system. On July 7, 1979, Mike Shumway removed the boulders from the road and again drove his bulldozer partway up the canyon.<sup>41</sup>

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<sup>40</sup> D. H. Shields, Letter to the Editor, *Times-Independent*, July 19, 1979; Margot Hornblower, “BLM Manager on Front Lines of Sagebrush Rebellion in Utah,” *Los Angeles Times*, December 16, 1979.

<sup>41</sup> Apparently, the dozer advanced up the road a mile and a half, the same distance Shumway had originally constructed it in 1978. U.S. Department of the Interior,

Ray Tibbetts remembers standing next to Jim McPherson of the county commission when the dozer started its slow ascent into the canyon. McPherson questioned whether they were in the right for opening the road. Tibbetts answered, “Jim, you know damn well we are.”<sup>42</sup>

The BLM responded by replacing the barrier. Then it happened again—Shumway, with the apparent blessing of Grand County commissioners, removed the boulders. The federal government issued a cease and desist order for Shumway and demanded a court order to request an assessment of damages and prevent anyone from removing future barricades. The BLM had no intention of replacing the boulders a third time, but in late August it installed a cable across the road about a quarter of a mile up the canyon. The commission had the cable cut. After an unknown individual or group rolled rocks onto the road from the cliff above, the county once again moved in and removed the boulders from the road.<sup>43</sup>

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Interior Board of Land Appeal, In re: the Bureau of Land Management’s Decision to Exclude Negro Bill Inventory Unit, UT-060-138 from further Wilderness Review, IBLA 81-655, Sierra Club’s Statement of Reasons, 4-5, Folder 3, Box 8, Utah Wilderness Association Collection.

<sup>42</sup> Tibbetts interview.

<sup>43</sup> Hornblower, “BLM Manager on Front Lines of Sagebrush Rebellion in Utah”; Joseph Bauman, “BLM’s Canyon Barricade Removed,” *Deseret News*, August 7, 1979; Lee Holley, “U.S. Suing Grand County for Road,” *Salt Lake Tribune*, August 16, 1979; “Vandalism Continues . . .,” *Times-Independent*, August 30, 1979; “Pot Continues to Simmer over Disputed Road in Negro Bill Canyon,” *Times-Independent*, September 6, 1979; letter to Alfred Richins, Utah State Department of Transportation, September 2, 1979, Folder 2, Box 8, Utah Wilderness Association Collection.

Running a dozer up the road and oiling and graveling a short portion of it was intended as much to assert county control of the road and make the canyon ineligible for wilderness designation as it was to provide vehicular access to Shields' mining claims. To the county, the issue was public access to the public lands, for Shields and anyone else who wanted to get into the canyon. The road was still rough, but the week after the county removed the boulders the first time, about fifty locals managed it in four-wheel-drive trucks and held a picnic. The outing was a flagrant display of contempt for the BLM's wilderness policy and rebellion against BLM's authority. The road, they hoped to show, existed and served a public purpose. Tibbetts clearly believed that the human markings in the canyon disqualified the area for wilderness consideration. "You can't take a place with a road on it and call it roadless," said Tibbetts on the day of the outing. "Once the roads are in, that bed will be here forever. And, as you can see, there are cement foundations here and there where people have tried to put cabins or parts of the road."<sup>44</sup>

Yet no one had any delusions that the area was pristine wilderness. The rebels' purpose was not to prove whether it was or it was not, or to "reveal" the human markings on the land. The debate was more political than that. It was not about debating the nuances of the law. Instead, the action to open the road was deliberately designed to call attention to what they perceived as an overbearing federal land management. Opening the road was a direct action to assert

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<sup>44</sup> Helen Lacko, "The Good Ol' Boys vs. the BLM in Negro Bill Canyon," *Utah Holiday* (August 1979), 12.

ownership of the road and, by extension, hundreds of others like it. And it was almost certainly a deliberate strategy to sabotage the wilderness process by improving or maintaining a road in a “roadless” area.

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The man making the decisions in Negro Bill Canyon and responsible for the wilderness inventory in southeastern Utah was BLM District Manager S. Gene Day. As head of the BLM district office, Day occupied a powerful seat in southeastern Utah. He had the final say in that local office of the BLM to determine what could be done on the public lands and in signing off on the wilderness inventory. It did not help matters that he projected obstinacy and some arrogance. That, at least, was the perspective of his largely conservative constituency, some of whom threatened him and treated him with contempt. Although Day was a self-described environmentalist, wilderness and environmental allies also found him difficult to work with. They reprimanded his every move. When in early 1980 Day scheduled, rescheduled, and finally cancelled a field trip with environmental reps to see firsthand off-highway vehicle (OHV) damage to the environment and archeological sites in Comb Wash, Brian Beard of the Utah Chapter of the Sierra Club fired off an angry letter. “This action is becoming all too familiar with your office, its lack of responsibility and concern for our natural environment.” Rocco Dodson of the Sierra Club Legal Defense Fund, Inc., chided Beard for being “too angry”; “I guess what I’m saying is that an underhanded, uncooperative, incompetent [sic] district manager is bad

enough; we don't want an an[g]ry under-handed, uncooperative, incompetent district manager."<sup>45</sup>

Given the tension over Negro Bill Canyon, Day was no doubt eager to appease both sides, but especially wilderness opponents. Not long after the "musical bulldozers" incidents, he quietly reduced the wilderness study area in Negro Bill Canyon by more than one third. The proposed WSA now encompassed primarily the canyon and much of the high land situated between the canyon and Porcupine Ridge. Deleted from the study area were those places "intruded by roads" and lacking "primitive recreation" like Porcupine Ridge and the Slickrock bike trail.<sup>46</sup>

Although the reduction of the unit to 8,406 acres was probably designed to appease those opposed to wilderness, the concession did not have the desired effect. The drama at Negro Bill only escalated. The following year, the commissioners planned a large public rally in Negro Bill Canyon. They hoped to make a big show of it by inviting neighboring counties (who chose not to take part) and the media and by staging the event on July 4, which of course linked their cause to the venerated Declaration of Independence. When, exactly, Day and his staff learned of more protests in Negro Bill Canyon is unclear, but they seemed eager to extend a second olive branch. On June 23, 1980, Del Backus of

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<sup>45</sup> Beard to Day, June 2, 1980; Dodson to Beard, June 5, 1980; both documents in Folder 3, Box 8, Series III, Sierra Club Papers.

<sup>46</sup> "Initial Wilderness Inventory, Summary of Changes in the Situation Evaluation, Negro Bill Canyon, UT-060-138," unpublished report on file in the BLM office, Moab, Utah.

the BLM reported in a county commission meeting that “BLM was ready to put the picnic area in Negro Bill Canyon if the county wants to take over maintenance of the road.” No mention was made whether the BLM would drop the area from the wilderness review, but a picnic site and improved road up the canyon would certainly have been a nonconforming use in a wilderness area. Probably because the commission was interested in seeing the protest through, however, Ray Tibbetts on behalf of the commission soundly rejected the offer “until he sees more positive signs of BLM cooperation with the county.”<sup>47</sup>

The original plan to take a bulldozer up the canyon changed when Utah Governor Scott Matheson reportedly suggested, “Why don’t you go to another location and grade a road that’s already on state land? That way it really removes you, but you don’t have to elaborate on that.” In other words, no one would have to know it was on state land. The protest would still serve its intended purpose to call attention to federal land ownership and management without the threat of reprisal by the government. On July 1, 1980, the county commissioners convened a public meeting to announce the planned protest. They justified the action as “protecting the Health & Welfare of the Citizens.”<sup>48</sup>

But no one informed the BLM that the protest had been moved to a section of state land within the proposed Millcreek wilderness area just to the east of the proposed Negro Bill Canyon wilderness area. BLM officials and federal marshals

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<sup>47</sup> Grand County Commission Minutes, June 23, 1980, copies at Grand County offices, Moab, Utah.

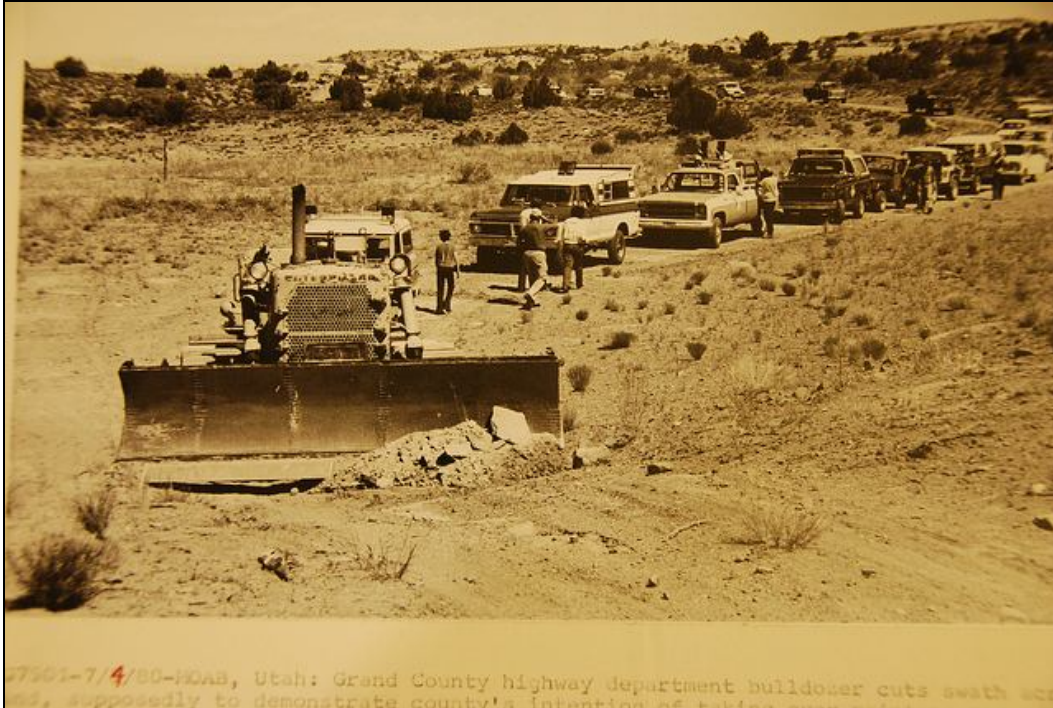
<sup>48</sup> Tibbetts interview; Grand County Commission Minutes, July 1 and July 21, 1980, copies at Grand County offices, Moab, Utah.

who had planned to make arrests showed up at the mouth of the canyon; everybody else—250 to 300 people—gathered at the Moab City Park and caravanned in eighty four-wheel-drive vehicles and a few cars over dirt roads to the site in Mill Creek Canyon. Once up on the Salt Flats, brief speeches, mostly from the commissioners, welcomed the crowd. Harvey Merrell criticized “the cancerous growth of the [federal] bureaucracy” and promised to “take control of our destiny in Southeastern Utah.” Larry Jacobs, also a commissioner, reportedly proclaimed in religious syntax, “We have prayed we are doing the right thing, and at this point I think we are doing the right thing.” After the speeches, a bulldozer displaying a U.S. flag and flashing a sticker that read “I’m a Sagebrush Rebel” lowered its blade and drove a few hundred yards.<sup>49</sup>

The scene was attended overwhelmingly by locals opposed to wilderness and sympathetic to the county’s actions. Members of the media also attended, as did a few people critical of the county’s action. Reportedly, a “big old tough environmentalist” in an act of defiance stepped in front of the dozer and strewed himself across the dirt road. The dozer lunged forward, spitting dirt. The man sprung up and jumped out of the way. The commission had given strict instructions that the protest would be non-violent; the dozer operator apparently wanted to scare the man. However, a couple of “husky miner boys” determined to “get that son of a bitch” and “whop him good.” Not long after the display, the young men met the environmentalist at the pub and purportedly broke his

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<sup>49</sup> Joe Bauman, “250 Watch ‘Rebellion’ Dozer Cut BLM Land,” *Deseret News*, July 5, 1980; Bill Davis, “County Action Aims to Challenge ‘Organic Act,’” *Times-Independent*, July 10, 1980.



11. On July 4, 1980, Grand County commissioners organized a “bulldozing” protest to “upgrade” a road at the boundary of a wilderness study area. Photograph by Richard Prehn. Courtesy Utah State Historical Society.



12. A bulldozer returned to Mill Creek Canyon on July 7, 1980, after Grand County Commissioners learned that the bulldozer did not make it into the wilderness study area the first time. Photograph by Richard Prehn. Courtesy Utah State Historical Society.



nose. After the victim filed a complaint, a cousin of the perpetrators reportedly broke the man's nose again after he left the hospital.<sup>50</sup>

There were some in the county and state who sympathized with the protesters, but those who were disgusted with the action were much more vocal in the immediate aftermath. Letters to the editor in the state's major newspapers mocked the public demonstration. One writer called it "a sad point of violence and lawlessness"; another said it was a "childish" act of a "small group of Utah red-necks."<sup>51</sup> The day after the protest, members of Earth First!, led by Dave Foreman at the first annual Round River Rendezvous near Moab, held a rally to protest the demonstration.<sup>52</sup> Foreman later observed that the bulldozing episode had been the "last straw" in his gradual realization that moderate, mainstream environmentalism was not enough to counter "the howling, impassioned, extreme stand set forth by off-road-vehicle zealots, many ranchers, local boosters, loggers, and miners." That same year Foreman matched "zealots" with zealots with the creation of the "radical" environmental group Earth First!<sup>53</sup>

The episode up Mill Creek Canyon was not illegal in that the state had ostensibly given approval to enter the state section of land. But the state land was

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<sup>50</sup> Tibbetts interview; Jimmie Walker, interview by the author, July 2, 2008.

<sup>51</sup> Margaret Pettis, "Untrustworthy Rebellion," *Salt Lake Tribune*, August 2, 1980; Jack T. Spence, "Doubly Useful," *Salt Lake Tribune*, July 12, 1980; Dick Carter, "The Rebels, the Road, and the Law," *Deseret News*, July 10, 1980.

<sup>52</sup> James M. Cahalan, *Edward Abbey: A Life* (Tucson: University of Arizona Press, 2001), 192.

<sup>53</sup> Dave Foreman, *Confessions of an Eco-Warrior* (New York: Harmony Books, 1991), 16.

inside the wilderness study area, and the BLM in charge of the wilderness review had not given the county right of way. The commissioners maintained that the county owned the road and many others by authority of R.S. 2477. But Tibbetts and others certainly were not ignorant of the real legal challenges. Before the protest, Utah's assistant attorney general Richard L Dewsnap made clear that the attorney general's office would not become involved in the protest, nor would it legally defend those who did if the United States filed a lawsuit. To him, although sympathetic to its proposed aims, the protest was nothing more than "a local reaction to local frustrations."<sup>54</sup>

Ronald L. Rencher, United States Attorney, District of Utah, called the action of July 4 "intentional, deliberate, and in violation of the laws of the United States," and demanded that the county commission restore the area, within ten days, to the condition it was "prior to July 4, 1980." If they failed to comply, then the restoration would occur anyway, and Grand County would be charged with the bill, or the expenses would be deducted from federal funds coming into the county. Aldine J. Coffman, Jr., considered it amusing that the county had been ordered to restore the area to its pre-July 1980 condition. He sarcastically replied to Rencher that "prior to July 4, 1980, the road was a road. . . . Demand that the road be restored to a road is really a concurrence with the acts of maintenance conducted by the Grand County Commission."<sup>55</sup> Records do not state what

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<sup>54</sup> Richard L. Dewsnap to Ron Steele, June 27, 1980, Folder 12, Box 15, Series 19161, Governor Matheson Natural Resources Working Files, Utah State Archives and Records Service, Salt Lake City, Utah.

eventually became of the exchange, but in the end the county commissioners probably got the better of the situation. By the end of the year, at the behest of BLM Director Frank Gregg to investigate BLM's Moab office, more than half of the units in the Moab area including the Negro Bill Canyon WSA were deleted from the intensive wilderness review.<sup>56</sup>

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The decision to eliminate these potential wilderness areas was made in November at the end of the intensive inventory. The decision devastated wilderness proponents. Of the over five million roadless acres reviewed, the BLM identified only 1.9 million acres that they felt met the wilderness criteria, which together with Instant Study Areas (ISAs, which automatically qualified for wilderness study because of their pre-FLPMA status as Primitive or Outstanding Natural Areas) and previously identified WSAs raised the total roadless acres considered suitable for wilderness to 2.46 million.<sup>57</sup>

Negro Bill had been dropped from the final inventory based on the rationale that "the remaining natural area in this unit is less than 5,000 acres and the pattern of non-Federal lands adversely affects opportunities for solitude and primitive and unconfined recreation." The BLM also announced that it would

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<sup>55</sup> Rencher to Grand County Commissioners, July 22, 1980; Aldine J. Coffman, Jr., to Rencher, July 30, 1980; both documents in Grand County Commission Minutes, August 4, 1980, copies at Grand County offices, Moab, Utah.

<sup>56</sup> Grand County Commission Minutes, August 4, 1980, copies at Grand County offices, Moab, Utah.

<sup>57</sup> Doug Goodman and Daniel McCool, eds., *Contested Landscape: The Politics of Wilderness in Utah and the West* (Salt Lake City: University of Utah Press, 1999), 44-45.

drop the original lawsuit related to the illegal removal of barricades at the mouth of the canyon in August 1979. In a memorandum outlining the agreement “to preserve the beauty of Negro Bill Canyon and at the same time make it available for public use,” the county agreed to remove the road up the canyon from the Class D system. The BLM in turn would maintain the one-fourth-mile section of road and permit the county to construct a parking and picnic area at its head. The agreement gave the county what it wanted—road access to the canyon and its elimination from wilderness consideration—while still retaining federal oversight over motorized use of the canyon.<sup>58</sup>

The county commissioners and their allies had clearly influenced the process of wilderness designation in Grand County. When the BLM had initiated the wilderness inventory, the process was almost immediately greeted with outcry, derision, and civil disobedience by the wilderness opponents and county commissioners. Through the process, a BLM staffer quit over how the inventory was being carried out, the District Manager S. Gene Day was transferred at the behest of the anti-wilderness crowd, and the BLM published an inventory that seemed designed to satisfy wilderness opponents. The lessons learned from this trajectory by the opponents and proponents of wilderness were important: it reinforced a local tradition of radical dissent on both sides. Locals opposed to wilderness saw that emotional outbursts and threats and uncompromising

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<sup>58</sup> IBLA, Sierra Club, Statement of Reasons, 7; “BLM Settles Negro Bill Canyon Feud,” *Cedar City Spectrum*, December 2, 1980; Memorandum of Understanding between Grand County and the BLM, November 24, 1980, Folder 4, Box 11, Series III, Sierra Club Papers.

demands got the desired response from the federal government. They could and did cow the BLM into submission. The environmentalists in turn learned that reasonable participation in the inventory process was futile as the agency recommendations were deeply skewed by local intimidation from anti-wilderness forces. The BLM wilderness inventory was one factor that “radicalized” environmental debates in Utah.

Wilderness proponents did not take the deletions to the wilderness inventory lying down though. Several environmental organizations led by the Utah Wilderness Association banded together to file an appeal to the Interior Department’s Board of Land Appeals (IBLA), alleging deep flaws in the BLM’s inventory process. The 1,400-page appeal—the largest wilderness appeal ever filed before the IBLA<sup>59</sup>—disputed BLM decisions on 925,000 acres in twenty-nine units. This complaint against exclusion of the Negro Bill Canyon WSA, led by the Utah Chapter of the Sierra Club, was a compendium of how the BLM had failed in compliance with FLPMA and wilderness review policy. In the initial and intensive reviews the BLM shaved off areas “completely natural and other areas with imprints that are substantially unnoticeable.” The environmental plaintiffs charged that the BLM improperly deleted from the inventory large areas of roadless lands meeting wilderness criteria and modified the inventory record to support their decision to delete the unit. The statement submitted to the IBLA suggested these violations were intentional. BLM Moab District Manager Gene

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<sup>59</sup> Dick Carter, “Defending the Desert,” Speech at the Utah Wilderness Association Annual Rendezvous, Salt Lake City, Utah, April 27, 1985, Folder 11, Box 7, Utah Wilderness Association Collection.

Day had been quoted by a staffer as stating, “When in doubt, throw it out and give the public and private interests a chance to promote its inclusion.”<sup>60</sup>

The criticism of the review process was no small matter. The appeal not merely protested the exclusion of individual units but pointed to chronic structural problems that could possibly disqualify the review. BLM had made efforts to review potential wilderness areas as openly as possible. Yet the process was heavily derided by critics on both sides of the debate. If those against wilderness designation had expressed their frustration and anger during the process, pro-wilderness groups felt betrayed with the release of the intensive review. The WSAs remaining on the map dated November 1980 were mere remnants of larger, contiguous roadless areas proposed in April 1979.

Environmentalists got a boost for their appeal in subsequent federal oversight hearings on the BLM wilderness review process when the House Subcommittee on Public Lands and National Parks concluded that two million acres of rejected roadless lands ought to be reconsidered. Outspoken critics like Congressman John Seiberling of Ohio accused the BLM of intentionally excluding roadless areas with purported mineral value, although this could not be definitively established. The Interior Department responded that “the inventory in Utah was as accurate and consistent as possible,” yet, as has been shown, the BLM inventory at least in the Moab district had been repeatedly manipulated by

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<sup>60</sup> IBLA, Sierra Club, Statement of Reasons, 8-9.

political pressure from locals waving the Sagebrush Rebellion banner opposed to wilderness designation.<sup>61</sup>

Again bolstering the environmentalist's position, a Department of the Interior solicitor upheld the Sierra Club's complaint that in the case of the Negro Bill Canyon WSA, the BLM had failed to follow wilderness review policy, wrongly altered the record without proper documentation, and incorrectly assessed the area's solitude and recreation potential. Consequently, the IBLA directed the BLM in a decision dated March 15, 1982, to reconsider areas with potential wilderness characteristics. The decision sent BLM back to the drawing board. The same person who made the initial field report at Negro Bill—Diana Webb—returned to the area to comply with the court decision. Unlike its previous review, this time the BLM used roads as the boundaries for the wilderness study area. To resolve the problem of access to state land sections, the BLM now proposed “cherry stemming” a road by closing a narrow portion of land on the northern portion of the unit that connected state land and the unit boundary. The BLM did include in the unit a mineral exploration road that it claimed was essentially unnoticeable and did not affect the naturalness of the area.<sup>62</sup> S. Gene Day defended the decision to allow certain roads to be constructed within

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<sup>61</sup> Goodman and McCool, eds., *Contested Landscape*, 46-47.

<sup>62</sup> Supplemental Wilderness Inventory, UT-060-138, Negro Bill Canyon, May 4, 1982, files in the BLM office in Moab, Utah; “Final Wilderness Inventory Decision on Negro Bill Canyon,” September 1, 1982, signed by State Director Roland G. Robison, Series 8, Public Policy (Conservation) Department – Bureau of Land Management, CONS 130, Wilderness Society Records, Denver Public Library.

wilderness study in order to enable prospectors to access their legitimate claims. As he wrote Katherine P. Kitchell of the Slickrock Country Council, “We assure you that the BLM will uphold its responsibility for protection of N[egro] B[ill] C[anyon], as you suggest. In some cases, however, a flat denial of road grading would be irresponsible and contrary to law.” For that reason, he explained, the federal government did not pursue legal action against Grand County over the bulldozing incident.<sup>63</sup>

James Catlin of the Utah Chapter of the Sierra Club responded to Diana Webb’s inventory by contesting its assessment of roads on the bench lands. The Porcupine Rim Trail forming the proposed eastern boundary of the unit, he argued, received infrequent travel and was difficult to see as it wound up and over rocks. And the old mail trail to Miner’s Basin had a cover of regrowth. Catlin maintained that the cherry-stemmed seismograph routes and the “constructed access routes” defining the northern recommended boundary were insignificant and hardly qualifying as roads at all. Therefore, he proposed extending the unit north to encompass Drinks Canyon. Thus, he argued that although the upper bench lands were not as well vegetated as the canyon and possessed a few road scars, they ought not to be disqualified from wilderness consideration. In some ways, they presented superb wilderness qualities with their amazing vistas—the

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<sup>63</sup> S. Gene Day, BLM District Manager, to Katherine P. Kitchell, Slickrock Country Council, July 1982, Folder 21, Box 17, Series 8, Wilderness Society Records.



view of Arches National Park to the north, Manti-La Sal Mountains to the east, and deep canyons of the Colorado to the west.<sup>64</sup>

While the high bench routes were debated, the crux of the court suit centered on the road up the canyon. The post-IBLA decision summary evaluation noted that “about ½ mile of the road existed pre-FLPMA.” There seems to have been some question about the road’s length; Catlin pointed to a statement from acting BLM manager C. Delano Backus that sometime “between 1935 and 1966” a road one-quarter-mile long had been constructed but was closed due to traffic concerns on Highway 128. “The road was abandoned and allowed to revegetate. There does not appear to have been any maintenance work done after this period.” Not until Shumway reopened the road in 1978 was the route again accessed. Catline thus contended that because it had been constructed illegally after FLPMA, the road did not qualify under R.S. 2477 and in no way impeded wilderness designation of the canyon.<sup>65</sup>

In July 1982, the BLM once again reversed its decision at Negro Bill Canyon and reinstated the WSA at the size of 7,620 acres. While the BLM recognized that a portion of the unit possessed wilderness characteristics, it did not agree that roads on northern boundaries were unnoticeable or sufficiently unused. The proposed WSA excluded some seismographic route on the upper bench lands and cherry-stemmed the road up the canyon on the grounds that since

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<sup>64</sup> James Catlin, Conservation Chairman, Utah Chapter of the Sierra Club, to Roland Robinson, Utah State Director, BLM, June 16, 1982, on file in BLM field office, Moab, Utah.

<sup>65</sup> Ibid.

the mining claims had been staked and accessed prior to passage of FLPMA, “the claimant has the right by law to construct roads to these claims and drill on them.”<sup>66</sup> Nevertheless, pro-wilderness groups were pleased to get the unit reinstated. “It was a victory—a small one—for us, in that it reversed the BLM’s earlier stand to throw out the entire area,” said Rob Smith of the Sierra Club and the Wilderness Society in Salt Lake City.<sup>67</sup>

The court decision left some of the original players to consider taking action once more at Negro Bill Canyon. Ray Tibbetts mulled over staging another protest; D. H. Shields wanted to drill a uranium hole in the canyon in the fall.<sup>68</sup> The issue, however, was one for the courts. The Red Rock 4-Wheelers Club of Moab stepped up to appeal the reinstatement of the WSA.<sup>69</sup> For another half a year the Sierra Club and the Red Rock 4-Wheelers Club led by George Schultz (who also worked for the Cotter Company, a uranium mining business, and who, ironically, was married to the BLM’s wilderness coordinator in the Moab District, Laura Webb) continued to contest wilderness designation in Negro Bill Canyon. On January 10, 1983, the Utah Chapter of the Sierra Club filed a petition to block the appeal of the Red Rock 4-Wheelers. The IBLA eventually affirmed the

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<sup>66</sup> Intervenor’s Response, IBLA 83-99.

<sup>67</sup> Quoted in “Negro Bill Battle Reheats,” *Deseret News*, September 22, 1982.

<sup>68</sup> Jim Woolf, “Negro Bill Canyon Battle Brewing Again,” *Salt Lake Tribune*, June 7, 1982; Lynn Jackson, memorandum, September 3, 1982, on file in BLM field office, Moab, Utah.

<sup>69</sup> “BLM Utah News Digest,” November 5, 1982, on file in BLM field office, Moab, Utah.

BLM's decision to classify the unit as a WSA but not to bring the deleted 1,800 acres back into the unit.<sup>70</sup> Later in the year, the Utah BLM made its final decision by designating 538,000 acres (12 units) as WSAs, of which the Negro Bill Canyon unit was a part.<sup>71</sup>

The victory that the wilderness proponents scored in court is part of a seemingly endless debate and fight for wilderness designation in Utah's BLM wild lands. Wilderness designation remains an open question. In 1991 the state of Utah submitted the Utah State Wilderness Study Report recommending wilderness designation on BLM lands, but congress never acted on these or any other proposals to designate BLM wilderness on a large scale in Utah. The Moab Field Office, which is part of the Canyon Country District, contains approximately 1.8 million acres, of which approximately 355,000 acres are WSAs, and another 5000 acres are designated wilderness.<sup>72</sup> The WSAs are presently managed to preserve and protect their wilderness characteristics. At Negro Bill Canyon, that means the old road up the canyon has been closed to motorized vehicles and nearly reclaimed by nature.

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<sup>70</sup> Ruling by the Interior Board of Land Appeals, IBLA 83-99, Answer of the Bureau of Land Management to Appellant's Statement of Reasons. February 10, 1983, in Folder 21, Box 17, Series 8, Wilderness Society Records.

<sup>71</sup> Scoping the Utah Statewide Wilderness EIS: Public Scoping Issues and Alternatives, [July 20, 1984], 27; Rock Pring to Utah BLM Wilderness Inventory Appellants, April 16, 1985, Folder 9, Box 2, Utah Wilderness Association Collection.

<sup>72</sup> For information from the Utah State Wilderness Study Report (1991), see [http://www.blm.gov/ut/st/en/prog/blm\\_special\\_areas/wilderness\\_study\\_areas/ut\\_wilderness\\_study.html](http://www.blm.gov/ut/st/en/prog/blm_special_areas/wilderness_study_areas/ut_wilderness_study.html) (January 22, 2011). The present size of the Negro Bill Canyon WSA is 7,560 acres.

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The Wilderness Act seems to have provided a clear and unambiguous definition when it stated that wilderness was “an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation” and as “an area where the earth and its community of life are untrammelled by man.” The idea of identifying permanent human markings was important to determine whether a place had wilderness characteristics deserving of protection. Opponents of wilderness used the criteria for roadlessness and the absence of permanent human intrusions to their advantage by pointing to numerous earlier uses of human habitation, grazing, mining, and recreation. At Negro Bill Canyon the tactic was to point to the deep human history and their lingering imprints on the land and, if need be, create new imprints so there would be no question of the area’s unsuitability for wilderness designation. Roads specifically became the very means by which opponents battled wilderness designation in the area. Ken Sleight once accused Calvin Black of building roads “just so they couldn’t designate wilderness in those areas.”<sup>73</sup> The presence of a road, to them, signaled that the area, in fact, ought to be used for human purposes. Roads became veritable symbols that confirmed one’s association with and entitlement to the land.

The protests and violent rhetoric caught Utah BLM personnel off guard. It seems they did not anticipate just how heated the debate over wilderness would become. BLM official Arnold Petty curiously stated in June 1979 that, “A

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<sup>73</sup> Sleight, interview by the author.

thorough and professional inventory process should insure that there will be no valid basis for questioning the inventory results.”<sup>74</sup> He could not have been more wrong. Defining wilderness characteristics is not straightforward or clear cut as Petty and others apparently believed. It is, rather, a subjective process of “seeing” on the land what people want to see. Permanent markings are to others temporary, and vice versa. What was wild and natural to some was domesticated to others. It is in part this subjectivity, I suggest, that makes designation so highly debated and controversial. Setting aside areas for wilderness consideration is not merely a matter of locating clearly demarcated natural areas and calling it wilderness. It is rather a process that integrates the culture, biases, and perceptions of the people who create them, manage them, and recreate on them.

What is interesting is that the BLM wilderness review process, perhaps in contrast to the RARE reviews, was set up at least tacitly to acknowledge the ambiguities of designating wilderness areas and the inherent problems of assessing their qualities. The BLM employed a flexible definition of wilderness in part because it is nearly impossible to find pristine land completely untouched by humans, but also because it subscribed to the view that eliminating permanent human impacts on the land is neither entirely possible nor desirable, a point suggested by the Wilderness Act and FLPMA directing the wilderness reviews. In the first place, human markings are often temporary and may over time be reclaimed to nature. In Negro Bill Canyon the road that was once so clearly visible can hardly be seen at all. What this suggests is that those who so

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<sup>74</sup> Goodman and McCool, eds., *Contested Landscape*, 41.

vociferously insisted that the road was a permanent fixture were wrong; it was no more permanent than any of the other “natural” features of the canyon like the vegetation, wildlife, or course of the stream. Nature is constantly changing; nothing is truly permanent on the land.

This does not mean that human imprints cannot have a long lasting presence on the land. In the court case over wilderness designation at Negro Bill Canyon, the anti-wilderness contingent repeatedly pointed out those places where human imprints still remained after many years. In a Statement of Reasons protesting designation of the WSA in Negro Bill Canyon, the Red Rock 4-Wheelers noted: “The road is a physical thing. It can be seen, felt, and photographed. It exists upon the face of the earth. It is reality.” And especially on the dry bench lands above the canyon, road scars remain for many years.<sup>75</sup> Still, if left alone, even they will eventually disappear from sight. The question that some land managers face is what to do with the old cabin, mining pit, or road in a wilderness area. Let them turn to mulch or become overgrown by vegetation, or remove them or otherwise mitigate their impact to make the area more compatible with wilderness?

But the case could also be made that lingering scars notwithstanding, human impacts like roads do not damage the ecological condition of wilderness or in some way render it useless as a place of renewal. Roderick Nash has argued

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<sup>75</sup> U.S. Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, In Re BLM Decision to Identify 7,620 acres as a WSA in Unit UT-060-138, Statement of Reasons, IBLA 83-99, filed by Red Rock 4-Wheelers, written January 4, 1983.

that how the wilderness area is used by modern humans threatens the wilderness quality of an area more than the mere presence of a road, mine, or dam.<sup>76</sup> In fact, wilderness proponents sometimes argued that existing human imprints in wilderness may be something not to be erased from the landscape but a worthy feature of it. George Wuerthner of the Montana Wilderness Alliance, in keeping with a bioregional approach to wilderness designation, proposed creating wilderness areas that encompassed not only mountain peaks but low-lying valley areas as well. To get around the problem of roads that “bisect otherwise roadless country,” he proposed closing these roads to motorized traffic and allowing them to “remain open for horse drawn wagons.” This would help satisfy wilderness opponents who say that wilderness discriminates against people who cannot walk or otherwise enjoy wilderness without the aid of a motorized vehicle. When potential wilderness areas contain private inholdings like ranches, Wuerthner proposed turning these places into dude ranches that could be used by wilderness “explorers.” These “wagon wilderness” areas, as Wuerthner called them, would “alter the view of many people that wild places are only for the young and fit.” Roads, then, would serve wilderness rather than merely be a case against it.<sup>77</sup>

To conceive of a road—or what used to be a road but is now a “trail” or wagon route—may be hard for some wilderness proponents to conceive. Roads, after all, have become powerful cultural symbols as facilitators of “progress” and exploitation, the dichotomous divisions that so often emerge in environmental

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<sup>76</sup> Nash, *Wilderness and the American Mind*, 264.

<sup>77</sup> George Wuerthner, “Wagon Wilderness,” *Earth First!*, March 20, 1986, 21.

battles. Defining wilderness as roadless was essentially a means to keep vehicles (and thus development) outside of these special areas. Further, while certain human impacts on the land may not physically threaten the wildness of an area, they may invade the spirit of wilderness. The idea to keep man-made objects out of nature is more to satisfy some human desire or need than to protect ecological systems or keep the land undefiled. It serves as a reminder, in the words of Edward Abbey, “that *out there* is a different world, older and greater and deeper by far than ours, a world which surrounds and sustains the little world of men as sea and sky surround and sustain a ship.”<sup>78</sup> It is the sense that human “intrusions” in wilderness areas distract the mind from the idea that nature exists totally separate and independent of human beings.

Nevertheless, even the seemingly demarcated wilderness presents opportunities to explore humanity’s place in nature. “There are among environmentalists a sentimental fringe, people who respond ... with blind preservationism in all circumstances,” wrote Wallace Stegner on the place of human beings in wilderness. “But you can’t do that. You manifestly can’t go that far, though it would be nice, visually and in other ways; people do have to live too. Some kind of compromise has to be made.” His essay, a history of Dinosaur, referred to the monument as “almost unspoiled” and only “relatively unmarked.” The area could best be seen as “a palimpsest of human history, speculation, rumor, fantasy, ambition, science, controversy, and conflicting plans for use.” To

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<sup>78</sup> Edward Abbey, *Desert Solitaire: A Season in the Wilderness* (New York: Ballantine Books, 1971; originally published in 1968), 45.



him, the human “marks” belonged on the landscape; the Anasazi petroglyphs, Spanish carvings on a huge cottonwood, William Henry Ashley’s name on a rock, etc.—which he referred to as “marks of human passage.”<sup>79</sup>

Stegner is apt to quote on the meaning of human marks on the land, since in the debates over the original passage of the Wilderness Act in 1964 he was an eloquent spokesperson for designating areas that had been “wounded” by the works of men. In his famous 1960 letter explaining the need for wilderness, Wallace Stegner argued that even if the land had been “deflowered,” that did not mean that it might as well be “harvested.” The western deserts had been “scarred somewhat by prospectors,” he wrote. “In that desert climate the dozer and jeep tracks will not soon melt back into the earth, but the country has a way of making the scars insignificant.” To Stegner it did not matter that the marks of humans remained on the land. In arguing for wilderness, he appropriated the argument sometimes attributed to locals opposed to wilderness: that the land is large enough to absorb the human footprint. How would the track of an off-road vehicle or the tailing of a mine despoil a place as vast as the deserts of southern Utah? Stegner concurred, but he meant something different. To him, these “wounds,” as he called them, do not destroy the central essence or character of these places, but neither ought they to continue. The damage was a matter of degree. In 1960, the land had been merely wounded.<sup>80</sup>

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<sup>79</sup> Wallace Stegner, “The Marks of Human Passage,” in *This Is Dinosaur: Echo Park Country and Its Magic Rivers*, ed. Wallace Stegner (Boulder, Colorado: Roberts Rinehard, 1985; first published in New York: Knopf, 1955).

Writing the introduction to a republication of his letter 20 years after it was written, Stegner gives the sense that the “wounds” on the land, as he originally called them, have become more severe, lasting. Whereas before he pointed to the lingering jeep tracks or mine pits, he pointed to the clear vistas and virtually untouched landscape. Now, he wrote in 1980, “It is in danger of being made—of helping to make itself—into a sacrifice area. Its air is already less clear, its distances less sharp. Its water table, if these mines and plants and pipelines are created, will sink out of sight, its springs will dry up, its streams will shrink and go intermittent. But there will be more blazing illumination along the Las Vegas Strip, and the little Mormon towns of Wayne and Garfield and Kane Counties will acquire some interesting modern problems.” In 1980, he writes, “We are 20 years closer to showdown,” living with urgency to see the acres still waiting to be protected. Writing as the BLM wilderness process heated up, he reflected on the need to designate deserts and dry-grasslands areas as wilderness. Although the Wilderness Act of 1964 did not start the BLM wilderness process, Stegner “spoke with some feeling about the deserts of southern Utah,” recognizing that these areas deserved protection too. These desert places were in danger of being despoiled, he wrote, and the biggest threat was a possible state and private takeover of the federal lands under the banner of the Sagebrush Rebellion.<sup>81</sup>

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<sup>80</sup> Wallace Stegner’s *Wilderness Letter*, written to the Outdoor Recreation Resources Review Commission, December 3, 1960, at <http://wilderness.org/content/wilderness-letter> (March 14, 2011).

<sup>81</sup> Wallace Stegner, “The Geography of Hope,” *Living Wilderness* 44 (December 1980), 12-17.

As the Negro Bill Canyon episode suggests, wilderness supporters and the wilderness opposition are locked in an endless debate over the existence and nature of vehicle routes and other human imprints on wilderness and potential wilderness lands. The telling thing about these debates is that while the original statutory justification for wilderness prohibits certain human developments like roads in wilderness areas, congress had already specifically rejected the erroneous notion that only “pristine” lands would be considered for wilderness designation. Thus, debating over whether there are road scars or an old cabin or mine tailings in areas being considered for wilderness designation actually masks the central issue of which of the remaining roadless areas on public lands we will leave in a more or less wild and natural state and which ones we will leave available for development. Ironically, those who want the maximum amount of land open to development argue most vociferously for the incompatibility of wilderness wherever there is any visible human imprint on the land. They insist that humans and wilderness are absolutely distinct and incompatible, while on the other end of the spectrum wilderness proponents generally embrace the historic human presence as compatible with wilderness preservation.

This would suggest that the idea of wilderness does not promote and enforce the human/nature dualism as argued by historian William Cronon in his controversial article, “The Trouble with Wilderness, or, Getting Back to the Wrong Nature.” Cronon critiques the idea of distinguishing between wild, pristine wilderness areas and domesticated, worked, inhabited areas. By treating nature and culture as separate categories, he says, the modern wilderness movement

creates “a dualistic vision in which the human is entirely outside the natural” and does not reflect the right way to live in the world.<sup>82</sup> Rather, just the opposite—the anti-wilderness crowd often makes that argument, insisting that wilderness by definition means out-of-the-way places largely untouched (and inaccessible) by humans. Ironically, wilderness opponents sometimes deride environmental romanticism, saying wilderness enthusiasts don’t embrace people in nature. This is not to say that environmentalists do not sometimes see the need to advocate for distinct geographic boundaries and characteristics. Wilderness advocates argue that boundaries are needed to protect areas from what Doug Scott calls development “nibbl[ing] away at wild places in an insatiable, creeping process fatal to wilderness.”<sup>83</sup> Indeed, breaking down the clear demarcation between “untrammled” wilderness and human landscapes leaves room for developers to further justify their activities on the land. But these advocates have not advanced the position that wilderness reflects a wide divide between nature and culture.<sup>84</sup>

The central issue is not about legal definitions and ideological posturing; it is about what we allow ourselves to do on land that is “publicly owned” and therefore subject to democratic processes of decision making. Where do we give free rein to our acquisitive desires and when do we restrain ourselves? In Negro

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<sup>82</sup> William Cronon, “The Trouble with Wilderness; or, Getting Back to the Wrong Nature,” in *Uncommon Ground: Toward Reinventing Nature* (New York: Norton, 1995), 69-90.

<sup>83</sup> Scott, *The Enduring Wilderness*, 15.

<sup>84</sup> See J. R. McNeill, “Observations on the Nature and Culture of Environmental History,” *Theory and History* 42, No. 4, Theme Issue 42: Environment and History (December 2003), 34.

Bill Canyon, where some road scars are still visible on the land, the question remains: Do we permanently designate it—and other areas like it—wilderness, off-limits to motorized vehicles? That debate over which places ought to be off limits to motorized vehicles and which places ought to be opened not only to vehicles but to development will always be with us. It is a legitimate debate that we should all take part, but the petty question of whether jeep marks, mine holes, old cabins, or cows ought not to confuse the issue. Perhaps for this reason, Negro Bill Canyon is instructive: a reminder that wilderness has been and ought to be considered in places close to home that bear the human imprint.

## CHAPTER 5

### POLITICS AND POSTURING ON THE BURR TRAIL

Aside from wilderness, perhaps no environmental issue aroused more ire and contention in the canyon country over the last generation than the debate over the Burr Trail, a 66-mile dirt road connecting the tiny town of Boulder with the Bullfrog Marina on Lake Powell. As at Negro Bill Canyon, the issue revolved around the question of the county's claim to the road. How the federal courts and the Interior department sorted out these issues established precedence for modern-day R.S. 2477 claims. Through these legal battles and the rise of environmental activism to "save" the canyon country from despoliation, the conflict emerged on the national scene. The road itself—half paved, half dirt—bears the scars of the debate.

Upon first glance, the issue at stake seems to be about two rigid positions, the one insistent on having a paved road, the other just as determined to keep the trail (and the surrounding region) as primitive as possible. Environmentalists were, justifiably perhaps, concerned about the direct and indirect environmental impacts of a paved road. Indeed, the route would have to be widened and straightened in sections, which would potentially affect the surrounding landscape and the aesthetic sensibilities of it. The central issue, though, went beyond the direct environmental degradation to the intrusion that a well-traveled road would bring in a mostly unsettled region. The road became a powerful symbol for the binary categories of progress and exploitation. Interestingly, these notions came to

signify a power struggle that turned a rather local road-building story into a national discussion of environmental activism, local governance, and development in Utah's canyon country. In broad strokes, the Burr Trail saga is not about the Burr Trail at all—it is about perceiving, remembering, using, and contesting place. In this case, the conflict thrust into the public sphere a place that was, ironically, among the most isolated in the country, dotted by a few tiny, mostly Mormon towns.

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The town of Boulder is situated squarely within the Escalante River Basin. The region is now well known for the maze of sandstone canyons drained by the Escalante River and its tributaries, although it is a diverse topography that includes a multi-layered collection of canyons, high elevation mountains, forested plateaus, and desert expanses. The Boulder, Escalante, and Henry Mountains loom along the outer edges of the basin. To the west and the south, the land descends into dry, desert country—broken and uneven, sculpted over millions of years by wind and water which has created a labyrinth of swaths in the sandstone. Franklin B. Woolley described the scene in 1866 at a magnificent perch at Bowns Point on the Aquarius Plateau. “Stretching away as far as the Eye can see a naked barren plain of red and white Sandstone crossed in all directions by innumerable gorges,” he wrote. “Occasional high buttes rising above the general level, the country gradually rising up to the ridges marking the ‘breakers’ or rocky bluffs of the larger streams. The Sun shining down on this vast red plain almost dazzled

our eyes by the reflection as it was thrown back from the fiery surface.”<sup>1</sup> To Woolley, the stark contrasts of color and form presented a spectacle perhaps unlike any other.

Although the combination of high mountain terrain and rough canyon gorges make this one of the most isolated regions in the lower 48 states, evidence of ancient human habitation abounds. Over centuries, people have passed through, and some have made it home. In the first millennia, the Escalante region was part of a larger cultural site inhabited by Archaic, Anasazi, Fremont, and Numic peoples. The town of Boulder at the Burr Trail’s western terminus overlays a large Kayenta Anasazi village abandoned circa 1275 C.E.; an early Mormon settler, Amasa Lyman, extended an ancient ditch to divert water for irrigation.<sup>2</sup> Evidence of indigenous habitation are scattered elsewhere throughout the region, sometimes in what seems the most unlikely places—in deep canyon gorges or on lonely mesa tops. One wonders whether these peoples felt as isolated and disconnected as the Euro American visitors and settlers who came later came.<sup>3</sup>

Not until the late nineteenth century did Euro-Americans settle the region, no doubt partly due to the region’s inaccessibility but also perhaps to the negative reports of its suitability for agriculture. In his 1879 *Report on the Lands of the*

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<sup>1</sup> Quoted in Frederick H. Swanson, *Dave Rust: A Life in the Canyons* (Salt Lake City: University of Utah Press, 2007), 167.

<sup>2</sup> Linda King Newell and Vivian Linford Talbot, *A History of Garfield County*, Utah Centennial County History Series (Utah State Historical Society/Garfield County Commission, 1998), 183.

<sup>3</sup> “Current Research,” *American Antiquity*, Vol. 56, No. 4 (October 1991), 729.



*Arid Region of the United States, with a More Detailed Account of the Lands of Utah*, John Wesley Powell had warned of the limitations of irrigated agriculture in the West, especially in the high plateau region like the Escalante. In Utah, he wrote, “agriculture is there dependent upon irrigation. Only a small part of the territory, however, can be redeemed, as high, rugged mountains and elevated plateaus occupy much of its area.” In southeastern Utah especially, the topography of the land is poorly suited for irrigated agriculture. “The Colorado River runs through the southeastern portion of the Territory and carries a great volume of water,” he observed, “but no portion of it can be utilized within the Territory from the fact that its channel is so much below the adjacent lands.”<sup>4</sup> The terrain better suited timber cutting and grazing than irrigated agriculture. Yet Mormon settlers seemed intent on proving Powell wrong. They made the agrarian model of orderly town sites and farms to work relatively well in the Fremont and Sevier River valleys. Even the town of Escalante in the Potato Valley followed the typical Mormon farm village plat. Powell had been correct that the land was limiting—farmers even in well-watered valleys in south-central Utah contended with short growing seasons, harsh winters, and low value crops like grains and forage—but the typical Mormon farm village model worked well enough.

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<sup>4</sup> John Wesley Powell, *Report on the Lands of the Arid Regions of the United States*, 2<sup>nd</sup> ed. (Washington, D.C.: Government Printing Office, 1879), 6-7. See chapters by Powell, “The Lands of Utah,” 93-112; Clarence Dutton, “Irrigable Lands of the Valley of the Sevier River,” 128-49; and A. H. Thompson, “Irrigable Lands of That Portion of Utah Drained by the Colorado River and its Tributaries,” 150-64.

Boulder's pedigree was different in that it acquired a dependence on cattle ranching. Motivated by the lure of new land for their herds, ranchers expanded their control over public rangelands and established homesteads at the base of Boulder Mountain in the 1880s. The first settlers and the generations that followed encountered the hardships of living in a rough, isolated place. The settlers diverted water from Boulder and Salt creeks, although the climate and terrain were certainly not ideal for agriculture. Whatever they consumed had to be homegrown or produced locally. One difficulty of living in Boulder stemmed from the lack of good roads. In fact, Boulder was one of the last communities in the United States to gain automobile access. The town's main road to Escalante was not built until 1935, and not fully paved until 1971.<sup>5</sup>

Interestingly, in a region where mobility is limited, Boulder residents traditionally relied on an economic practice that is, in fact, highly mobile. Ranchers depend on a large land base for grazing and on the capability of moving cattle from one place to another. Even today this is accomplished by horse over rough terrain, but ranchers still require good trails. This suggests the origins of the Burr Trail. What the locals call the "low" country or "winter range" to the east of Boulder all the way to the river is desert country—the change from mountain to desert is almost instantaneous. Every year at the end of summer ranchers drove their cattle east to the lower, warmer grasslands. The trek was no gently sloping journey. Like steps, the trail dropped from one area to the next—from the upper step of white and red rock and sandy soil to a flat plateau in the shadow of the

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<sup>5</sup> See Newell and Talbot, *A History of Garfield County*, 181-191, 302-303.



13. The Circle Cliffs, at the head of the Burr Trail. Gift of: Utah Museum Ass'n. Utah Writers' Project. Courtesy Utah State Historical Society.

Circle Cliffs. Long Canyon connects the two. The canyon presents the most scenic, pleasant view: cottonwoods and lush vegetation—ideal for cattle, no doubt—and imposing cliff and rock formations eroded by the elements. Beyond Long Canyon, the road dips down to a mostly barren plateau varnished with a thin layer of red topsoil. The vegetation is sparse, with spruce and cedar trees intermixed. The land changes yet again as the road turns to dust and enters what is now Capitol Reef National Park. The rock cliffs come back into view as the road continues through the Waterpocket Fold. From the base of the Fold, the route

turns south and essentially follows the wash. But it is not easy going; at one half-mile stretch the road crosses the creek no fewer than six times, making the route impassable during periods of high flood. Further on, the road follows Middle Point, descends and crosses Bullfrog Creek, and eventually continues on to Bullfrog Marina, although ranchers would never have taken their cattle that far.

Josephine Catherine Chatterly Wood provides what is undoubtedly the earliest description of the trail. “It is the most God-forsaken and wild looking country that was ever traveled,” she wrote in her journal on October 30, 1882. “It is mostly uphill and sandy knee and then sheets of solid rock for the poor animals to pull over and slide down. I never saw the poor horses pull and paw as they done today.”<sup>6</sup> And over the next eighty-five years the trail remained famously rough and primitive. On a wet day the soil turned to a deep clay mud, but even in dry weather the sandy soil was not easily traversed. If the route proved difficult for an animal to traverse, for a vehicle it was probably even more difficult, even in dry conditions. Lincoln Lyman, a Boulder resident, noted that along a portion of the route, the sand was “bad enough” that all motorists could do was to take a run at the sand, back up, and try again. Eventually, the automobile made it by “crawl[ing] up right out of there.”<sup>7</sup>

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<sup>6</sup> Quoted in Joseph M. Bauman, Jr., “The Burr Trail,” in *Utah History Encyclopedia*, ed. by Allan Kent Powell (Salt Lake City: University of Utah Press, 1994).

<sup>7</sup> Lincoln Lyman, quote printed on a sign at the border of the Grand Staircase-Escalante National Monument on the Burr Trail.

The condition of the Burr Trail suggests many problems of ranching and livestock management. This was rugged country with poor roads and scattered populations. Rounding up cattle and herding them from mountains to ranches taxed even the experienced cowhand. Cattle on the open range tend to scatter, and with no fences or plots they cannot congregate. This made rescue efforts problematic, and dropping hay in centralized locations was not an option. Roads provided the only manageable way to save cattle from exposure. For instance, when deep snows hit the range area southeast of Tropic in late January 1979, local ranchers and the state cooperated in locating cattle by airplane and grading a road using CAT tractors. Some cattle died of exposure, but rescue efforts saved nearly a thousand cattle. In the Loa, Bicknell area, ranchers were not as fortunate. The cattle were lost in the Henry Mountains, and while planes and bulldozers helped ranchers locate five hundred head, some six hundred cattle remained missing.<sup>8</sup>

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The Burr Trail might have begun as a cow trail, but county officials had in mind a much different purpose for it. The creation of Lake Powell and the Glen Canyon National Recreation Area in 1972 convinced local boosters that they finally had something to showcase, a destination that promised to attract thousands if not millions of people to southeastern Utah. Lake Powell's main marina at Hall's Crossing could be accessed by U-95 from the north or east. A paved Burr Trail

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<sup>8</sup> Kenneth Creer to Scott Matheson, February 14, 1979; Garfield County Commission to Governor Matheson, March 5, 1979; both documents on Reel 1, Series 19269, Governor Matheson County Records, Utah State Archives and Records Service, Salt Lake City, Utah.

would directly connect Garfield County to the marina from the west, as well as induce tourists to drive through county towns. Not improving the Burr Trail meant the county would miss out on business: instead most east-west traffic would travel U-95.

Paved roads seemed central to unlocking the region's wonders, market its scenery, and attract tourists into the country. By mid-twentieth century, many local boosters and state politicians believed that parks and the roads leading to them would provide a significant economic boost to the economy of southern Utah. Making this vision a reality would entail developments on a large scale. Just as Cal Black envisioned development at Hall's Crossing, similar-minded businessmen and locals envisaged comparable pockets of expansion throughout the region. The idea of the "Grand Circle" road network derived from this perspective. Since the end of World War II road builders had been responsible for shortening the drive into this country. The design that eventually coalesced took shape as a road system that connected the major towns and parks in the Four Corner's area. Tourist-centered infrastructure promised to "open" southern Utah's national parks and scenic wonders to the world. All this, it was argued, would attract the crowds, and revenues would trickle down into the local economies.

The pie-in-the-sky developments never materialized. The original plan for Canyonlands National Park had been to outfit the Needles District—a collection of colorful spires of Cedar Mesa Sandstone—with roads, hotels, and other services, not unlike the development at Grand Canyon's north rim. Despite the persistent efforts of some (including Cal Black), the National Park Service never

made these developments. The state and local advocates for a paved Burr Trail in the 1980s believed there was clearly a connection between disappointing recreational visitations in southern Utah and appropriate development of the national parks and the public lands. Some tourism advocates blamed the low visitation in the Escalante River region and other backcountry destinations on a lack of adequate tourist facilities.

Local and state officials recognized that a tourist-based economy was not ideal. In pitching the plan for a paved Burr Trail to Senator Howard Metzenbaum (D-Ohio), Utah Senator Jake Garn expressed clearly that he saw no alternative than to push for roads and the infrastructure to support tourist populations.

National environmental laws and regulations had consistently shut out industrial development in the region, he argued, contributing to the withdrawal of three coal power plants and two major proposed coal mining operations. The largest project was a proposal to build four massive, open-pit coal mines and a coal-burning power plant on the Kaiparowits Plateau, south of Escalante. "If southern Utah is going to be forever denied the opportunity to develop itself industrially," Garn wrote, "then I for one can not sit back and just watch it happen. I am going to do everything I can to develop its economic base centered around tourism."<sup>9</sup> The hope was that a paved Burr Trail would attract not only more tourists to the area but wealthier ones as well. Boulder resident Del LeFevre postulated it would

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<sup>9</sup> See Jake Garn to Howard M. Metzenbaum, July 31, 1986, Folder 2, Box 5, Series VIII, MSS 148, Papers of the Utah Chapter of the Sierra Club, Special Collections and Archives, Merrill-Cazier Library, Utah State University, Logan, Utah.

attract a new type of tourist. “[The visitors now] come in here in a Volkswagon and their backpacks,” he said. “They buy a dollar gas and a dollar groceries, and they’re gone for a week. You can’t blame them, but paving the road would open this end of the county up to the people who stay at the motels and eat at the cafes and spend some bucks in the county.”<sup>10</sup>

Senator Garn, Utah’s other congressional delegates, and Governor Scott Matheson all contended that if tourism was to become “the natural foundation of our state’s rural economy,” the top priority would be to complete or upgrade the unfinished road corridors connecting the state’s parks and scenic destinations. U-95 had been the “backbone” of the Grand Circle, but many other roads created vital links as well. In fact, by the time politicians, environmentalists and locals began to debate the future of the Burr Trail, nearly all of the roads deemed essential had already been paved. Only the road over Boulder Mountain connecting Boulder to Highway 12 remained unfinished. When completed, that last section would essentially complete the Grand Circle. Road boosters were now, however, touting the Burr Trail as the “proposed Central link” to the Grand Circle Adventure. The Burr Trail would provide a two-way route connecting the county to the marinas at Halls Crossing where the state planned to build a ferry (dedicated in 1985) connecting both sides of the reservoir. State funds had been used to build the ferry there; an improved Burr Trail would usher more tourists to

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<sup>10</sup> Iver Peterson, “Blacktop for a Desert Trail Spurs Southwest Tourism Debate,” *Special to the New York Times*, no date, in Folder 13, Box 15, Series 8, Public Policy (Conservation) Department – Bureau of Land Management, CONS130, Wilderness Society Records, Denver Public Library; “At Four Corners, 2 Views on Trail,” *Milwaukee Journal*, October 21, 1983, 17.



it. The road would also enable more people to experience the wild Escalante outback.<sup>11</sup>

The disputes over how and where the Grand Circle road network would develop provide additional context to the Burr Trail conflict. Most of the roads and highways proposed as part of the Grand Circle and advocated by the Utah State Department of Highways would have simply improved or paved existing roads, but others were new routes through previously undeveloped places. In many ways, the plan was audacity, planned roads through rough, impossible terrain.<sup>12</sup> The most controversial of all was an entirely new route from Glen Canyon City in southern Utah running in a northwesterly direction along the western side of Lake Powell, crossing some of the most rugged terrain on the planet. The road-building plan met resistance from conservation groups and others who believed that any new roadways ought to take advantage of existing routes and connect local communities instead of forging new paths. The fight over the Trans-Escalante highway went public, and conservationists scored a major victory when the proposal died not long after congressional hearings were held in Washington, D.C. in 1972.<sup>13</sup>

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<sup>11</sup> See Draft letter to Editor, June 4, 1984, Folder 13, Box 3, Reel 6, Matheson Natural Resources Files. For Matheson's aide's proposed changes to the language in the letter, see Jim Butler to Matheson, June 4, 1984, Folder 13, Box 3, Reel 6, Matheson Natural Resources Files.

<sup>12</sup> See Utah State Department of Highways, "Scenic Roads for the Golden Circle," Folder 17, Box 32, MSS 132, Gary Smith Papers, Special Collections and Archives, Utah State University, Logan.

Ironically, in those hearings regarding the Trans-Escalante highway conservationists had recommended instead to “upgrade” some of the existing dirt roads—like the Burr Trail—a move they would oppose a decade later. During debates over construction of the Trans-Escalante highway, conservation groups had argued that development ought to be on existing roadways to minimize the impact to the land and boost the economies of local communities along those routes.<sup>14</sup> In fact, in 1972, some environmentalists testified in opposition to the Trans-Escalante highway by recommending an upgraded Burr Trail instead. More than a decade later, however, Ruth Frear of the Burr Trail Committee insisted that the intention of environmentalists was never to pave or realign the road, but to turn it into a “fine dirt road.” In her view, a paved road would change the “character” of the country.<sup>15</sup> Burr Trail backers, however, labeled the position of wilderness groups as duplicitous. As Utah Governor Matheson and the entire Utah congressional delegation noted in a letter, “While today we are certain some ‘hard liners’ will argue that upgrading the present dirt track was not meant to imply actual paving of the road, we believe any reasonable interpretation of the 1972

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<sup>13</sup> Paul Nelson, “Not Getting Along: A Brief History of Conflict in Utah’s Canyon Country,” unpublished article in the author’s possession.

<sup>14</sup> In 1965, Ken Sleight, as president of the Escalante Chamber of Commerce, had endorsed a proposal for a road “across the Circle Cliffs and the Burr Trail area” as an alternative to the trans-Escalante highway. See Ken Sleight to Utah Governor Calvin L. Rampton, October 28, 1965; Minutes of the Five County Organization, October 1, 1965; both documents in Folder 10, Box 27, Series III, Sierra Club Papers.

<sup>15</sup> Ruth A. Frear, Chair of the Burr Trail Committee, to Jake Garn, U.S. Senator, June 16, 1984, Folder 20, Box 15, Series 8, Wilderness Society Records.

testimony would conclude that a safe, all-weather scenic road was exactly what was intended.”<sup>16</sup>

It may have been that in the 1960s and early 1970s, some conservationists had supported an upgraded—even paved—Burr Trail. But times had changed in the 10-plus years since. Environmental activists had become more determined to protect remaining wild lands in the Escalante region and the Colorado Plateau generally. Jim Catlin, in the *Utah Sierran*, observed that “as recently as our childhood much more of Utah was truly wild and untouched.” The impulse to protect what portions of “wild” Utah remained derived in part from this sense of nostalgia. In his argument in opposition to the Burr Trail paving plan, Catlin reflected on what explorer’s of the backcountry used to find only a short time before.

There was no road across the San Rafael Swell, no road down the Fremont river through what is now Capitol Reef National Park. A very rough track was the route to Glen Canyon. Now we have U95 which covers the drowning of the lower Dirty Devil and the Colorado River. White Canyon by natural Bridges was serviced by a rough dirt road. All the roads into Canyonlands and Arches National Park areas were either nonexistent or dirt. The potash plant near Dead Horse Point, the power plant plumes south of Price, and the Navajo power plant plumes didn’t exist.

A newly paved Burr Trail would further threaten a section of Utah’s backcountry with “increasing mechanized use of this very fragile area.” Catlin did not expect the pressure to pave roads to relent, although he argued that it had been shown

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<sup>16</sup> Form letter to newspaper editor signed by Governor Matheson, Senator Orrin Hatch, Senator Jake Garn, Congressman James Hansen, Congressman Howard Nielson, and Congressman Dan Marriott, June 11, 1984, Folder 20, Box 15, Series 8, Wilderness Society Records.

that new roads often divert business away from communities and provide little boost to their economies.<sup>17</sup>

Catlin's comments suggest environmental activists' opposition to paving the Burr Trail in absolute, uncompromising terms. The activists painted a picture of the landscape as a place as close to primeval wilderness as could be had in the lower 48 states. Here was a chance to memorialize what SUWA co-founder Clive Kincaid called "another Utah—as close to time warp as one can find."<sup>18</sup> Terri Martin of the National Parks and Conservation Association observed that the "battle to protect the Burr Trail as a rural, scenic, backcountry road is a battle for the Escalante Canyons."<sup>19</sup> In response to this perceived threat to Utah's backcountry, a handful of local environmental activists organized groups to fight the proposal. Gordon Anderson and Lucy Wallingford, both of Moab, Utah, organized the "Save the Burr Trail" committee to campaign against federal appropriations to improve the road. The Southern Utah Wilderness Association also organized in the early 1980s primarily in response to the Burr Trail.

Even middle-of-the-road proposals concerned environmentalists who worried about what upgrading the road would do to the wilderness characteristics of the region. In 1985, National Park Service Director William Penn Mott, Jr.

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<sup>17</sup> Jim Catlin, "Paving the Burr Trail, Motives and Reasons," *Utah Sierran*, n.date, copy in Folder 9, Box 6, Series VIII, Sierra Club Papers.

<sup>18</sup> Clive Kincaid, "My View: Preserve the Unique Character of Picturesque Burr Trail," *Deseret News*, February 14, 1986.

<sup>19</sup> Ruth A. Frear, "The Burr Trail?" Folder 10, Box 6, Series VIII, Sierra Club Papers.

proposed upgrading the Burr Trail to an “all weather gravel surface.” Paving would only take place in “the most critical portions of the road.” The proposal left environmentalists disappointed because these “critical” portions of the road happened to be in the most environmentally sensitive areas like Long Canyon, the switchbacks down the Fold, and the descent of the Gulch.<sup>20</sup>

Just how a new road would negotiate the Waterpocket Fold was a matter of special concern. The Fold is an imposing, majestic geologic formation. Massive, tilted bare rocks protrude, revealing geologic layers and hues in all their variety. It stretches nearly a hundred miles north to south, the length of Capitol Reef National Park. Lyndon Johnson, in his last day in office in 1969, had increased the size of Capitol Reef by six times just to include the entire length of the Fold—a move that infuriated stockman concerned that the designation would curtail their grazing privileges.<sup>21</sup> From Navajo Knob on the north end of Capital Reef, the view south is dizzying. The Fold tilted downward, moving the land and water eastward toward the Colorado River. Indeed, the canyons and plateau begin here, and the interplay between geologic forces and climate plainly evident as the eye pans eastward from Dixie National Forest to the Fold and beyond. In fact, this view of the Fold—Capitol Reef’s spine—is usually all that motorists see. Like Comb Ridge east of the Colorado River, the Fold is a mostly impenetrable barrier to land travel, with a few exceptions. The Fremont River cuts a crack in the

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<sup>20</sup> Burr Trail Update, Folder 13, Box 15, Series 8, Wilderness Society Records.

<sup>21</sup> Kenneth Reich, “Utah Parks Expansion Infuriates Small Town,” *Los Angeles Times*, November 23, 1969, in Folder 8, Box 316, Geographical Section, Otis R. Marston Manuscript Collection, Huntington Library, San Marino, California.

otherwise impenetrable rock wall; a road, Highway 24, follows the course of the river. In this northern part of the park lies a rich human history of land use: the park showcases ancient and modern human artifacts, as well as spectacular rock formations. The Fremont Indians were the area's first inhabitants, and petroglyphs inscribed on the rock walls are reminders of their past. The Mormons had a town along the river until the establishment of the park in 1937; all that remains of the town is the old schoolhouse and orchards still maintained by the NPS. The sole paved road through the Fold presents a scenic tour of this spectacular landscape. The other motorized route down the Fold, the Burr Trail to the south, is where cattleman had located a weak point in an otherwise almost impossible barrier. John Burr had been the first to use the precipitous descent down the east face of the fold along an ancient Indian trail. Upgraded to a gravel road, the route descends down a zigzag of hairpin switchbacks.

An "improved" Burr Trail would have to contend with the steep descent and sharp turns of the Fold. The jointly produced BLM and NPS draft Environmental Assessment, released in May 1985, downplayed the environmental impact of the Garn proposal but still acknowledged that new cuts over the Fold would have to be made.<sup>22</sup>

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The debate over the fate of the Burr Trail took a turn in early 1987 when the State Community Impact Board, which distributes mineral leasing revenues to local

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<sup>22</sup> U.S. Department of the Interior, Bureau of Land Management and National Park Service, *Draft Environmental Assessment on Paving Boulder-to-Bullfrog Road, Garfield County, Utah*, May 1985, 13-18.

governments, gave Garfield County \$2 million to begin roadwork on the first 28 miles of the road. The decision to begin funding an “improved” Burr Trail did not come easily for state lawmakers. Many state lawmakers questioned the benefit of paving a rural road that the Utah Department of Transportation had estimated might ultimately cost as much as \$80 million in public funds. Critics of the road plan had simply assumed that the high cost of the project would be its best defense.<sup>23</sup> Now, with the camel’s nose in the tent, a coalition of environmental groups aggressively pursued another line of defense—litigation. In February Wayne Petty of Moyle and Draper and Lori Potter of the Sierra Club Legal Defense Fund, Inc., threatened to bring an action of injunctive relief against Garfield County, whose representatives had awarded a construction contract to Harper Excavating, Inc.<sup>24</sup> When the county refused, Petty and Potter sought a temporary restraining order against the county in district court to prevent road construction.

The environmentalist’s legal position advanced several related points. The first, immediate argument was that county would have to comply with an environmental review before it made any major changes to the road. The lawyers referenced potential “injury” to adjacent wilderness study areas. They claimed

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<sup>23</sup> See Clive Kincaid to Mr. Sigma, September 16, 1985, Folder 20, Box 15, Series 8; Terry [Sopher] to Chuck [Clusen], November 13, 1985, memorandum, Folder 13, Box 15, Series 8, both documents in Wilderness Society Records.

<sup>24</sup> “Paving to Begin in Spring on 27 Miles of Burr Trail,” *Deseret News*, January 24, 1987, 2B; Katie Thomas, “Official Defends Plan to Pave Burr Trail,” *Salt Lake Tribune*, January 29, 1987, 12A; Wayne Petty and Lori Potter to Roland Robison, February 9, 1987, Folder 2, Box 16, Series 8, Wilderness Society Records.

that the public interest required an injunction, since any damage to the land, they argued, “far outweighs any potential loss by reason of a postponement of road building activity.”<sup>25</sup>

The larger concern centered on the validity and scope of the county’s claim to the road’s right-of-way. Invoking its rights under the mining law of 1872 granting rights-of-way for “highways” over public lands, the county argued that the long history of travel and use on the Burr Trail unmistakably gave the county legal rights. The plaintiffs cited precedence that 2477 roads were to be used “for the purpose originally granted,” referring to 1984 correspondence in which BLM state director Roland Robison maintained that while “Garfield County does have a right-of-way for this road,” it did not have a right to make a “substantial deviation or realignment from the existing right-of-way.” However, in a letter from Robison to Petty on February 13, 1987, no mention was made of any realignment restrictions; he simply held that the county “is entitled to carry out improvement and maintenance activities on the roadway within it,” and intimated that the BLM had no intention of interfering with that right—a point which the county capitalized on in court. Robison also referred to FLPMA, the legislation

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<sup>25</sup> Complaint, Sierra Club, National Parks and Conservation Association, Southern Utah Wilderness Alliance, Wilderness Society, Plaintiffs, vs. Donald P. Hodel, U.S. Department of the Interior, Bureau of Land Management, Garfield County, Harper Excavating, Inc., Defendants, Folder 5, Box VIII.A: 5: Burr Trail, Sierra Club Papers; Darrell Knuffke to George Frampton, Peter Coppelman, Chuck Clusen, John McComb, and Terry Sopher, February 9, 1987, Folder 2, Box 16, Wilderness Society Records; Plaintiffs’ Brief in Support of their Motion for Preliminary Injunction or Temporary Restraining Order, Folder 2, Box 16, Series 8, Wilderness Society Records; Joseph Bauman, “Groups Sue to Block Burr Trail Road Work,” *Deseret News*, February 18-19, 1987, B9.



governing rights-of-way on BLM lands, and noted that it made no mention of the scope of maintenance that might be done on a 2477 claim. The county maintained that it had the right to expand the roadway and alignment to “accommodate increased tourism activity in the region.”<sup>26</sup>

In court testimony to establish the origins and evolution of the road, defendants held that the road had been in use since the late nineteenth century and continually upgraded since the 1930s, as “an important link between the east part of Garfield County and the west part,” thus giving the county claim to right-of-way. But they walked a tightrope, because while they insisted the county had regularly maintained the road, they also had to give the impression that the road was in serious need of upgrade. A local, Margie Spence of Ticcabo, testified that the road was well maintained since 1946—as long as she had lived in the Escalante region—and had been used widely by “farmers and ranchers, by oil and gas people, by school people, by health people, and sheriff’s, and so forth.” She and other locals characterized it as “a pretty good country road” in need of an upgrade. For most of the year Spence traveled that road two times a week for work, and others did the same thing in a LTD Ford or a Chevy Celebrity. To make the case that the route had been well maintained, the defendants had to show that

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<sup>26</sup> William J. Lockhart, Attorney for SUWA, to Robison, April 14, 1984; Robison to Lockhart, May 16, 1984, both documents in Folder 2, Box 5, Series VIII, Sierra Club Papers; Petty to Harper Excavating, Inc., February 12, 1987; Plaintiffs’ Brief in Support of their Motion for Preliminary Injunction or Temporary Restraining Order, Folder 2, Box 16, Series 8, Wilderness Society Records; Roland G. Robison to Wayne G. Petty, February 13, 1987, Folder 5, Box VIII.A: 5: Burr Trail, Sierra Club Papers.

normal cars could drive it. Describing the conditions of the road when wet, she claimed she could not “remember how many times” she had skidded off.<sup>27</sup>

The testifiers also spoke of the potential uses for the road. As John S. Williams, another witness for the defense, stated, “It, in fact, was created for the desire to uncover or discover the natural resource—the potentials of Garfield County.” The Burr Trail would, they hoped, play an important role in future developments, benefiting Kirkwood Oil and Gas Company and others. Besides the locals, hikers, backpackers, boaters, and sightseers traversed it. And Williams believed that road use would surely increase in the coming years, indicating a spike in use over the last two years “mostly from this publicity.”<sup>28</sup>

In March 1987, District Judge Aldon J. Anderson ruled that the proposed road upgrades were “of a substantial nature” to warrant further study before beginning construction. He therefore ordered the county to produce an environmental assessment where the road improvements might impact adjoining BLM wilderness study areas. In his opinion, stated after giving the order, Anderson believed the county had a right-of-way to a through road but questioned their right to widen and realign it to attract more tourists. The initial ruling gave

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<sup>27</sup> Margie Spence, Statement Under Oath in Re: Boulder-Bullfrog Road, Reported by Paul G. McMullin of St. George, February 21, 1987, 1, 4-5, 10-11, Special Collections, J. Willard Marriott Library, University of Utah, Salt Lake City; Thomas Hatch, Statement Under Oath in Re: Boulder-Bullfrog Road, February 21, 1987, 13, Special Collections, J. Willard Marriott Library, University of Utah, Salt Lake City; Joseph Bauman, “Teacher Testifies about Terrors of Commuting on the Burr Trail,” *Deseret News*, February 26-27, 1987, 6B.

<sup>28</sup> John Williams, Statement Under Oath in Re: Boulder-Bullfrog Road, February 21, 1987, Special Collections, J. Willard Marriott Library, University of Utah, Salt Lake City.

parties on both sides the sense that the “battle is a long way from being over,” in the words of Ronald Thompson, attorney for Garfield County.<sup>29</sup> Indeed, it *was* only the beginning.

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Rather abruptly, the court stalemate ended when the district judge gave Garfield County the go-ahead to grade the road in December 1987.<sup>30</sup> In earnest, county officials, according to a Southern Utah Wilderness Alliance bulletin, “assembled every piece of heavy machinery at its disposal and began moving earth” in Long Canyon’s steep-walled riparian environment. While the plaintiff’s legal team worked to put a stop to the construction work, environmentalists called in the media to document the damage to soil, water, and vegetative resources. The stage had been set for a face-off between two opposing sides on the Burr Trail. With reporters and cameras poised, county officials signaled to rev the bulldozers. But the machines failed to start. Abruptly, the story of the day turned from of the potential destruction of a canyon to suspected sabotage of road machinery.<sup>31</sup>

Burr Trail backers had feared that opponents would resort to sabotage or other methods of harassment to hinder road building. The same month that

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<sup>29</sup> Rodd G. Wagner, “Judge Delays Burr Trail, Calls for Further Study,” *Salt Lake Tribune*, March 11, 1987, B1; “‘Pave Burr Trail,’ 7 of 8 Speakers Say,” *Deseret News*, January 5, 1988.

<sup>30</sup> Rodd G. Wagner, “Judge Gives Go-Ahead to Burr Trail Improvements,” *Salt Lake Tribune*, December 1, 1987; Bauman, “Burr Trail Suspect Vows to Fight.”

<sup>31</sup> SUWA Bulletin, No. 3, December 22, 1987, Folder 6, Box 5, Series VIII, Sierra Club Papers; Joseph Bauman, “Burr Trail Suspect Vows to Fight,” *Deseret News*, December 19, 1987.

conservation groups filed a lawsuit in the district court, SUWA distributed a flier that contained a drawing by artist R. Crumb depicting a group of people engaged in monkey wrenching activities under the heading, “Save—Don’t Pave—The Burr Trail.” The plaintiffs in the suit immediately distanced themselves from the provocative flier. Fred Swanson of SUWA, who wrote the text to the flier, claimed that “[t]he drawing was added to the flier without our knowledge, without our consent. We want to make clear that we do not condone in any way any equipment sabotage or other acts of monkey-wrenching.” The lawyer in the court case, Wayne Petty, assured the county that he was “instructing my clients that under no circumstances are they to engage in any activity which constitutes threat, harassment, intimidation or attempts to do any of the foregoing.”<sup>32</sup>

Predictably, then, county officials reacted forcefully to prevent ecotage to four bulldozers in late 1987, accusing local Boulder resident Grant Johnson of the vandalism. County officials believed they had every reason to suspect Johnson, who had none of the genealogy of most Boulder residents. A job as a uranium miner drew him into the area in 1975, but the wildness and isolation induced him to stay. After mining, he worked for a contractor repairing ancient Indian ruins and with his wife gathered and sold seeds of desert wildflowers. The country suited his interests as a lover of wild lands. He spent his spare time exploring the backcountry, and he used his energy to defend it from despoilment. In the mid-

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<sup>32</sup> Joseph Bauman, “Naturalists Deny Responsibility for Cartoon,” *Deseret News*, February 27, 1987; Patrick B. Nolan to Petty, February 17, 1987, Folder 2, Box 16, Series 8, Wilderness Society Records; Petty to Nolan, February 26, 1987, Folder 2, Box 16, Series 8, Wilderness Society Records.

1980s, as a founding member of the Save the Burr Trail Committee and the Southern Utah Wilderness Alliance (SUWA), he took lone stands against the Burr Trail paving plan at public meetings. Although personable and mild mannered, Johnson made numerous enemies in Boulder and beyond. Locals in Escalante burned in effigy Johnson and Clive Kincaid, another Boulder resident and founder of SUWA, just as they had done to Robert Redford a decade earlier for publicly opposing a proposed coal mine and power plant on the Kaiparowits Plateau.<sup>33</sup> Based on evidence reportedly linking Johnson's shoe print to the scene of the crime, the county sheriff hauled him to jail (insulting all the while, according to Johnson, by calling him "an animal living in a rat-infested trailer") on an original bail of \$250,000, higher than famed Mormon documents forger and murderer Mark Hoffman's bail at the same time.<sup>34</sup>

The suspected sabotage in the canyon infused emotional drama into a conflict that was already highly overwrought. Johnson attributed the hostility to the "political side" and not local ranchers in Boulder with whom he had "worked out personal relationships." He claimed that county officials had hatched the scheme "to take my land and throw me out of the county." Johnson was eventually acquitted of all charges connected to the supposed vandalism, but the

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<sup>33</sup> Biographical information on Johnson comes from Iver Peterson, "Blacktop for a Desert Trail Spurs Southwest Tourism Debate," *Special to the New York Times*, no date, in Folder 13, Box 15, Series 8, Wilderness Society Records; Grant Johnson, interview by the author, April 22, 2009.

<sup>34</sup> Bauman, "Burr Trail Suspect Vows to Fight." For the resolution of the case, see Katie Thomas, "Suspect in Burr Trail Vandalism Admits to Two Drug Charges," *Salt Lake Tribune*, October 18, 1990.

entire affair came at a high price to him personally. While the case was being investigated, he and his wife endured intimidation and threats. Boulder resident Larry Davis told Johnson and his wife to leave town because he heard rumors that people would shoot at them from the road. Johnson faced 2 ½ years of expensive legal expenses and endured public humiliation. The media misrepresented his character, as in a 5-minute clip on the Burr Trail for *The Today Show*. They took a phrase by Johnson, “man created God to give him the Earth to do whatever he wants,” and twisted it to say “God created the earth so man could do what he wanted with it,” making him sound like a fundamentalist Christian.<sup>35</sup>

Johnson was also ostracized by his own people. Johnson became alienated from Clive Kincaid and SUWA two years earlier, but the charges of vandalism further distanced him from the organization that he had a small role in creating. Since the charges of sabotage gave bad publicity to the Burr Trail and to other environmental issues in the state, environmentalists in other organizations also condemned Johnson’s alleged actions and distanced themselves from his perceived brand of environmentalism. Darrell Knuffke of the Wilderness Society referred to him as “a tattered relic of the Sixties who is suspected of sabotaging road-building equipment on the trail, which is felonious, and who told a national audience that he talks to rocks and they to him, which is merely ridiculous.”<sup>36</sup>

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<sup>35</sup> Bauman, “Burr Trail Suspect Vows to Fight”; Grant Johnson interview; Larry Johnson interview.

<sup>36</sup> Johnson interview; “Charges Dismissed in Burr Vandalism,” *Deseret News*, December 22, 1988; Knuffke to George Frampton, Syd Butler, and Ron Tipton, September 29, 1988, Folder 34, Box 11, Series 10, Wilderness Society Records;

Edward Abbey, in a speech at the University of Utah in 1988, publicly defended Johnson, although he, too, assumed Johnson to be the monkey wrencher. “They charge this poor guy with vandalism when these county commissioners in Garfield are doing their best to destroy one of the most beautiful primitive areas left in the whole state of Utah. Who are the true criminals in Garfield County?” he asked. “Well, not the fellow who tried to save the Burr Trail from final destruction, but that little gang of county commissioners and BLM bureaucrats who have been conspiring together for years to vandalize, industrialize, and pollute the land that is the rightful property of all Americans.”<sup>37</sup>

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The hostility toward Grant Johnson was perhaps emblematic of the in-fighting between environmental organizations over the appropriate strategy to fight the Burr Trail. At the beginning of the controversy environmentalists from the Sierra Club, Wilderness Society, and the newly organized Southern Utah Wilderness Alliance (SUWA) had formulated a “no compromise” position on the basis that the road would, in the words of Doug Scott of the Sierra Club, “inevitably lead to exactly the kind of heavy industrial development in that entire region of Utah which the Club has strenuously opposed, legally and politically, for a generation.”<sup>38</sup> Still, the parties conspiring against paving also recognized the

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SUWA Bulletin No. 3, December 22, 1987, Folder 6, Box 5, Series VIII, Sierra Club Papers.

<sup>37</sup> Edward Abbey, Speech at the University of Utah, 1988, <http://vimeo.com/11008593> (January 30, 2011).

virtues of compromise, if the terms were right. In late 1985, some environmentalists urged compromise, as long as “[we] get something for it in terms of protection of the land.” One compromise proposal would be to allow the county to pave a portion of the road—twelve miles under the Mott proposal—and gravel the rest if the environmentalists got their way on right-of-way, wilderness designation, and other key provisions like no commercial hauling. Specifically, they insisted on “minimal improvements,” federal right-of-way, trade out of state sections bordering the road, and wilderness designation of 350,000 acres adjacent to the Burr Trail. In their notes, they apparently agreed to compromise on a full paved road “if [we] get 1.1 million acre wilderness designation,” meaning the 350,000 acres under the Utah Wilderness Coalition proposal in addition to wilderness in NPS areas.<sup>39</sup>

This last provision seems more like a slap in the face than a compromise—not far from what Edward Abbey sardonically proposed at a public hearing the Trans-Escalante Highway: “Give us back our river [Colorado] and our canyon [Glen Canyon], as they used to be and as they always should be, and you can have your new highway.”<sup>40</sup> Still, these examples illustrate that even the most

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<sup>38</sup> See Doug Scott, Conservation Leader of the Sierra Club, to Chuck Clusen, John McComb, Terry Sopher, Debbie Sease, Darrell Knuffke, and Maggie Fox, February 12, 1986, Folder 2, Box 5, Series VIII, Sierra Club Papers.

<sup>39</sup> Terry to Chuck [Clusen], November 13, 1985, memorandum, Folder 13, Box 15, Series 8, CONS130, Denver Public Library; Terri Martin to Maggie Fox, Darrel Knuffke, Clive Kincaid, Bill Lienisch, and Fred Swanson, January 21, 1986, Folder 2, Box 5, Series VIII, Sierra Club Papers.



hardened activists might have been willing to compromise if the terms were right. Indeed, environmental protection is a game of compromise—of giving up something to get something. To win—much less survive—in the arena of multi-interest group politics, environmentalists had to adjust to the realities of the political system, a system that large, national environmental groups understood well. They hired lobbyists and lawyers and negotiators. They wrangled in court and in the halls of congress, but they also sat down across from their opponents to work out deals. In the process they made hard decisions, compromised, and sometimes gave up cherished positions in exchange for a gain of higher priority. That was the game of politics.

“Radical” environmentalism, as it is derisively called by some, developed in part in response to what some believed to be appeasement by mainstream environmental organizations. Some environmentalists questioned other environmentalists who accepted donations from corporate interests or for not having nature’s best interests at heart. Dave Foreman, who lobbied for the Wilderness Society in Washington, D.C. in the 1970s, believed that some mainstream environmental groups were bartering away too many wilderness areas, critical wildlife habitats, and open spaces in the name of compromise. In 1980, frustrated by business as usual approach of mainstream environmental organizations, helped to organize Earth First! Foreman and the other founders of Earth First! had been influenced by such nineteenth century conservation

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<sup>40</sup> Edward Abbey, “Statement for Glen Canyon National Recreation Area Hearing, Kanab, Utah, May 15, 1975,” in Folder 6, Box 7, MS 271, Papers of Edward Abbey, Special Collections, University of Arizona, Tucson.

stalwarts as Henry David Thoreau and John Muir and by the writings of Aldo Leopold, Rachel Carson, and Edward Abbey in formulating the eco-centric position that human beings merely belonged to the web of life, not lords over it. Earth First!ers adopted the slogan “No Compromise in Defense of Mother Earth!” and Foreman penned *Ecodefense: A Field Guide to Monkeywrenching* (1985) that taught would-be saboteurs techniques to take out road equipment and stall development. Not surprisingly, this new “radical” environmentalism became closely associated with extra-vigilante sabotage.<sup>41</sup> On the Burr Trail, Earth First! co-founder Dave Forman made perhaps the most uncompromising proposal of all: close the road (along with the Hole-in-the-Rock road) to “unite slickrock canyon country north and south of this road into one huge Wilderness.”<sup>42</sup>

In its early years SUWA was ideologically a close kin to Earth First! Articles published in the *Earth First!* journal praised the leaders of the new grassroots organization for being “a couple of self-righteous royal pains in the

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<sup>41</sup> For a discussion of Earth First! monkey wrenching activities, see Susan Zakin, *Coyotes and Town Dogs: Earth First! and the Environmental Movement* (New York: Viking, 1993); Derek Wall, *Earth First! and the Anti-Roads Movement: Radical Environmentalism and Comparative Social Movements* (New York: Routledge: 1999). In Utah, incidences of sabotage reportedly spiked; Sheriff Rigby Wright of San Juan County investigated fifty-plus cases of sabotage to machinery in five years, although few of these cases could be solved. Law enforcement and authorities sometimes kept instances of sabotage quiet to avoid inspiring more attacks. See “Lobbying Forsaken for ‘Ecotage,’” *Rocky Mountain News*, October 17, 1982, 14.

<sup>42</sup> George Wuerthner, “Wilderness: A Bioregional Approach,” *Earth First!*, December 21, 1985, 23; “Earth First! Proposes 16 Million Acres of Wilderness for Utah BLM,” *Earth First!*, May 1, 1986, 1.

opposition's ass" that deserved Earth First!ers' support.<sup>43</sup> Like Earth First!, SUWA had been started by a couple of fed up and disillusioned environmentalists. As Grant Johnson explained, SUWA arose, in part, out of frustration with the Utah Wilderness Association's role in the wilderness campaign leading up the 1984 designation of wilderness on Utah national forest land. Johnson recalled that he "was under the impress that Dick Carter had traded most qualifying wilderness on Boulder Mountain [in Garfield County] for the Uinta wilderness in the Forest Service wilderness bill." Using the Save the Burr Trail committee mailing list, Johnson along with recent transplant to southern Utah Clive Kincaid and Robert Weed together formed SUWA. Determined to see that no slice of wilderness-worthy land would be lost to the BLM wilderness review, SUWA subsequently coordinated the formation of the Utah Wilderness Coalition and the drafting of a 5.2-million-acre (later increased to a 5.7-million-acre) wilderness proposal in Utah, significantly more than the 3-million-acre proposal of the Utah Wilderness Association. The proposal was considered so extreme (though not nearly so as Earth First!'s 16 million acre BLM wilderness proposal in Utah) by some that Senator Jake Garn dismissively referred to it as "ridiculous" and that any chance of becoming reality would be "over his dead body."<sup>44</sup>

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<sup>43</sup> Head of Joaquin, "Sleaze from the Slickrock," *Earth First!*, December 21, 1985, 26. See also Leslie Lyon, "Lessons from the Utah Wilderness Battle," *Earth First!*, May 1, 1991, 14.

The Utah Wilderness Coalition had clearly been organized to counter the Utah Wilderness Association's more conciliatory influence in the Utah wilderness debate. During the Burr Trail debate, Carter remained convinced that emphasis on the Burr Trail siphoned energy and resources away from the far more important BLM wilderness debate. "It is far more important to focus the battle of preserving roadless lands as wilderness than diverging into piecemeal opposition of already constructed roadways such as the Burr Trail," he wrote. "The 'Glen Canyon Dam' issue of the 80's is not the Burr Trail."<sup>45</sup> But that position proved an unpopular one. "You know some very nasty and unnecessary things have been said over the last few months about UWA & me," he wrote Terri Martin of the National Parks and Conservation Association in May 1985. Disappointed at "how little reconciliation is going on," he told Martin how "hurt" he had been "when I saw the Burr Trail alert signed by everybody but us."<sup>46</sup> Meanwhile, Doug Scott of the Sierra Club proposed sidelining "Dick Carter and his followers who are too willing to compromise" by "taking a hard, no compromise line" on the Burr Trail. In his estimation, such an approach would "be very positive for our longer-term agenda in Utah," since it would "give us a continuing press hook for the Coalition and SUWA" and "further solidify the collaboration between all of us, building an

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<sup>44</sup> "Garn Assails Wild Proposal," *Deseret News*, October 14, 1988. For Earth First!'s wilderness proposal, see "Earth First! Proposes 16 Million Acres of Wilderness for Utah BLM," *Earth First!*, May 1, 1986, 1, 4.

<sup>45</sup> "The Burr Trail," January 10, 1985, Folder 10, Box 6, Series VIII, Sierra Club Papers.

<sup>46</sup> Dick Carter to Terri Martin, May 29, 1985, Folder 8, Box 1, Utah Wilderness Association Collection.

ever firmer base on which to proceed with the Utah wilderness fight in the years (probably quite a few of them) ahead.”<sup>47</sup>

Yet Lawson LeGate of the Sierra Club had come to agree with Carter that reaching a compromise with Garfield County officials would be preferable than to prolong a costly and bitter lawsuit. In a letter to Carter, LeGate acknowledged that their positions were, in essence, similar. And he indicated that plaintiffs in the court case had opened closed-door discussions with the county “for many weeks about reaching a negotiated settlement.” Notes from these meetings show that environmentalists agreed to pave the road with a red surface as long as commercial hauling, utility lines, roadside development, and shoulders at cliff sides would be prohibited. In exchange, the county would give up claims to right-of-way. Environmentalists also lobbied the county to support wilderness designation for the Escalante River Canyons and Mount Pennell areas (which county officials “really balked at”). The county reportedly agreed that no construction would begin on sections of roads as long as conservationists remained committed to the negotiations. Nevertheless, it was a precarious agreement; environmentalists knew any understanding between the groups was “so preliminary and sufficiently vague as to allow them [the county] to raise the stakes on us in this manner.”<sup>48</sup>

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<sup>47</sup> Doug Scott to Chuck Clusen, John McComb, Terry Sopher, Debbie, Sease, Darrell Knuffke, and Maggie Fox, February 12, 1986, Folder 3, Box 17, Series 8, Wilderness Society Records.

LeGate reasoned that compromise would yield substantial benefit to the environmental community. A deal with the county would put an end to expensive court battles while enabling environmentalists to maintain some leverage. The idea was to allow the county to pave the road in exchange for its claim to RS 2477 rights. That issue in particular was important, because if Garfield County obtained 2477 rights to the Burr Trail, it would possibly serve as precedence on other 2477 claims in the state. LeGate believed that a compromise would convince the public that the environmentalists were willing to work with rural county officials on the other side of the ideological divide. It would, in effect, be “good publicity.” And he thought a compromise would suit the needs of the county as well, since county officials wanted to put an end to the expensive legal proceedings but needed something to show their constituents after a long court battle.<sup>49</sup>

Still, while LeGate and others saw an opportunity to protect the land along the Burr Trail and prevent commercial use of the road, the trade off was tremendous. Agreeing to the paved road left conservationists in a tough position. For instance, if they supported it, they might be required to testify before Congress in favor of paving the road through a section of Capital Reef National Park. “The prospect of testifying in favor of paving the Burr Trail before a

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<sup>48</sup> Lawson LeGate to Dick Carter, [1988]; Hand-written notes, no date [circa October/November 1988]; both documents in Folder 20, Box 15, Series 8, Wilderness Society Records.

<sup>49</sup> Hand-written notes, no date [circa October/November 1988]; Confidential Internal Memo: Burr Trail Opening Positions, October 30, 1988; both documents in Folder 20, Box 15, Series 8, Wilderness Society Records. See also Mike Medberry to Peter Coppelman, Syd Butler, Ron Tipton, June 8, 1988, Folder 20, Box 15, Series 8, Wilderness Society Records.

Congressional hearing of any sort leaves me ice cold.” Then there was the question of who would have jurisdiction over the road. SUWA and the Sierra Club supported a BLM road over a road in the national park because it would generate less use, but the NPCA would only accept that scenario “with kicks and screams.” Environmentalists reached no consensus on these issues.<sup>50</sup>

SUWA’s new executive director Brant Calkin recoiled at the prospect of compromise. In a confidential letter addressed to the certain members of the environmental community, he reasoned:

Why negotiate with the county? The shorthand theory is that we can get a better road, one that is less damaging to the land and the traveler than if the county went ahead on its own. I have never been persuaded that the difference for the land is significant or worth conceding. And I frankly don’t care much for what happens in the minds of the drivers of a paved road. The most essential point, I feel, is that paving the Burr Trail in any color or configuration is death to the wildness that remains in the area of the road. I do not contemplate negotiating the diameter and hue of the rope that hangs me.<sup>51</sup>

The idea that Calkin was articulating was that a paved road diminished the integrity of the land. Rather than using federal funds to pave for the road construction, he believed that the county should have to fight for every dollar that the road paving scheme required. Calkin also questioned the usefulness of the compromise to secure passage of wilderness areas, and, furthermore, he doubted

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<sup>50</sup> Hand-written notes, no date [circa October/November 1988]; see also confidential internal memo, October 30, 1988; Confidential Internal Memo: Burr Trail Opening Positions, October 30, 1988, Folder 20, Box 15, Series 8, Wilderness Society Records.

<sup>51</sup> Brant [Calkin] to Lawson, Terry, Mike, Darrell, Wayne, SUWA Board, and others, December 14, 1988, Folder 20, Box 15, Series 8, Wilderness Society Records. For information on Calkin’s background, see Scott Groene, “Brant Calkin,” *Canyon Country Zephyr*, August-September 1999, 16.

much would come from these discussions beyond resolution of just the Burr Trail anyway. “The Burr Trail discussions came about as a result of conflict, not cooperation. The cooperation will continue only as long as the conflicts and ability of each side to serve its needs continue,” he explained. He doubted very much that a “shot-gun marriage on the Burr Trail” would lead to better relations between sides.<sup>52</sup>

Calkin urged his colleagues to use their limited resources to fight paving the road if negotiations with the county were to continue. He held no illusions that the fight would be easy or cheap, but fighting to protect the wildness of the land and to preserve the “unique and worthwhile experience” of driving the dirt road was worth it. Although the lawsuit had drained their budget and resources, he made a plea to continue the fight, to raise additional funds, and to sink the county’s credibility. “It is time to declare the county’s position as unilateral and uncompromising, and for us to put the blame for the destruction of the road where it belongs—on the county.”<sup>53</sup>

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By December 1988 it had become clear that Garfield County had no intention of compromising anyway. No doubt emboldened by the Utah legislature’s sudden act of appropriating \$2 million of mineral royalties on federal lands for paving the road, county officials broke off the talks, with the apparent intention of

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<sup>52</sup> Brant to Lawson, et al., December 14, 1988, Folder 20, Box 15, Series 8, Wilderness Society Records.

<sup>53</sup> Ibid.



proceeding with the road work. Although the plaintiffs had hoped the county would hold off on construction to ensure road work was done properly, not deviating from the alignment, the county insisted that it would begin work immediately after the BLM released its EA. The plaintiffs knew the county's insistence on immediately beginning road work put the tentative agreement "in serious jeopardy," but they were utterly blinded-sided when on December 3, 1988, the county once again called out its bulldozers to continue work on the road.<sup>54</sup>

Technically, the county would break no laws by commencing construction. Hearings in November had persuaded the court that to issue an Order Partially Dissolving Injunction for certain sections of the road that did not adversely impact the WSAs was acceptable. The sections adjoining the WSAs would still be governed by the injunction and were subject to NEPA compliance. Long Canyon belonged to a part not protected by the injunction, and construction could therefore legally begin. Incidentally, Judge Aldon J. Anderson indicated that proceeding with the work without having notified the plaintiffs was in "bad faith," and he therefore "requested" the county to cease construction until both parties agreed on how it would proceed, or he would issue a restraining order.<sup>55</sup>

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<sup>54</sup> "Unnecessary Legislative Hast on Latest Burr Trail Paving," *Salt Lake Tribune*, October 8, 1988, A-10; Wayne Petty to Ronald Thompson, November 18, 1988, Folder 20, Box 15, Series 8, Wilderness Society Records; Mike Medberry to George Frampton, et al, December 4, 1988, Folder 20, Box 15, Series 8, Wilderness Society Records.

<sup>55</sup> Wayne Petty to Ronald Thompson, November 30, 1988; Aldon J. Anderson (judge), December 2, 1988, Order Partially Dissolving Injunction, Civil No. 87C-

In March 1989 the defendants petitioned the judge for complete dissolution of the injunction, a move that the plaintiffs promptly appealed. Meanwhile, the plaintiffs lost another appeal to prevent the county from using a gravel site near the road. Throughout different phases of the case the plaintiffs continued to challenge the county on seemingly insignificant points just to keep construction at bay—on boundary issues, width of the proposed road, and possible impact on spotted owls, which may not have nested near the road anyway.<sup>56</sup> On May 16, 1990, the district court dissolved the injunction, and the plaintiffs appealed. Grand County Commissioner Louise Liston expressed her frustration at the process: “The environmental groups have undertaken every activity, whether or not reasonably justified, to make each step as drawn out, complicated and expensive as possible. I believe there is no doubt that this is part of their strategy and that anyone attempting to carry out a project which they want to stop will be faced with the same tactics.”<sup>57</sup>

Just as environmental groups decided to continue the lawsuit on the basis that the Burr Trail was part of a larger battle over the preservation of wild places

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0120A, in the U.S. Court for the District of Utah, Central Division, *Sierra Club, et al., vs. Donald P. Hodel, et al.; Petty to S[ierra] C[lub], N[ational] P[arks] C[onservation] A[ssociation], SUWA, W[ilderness] S[ociety]*, December 5, 1988; all documents in Folder 20, Box 15, Series 8, Wilderness Society Records. See also Rodd G. Wagner, “Judge Scolds County for Rushing Burr Trail Work,” *Salt Lake Tribune*, December 12, 1987.

<sup>56</sup> “Garfield Gets OK to Use Nearby Gravel on Burr Trail,” *Salt Lake Tribune*, August 12, 1989.

<sup>57</sup> Wayne Petty to Sierra Club, et al, March 27, 1989, Folder 20, Box 15, Series 8, Wilderness Society Records; Louise Liston, Garfield County Commissioner, to Paul Young, March 25, 1991, Folder 5, Box 6, Series VIII, Sierra Club Papers.

in southern Utah, Liston believed that the lawsuit would prove to be precedent setting in the larger battle over Revised Statute 2477 claims in the West. She and her fellow colleague on the commission Thomas Hatch believed that the time and money invested in the case would be well worth it. “Every single governmental entity in Utah which relies upon R.S. 2477 for rights-of-way has benefited immeasurably by the efforts which Garfield County had undertaken in this case,” Liston wrote.<sup>58</sup>

Liston was right that the Burr Trail case had already made a material impact on 2477 claims. In 1988, Interior secretary Donald Hodel, responding to decisions in the Burr Trail case, signed a new department policy to “recognize with some certainty the existence, or lack thereof, of public grants obtained under RS-2477.” The policy showed land agencies how to resolve 2477 disputes by outlining rights-of-way criteria. For “construction,” Hodel applied a loose definition: “a physical act of reading the highway.” This could mean something as simple as clearing away vegetation or large rocks, and it could stretch out over several years. Significantly, Hodel ruled that “the passage of vehicles by users over time may equal actual construction” and that a “public highway” could be “a pedestrian or pack animal trail.” Because earlier Interior regulations given in 1938 stated that “the grant becomes effective upon the construction or establishing of

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<sup>58</sup> Louise Liston to Paul Young, March 25, 1991, Folder 5, Box 6, Series VIII, Sierra Club Papers. See also Notes on a KUED Live Production in Escalante, March 1, 1988, Folder 13, Box 1, Utah Wilderness Association Collection.

highways,” the new policy confirmed 2477 claims to be self-executing. No action from government agencies was necessary to make the claims valid.<sup>59</sup>

This was an overly generous definition of 2477 claims emboldened county governments in southern Utah determined to see that every nearly every dirt track within their political borders had 2477 rights. Not long after the Hodel decision, and in response to the Burr Trail case, the BLM issued an invitation to Garfield and other counties to compile a list of 2477 roads within their county borders. Indeed, FLPMA mandates the identification of such roads. Brian Bremner, Garfield County engineer, subsequently submitted the lists of claims, which numbered 76. Neighboring Wayne County identified 116—enough in these two counties alone to “blanket the public lands,” as William Lockhart, an attorney representing environmental groups in the lawsuit, noted.<sup>60</sup>

Lockhart had essentially two problems with the BLM’s inventory. The first was that the process was rushed, possibly in order to reach a deadline by the end of 1991, without public participation in these designations. The second was that “[e]very single one of these road claims potentially involves extremely detailed research on the reserved status of the ‘road’ or [right-of-way] in question.” He maintained that before designating 2477 roads, the Department of

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<sup>59</sup> Memorandum from Secretary of the Interior Donald Hodel to Assistant Secretaries, Subject: Departmental Policy on Section 8 of the Act of July 26, 1866, Revised Statute 2477 (Repealed), Grant of Right-of-Way for Public Highways (RS-2477).

<sup>60</sup> Wendell Chappell, Wayne County Roads Commission, to Kay Erickson, BLM, August 26, 1991; Brian Bremner to Kay Erickson, September 26, 1991; Bill Lockhart to Stan Sloss, October, 29, 1991; all documents in Folder 10, Box 30, Series III, Sierra Club Papers.

the Interior ought to thoroughly address when each road had been constructed and used (in Utah, over a 10-year period).<sup>61</sup> Plaintiffs worried that the BLM process would require a “mere assertion of a pre-1976 right of way, without insisting on a rigorous demonstration of fulfillment of the factual and legal elements necessary to establishing a valid right under R.S. 2477.” A superficial review of these claims would undermine the fundamental purpose of FLPMA to retain and protect the nation’s public lands. Environmentalists pointed to previous instances of the BLM setting dangerous precedent; in 1984, they had “hereby accepted in perpetuity” 200 roads (900 miles) in the San Juan Resource Area in Utah as 2477 roads with no more than a map and short listing. Environmentalists believed that despite Hodel’s opinion, the onus rested on the county to prove it met the requirements to claim right-of-way to the road in question.<sup>62</sup>

The Hodel policy would be overturned by later administrations, but it contributed to the divisions that had been manifested in the Burr Trail controversy from the start. Certainly it encouraged the county’s belief that they had legitimate legal and political rights to the roads within their borders. This sense of entitlement would spill over into more recent battles over roads on the public lands as in the Escalante Grand-Staircase National Monument.

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<sup>61</sup> Draft letter to Hon. Cy Jamison, no date; Bill Lockhart to Stan Sloss, October 17, 1991, Folder 10, Box 30, Series III, Sierra Club Papers.

<sup>62</sup> “BLM’s Recognition of an R.S. 2477 Right-of-Way for Garfield County Improperly Rests Entirely upon Assertion . . .,” no date, Folder 10, Box 30, Series III, Sierra Club Papers, references letter from Edward R. Scherick, BLM, to San Juan County Commission, May 9, 1984, approving the county’s 2477 claims. See full document in Folder 7, Box 5, Sierra Club Papers.

On the Burr Trail, the courts sided with the county's claim that it had the valid right-of-way to the western portion of the road. Although the environmental groups attempted to appeal the court's decisions and to delay construction, the IBLA not only recognized the county's 2477 right to the road, but it also granted the county under the so-called "Harper contract" the right to grade and gravel the segment of the road from Boulder to the west boundary of Capitol Reef National Park, including those areas not adjacent to the WSAs.<sup>63</sup> Eventually, the county would successfully call out road crews to pave the western section of the Burr Trail. In a sense, then, after years of wrangling with environmentalists, the Garfield County commissioners eventually got what they wanted.

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In the two decades since the court decision, the ultimate fate of the road remains unresolved. The courts had established the county claim to the right-of-way to the first 28 miles on the western side, but ownership of the entire length of the road has yet to be determined. Those first 28 miles up to Capital Reef National Park are paved and maintained by Garfield County, while the rest of the road remains dirt. The scars of the controversy are imprinted on the land. And more marks have been made since 1991—as when Garfield County bulldozed a hillside within the park boundaries without the NPS's permission, which Terri Martin of the

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<sup>63</sup> See Ronald W. Thompson, Attorney for Thompson, Hughes & Reber, to Wayne G. Petty, Attorney for Moyle & Draper, January 7, 1991, Folder 9, Box 6, Series VIII, Sierra Club Papers; Letter to Charles Lundy, January 28, 1991, Folder 7, Box 5, Series VIII, Sierra Club Papers.

National Parks and Conservation Association called “a deliberate act of destruction, vandalism and arrogance.”<sup>64</sup>

The story of the Burr Trail stamped its mark on Utah’s environmental movement as well. Although attracting national attention, the Burr Trail marked the emergence of local environmental activism in southern Utah, giving rise to organizations like Save the Burr Trail and the Southern Utah Wilderness Alliance run by people like Ruth Frear, Clive Kincaid and Grant Johnson. SUWA came into being as grassroots environmental organization in much the same way that a handful of discontents organized Earth First! in 1980. A 1991 article in the Earth First! journal characterized SUWA’s early newsletters as “brash, defiant, and full of exciting war stories.”<sup>65</sup> While some locals believed that Kincaid and others were merely agents of national environmental groups and did not care about local issues at all, in fact, the Burr Trail was mostly fought by Utah-based activists who cared a great deal about the future of the canyon country. But the conflict also unearthed fissures within the Utah environmental community, marking the demise of Dick Carter’s moderate, compromise-driven Utah Wilderness Association and the emergence of more hard-line organizations like SUWA.

Frustrated environmentalists opposed to taking it to the courts pointed to the irony of having “spent years debating the merit of a highway project when the

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<sup>64</sup> Quoted in Elizabeth Manning, “Utah’s Burr Trail Still Leads to Court,” *High Country News*, 1994. See also Joe Costanzo, “Federal Judge Rejects Burr Trail Right of Way,” *Deseret News*, April 30, 1998, B2; Elizabeth G. Daerr, “Court Rules for NPS at Burr Trail,” *NPCA Park News*, January/February 2001, 19-20.

<sup>65</sup> Leslie Lyon, “Lessons from the Utah Wilderness Battle,” *Earth First!*, May 1, 1991, 14.

issue of real concern is wilderness.”<sup>66</sup> For years the Escalante region had been a key target of Utah wilderness advocacy groups; in fact, a few years after passage of the Wilderness Act of 1964, the Escalante Wilderness Committee considered the Escalante region, for all its inaccessibility and beauty, to be “one of the last areas of desert canyon country that can qualify as wilderness.”<sup>67</sup> Some environmentalists insisted that efforts would have been better spent fighting for designation of the nearly one million acres, or a third of the county, identified as wilderness study areas by the BLM. They may have been right. Although some activist had wanted the Burr Trail lawsuit to be a “forerunner of how wilderness would be pursued through the courts,” it ended in defeat with Garfield County retaining 2477 rights to the road. By essentially taking the Burr Trail debate out of public hands and turning it over to lawyers, the long-drawn-out court battle may have actually deadened enthusiasm for the issue.<sup>68</sup>

Among some, then, was a pointed frustration on emphasizing roads over wilderness. The pragmatism of wilderness advocates like Dick Carter was an obvious attempt to forge connections, common ground, and compromise among locals for a specific purpose: to protect as much land as possible. If the objective was to win as much territory as possible, the benefits of compromise are unmistakable: you let me have my space and I will let you have yours; I will give

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<sup>66</sup> See hand-written notes “Trials of the Burr Trail,” no date, Folder 9, Box 1, Utah Wilderness Association Collection.

<sup>67</sup> Quoted in Reich, “Utah Parks Expansion Infuriates Small Town.”

<sup>68</sup> “Trials of the Burr Trail,” no date, Folder 9, Box 1, Utah Wilderness Association Collection.



you your road and you let me have my wilderness area. The oddity is why some environmentalists chose to pursue a course that deemphasized—in fact, abandoned—the political discourse of compromise even when it may have been against their better interest. “They seem to enjoy a fight to the death even if they lose!” wrote one frustrated local environmentalist who thought it was better to pursue a compromise-driven strategy than to take a hard-line approach on the Burr Trail.<sup>69</sup>

The ultimate strategy to fight the Burr Trail in the courts, however, derived not so much from the threat of a paved road as from the prevailing cultural and political winds in rural Utah. In much the same way that the Sagebrush Rebels contesting wilderness designation in Negro Bill Canyon refused to work with the BLM, the pro-Burr Trail faction seemed uninterested in reaching compromise. The county commissioners leading the fight took a hard line, not only defending a paved road but vigorously proclaiming the righteousness of their cause and the venality of their opponents. Demanding full privileges to use the public lands for economic purposes, they held bitter lasting resentments against all efforts by environmentalists and federal land managers to establish an alternative management framework on those lands. They mostly refused to compromise and therefore got quite a bit more of what they wanted when politicians stepped in to craft the necessary compromises. Wilderness proponents from Earth First! and the home-grown Southern Utah Wilderness Alliance

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<sup>69</sup> “Trials of the Burr Trail,” no date, Folder 9, Box 1, Utah Wilderness Association Collection.

recognized that given the ideological posturing of the other side, playing nice yielded little benefit unless the other side was willing to play nice too.

Environmentalists had come to understand the necessity of compromise in the national political arena. But in the rural West dominated by radical libertarian anti-greens in the 1980s, Earth First! argued that the environmental movement needed a few uncompromising groups to counter the uncompromising positions of their opponents—to fight fire with fire.

The development of these hard-line positions contributed to the harsh and violent rhetoric and positions and an unwillingness to understand the other side or to discern value in a position other than your own. Certainly, ideology figured prominently. Most striking is how each side labeled the other. Both sides demonized, reducing the opposition to caricatures or two-faced hypocrites. Perhaps inevitably, then, perceptions and memories became negative and cynical. A local storekeeper in Boulder recalls a day during the Burr Trail stalemate when Clive Kincaid walked into her store to buy shotgun shells to put out a noisy robin. Her point was to underscore Kincaid's duplicitous relationship to nature. Regardless of her conclusions, the most telling thing was that she chose to remember and tell the story at all. The same ideological fervor in others drove them to perceive Grant Johnson as a villain and a violent saboteur. What is probably unknown to them is that several years after these accusations, Johnson actually gave to Harper Construction at no charge the excess of his 1.5 cubic feet of water right to Deer Creek for construction purposes.<sup>70</sup>

All this suggests that at its core, the Burr Trail conflict was a political and ideological contest. Because ideology, posturing, and showmanship were largely a part of the debate, both sides dug in hard-line positions even when compromise might have served their best interests. Environmentalists may point to a victory in preventing the remaining trail from being paved, but that came at a high cost and erosion of good will and possible future alliances with locals in a larger fight over wilderness that has yet to conclude. Likewise, the county successfully negotiated a court ruling allowing a portion of the road to be paved but also at great cost. Moreover, the very road that they so ardently defend—perhaps to some degree just to chagrin their opponents—continues to drain the county budget; the type of surface used to pave the road, “chip-seal,” is less expensive than asphalt but requires more maintenance. It is no small irony but extremely telling that Del LeFevre, a once vocal proponent of the paved road, now laments that the Burr Trail was ever paved at all. The hard surface is not only costly to maintain, but the traffic it has attracted also disrupts his cattle drives. Moreover, perhaps having realized that a paved Burr Trail changed the isolation (and character) of Boulder, LeFevre remarked in 1996, “We wanted it for us, not tourists.”<sup>71</sup>

LeFevre’s sentiments speak to the real dilemma that rural places like Boulder confront. The quest to some degree has been to build trails and roads—to make the country accessible. Yet the very inaccessibility created a kind of nostalgic attachment to the land’s character and a fierce pride in the ability to

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<sup>70</sup> Elaine Roundy, interview by the author, October 27, 2008.

<sup>71</sup> Larry Johnson interview; LeFevre quote in Matthew Brown, “A Town in Turmoil,” *Salt Lake Tribune*, September 3, 1996.

survive there. Tales are retold and handed down of living almost entirely in isolation, highlighting a pride in independence and self-sufficiency. As much as the road promised to open Boulder to economic development, it also threatened the very characteristics that made it unique. As Russ Henrie of Panguitch noted, “People are attracted to Boulder and Escalante precisely because they are at the end of the paved road. This could be capitalized on without being destroyed. People come here for adventure, excitement, and for recreation, a renewal of traditional values and ties to the natural beauty of the earth. People can get an ‘easy trip thru’ anywhere.”<sup>72</sup> Even hard-line proponents of the Burr Trail probably shared the impulse to maintain the traditional even as they labored to bring modern comforts, industry, and tourist dollars to their town. Paving the Burr Trail, then, afforded a kind of devil’s bargain, a lure that was difficult to pass up and to swallow at the same time.<sup>73</sup>

Like other roads, the Burr Trail strikingly illuminates two divergent perspectives of nature: one of a fragile, wild landscape and the other of an inhabited, working landscape. The road itself became the synecdoche for both these perspectives. Environmentalists could accept that the Burr Trail existed, but it was a lone corridor in an otherwise virgin country. Improving the road—even paving the road—was not so much the issue as keeping residual development out. It was more than simply losing the “experience” of traveling a primitive road—

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<sup>72</sup> Henrie, Letter to the Editor, “Forget Paving.”

<sup>73</sup> For more on how the westerners have grappled with this issue of boosterism and tourism, see Hal K. Rothman, *Devil’s Bargains: Tourism in the Twentieth-Century American West* (Lawrence: University of Kansas Press, 1998).

much like Abbey lamented with construction of U-95. The threat was to the very character and integrity of the land. Roads alone typically do not arouse such intense ardor as the Burr Trail did. But roads cutting through the wild country of southeastern Utah sometimes do. Not all roads are equal; a road through “virgin” land has a greater impact than one road among many. While the environmentalist community came close to ensuring that the Burr Trail remained rough and primitive, they would later perfectly succeed in keeping a highway out of the vast and incomparable Book Cliffs.

## CHAPTER 6

### KEEP THE BOOK CLIFFS WILD AND HIGHWAY FREE: ENERGY DEVELOPMENT AND THE “PRISTINE” LANDSCAPE

In the late 1980s, commissioners in Grand and Uintah counties hatched a plan to build a scenic, high-speed highway from Vernal, Utah, to Interstate 70 (near Cisco, Utah) through the incomparable Book Cliffs, a geologic feature that forms a long downward arc across the northeastern corner of Utah and northern region of the plateau country. It was a proposal that instantly generated a great deal of consternation among those who wished to see the Book Cliffs remain “wild and highway free.”<sup>1</sup> The proposed Book Cliffs highway controversy is intriguing—but not because it attracted national attention or because environmentalists wore themselves out fighting it like they had done opposing the Burr Trail. Rather, the episode interestingly reveals divergent perceptions and expectations of the land’s highest and best use. The geologic features of the Book Cliffs are impressive, and though within eye-shot of I-70 are little known and not as highly prized as other destinations on the Colorado Plateau. From an aesthetic point of view the region is not immediately visually striking; the cliffs are, in part, of the redrock variety, but the dull-colored shale is drab and the broken-sand cliffs less attractive than the smooth, stark-red assortment found in southeastern Utah. Visitors in the nineteenth century avoided the place—labeling it strange, barren, unproductive.

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<sup>1</sup> In 1992, B. J. Nichols produced a bumper sticker that read “Keep the BOOK CLIFFS Wild & HIGHWAY FREE,” located in Folder 1, Box 12, Series: Moab District, MSS 200, Utah Wilderness Association Collection, Special Collections and Archives, Merrill-Cazier Library, Utah State University, Logan, Utah.

Even into the twentieth century the Book Cliffs have hardly been considered a tourist destination. To some, the region disappointed partly because it did not conform to preconceived notions of wilderness beauty.

Yet at closer inspection, the Book Cliffs are neither devoid of aesthetic appeal nor economic value. Indeed, comparable geologic formations cannot be found anywhere else in the world. The Book Cliffs region features a diverse collection of landscapes and ecosystems that support a unique array of wildlife, from numerous species of small mammals, birds, amphibians and reptiles to large game such as Rocky Mountain elk, antelope, mountain lion, black bear, and even bison, moose, and Rocky Mountain bighorn sheep. Although less known than other Colorado Plateau landscapes, in its own right the Book Cliffs are remarkable. While opposing the proposed highway, environmentalists extolled certain virtues—the geologic formations, the wildlife, the expansiveness of the landscape—all characteristics that could be seen. The debate turned, however, toward what could not be seen: energy and mineral resources below the surface. Suddenly, to some the region presented promise in a way that belied its rather austere appearance. Energy companies eyed it for the vast oil and gas reserves lying beneath the surface waiting to be “recovered,” while many environmentalists derided the road proposal and associated energy development as death to the wildness, uniqueness, and “pristine” characteristics of the region. Thus, the proposed highway opened up the perennial debate between dual perspectives not only about the value of land and its “highest” use but about the wilderness aesthetic.

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Historically, the northeastern corner of Utah was about as isolated and wild as was the southeastern corner. The northern boundary of the northeastern region is flanked by the high Uintas, the only major Rocky Mountain range to run in an east–west direction. The rivers from the mountains drain the Uintah Basin and eventually converge in the Green River, a Colorado River tributary. The basin is a place of extremes: of searing heat in summer and plummeting temperatures in winter. The Ute Indians considered the region part of their traditional homeland, but they used the basin more for hunting than for settlement. LDS church president Brigham Young set his sights on settling the basin in 1861, lured in part from reports that the region contained “fertile vales, extensive meadows, and wide pasture-ranges.” But Young called off the enterprise after an exploring party reported that the region was “one vast ‘contiguity of waste,’” fit only for “nomadic purposes, hunting grounds for Indians and to hold the world together.”<sup>2</sup> This repulsion was not an uncommon initial reaction for visitors who were merely interested in the land’s economic benefits. When in 1848 Mormon Lawyer Pratt set eyes on the San Rafael Swell in central Utah, he wrote that “if there is no mineral wealth in these mountains I can hardly conceive of what earthly use a large proportion of this country was designed for!”<sup>3</sup> To millenarian-minded

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<sup>2</sup> *Deseret News*, September 25 and 28, 1861; quoted in Jedediah S. Rogers, “One vast ‘contiguity of waste’: Documents from an Early Attempt to Expand the Mormon Kingdom into the Uinta Basin, 1861,” *Utah Historical Quarterly* 73, No. 3 (Summer 2005), 250.



Mormons, they didn't understand why God would create these "waste" places for no immediately recognizable purpose to satisfy human need. Indeed, the lands in northeastern Utah—including the Book Cliffs region—possessed the qualities of "the other" as the opposite of fertile, flat and lush. The scripture "every mountain and hill shall be made low" was not merely allegorical but represented the impulse to inhabit spaces that could be used.<sup>4</sup>

Mormons would not settle this basin region until the early twentieth century when the federal government opened up a portion of the Uintah Valley Reservation to white settlement. Meanwhile, homesteaders, ranchers, and cowboys from Colorado also trickled into the area seeking the promise of cheap land and profitable enterprise. In time, the basin became a mixing ground where Mormon and "gentile" settlers planted small towns and homesteads on the high valley soils drained by the cold mountain rivers running south and southeast from the High Uintas. The Ute Indians who had occupied a role in the Uinta Basin for centuries had by the twentieth century been relegated to 6,769.173 square miles of northeastern Utah on the Uintah and Ouray Indian Reservation, located on the west end of the Book Cliffs.

But those settlements were located in the relatively arable sections of the basin drained by the Strawberry and White rivers. To the south, the land becomes even drier and rougher and more "undesirable" than the northern portion of the Uinta Basin. Outlining the southern rim of the basin, the Book Cliffs and the Roan

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<sup>3</sup> Quoted in William B. Smart, *Old Utah Trails* (Salt Lake City: Utah Geographic Series, Inc., 1988), 54.

<sup>4</sup> Isaiah 40:4.

Cliffs are the major geologic features of the region, extending 190 miles in length. Resembling the curvature of a massive bound book, the Book Cliffs form a solid wall of protruding sedimentary sandstone. Portions of the greater Books Cliffs region are forested and mountainous, reaching as high as 8,000 feet. The proposed highway would extend into the heart of this remote region.

We know little of what early explorers and settlers thought of the Book Cliffs region since they largely avoided it altogether. Coincidentally, however, the corridor of the proposed highway had been a route of migration since before the arrival of Euro Americans into the region. The Uinta-ats (Uinta), a band of Utes, reportedly used the route to move between summer and winter hunting areas. Trappers may have also followed Westwater Creek through the Book and Roan cliffs into the Uinta Basin. The early French fur trader Antoine Robidoux likely traveled at least a portion of the route, as he left an inscription at the confluence of East Canyon and Middle Canyon and another near P.R. Springs. Historian Doc Marston has suggested that the Robidoux inscription was an advertisement of sorts alerting Indians to the trading post(s) that he had established in the Uinta Basin. The routes established by the Ute and early Euro American fur trappers were clearly visible on the land. When Lieutenant John W. Gunnison conducted railroad surveys in 1850s he noted “heavy Indian trails” leading to the Westwater Creek area as well as following the Dolores River north.<sup>5</sup> Still, the Book Cliffs region was then and continues to be now a place sparsely populated. In the words

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<sup>5</sup> Mike Milligan, *Westwater Lost and Found* (Logan: Utah State University Press, 2004), 17-19. Milligan evaluates Marston’s claim on pages 19-22.

of one homesteader in the early twentieth century, the region was “wild and remote and could be harsh at times.”<sup>6</sup>

Over the last hundred years, however, oil and gas development has transformed a large portion of the region from a mostly untrammelled landscape to a worked and domesticated one. The first mineral exploration and subsequent development in the Uinta Basin dated to the early twentieth century near P.R. Springs. A road connected Ouray on the Uintah and Ouray Indian Reservation to P.R. Springs and then to Watson, a small town that mined Gilsonite. Later in the 1940s, mining companies dug wells for oil and gas, and for the next half century created a web of roads to reach claims.<sup>7</sup> These and other areas have remained major petroleum producers. Topographic maps published by the Bureau of Land Management (BLM) in the 1990s labeled in large print the southern portion of Uintah County as “Oil Shale Reserve.” Other place names underscore the dominant economic activity in the region: San Arroyo Gas Field, Cisco Dome Oil Field, and Buck Canyon Gas Field.<sup>8</sup>

It is easy to imagine the energy potential of the Book Cliffs region. Eastern Utah and western Colorado contain vast stores of oil, gas, gilsonite, oil shale, tar sands, sand, gravel, and other mineral resources. Some scientists believe

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<sup>6</sup> George Long, “Book Cliffs Harsh on Settlers,” *Vernal Express*, March 6, 1996.

<sup>7</sup> “Road Creates Misconceptions,” *Vernal Express*, November 20, 1991.

<sup>8</sup> U.S. Department of the Interior, Bureau of Land Management, *Utah: Westwater*, BLM Edition, Surface Management Status, 1993; U.S. Department of the Interior, Bureau of Land Management, *Utah: Seep Ridge*, BLM Edition, Surface Management Status, 1999.

it contains among the largest reserves of oil and natural gas in the world.<sup>9</sup> The oil dates back to the Eocene when a lake covered much of the region. The organic matter that settled in the lake's bottom, covered in mud and sediment. These many layers of organic matter eventually hardened. Intense pressure and heat turns the organic matter into a form of oil or natural gas, which settled in pockets within the rock layers or in porous rock such as sandstone. In eastern Utah, the oil and natural gas reserves are embedded deep within the sedimentary rock, or shale, so they are more difficult and expensive to extract.

The planned highway would cut through this vast region with underlying oil, shale, and tar sands. This highway would complement others reaching out like spidery veins to the vast energy resources: good roads wide enough to move equipment and machinery into the backcountry. Typically the mining companies constructed roads leading to a location where a well would be drilled. Some roads connected other roads, but many dead-ended at the well sites, spreading out like branches of a tree. In addition to road-building, oil and gas development requires other extensive infrastructure like pipelines, electric distribution lines, compressor sites, well sites, and gas collecting plants: indeed, this is an intensive enterprise. In the Book Cliffs, liquid oil is trapped in vertical shafts or seams. Mining companies can try to drill precisely into the seam—or the oil might be tapped from the side by drilling a horizontal well—but it is a risky business.<sup>10</sup> Where the

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<sup>9</sup> See “Green River Basin Oil Shale Formation – Oil Field,” <http://oilshalegas.com/greeneriveroilshale.html> (September 13, 2010).

<sup>10</sup> Jerry McNeil, interview by the author, October 28, 2008.

oil is embedded in shale or surrounds rock in an oily film, no cost-effective method exists to mine the resource. The rock would need to be mined from large pits or, if the shale resides deep within the earth, underground shafts. The rock would then be pulverized and heated and hydrogen added to make the oil refinable. Moreover, the process of converting oil shale and tar sands to refined oil is highly water intensive, requiring an estimated three to four barrels of water for each barrel of oil produced.<sup>11</sup>



14. Drill pads in the Uinta Basin, south of Vernal. Copyright Lin Alder.

For a brief time in the 1970s, people's voices quickened when they spoke of the basin's role in solving the nation's energy shortage. Dreams of the bounteous energy potential cached underground in eastern Utah and in large

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<sup>11</sup> Howard G. Wilshire, Jane E. Nielson, and Richard W. Hazlett, *The American West at Risk: Science, Myth, and Politics of Land Abuse and Recovery* (Oxford University Press, 2008), 317-318.

sections of Wyoming and Colorado became subsumed in the larger narrative of energy production. Richard Nixon had originally articulated a plan centered on nuclear power production, but Jimmy Carter later shifted the focus to coal, which exists abundantly in the Uintah Basin. Some predicted a boom in energy resource development in the Uintah Basin and elsewhere in the West. The U-tar division of the Bighorn Oil Company operated a pilot plant the vicinity of the P.R. Springs area. Several oil companies explored and proposed tar sand development projects in the area, although nothing came of these proposals.<sup>12</sup> Oil and natural gas extraction remained viable, however. From 1985 to 1990, natural gas production increased 18 percent in Uintah County. Uintah and Grand counties reportedly had a combined 4,028 oil and gas wells, with over half (2,506) “producing.” The potential energy stores that could be tapped were extensive. According to a 1992 USGS report, oil shale in the Green River Formation contained an estimated 321 billion barrels of oil. This estimate did not account, however, for recoverable quantities under existing economic and operating conditions. Recoverable oil reserves worldwide, according to the 2007 BP Statistical Review, approximated 1,239 billion barrels of oil reserves—over 755 billion barrels located in the Middle East compared to about 30 billion barrels in the United States. Recoverable natural gas reserves totaled nearly 238 trillion cubic feet in the

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<sup>12</sup> Appendix B: Tar Sands Development Background and Technology Overview, B-16, at [http://ostseis.anl.gov/documents/fpeis/vol3/OSTS\\_FPEIS\\_vol3\\_App\\_B.pdf](http://ostseis.anl.gov/documents/fpeis/vol3/OSTS_FPEIS_vol3_App_B.pdf) (March 10, 2011).

United States and approximately 6,290 trillion cubic feet worldwide.<sup>13</sup> Economic boosters in northeastern Utah anticipated a time when the technology existed to unleash the region's energy potential and when the price of petroleum reached high enough to pay for its high costs of extraction.

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Eager to see this resource exploited, Bryon Merrell, in a 1985 Uintah County Commission meeting, proposed "surfacing" a 53-mile stretch of the Seep Ridge Road "thereby deterring major users from going to Grand Junction, Co." The justification had nothing to do with funneling tourism through eastern Utah. Merrell had in mind an energy development corridor benefiting Mobile, Kirkwood, Duncan, Getty, Texaco, Intercorp, Geo Kinetics, Northwest, TXO, Bradshaw, and other major oil companies. Neal Domgaard gave an approving nod to the proposal, as long as mineral lease payments funded it.<sup>14</sup>

Prior to 1988, the federal government returned a portion of mineral lease royalties collected from mineral development to western states where those royalties originated. The money went into a state slush fund that state officials

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<sup>13</sup> See U.S. Department of the Interior, Bureau of Land Management, Moab and Vernal Districts, Utah, *Draft EIS Ouray to Interstate 70 Highway*, Prepared for Uintah and Grand Counties, Utah, September 1992, 3-39 – 3-45, copy in BLM field office, Moab, Utah; "Highway Funding Possible with Mineral Development," *Vernal Express*, November 20, 1991. For statistics on global oil and natural gas reserves, see "World Proved Reserves of Oil and Natural Gas, Most Recent Estimates," <http://www.eia.doe.gov/international/reserves.html> (March 10, 2011).

<sup>14</sup> Uintah County Commission Minutes, June 17, 1985, on file in Uintah County Recorder's Office, Vernal, Utah. See also John Maynard, "Counties Working Together on Road over the Book Cliffs," *Times-Independent*, February 23, 1989.

controlled. Grand and San Juan County commissioners worked to change Utah's allocation method to return a percentage of royalties not to the state, but to the counties on the basis of mineral production. The new system of mineral lease funding allocation prompted the formation of special transportation districts. As Ray Tibbetts of Moab later recalled: "Someone at the [state of Utah] attorney general's office said they needed to come up with a new district to hold [the money]. 'Have you got any idea?' [Jimmie Walker] said, 'Yea, the most important thing we have that needs help is roads. Not only San Juan but Grand County, all of them—these roads, there is always a perpetual need, new equipment and so forth.' So they provided a new service district based on roads."<sup>15</sup>

This new method of receiving royalty payments was warmly received in mineral-producing counties, but some objected to the revenue going toward a roads district rather than schools or other community needs. In Grand County especially, many residents felt that the district formation had been backhanded and not in the county's best interests. In November 1988, a few days after the development-minded Jimmie Walker and Dutch Zimmerman lost reelection, primarily due to their support of an unpopular proposal to build a toxic waste incinerator in Cisco, Utah, the outbound commissioners announced the formation of a new transportation district that would direct the use of mineral lease payments for road building within the county. Remarkably, Walker, Zimmerman, and David Knutson appointed Zimmerman, Robert Shumway, and Ollie Knutson

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<sup>15</sup> Raymond Tibbetts, interview by the author, July 3, 2008.



(Commissioner Knutson's father) to the district's governing board and Walker as the district's new paid director. While Moab resident and *The Canyon Country Zephyr* editor Jim Stiles wrote that many citizens of Grand County had believed that the 1988 election reflected a "New Day" for county politics—"a new found environmental awareness and a movement away from the promotion of industries that could threaten the beauty of the canyon country and the health of the people who live here"—they soon discovered that the outgoing commissioners would continue to have their hands in the county coffers.<sup>16</sup>

If the staffing of this new district was not controversial enough, the district's first matter of business was none other than to propose a highway through the Book Cliffs. This would satisfy the initial purpose for the special service transportation districts: to use money derived from the mineral lease fund to support more energy development. The Grand County Special Service District joined the also-newly organized Uintah County Special Service Transportation District in scheming to build a highway through what is undoubtedly one of the most vast, rugged, isolated regions in the lower 48 states. Of the highway's origins, Jimmie Walker simply said, "We always wanted to improve access between here [Moab, Utah] and there [Vernal, Utah]. We got the idea that the best way to do that was to build a good road."<sup>17</sup> That "good road" would replace the

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<sup>16</sup> Jim Stiles, "The Book Cliffs Highway—Half a Million Dollars and Still Flushing," *Catalyst* (November 1992), 10-11.

<sup>17</sup> Jimmie Walker, interview by the author, July 2, 2008.

well-established Seep Ridge Road through Middle Canyon over the Book Cliffs and down Hay Canyon into Grand County.

The Uintah County district also pushed quickly on the highway construction, using a \$6 million loan from the Community Impact Board that would be repaid using mineral lease funds.<sup>18</sup> From the beginning, the highway scheme appeared to be a shady business deal. The company that received the first contract to build the initial section of the road through the Ute Indian reservation, Creamer and Noble Engineering, had lobbied for the state to pass legislation returning mineral lease money directly to counties. David Knutson admitted to *Zephyr* editor Jim Stiles in 1989 that county officials did not even consider giving the contract to another construction company. “Basically we told [Steve Creamer] that if he could find the money for Grand County to do this project, he could do the engineering on it. It was more of a gentleman’s agreement,” Knutson said. Knutson’s comments later became public, and Steve Creamer, being interviewed by KTVX News in Salt Lake City, appeared on camera and, according to Stiles, “shakily denied any wrong-doing.”<sup>19</sup>

The new road would serve other commercial interests as well. Proponents of the highway did not hide the fact that the road would principally serve the oil and gas industry, justified on the basis that mineral lease funds would be used to

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<sup>18</sup> Uintah Special Service Transportation District, News Release, August 14, 1989, on file in the transportation district office, Vernal, Utah.

<sup>19</sup> Jim Stiles, “Twenty Years of the Zephyr,” *Canyon Country Zephyr*, February-March 2009; “A Candid Conversation with Commissioner David Knutson,” *Canyon Country Zephyr*, Vol. 1, No. 6, September 1989, 6.

pay for it. Members of the special service districts and other road proponents pointed to other benefits the road would provide, in large part to not appear as pawns of the oil and gas industry and partly because they actually did believe it would facilitate increased tourism and revenue to eastern Utah. Still, seeking to justify construction of a multi-million-dollar highway to save motorists a projected 37 miles (based on one possible route) to go from Ouray to Cisco, Utah, seemed to many ludicrous. Providing access to the oil and gas companies was apparently the end game. Ostensibly, the underlying purpose of the road would be to facilitate development of energy resources in southern Uintah County and the greater Book Cliffs area—a point that the Grand County transportation district’s 1989 “Application for Transportation and Utility Systems and Facilities on Federal Lands” made perfectly clear. According to the document, the highway’s “primary purpose” would be “to provide improved access into the tar sand, oil shale, natural gas and oil deposits located on public lands in that area.” The application rejected the alternative to “improve” existing routes from Ouray to Cisco on the basis that none of the routes “provides access to the energy fields” and therefore failed to satisfy “the primary need of the project.”<sup>20</sup> Tom Wardell, manager of the Uintah Special Service District, later bluntly admitted, “We are trying to give something back to the [gas and oil] companies by providing them with a better road system.” Uintah County Commissioner Max Adams was even more upfront in noting the need to access “some of the richest oil deposits in the

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<sup>20</sup> See Stiles, “The Book Cliffs Highway,” 12.

world. We need access to that. We need a way to get the deposits out of the area.”<sup>21</sup>

Adams may have sincerely believed that the greatest public good would derive from economic development of the region’s energy resources—that it would channel motorists “through Canyon lands rather than around and into Colorado” and would contribute to public revenue through oil development.<sup>22</sup> He and other Uintah County leaders believed they had the full support of the community to push ahead on the highway. Even the Ute Indian Tribe, expressing support for a road running from “Ouray to East Cisco,” granted a 25-year right of way for construction across a portion of the reservation. In a meeting of the Uintah Special Service District, district members felt comfortable proceeding with the project given “the many letters from all around the valley and area in support of the Seep Ridge Road.”<sup>23</sup>

Yet the challenges in constructing the highway were considerable. The first was the matter of cost, which the Utah Department of Transportation estimated would total up to \$40 million, no doubt due to construction a straight-

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<sup>21</sup> Quoted in Howe, “Big Times for the Book Cliffs,” 26; Janet Lunt, “BLM Waiting for EIS on Ouray to Cisco Highway,” *Uintah Basin Standard*, February 5, 1992.

<sup>22</sup> Uintah Special Service Transportation District, Minutes, December 19, 1989, on file in the transportation district office, Vernal, Utah. See also Minutes of the Regular Public Meeting of the Uintah County Commission, February 21, 1989, on file in Uintah County Recorder’s Office, Vernal, Utah.

<sup>23</sup> Uintah Special Service Transportation District, Public Meeting, May 17, 31, and September 26, 1989, on file in the transportation district office, Vernal, Utah.

line highway across a broken landscape.<sup>24</sup> Along most of the route on the Uintah County side, the new highway would traverse an existing alignment, but straightening and widening it would require major engineering feats. And some parts of the proposed road—particularly in Grand County—would have to be built over an entirely new alignment. And none of the possible alignments through the Book Cliffs was ideal. Zane White noted the problems road crews would have facing “flash floods, snow levels . . . [and] deep ravines.” For some road county advocates, the route that would be the easiest to built—through East Canyon—would also be non-sensical, since it would drop motorists close to the Utah-Colorado line, saving motorists a mere 37 miles of driving distance.<sup>25</sup>

Concerned that the less comprehensive Environmental Assessments (EA) would not stand up in court considering the extraordinary level of environmental impacts, county officials worked out an agreement with BLM manager Gene Nodine for the preparation of an Environmental Impact Statement (EIS) before construction contracts would be awarded.<sup>26</sup> The BLM and the county road districts signed a memorandum of understanding (MOU) outlining the BLM’s responsibility for the EIS and the districts’ responsibility to fund it. The

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<sup>24</sup> Uintah Special Service Transportation District, Minutes, April 10, 1989; Uintah Special Service Transportation District, Joint Meeting, Minutes, April 12, 1989; Uintah Special Service Transportation District, Minutes, September 21, 1989; all documents on file in the transportation district office, Vernal, Utah.

<sup>25</sup> See Uintah Special Service Transportation District, Minutes, May 17, 1989, on file in the transportation district office, Vernal, Utah.

<sup>26</sup> Vicki J. Barker, “In-depth EIS Recommended on Book Cliffs Proposal,” *Deseret News*, July 29, 1989; Uintah Special Service District, Minutes, December 11, 1989, on file in the transportation district office, Vernal, Utah.

construction of the highway was invariably dependent on funding and coordination between the two counties. According to the minutes of a Uintah County Commission meeting in October 1990, “The Commission said that the Transportation District has already spent over a million dollars on the road and intend to build the whole road with help from Grand County. If there were no funds available from either source, then the project could be halted.”<sup>27</sup>

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The plan to construct the highway would seemingly set the course for the future of the Book Cliffs region—to be valued for its energy-generating potential. The highway would provide a straight path to that end, a physical and symbolic mark on the land pointing to what some considered the land’s best use. What constituted the land’s best use, however, differed between groups.

Environmentalists, eager to see the Book Cliffs region remain as primitive as possible, feared that the web of roads would greatly increase private development. Developers, on the other hand, fretted that wilderness designation would “lock-up” energy resources. Hunting interests, although generally supportive of increased vehicular access to the backcountry, lined up opposed to the highway proposal due to the perceived impacts it would have on wildlife resources. All of these sides converged in the early 1990s; the proposed highway became the

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<sup>27</sup> Uintah Special Service Transportation District, News Release, December 19, 1989, on file in the transportation district office, Vernal, Utah; Minutes of the Regular Public Meeting of the Uintah County Commission, October 2, 1990, on file in Uintah County Recorder’s Office, Vernal, Utah.

lynchpin that would largely determine the future of development and land use in the Book Cliffs.

Wilderness advocates considered the greater Book Cliffs region to be one of the best and last remaining larger, intact unprotected “roadless” areas in Utah. During its initial wilderness inventory initiated in 1979, the BLM had earmarked practically the entire region for wilderness consideration. When the BLM eventually settled on the proposed wilderness study areas, Unit 100 and Unit 068 were within the Book and Roan cliffs. Unit 100 even overlapped the original existing route that was the template for the proposed highway. The BLM eventually whittled the units down to more modest-sized areas hugging the western and southern boundary of the Uintah and Ouray Indian Reservation.<sup>28</sup> Yet the long-standing “Citizens’ Wilderness Proposal for Bureau of Land Management Lands in Utah,” endorsed by the Southern Utah Wilderness Alliance and other environmental groups, identified large sections of intact wilderness lands in what the proposal refers to as the Books Cliffs/Desolation Canyon region.<sup>29</sup>

Conservationists criticized oil and gas development as the most serious threat to the environmental integrity of the Book Cliffs region. In December 1981,

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<sup>28</sup> U.S. Department of the Interior, Bureau of Land Management, *Wilderness Inventory, State of Utah*, April 1979; U.S. Department of the Interior, Bureau of Land Management, *Utah BLM Intensive Wilderness Inventory, Wilderness Study Areas*, November 1980.

<sup>29</sup> For a map of the BLM wilderness proposal, see <http://www.suwa.org/site/PageServer?pagename=ARRWAclickablemap> (March 9, 2011).

the Utah Wilderness Association filed suit in the Federal District Court against the BLM to cease “significant road construction” within wilderness inventory units in the Book Cliffs. The plaintiffs claimed that the oil and gas permits for road construction granted in the wilderness units had been issued without proper consideration of environmental laws.<sup>30</sup> Although the BLM had acknowledged the potential impacts of road construction and petroleum development in the Book Cliffs region in its 1982 Grand Resource Area Resource Management Plan (RMP) / Environmental Impact Statement (EIS), environmentalists found federal protection to be lacking.<sup>31</sup> Before a congressional audience, Sierra Club representative Debbie Sease pointed specifically to how the Book Cliffs RMP left the “widest range of action” because it “does not set goals and priorities for these various resources.” According to Sease, the RMP avoided designation of “critical” areas and provided inadequate protection of land and resources. “What seems to be missing is the will of the agency to enforce and implement the spirit

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<sup>30</sup> Utah Wilderness Association, “Utah Wilderness Association Files Suit Against BLM for Road Building in Book Cliffs Wilderness Inventory Units,” Folder 9, Box 2, Utah Wilderness Association Collection.

<sup>31</sup> U.S. Department of the Interior, Bureau of Land Management, *Management Situation Analysis for the Grand Resource Area Resource Management Plan/Environmental Impact Statement, Moab District, Utah, Grand Resource Area*, 1982, 4-9, 4-10, in Box III.A: 2, MSS 148, Papers of the Utah Chapter of the Sierra Club, Special Collections and Archives, Merrill-Cazier Library, Utah State University, Logan, Utah. The RMP acknowledged the threat of motorized use and energy development: “Changes in the nature and extent of vehicle use in the Book Cliffs could result in serious damage to the fragile watershed, wildlife and wilderness values. It is possible that recreational vehicle use will increase over the next several years as oil and gas exploration activity introduces more people to the area and results in the building of new roads. Hence, it is important that the BLM monitor the Book Cliffs area.”



and the letter of the law,” Sease said, speaking specifically of the 1976 Federal Land Policy and Management Act.<sup>32</sup>

Thus, there was no clear management directive for the Book Cliffs region. Although the BLM had ostensibly tried to satisfy multiple interests in its management of the Book Cliffs region, each interest group had particular designs on the land. The region was, in some people’s eyes, a blank sheet. What would become of it? Would Congress designate large sections of it as wilderness, or would the region largely remain open to petroleum development? Might oil and gas development be curtailed to have as minimal an impact on the land as possible? What about special land use designations to protect large-game wildlife for hunting interests? Some private in-holdings existed in the region; how would private landownership remain compatible, if at all, with public land uses? The contending interests all jockeyed to get the BLM to allocate as much land as possible to their favored use, marshalling their strongest arguments and portraying the other uses as largely incompatible. Each of the varying interests—state and federal agencies, existing landowners, the petroleum industry, environmental groups, local citizens—had its own design for the region.

One vision that began to attract attention was the Book Cliffs as wildlife preserve. Indeed, due to its relative isolation the region was home to an impressive collection of land mammals and birds: black bears, cougars, elk, mule

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<sup>32</sup> Statement of Debbie Sease, Washington Rep. for the Sierra Club, Regarding the Reauthorization of the BLM before the House Interior Subcommittee on National Parks and Public Lands, Honorable Bruce Vento, Chairman, April 11, 1989, Folder 12, Box III.A:5, Sierra Club Papers.

deer, antelope, mountain lions, sage grouse, beavers, and waterfowl, and in fewer numbers bald eagles, hawks, falcons, cutthroat trout, moose, bighorn sheep, and bison. In 1970 an elk herd was successfully reintroduced into the Book Cliffs region, and other re-wilding efforts have concentrated on bison, which had once occupied the area. The Spanish missionary Escalante in 1776 recorded a buffalo herd sighting north of the cliffs near present-day Jensen, Utah. The Ute tribe introduced a small herd of bison on the Hill Creek Extension of the Uintah and Ouray Reservation in 1986. Since then, bison have begun to repopulate the Book Cliffs.<sup>33</sup>

When the Uintah and Grand county districts worked toward a Book Cliffs highway, Fish and Wildlife Service officials protested “increases in traffic and hunting” that would surely result. In one sense, the road promised to provide better access to hunters who considered the region a premier hunting ground, and in turn, more game wardens would be required to manage hunting. Conversely, sportsmen expressed their own concerns that the road would possibly adversely affect wildlife and that “pristine areas [ought] to be maintained for protection and management of trophy hunting.” The Fish and Wildlife Service believed there to be “large tracts [*sic*] of land that could be closed to road traffic in order to preserve pristine conditions.” Yet the county commissioners staunchly resisted any mention of closing off tracts of land for private hunting or any other preservation

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<sup>33</sup> *Draft EIS Ouray to Interstate 70 Highway*, 3-19, copy in BLM field office, Moab, Utah; Bison Herd Unit Management Plan, Book Cliffs, Bitter Creek and Little Creek, Herd Unit #10A and #10C, Wildlife Board Approval, November 29, 2007, [http://wildlife.utah.gov/hunting/biggame/pdf/bison\\_10.pdf](http://wildlife.utah.gov/hunting/biggame/pdf/bison_10.pdf) (August 11, 2010).

purpose, placing their hopes for economic development on oil & gas extraction. In 1987, Uintah County commissioners had talked of pressure to close Seep Ridge Road to create a “private game reserve,” which if done would set a dangerous precedent. It is unclear what was meant by a “private” reserve, but in any case hunting interests lobbied to protect elk and other game in the region.<sup>34</sup> Members of the transportation district supported the commission’s position and “reiterated their commitment to an improvement through this area of Oil leases,” although they also acknowledged balancing “Oil development, tourism, hunters, and adversaries” through “cooperation and communication between parties.”<sup>35</sup>

Hunting and conservation interests were dually satisfied with the creation of the Book Cliffs Conservation Initiative. In 1989, purportedly while sitting around a campfire somewhere on the Book Cliffs, personnel from the BLM and the Utah Division of Wildlife Resources concocted a plan to buy up privately owned ranches, phase out or limit grazing, and populate and reintroduce some game species into the area. In time, state and federal agencies joined forces with the Rocky Mountain Elk Foundation, the Nature Conservancy, and a handful of longtime ranchers and other private landowners willing to sell their property for this purpose. Within a few years, the conservation area encompassed approximately 20,000 acres of public lands. Grazing leases were retired on more than 600,000 acres of state and federal lands to encourage more wildlife. As

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<sup>34</sup> Minutes of the Regular Public Meeting of the Uintah County Commission, September 8, 1987, on file in Uintah County Recorder’s Office, Vernal, Utah.

<sup>35</sup> Uintah Special Service Transportation District, Minutes, December 19, 1989, on file in the transportation district office, Vernal, Utah.

reported in the Grand County Roads Special Service District meeting, “originally [the conservation area] had boundaries nearly identical to the tar sands deposits in the Book Cliffs” but had then “expanded to the Indian lands on the West and to the Colorado line on the east down to the WSA on the South.”<sup>36</sup>

The initiative garnered support not only among environmentalists and sportsmen but also locals—at least early on—in part because hunting provides significant economic benefits to local communities and because the conservation area did not aim to cut off oil and gas access and development entirely. Grazing was permitted to a lesser degree, and some oil and gas development would still be allowed. When the Utah State Legislature appropriated \$2 million to the Division of Wildlife Resources to purchase the 7,515-acre S&H Book Cliffs Ranch, it used carefully crafted language acknowledging “major reserves of gas, oil, coal, and other mineral resources,” and the continued desire to develop them. In particular, the bill prioritized energy development over conservation on state trust lands. The state was also careful not to support extended federal ownership or control; through land swaps, it ensured that the conservation initiative did not result in a net gain of federal lands.<sup>37</sup>

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<sup>36</sup> Grand County Roads Special Service District No. 1, Minutes, July 18, 1992. See “Michelle Nijhuis, “Oil Clashes with Elk in the Book Cliffs,” *High Country News*, April 13, 1998, online.

<sup>37</sup> S. B. No. 114, *An Act Relating to the Division of Wildlife Resources; Providing for a \$2,000,000 Appropriation to the Division of Wildlife Resources to Purchase the S & H Book Cliffs Ranch for the Book Cliffs Conservation Initiative; Providing for Administration of the Land; and Providing an Effective Date*, February 13, 1992, Folder 6, Box 2, Utah Wilderness Association Collection.

If the conservation area did not seriously threaten oil and gas development in the Book Cliffs region, wilderness designation did, at least to a degree. Conversely, the proposed highway would ostensibly impact the region's wilderness characteristics and wildlife resources. The highway would bisect the Winter Ridge WSA and pass immediately adjacent to the Flume Canyon WSA. In a record of decision (ROD), the BLM allowed a section of the proposed route in the WSAs to be marked and surveyed to determine environmental effects. In September 1991, the Utah Chapter Sierra Club and the Utah Wildlife Leadership Coalition appealed a BLM decision, arguing that it violated section 603 of FLPMA directing the BLM to manage WSAs "in a manner so as not to impair the suitability of such areas for preservation as a wilderness." Environmental groups led by The Utah Chapter of the Sierra Club and the Utah Wildlife Leadership Coalition also argued that the BLM should have conducted a full-scale environmental inventory to determine what impact, if any, the proposed highway would have on endangered species like peregrine falcons, bald eagles, and other wildlife and plants.<sup>38</sup>

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<sup>38</sup> See "BLM Approves Road Survey in Wilderness Study Area," *Vernal Express*, October 2, 1991; Paul M. Andrews, Area Manager, BLM, to Thom Wardell, Uintah Service Special District, October 29, 1991, Folder 6, Box 4, Sierra Club Papers; "Wilderness Groups Protest Seep Ridge Road," *Vernal Express*, November 6, 1991; "Seep Ridge Road Project Creates Concerns for Environmental Special-Interest Groups," *Basin Standard* (Roosevelt, Utah), November 27, 1991; Utah Chapter Sierra Club and Utah Wildlife Leadership Coalition, IBLA 92-77, Utah EA-1991-19, Proposed Ouray to Cisco Highway, Order, January 7, 1992, Folder 9, Box 4, Sierra Club Papers; Sierra Club Utah Chapter Issue Alert, Book Cliffs Highway Hearings Upcoming in Salt Lake, Vernal, and Moab, no date, Folder 6, Box 4, Sierra Club Papers.

Wilderness advocates were further concerned when Utah Congressman Bill Orton weighed in on the fate of the highway and wilderness designation by confidently declaring in 1991, a full year before the release of the BLM's draft EIS, that "there will be a road through [the Book Cliffs] area." To the dismay of environmentalists, he threatened to introduce legislation to "delist" Winter Ridge WSA by congressional action if the EIS ultimately concluded that the route through it would "do the least damage to the environment, cost the least amount of money, be the easiest and safest to maintain, and so on."<sup>39</sup> With this option on the table, environmentalists and other interests opposed to the highway waited anxiously for release of the EIS.

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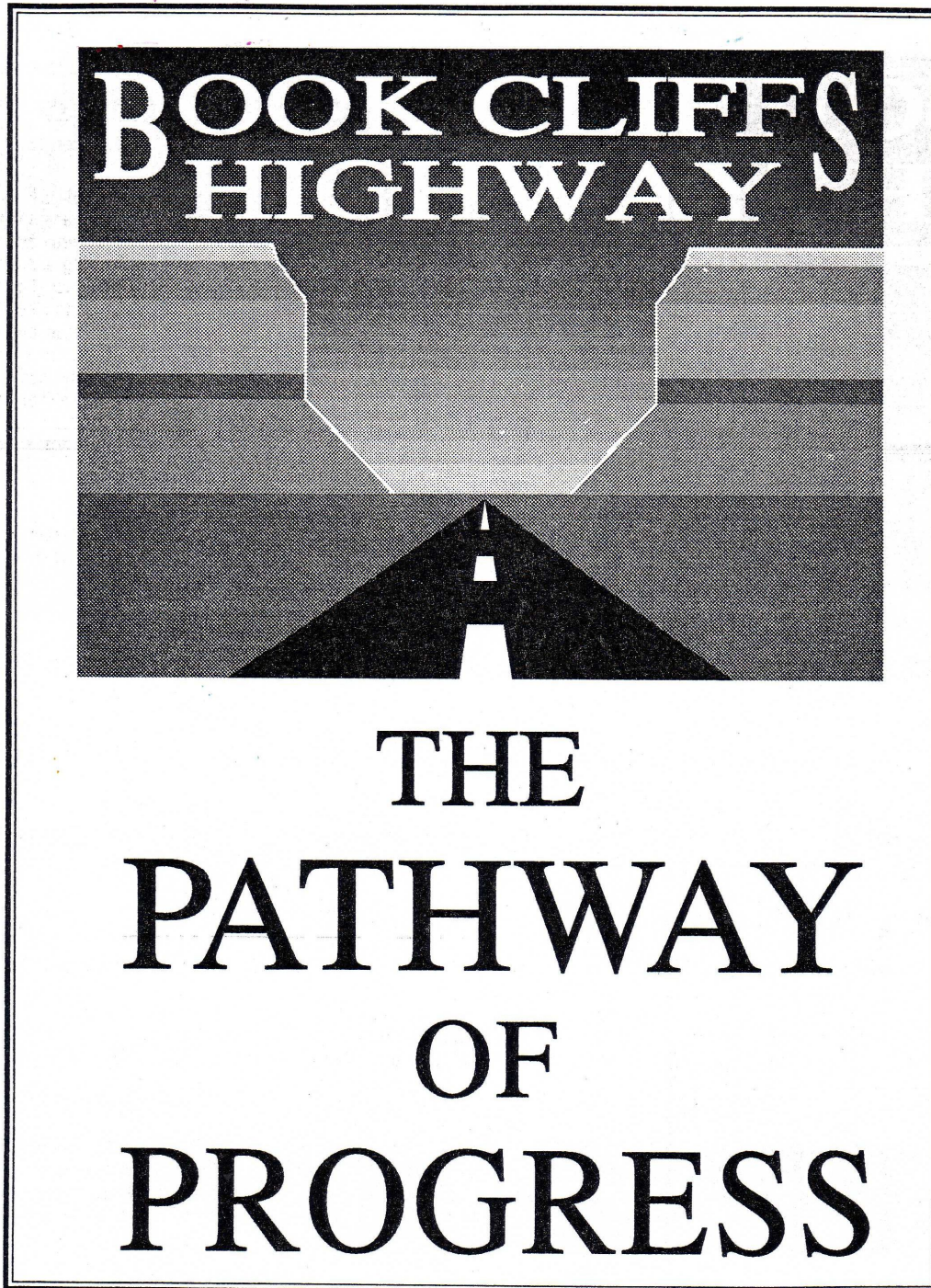
In the first few years since it had been officially proposed, the Book Cliffs highway attracted limited media coverage and debate. In Grand County, the highway plan had attracted some resistance, although Steve Creamer in a presentation to the Uintah County Commission explained it more as opposition "to the past County Commissioners than to the road."<sup>40</sup> And as the release date of the draft EIS neared, the sides more clearly aligned in opposing factions.

In Grand County, the roads district circulated the pamphlet "Book Cliffs Highway: The Pathway of Progress." The cover image displays a rod-straight

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<sup>39</sup> Mark MacAllister, "Orton Paves the Way for Book Cliffs Highway," *Utah Sierran*, Vol. 24, No. 12 (Dec/Jan 1991), 1-2.

<sup>40</sup> Uintah Special Service Transportation District, Minutes, June 27, 1989, on file in the transportation district office, Vernal, Utah.



15. The cover of a promotional pamphlet on the Book Cliffs Highway. This image unwittingly spoke to the environmentalists' concern that the proposed highway would unalterably change the character and landscape of the Book Cliffs. Courtesy of Special Collections and Archives, Merrill-Cazier Library, Utah State University, Logan, Utah.

road slicing the Book Cliffs knifelike down the middle, with huge chunks carved out with comical precision. The second page states in bold, “The Book Cliffs Highway will be the only paved road through a multiple-use region about as large as the states of Connecticut and Rhode Island combined.”<sup>41</sup> Along with facilitating mineral revenues to the county, the highway would provide a public north-south access serving hunters, hikers, and mountain bikers. Motorists would enjoy a smooth drive through cragged country and intermittent scenic stops that showcased the character of the place. Indeed, the pamphlet highlighted the vision of the basin’s first community builders who dreamt of roads, towns, dams, prosperity. The need for a Book Cliffs highway reflected that founding vision, deeply rooted in the Turnerian narrative of American history and magnified through a particular lens of “progress.” Glenn Anderson, arguing on behalf of the proposed highway, penned in a letter to the editor “the Lord made the earth for everyone and admonished Adam to subdue it and produce for the good of man.” Believing the road-building task to be God-ordained, he advocated vociferously for it and dismissed “this non-sense” of the road affecting wildlife. Anderson and other highway advocates merely assumed that economic and growth would benefit the county and perhaps trickle down to locals; that roads enable the aged and disabled to access the region’s magnificent landscape; that roads benignly impact wildlife populations; that there was no way to “ruin” a place as expansive as the Book and Roan cliffs. These were plausible arguments that appealed to

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<sup>41</sup> See pamphlet in Folder 1, Box 12, Utah Wilderness Association Collection.



deeply entrenched notions of progress and the ideal of advancing a democratic and prosperous society.<sup>42</sup>

But not all locals—and certainly not the highway’s opponents—bought into this kind of thinking. Gary Martin, a recent transplant to the Uintah Basin, spoke of living in a place where “it’s quiet, the air is clean and my wife and children are safe on the streets.” He, too, could appeal to the traditional, conservative impulse of the community in his opposition to the road and question the idea of growth for growth’s sake. “Go back east and look at what people like you and the county commissioners have done, or simply go visit Springdale or Moab, here in Utah,” he explained. “The world is a crowded place and sitting here in the Uintah Basin you don’t get a fee[l] for it. If you have any sense you will do your best to keep people out of here for as long as you can. There is only so much free space and when it is gone there will be no more.”<sup>43</sup> Martin’s words reflected the growing lamentation over loss of open space and the industrialization of the West.

Critics not only questioned “growth for growth’s sake” but also spending millions on a road project that might better support local communities in other ways. Will Durrant of the Uintah Mountain Club recommended the money be spent on education or repairing and upgrading crumbling infrastructure already in place. Why, he wondered, should millions be spent to build a new road—and potentially millions more for maintaining it until the state took it over, if ever—

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<sup>42</sup> Glenn Anderson, Letter to the Editor, *Vernal Express*, December 11, 1991.

<sup>43</sup> Gary Martin, Letter to the Editor, *Vernal Express*, December 11, 1991.

primarily to benefit one specific industry? “What could this community do with a fraction of the money it will take to pave this White Elephant across the unpaved Book Cliffs?” queried Durrant. “For a fraction of the \$80 million, could we have a fully-staffed and accredited four-year college in our town? Sure we could. Could we have a permanent endowment fund for the library? A perpetual scholarship fund for deserving high school seniors? You bet we could.”<sup>44</sup>

Martin and Durrant were a few of the many voices that by 1992 had begun to question the proposed highway and its many implications. In scoping workshops to acquire public input prior to the drafting of the EIS, the Utah Trail Machine Association inquired about ORV recreation in the region; the Utah Hunters Federation had no specific concern other than “detriment effects” on hunting opportunities; the Ute Tribal chairman opposed an alternative route for the road that crossed partway through the Hill Creek Extension of the Indian reservation; the Utah Division of Wildlife held that “a high quality, all season highway can only detract from the Cisco Desert and Book Cliffs attractiveness as remote wildlands.”<sup>45</sup>

Despite the many legitimate voices beginning to protest the project, members of the county transportation districts remained confident that the BLM would provide the green light as soon as the EIS was released. In Grand County, one person remarked that “perhaps by the first of the year work on the project

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<sup>44</sup> Will Durrant, Letter to the Editor, *Vernal Express*, November 27, 1991.

<sup>45</sup> Proposed Ouray to Cisco Highway, Scoping for Draft Environmental Impact Statement (DEIS), Public Comment Analysis, no date, Folder 1, Box 27, Series III, Sierra Club Papers.

may begin.”<sup>46</sup> Conceivably based on that optimism, the district threw additional money at the project in the hopes of generating public support. The Grand County district considered making “a[n] information film for the Book Cliffs Highway project,” and authorized \$7,500 to fund it. Another idea was to set up a booth at the county fair to provide information on the project, which essentially meant extolling its benefits. These activities would be funded by the district; a resolution passed on August 15, 1992, allocating \$15,000 and possibly more for the promotional film. While some complained that these expenditures were wasteful and the district was overstepping its granted authority, in a closed-door meeting the district reaffirmed the original motion to allocate funds, with only Ollie Knutson as the dissenting commission member.<sup>47</sup>

Meanwhile, public officials began queuing up along either side of the project. In June 1992, the Vernal Area Chamber of Commerce Board of Directors voted to support the proposed highway. Roosevelt mayor Leonard Ferguson voiced support for the road partly because it would enable locals to travel more quickly to Moab. Later, the Moab City Council, the mayor of Vernal, and the Duchesne City Council came out publicly opposing the highway. Even some oil and gas companies operating in the Book Cliffs region like Beartooth Oil & Gas

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<sup>46</sup> Grand County Roads Special Service District No. 1, Minutes, May 16, 1992, on file in Grand County offices, Moab, Utah.

<sup>47</sup> Grand County Roads Special Service District No. 1, Minutes, August 15, 1992, on file in Grand County offices, Moab, Utah.

and Northstar Gas withdrew project support, instead advocating a general improvement to the region's dirt roads.<sup>48</sup>

The BLM finally completed the draft EIS in September 1992, which proposed a compromise, concluding that the existing alignment could be paved without significant widening or grading. The proposed Ouray to Interstate 70 Highway would generally follow the Seep Ridge Road to Pine Spring Canyon, where it would extend into Pine Spring Canyon and Main Canyon to Pretty Valley Ridge. The route would continue on a dirt road along the ridge and connect to an existing road through Hay Canyon, East Canyon, and continue south to I-70 near Cisco. In total, the highway would shorten the driving distance between Vernal and Crescent Junction on I-70 by a paltry 38 miles.<sup>49</sup>

The EIS also sought to evaluate the possible presence of some wildlife species not known to be residents of the area. Based on a "historic sighting" in 1958 of a Mexican spotted owl, a federally listed "threatened" species, near PR Springs and on the recommendation of the Fish and Wildlife Service, the BLM directed a survey of suitable owl habitats that might be disturbed by road construction. The BLM apparently identified owls—possibly a spotted owl—but members of the Grand County Special Services District expressed skepticism, noting that "no such reports [have been] given to the sponsors of the survey."

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<sup>48</sup> See "Chamber Backs Highway through Book Cliffs Area," *Vernal Express*, June 3, 1992; Aldon Rachele, "Roosevelt, Vernal Mayors Give Pros and Cons to Road," *Basin Life*, November 17, 1992; Stiles, "The Book Cliffs Highway," 12.

<sup>49</sup> *Draft EIS Ouray to Interstate 70 Highway*, 2-4, copy in BLM field office, Moab, Utah.

Jerry McNeil of Moab maintains that BLM personnel played a tape recorder with the sound of a spotted owl, but they spotted no actual owls in the Book Cliffs.<sup>50</sup>

In other ways, defenders of the highway urged the BLM to proceed, as planned, with the project. At a public meeting, Jay Mealey of Crown Energy spoke of the benefits of the road for tar sands development. The proposed road, he said, “will dramatically improve access/economic viability for developing tar sands in Uintah Basin and PR Springs.” Crown Energy representatives cited anticipated benefits of tar sand development at “[f]ive million barrels of oil, thousands of jobs, and millions in tax revenue.”<sup>51</sup>

In the end, however, the opposition’s case would tip the scales. At a public meeting on November 4, 1992, Toni Wall represented approximately 3,000 hunters who opposed the highway.<sup>52</sup> The BLM received about 700 letters, mostly from critics who expressed their dismay at the report’s recommendations. One wrote that the conclusions of the draft EIS were “arbitrary and capricious and not

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<sup>50</sup> Assistant Field Supervisor, U.S. Fish and Wildlife Service, to Moab District Manager, BLM, January 9, 1992, in *Draft EIS Ouray to Interstate 70 Highway*, C-6, copy in BLM field office, Moab, Utah; Grand County Roads Special Service District No. 1, Minutes, July 18, 1992; Jerry McNeil, interview by the author, October 28, 2008.

<sup>51</sup> Mark MacAllister, “Book Cliff’s Update,” *Utah Sierran*, December 1992 – January 1993; Public Hearing on Book Cliffs Highway DEIS, Salt Lake City, November 4, 1992, Folder 1, Box 12, Utah Wilderness Association Collection. See also Grand County Roads Special Service District No. 1, Minutes, September 19 and November 21, 1992, on file in Grand County offices, Moab, Utah.

<sup>52</sup> Public Hearing on Book Cliffs Highway DEIS, Salt Lake City, November 4, 1992, Folder 1, Box 12, Utah Wilderness Association Collection.

supported by existing fact.”<sup>53</sup> An attorney in Salt Lake City, William R. Russell, wrote that “such a highway would put huge numbers of wildlife at risk, befoul a rather pristine area, and change the character of these remote Cliffs forever!”<sup>54</sup> George Nickas of the Utah Wilderness Association did not mince words, calling the project “without merit” and underscoring the “irregularities” and “blatant violation of the law” in the environmental review process. “We urge and plead with BLM to reconsider this entire project. This highway threatens to blow apart one of the greatest opportunities we will ever have to restore, on one small part of our planet, the wildlife heritage that once existed in North America,” he concluded. “It will take much more than the initial steps contemplated in the Book Cliffs Conservation Initiative, but it’s a good beginning. Conversely, the Book Cliffs Highway is probably the greatest step backward imaginable.”<sup>55</sup>

While many sportsmen and environmentalists outside Uintah and Grand counties spoke out against the project, many other voices of opposition came from local residents, particularly in Grand County. Jim Stiles dedicated a full issue of the October 1992 *Canyon Country Zephyr* to discuss the issue, which reflected the concern many locals had to the highway. The proposed Book Cliffs highway was

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<sup>53</sup> Stephen Lewis to Daryl Trotter, BLM, November 4, 1992, Folder 1, Box 12, Utah Wilderness Association Collection.

<sup>54</sup> William R. Russell to Daryl Trotter, BLM, November 18, 1992, Folder 1, Box 12, Utah Wilderness Association Collection.

<sup>55</sup> George Nickas, Assistant Coordinator, UWA, to Daryl Trotter, BLM, December 8, 1992, Folder 1, Box 12, Utah Wilderness Association Collection. For even stronger language, see the draft letter in Folder 1, Box 12, Utah Wilderness Association Collection.

ultimately defeated not so much by “outside” environmentalists attempting to impose a particular worldview on rural communities in eastern Utah, but by citizens and local officials who represented the new demographic of the New West.

The changes in Grand County and to a lesser extent Uintah County reflected larger societal changes in the American West. From 1970 to 1995 the interior West grew faster than the rest of the country.<sup>56</sup> And the people making the West home little resembled the traditional populations characterized by the Old West. They were river runners, mountain bikers, backcountry enthusiasts, artists, writers, and winter birds; and they came for the scenery, wide-open spaces, clean air, climate, and recreational opportunities. The cultural, political, and environmental impact of this new, emergent demographic was unmistakable, and, in some cases, unsettling. Even for people who celebrated the rise of a new tourist-based economy dawn of the New West, it soon became clear that, as Charles Wilkinson has noted, “hordes of tourists can wreck the land every bit as thoroughly as an openpit mine.” Yet to Wilkinson the benefits of a diverse, vibrant population far outweighed the environmental challenges. Writing about what has become the New West capital of southern Utah, he observes, “Moab’s good and creative people are experimenting, working hard to craft a sensible

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<sup>56</sup> William Riebsame, ed., *Atlas of the New West: Portrait of a Changing Region* (New York: Norton, 1997), 55.

relationship between our species and a jagged, erratic, redrock stretch of land that not long ago we scorned but that we now know is sacred.”<sup>57</sup>

It is this shifting mindset and the emergent demographic in rural Utah that clearly and decisively put an end to the proposed highway project. County residents killed the proposal, and they modified the county political system to ensure that a similar proposal would never crop up again. In the 1992 local elections, frustrated with the political in-dealing of the commission, Grand County residents voted for a complete re-haul of the county political system, replacing the commission-style government with a council system, in large part due to the role of the commission in proposing and spearheading the Book Cliffs highway proposal. Within a few months of the election, the entire highway proposal had collapsed. The new Grand County Council passed a resolution that revoked the authority of the county transportation district and terminated the Book Cliffs Highway MOU between the BLM and the Grand and Uintah County Special Service Districts. The council also withdrew the county’s right-of-way application to the Book Cliffs highway alignment. With the MOU no longer in force, the BLM halted work on the EIS. Grand County Council chairman Charles Peterson justified the move, concluding that “the benefits of the Highway would not justify its costs; geophysical evidence shows that the proposed route is not a suitable place for constructing or maintaining a highway, nor would the highway provide useful access to Grand County’s oil, gas, and mineral reserves; and,

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<sup>57</sup> Charles Wilkinson, “Paradise Revised,” in *Atlas of the New West*, 17-18, 22. See also William R. Travis, *New Geographies of the American West: Land Use and the Changing Patterns of Place* (Washington, D.C.: Island Press, 2007).



finally, public sentiment in the County is strongly in favor of putting the County's limited resources to work on other priorities."<sup>58</sup>

Grand County's withdrawal left Uintah County in a difficult and unenviable position. The right-of-way application jointly filed by the two counties was now defunct, and Uintah County was left to start the process over and go at it alone.<sup>59</sup> But Uintah County officials have never officially surrendered the idea; in fact, in the 2000s they made renewed strides to pave their portion of the road. In Uintah County, the proposal to pave Seep Ridge Road never met with the same resistance that it did in neighboring Grand County, where support for the project had crumbled. To Jimmie Walker, the defeat was crushing. Walker publicly complained that environmentalists and federal personnel had "sabotaged" the highway project. He also took a shot at the Book Cliffs Conservation Initiative, which he referred to as a "real boondoggle." He even later criticized oil interests who "never learned how to fight" and those who abandoned him when he needed their support the most. "It put me in a position of how Custer felt," he said. "They made a big enough deal over the Book Cliffs thing, how it was going to do all this damage, and how it was costly, and whatever other excuse." To the end, he maintained his position that 38 miles means a lot to tourists and the long-haul trucker, and that the highway would have provided net benefits to the county.<sup>60</sup>

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<sup>58</sup> Charlie Peterson, Chairman of the Grand County Council, to Roger Zortman, BLM Moab District Manager, May 14, 1993, file in BLM field office, Vernal, Utah.

<sup>59</sup> See Zortman to Wardell, May 20, 1993, file in BLM field office, Vernal, Utah.

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For all the good that Walker claimed the project would do for Grand County residents, he could not possibly perceive why it attracted such vehement opposition. What he did not understand was the lure of wild places untouched by modern roads. It was not merely that the road would locally impact wilderness characteristics or the immediate environment. Rather, the road would intrude on the wildness of the place, underscoring the fact that large roadless places on the Earth were becoming fewer with the resulting effects permanent and irreversible. The sense of loss derived partly from the growing realization that too much of the country's wild lands were being gobbled up by development. These lost places would never be reclaimed, environmentalists argued, with growing populations ever crowding into shrinking land masses.

Individuals responded to increasing population pressures on the land, justifying the need to develop or preserve resources, depending on their perspective. Environmental activists, considering the larger Book Cliffs region to be a bastion of wildness, argued that the region warranted protection precisely because of increasing pressure for land and resources, just as others believed that the region's vast mineral resources ought to be developed for the betterment of humans.

The notion of the highway slicing through a roadless and "pristine" region belied the reality of development in the Book Cliffs region. The Book Cliffs

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<sup>60</sup> Layne Miller, "Residents Debate Merits of Book Cliffs Road," *Sun Advocate*, December 17, 1992, in Folder 1, Box 12, Utah Wilderness Association Collection; Walker interview, July 2, 2008.

contained an extensive network of oil and gas roads and pumping wells, as well as future mineral lease development. Some development-minded individuals liked to reference the massive energy potential of the Uintah Basin and other petroleum-rich regions in the West, although even if those resources could be tapped, it still would not be technologically possible or economically efficient to do so.

Supporters of the Book Cliffs highway, however, referenced the presence of these minerals as justification for the road and other infrastructure developments.

“What really galled me about this whole damn thing, we kept talking to our governor and our people from the state level, and they wouldn’t have done anything about biting off this damn wilderness being put right on top of that damn thing,” complained Ray Tibbetts of Moab, Utah. “I mean, here’s the breadbasket of Utah and Uintah County, with all these minerals and reserves of energy, you can’t believe, and they weren’t worried about it being locked up forever.” He then referenced recent success in developing these resources, particularly natural gas. “There’s more natural gas being passed along the Book Cliffs than you can shake a fist at.”<sup>61</sup>

Yet Tibbetts uses blanket statements to describe a landscape that is hardly uniform and a resource that has in no way been “locked up.” The northern portion of the region in Uintah County was much more intensively developed than in Grand County. In a letter to BLM district manager Daryl Trotter, John Wilson describes driving the length of the proposed highway alignment “to see what the route and the area in question was like.” Driving in a 4WD, he crossed the Green

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<sup>61</sup> Tibbetts interview.

River and for 25 miles “saw a lot of oil truck activity.” Continuing, however, he encountered “a beautiful, pristine, and deserted area.”<sup>62</sup> To many, like Wilson, familiar with the area, the region carved by the proposed highway could not be characterized in general statements. Contrasting the heavily developed gas lands in southern Uintah County to the less developed portions of the Book Cliffs and East Tavaputs Plateau, to classify the regions as either “energy rich” or “pristine wildlands” captures only a portion of the character of the land. The classification is a narrative device that does not reflect actual land use activities and designations on the land.

Furthermore, assessing the extent to which the region is an energy field or a wilderness is, in part, a matter of perception. The blanket stereotype of the Book Cliffs that lingers today is the region as “wild” because it appears to be a barren wasteland, inhospitable to human use. Some may view it devoid of qualities worth preserving in “pristine” form—an expansive wasteland perhaps exhibiting little by way of scenic wonder and beauty or rich in ecological diversity. Yet arguments along this line enabled the development-oriented community to advance their own self interest while appearing benign in so doing. If the land is worthless, if it is relatively barren and unseemly and unforgiving, why not turn it over to the oil and gas interests? Why not put it to its best and highest use, which, some argued, was clearly energy development?

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<sup>62</sup> John F. Wilson to Daryl Trotter, November 28, 1992, Folder 1, Box 12, Utah Wilderness Association Collection.

To some, the natural order of nature suggested its own use. From an economic or utilitarian perspective, the high, inaccessible mountain peaks may best be allocated for wilderness, the lower wooded slopes for timber production, the grassland valleys and canyons for grazing, and mineral-rich areas to mining and energy development. The idea of a best and highest use implies that each area of land offers a variety of values and that each area of land should be allocated to that use which maximizes present net value. Nature establishes the order, dictating where people settle, work, and move about the land. Sometimes this was a matter of limitations imposed by a lack of technology or resources—it is not possible to build cities or graze cattle or build roads just anywhere—but here it seemed to confirm the natural order of things. The debate over the Book Cliffs highway reflects these dominant perceptions of the natural order. Because the region contained what some people believed to be nearly unlimited economic potential and did not conform perfectly to ideal perceptions of beauty (at least in relation to elsewhere in the Canyon Country), developers easily justified their actions on the land. By contrast, some people by the late twentieth century had become awakened to the region’s own qualities that made it worth of defense against roads and energy development. In other words, many people today recognize within that landscape beauty, life, vitality, wonder, and spirituality that likely escaped the imagination of most early visitors and settlers. This way of “seeing” the land—quite different than the perspective that merely notes the land’s utilitarian purpose—enabled one visitor to the Book Cliffs to wonder,

while he was driving through Hay and East Canyons, “why anyone would pave a highway across this somewhat barren but unique ecosystem?”<sup>63</sup>

By contrast, early explorers and even settlers expected little from what they considered to be a barren landscape. In the nineteenth and early twentieth centuries, the Book Cliffs, Uintah Basin, and other areas in the arid West were places to be avoided. Even the millenarian-minded William H. Smart, a Mormon leader who spearheaded settlement in the Basin in the early twentieth century, late in life disappointingly realized, according to his biographer, that his initial dream of a growing, flourishing Mormon settlement in the Uintah Basin could not be realized.<sup>64</sup> Yet it is a curious thing of history how perceptions change. Smart would likely be astonished at how much wealth is extracted from the place he so tirelessly attempted to develop. The basin still supports ranching and marginally productive irrigation farmland, but the region’s most lucrative industry is petroleum extraction. According to a 2007 report of the Utah Governor’s Office, crude oil production in the Uinta Basin (comprising Uintah and Duchesne counties) reached 11.4 million barrels and natural gas production reached 226 BCF in 2006. The oil and gas industry directly and indirectly accounted for nearly half of all employment and 38.7 percent of all property taxes paid in the basin. Uintah and Duchesne counties also collected a combined \$30.3 million in federal

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<sup>63</sup> Letter from Stephen Lewis, November 4, 1992, Folder 1, Box 12, Utah Wilderness Association Collection.

<sup>64</sup> William B. Smart, *Mormonism’s Last Colonizer: The Life and Times of William H. Smart* (Logan: Utah State University, 2008), 303-04.

mineral royalties. The region has economically benefited in recent years from a spike in the value of crude oil and natural gas.<sup>65</sup>

As we have seen, the debate surrounding the proposed highway largely hinged on these dual expectations of the land as barren and unproductive versus the land as full and valuable. Constituents on both sides “discovered” the bounties and value of the land, and they variously used these discoveries to advance their positions. The West contains countless landscapes that have similarly been re-imagined, reinvented. The challenge in the modern West, in every case, is to evaluate how places become significant for their economic and social values. Consider the ongoing controversy over water resources in Nevada and the Southern Nevada Water Authority’s (SNWA) attempt to wrest water away from ranchers and farmers in central Nevada and western Utah. Once valued only by relatively few ranchers, the groundwater they hold is now considered a valuable source for southern Nevada’s seemingly insatiable growth. Indeed, the perceptions of “abundance” paradoxically derive from the reality of scarcity. Only after Las Vegas overused its water rights to the Colorado River and its tributaries did it begin to notice the “abundant” groundwater reserves in central Nevada. The same might be said of energy development in eastern Utah: the added urgency to tap into energy resources developed in large part out of the national debate over the scarcity of domestic energy supplies and rising prices.

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<sup>65</sup> Utah Governor’s Office, *The Structure and Economic Impact of Utah’s Oil and Gas Exploration and Production Industry, Phase I – The Uinta Basin*, Prepared by Bureau of Economic and Business Research, October 2007, 1-3.

The parallel between water and energy resource may be further extended. In both cases, the development dreams defy economic or technological possibility. Even if Pat Mulroy of SNWA was able to successfully claim water rights for southern Nevada, the challenge and cost of piping it to Las Vegas would be enormous, though likely not prohibitive. Yet this groundwater supply is finite. In the case of energy development, the resource is there in abundance, but the ability to extract it in economic and environmentally viable ways remains elusive. The technology simply does not yet exist to extract oil from shale economically and efficiently. Perhaps the main point is that both resources—groundwater and petroleum—are non-renewable and can easily be depleted. Managing for wildlife, recreation, and healthy watersheds is an activity that does not entail extraction to depletion, unless done improperly, whereas extracting fossil petroleum and fossil water is a short term project that ultimately must be replaced with something more sustainable. Advocating for responsible development of renewable resources is to acknowledge the limitations of the land and the need to protect the land over the long term. By contrast, non-renewable resource development is very often short sighted in terms of the long-term health of the environment and of the people and other living things that make it home. These are two differing ways of perceiving and acting on the land.

Whether referring to water or oil and gas, the mentality of those who push for non-renewable resource development is the same: that resources ought to be mustered—even at the cost of people and the environment—to serve human interest. It is an anthropocentric view of the earth, one derived from a particular



worldview that has, perhaps until recent years, been the dominant ideology operating on the Colorado Plateau. It may be that proponents of the highway and energy developers believed that these activities on the land would be environmentally safe and relatively unobtrusive, but consideration of nature and its creatures was secondary to the primary purpose of transforming the land for man's benefit. The remarkable thing, as the Book Cliffs highway episode reveals in Grand County, is that in the last few decades a competing ideology has developed that not only attracts adherents but has become strong enough to defeat the "traditional" mindset that has driven economic development in the West generally and on the Colorado Plateau in particular. Yet some parts of the plateau country have been slower than others to transition to the New West, and perhaps none so slow as the small, Mormon towns adjacent to the Grand Staircase-Escalante National Monument near the Utah-Arizona border.

## CHAPTER 7

### GRAND STAIRCASE-ESCALANTE NATIONAL MONUMENT AND THE HERITAGE OF ROADS

The designation of Grand Staircase-Escalante National Monument in September 1996 threw into question the status of a network of two-track dirt routes crisscrossing a huge swath of southern Utah's canyon country. Locals had been working, living, and recreating on the land for generations and knew this region well: as visually proven by those very road scars. Fearing that the monument's designation would severely restrict human access and erase their markings from the landscape, southern Utahns in droves decried it as an act of federal oppression and mounted a deliberate strategy to invoke county 2477 rights to roads within its borders. This took the form of pushing for roads to be recognized in the monument's management plan and, since 2003, overtly asserting control of roads by removing or replacing road signs within the monument. The checkers match between the county and BLM—each exerting jurisdiction over roads within the monument—has yet to conclude, and since each road must go through its own legal process of recognition, it seems likely that the contentions will continue well into the future.

Only in the context of 2477 rights does the furor over the monument's designation become clear. And only after probing closely at the meaning of roads—culturally and symbolically—is it apparent that roads have become symbols of larger concerns over the future of rural communities in the modern American West. There is a hint of paradox that in hoping to preserve tradition and

culture, many locals opposed a land-use designation that had celebration of heritage as its design. President Bill Clinton recognized that this place had a rich human history, and he intended that history to serve a purpose of the monument. But those opposing the designation wanted not to memorialize a place's history but to retain a sense of culture and tradition which they thought was best exemplified by autonomy to live, work, and move about the land as they pleased. Thus, roads were more than mere props employed to assert control; they were objects of considerable social and political meaning that represented a way of life and livelihood. Many residents refused to cede control of the objects that enabled movement about the land. The hard-line position of officials and citizens of Kane County was, in fact, anger over being marginalized in the changing economic realities of the modern West. They viewed the monument as another design of the federal government and environmental groups to push them off their land for the sake of creating wild, untrammelled landscapes.<sup>1</sup>

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Although politically one unit, the Grand Staircase-Escalante National Monument actually comprises three distinct geologic sections: the Grand Staircase and

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<sup>1</sup> The controversies surrounding the monument's creation and management have been well covered in newspaper articles, magazines, journals, and books. For book-length treatments, see R. B. Keiter, S. B. George, and J. Walker, eds., *Visions of the Grand Staircase-Escalante: Examining Utah's Newest National Monument* (Salt Lake City: Utah Museum of Natural History/Wallace Stegner Center, 1998); Paul Larmer, ed., *Give and Take: How the Clinton Administration's Public Lands Offensive Transformed the American West* (Paonia, Colorado: High Country News Books, 2004); and Sarah Fleisher Trainor, "Conflicting Values, Contested Terrain: Mormon, Paiute and Wilderness Advocate Values of the Grand Staircase-Escalante National Monument (Utah)," (Ph.D. dissertation, University of California, Berkeley, 2002).

Vermillion Cliffs, the imposing Kaiparowits Plateau, and the canyons of the Escalante River. The region is vast and varied, ranging from gorges, washes, cliffs, hills, sand, and forest. Mark Taylor tried to describe the essential and distinctive character of this dramatic landscape. “This land evolves, morphs, and transforms,” he writes. “It repeats itself, beginning or ending something new; finishing or starting something old. It is unpredictable yet predictable, different but the same, unique but uniform.” For some, the Grand Staircase-Escalante National Monument is easily as magnificent as any other landforms in southeastern Utah. The region inspires wonder, renewal, contemplation; it is huge, wild, and mysterious, a place as isolated and fractured as any in the United States, reflecting “the immense power of the natural world.”<sup>2</sup>

Like other places on the Colorado Plateau, this region is sparsely populated and lays in proximity to some of the world’s best-known natural and recreational attractions—Bryce Canyon, Lake Powell, Grand Canyon—but the area within the monument’s borders have until recently been little known. Cattle vastly outnumber people. A handful of towns sparsely ring the outer edges of the monument. Like other communities in the canyon country, these towns are generally settled and populated by Mormons. The largest of these is Kanab. It is perhaps a paradox of history that in 1910 Kanab elected the first women-only city council in the United States, since in modern times the town exhibits a rather anti-progressive bent as arguably the most conservative town in one of the country’s

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<sup>2</sup> *Wild and Beautiful: Grand Staircase-Escalante National Monument*, Photography by Anselm Spring with text by Mark A. Taylor (Salt Lake City: Gibbs Smith Publisher, 1998), 16, 18.

most conservative regions. In 1976 Edward Abbey referred to “that little circle of greedy yahoos in Kanab” intent on industrializing southern Utah.<sup>3</sup>

Abbey undoubtedly knew that early Kanab residents welcomed with open arms a planned power plant on the Kaiparowits Plateau and the proposed Trans-Escalante Highway that would have run north from Glen Canyon City along the west side of Lake Powell to provide “access to southern Kaiparowitz [sic] coalfield and other mineralized areas in Kane County.”<sup>4</sup> But although Abbey accused Kanabites of wanting only to make a buck, locals have been on the losing side of many large-scale development projects. Neither the power plant nor the highway materialized, primarily because of the determined opposition that the development projects attracted from a nascent environmental movement. The Kaiparowits Plateau and surrounding region have long been considered by the preservationist-minded as among the largest unprotected wild and “roadless” areas remaining in the continental United States. During the life of these proposals, conservationists successfully defeated two projects that they believed would surely destroy the wild character of the region.

For local advocates of development, the disappointments mounted over the years, contributing to the perception that preservationists wanted to make the area a wilderness playground for themselves. Mark Killian of the Arizona House

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<sup>3</sup> Edward Abbey to Editors of the *New York Times*, New York, April 2, 1976, Folder 10, Box 3, MS 271, Papers of Edward Abbey, Special Collections, University of Arizona, Tucson.

<sup>4</sup> “Summary of Pertinent Info, Kane Co., 1969,” Folder 31, Box 1, Reel 2, Series 20902, Governor Rampton County Trip Records, Utah State Archives and Records Service, Salt Lake City.

of Representatives blamed the 1995 closure of the Kaibab Forest Products mill in Fredonia, Arizona (7 miles south of Kanab) on “environmentalist radicals” who had filed a lawsuit challenging the impact of logging on the Mexican spotted owl and the Northern goshawk. “I am sad to live in a time when wild birds matter more than the ability of a mother and a father to raise their children,” he reportedly lamented.<sup>5</sup> Editorials and locals began to refer to themselves as an endangered species trying to eke out a living in a “hostile” environment. In their anger and desperation, many targeted environmentalists as a convenient villain, even if their problems undoubtedly derived more from the nebulous economic forces of modernization and globalization than from the legal arm of the Southern Utah Wilderness Alliance (SUWA). Kane County Commissioner Joe C. Judd bemoaned that environmentalists “have tried to push us into a corner. . . . There are groups that don’t live here and yet tell us how to govern the people. There are groups drawing the line in the sand.”<sup>6</sup>

In Kanab, advocates of development have been nothing if not persistent. Although the closing of the mill in Fredonia lost 200 jobs, many locals believed that energy development on the Kaiparowits Plateau promised to more than offset the losses. Perhaps they had good reason to hold on to an indomitable faith in the power of technology to extract rich mineral resources from the land. According to estimates of the Utah Geological Survey, the Kaiparowits Plateau reportedly

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<sup>5</sup> “Kaibab Closure Angers Lawmakers,” *Southern Utah News*, December 7, 1994, 1-2.

<sup>6</sup> Kane County Commission Minutes, April 23, 1996, originals on file in the county offices in Kanab, Utah.

contains 11.375 billion tons of “recoverable” coal.<sup>7</sup> The massive mine and power plant on the Kaiparowits proposed in the 1960s never materialized, but local officials continued to await the day when the resource could be extracted.<sup>8</sup> The prospects of energy development again brightened in the late 1980s when a Dutch mining company, Andalex Resources, Inc., received leases from the BLM to extract 2.5 million tons of coal per year on the Kaiparowits Plateau near Smokey Hollow. By Andalex estimates, the proposed mine would provide hundreds of jobs and \$10 million a year in state and federal taxes. Proponents of the mine also pointed to the relatively benign surface disturbance that the mine would have on the plateau. The Western States Coalition commended the “40 acre coal mine that could supply the State of Utah with enough energy for a thousand years.”<sup>9</sup>

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<sup>7</sup> Office of Energy and Resource Planning, “Summary of the Coal Resources of Kaiparowits Plateau and Its Value,” October 9, 1996, <http://geology.utah.gov/online/c/c-93/gsekcoal.htm> (March 11, 2011). The World Energy Council estimates that some 850 billion tons of recoverable coal are available worldwide. See “Survey of Energy Resources 2007,” [http://www.worldenergy.org/publications/survey\\_of\\_energy\\_resources\\_2007/coal/627.asp](http://www.worldenergy.org/publications/survey_of_energy_resources_2007/coal/627.asp) (March 11, 2011).

<sup>8</sup> Predictably, during the BLM wilderness inventories of the late 1970s and early 1980s, Kane County officials protested proposals to designate as wilderness places in the county given “the manifest and manifold imprints of man and the vast reservoirs of mineral resources scattered throughout the proposed Wilderness Study Areas of Kane County.” The officials urged the BLM to approve a program of the Gulf Mineral Resource Company and Exxon Mineral Company to explore for uranium deposits on Fifty-Mile Mountain and Fifty-Mile Bench. See Kane County response to Environmental Assessment of the Gulf Mineral Resource Company’s Proposed Uranium Drilling Project, October 19, 1981, Folder 24, Box 6, Reel 13, Series 19161, Governor Matheson Natural Resources Working Files, Utah State Archives and Records Service, Salt Lake City.

<sup>9</sup> Dixie Brunner, “Kane County – A National Monument?” *Southern Utah News*, September 11, 1996; Western States Coalition, “Federal Government Land-Grab:

But SUWA filed an objection to the information in Andalex's application. The Smoky Hollow Mine proposal, SUWA maintained, would penetrate the heart of the Kaiparowits, located adjacent to two wilderness study areas: Wahweap and Burning Hills. The surface disturbances from the mine would indeed be minimal, as proponents promised, but the underground mines would generate impacts of their own: namely, subsidence potentially harmful to wildlife and archeological resources, generally impacting the wilderness qualities of the land. Perhaps worst of all, the mining operations would require movement and construction across the landscape on a grand scale. Twenty-two miles of paved roads and power lines would have to be built to access the mine. SUWA estimated that large industrial trucks would leave the mine on average every 5 ½ minutes for 40 years, creating unsafe driving conditions and huge taxpayer expenses to build the roads.<sup>10</sup> Indeed, the prospect of publicly financed roads on the Kaiparowits enabling trucks to move coal from the mine to rail spurs near Cedar City, Utah or Moapa, Nevada—more than 200 miles away—concerned not only environmentalists but also the local communities surely to be impacted by the coal operations. SUWA attorney Heidi McIntosh put the environmentalists' concerns in the simplest of terms:

“Many people want [the Kaiparowits Plateau] left untouched. Andalex wants to

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First Utah, Then ?????” no date, File: UT: Andalex Mine, Box 26, CONS 227, The Wilderness Society Four Corners Regional Office Records, Denver Public Library, Denver, Colorado.

<sup>10</sup> Dixie Brunner, “SUWA Objects to Andalex Mine Permit Application,” *Southern Utah News*, October 5, 1994; SUWA, “Smoky Hollow Mine Proposal,” no date, File: UT:BLM:GSENM:TWS Proposal, Box 26, Wilderness Society Four Corners Regional Office Records.



take its resources. There's a difference of opinion about the future of the Kaiparowits."<sup>11</sup>

These serious concerns notwithstanding, the Andalex coal mine on the Kaiparowits seemed destined to be realized. In early 1996 Kane County officials, eager to advance the project, offered to construct a public road to the Smokey Hollow area. The idea was to supply safe and convenient access to county public lands and school trust lands; enable federal lands resource development; provide access for recreation, hunting, wildlife management, grazing, and mining; improve transportation from Kane County to Escalante; and create a scenic byway. In a letter to BLM officials, the county commissioners wrote that they were in "full and total support of responsible development of all the natural resources in the Smoky Mountain area," and that they advocated using public funding to build public access roads that promised to have a large return to the economy of the county and state.<sup>12</sup>

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The question of whether the country would be open or closed to large-scale industrial development dates back to at least the 1930s when President Franklin

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<sup>11</sup> Dixie Brunner, "SUWA Objects to Andalex Mine Permit Application," *Southern Utah News*, October 5, 1994. For more on the proposed Andalex mine, see Marta Murvosh, "Funding Sought to Plan Southern Corridor," *The Spectrum*, November 14, 1995; Phillip Bimstein to Bill Clinton, September 16, 1996, File: UT: Andalex Mine, Box 26, Wilderness Society Four Corners Regional Office Records; Charles Wilkinson, *Fire on the Plateau: Conflict and Endurance in the American Southwest* (Washington, D.C.: Island Press, 1999), 326-27.

<sup>12</sup> Kane County Commission to Mike Noel, BLM, January 22, 1996, File: UT: Andalex Mine, Box 26, Wilderness Society Four Corners Regional Office Records.

D. Roosevelt's Secretary of the Interior, Harold Ickes, proposed a gigantic monument encompassing 4 million acres and spanning from present-day Canyonlands south to the Utah-Arizona border.<sup>13</sup> By the 1990s, environmental groups were actively seeking federal legislation to preserve the region's wilderness qualities. The Escalante Canyons Study Act of 1991, H.R. 4015, directed the Interior secretary to conduct a study to determine the suitability of a national park designation for the Escalante Canyon region. In 1992, another bill, H.R. 5415, proposed the establishment of the Canyons of the Escalante National Conservation Area, recommending mixed land-use designations at the Secretary of the Interior's discretion. Some areas would permit grazing, others would become wilderness, and still other sections—like Fifty Mile Mountain—would be released from wilderness consideration.<sup>14</sup> Two years later, in 1994, the governor of Utah organized a task force to consider yet another proposal called "Canyons of the Escalante, A National Ecoregion." It was novel in its attempt to bring competing interests together to co-create a plan for the region, and some headway was made among traditional land users and environmentalists. In the end, though, the task force came up short. In a workshop held in Boulder, Utah, locals attending the hearing overwhelming objected to any kind of government involvement. Meanwhile, environmentalists insisted that the regional approach

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<sup>13</sup> See Elmo R. Richardson, "Federal Park Policy in Utah: The Escalante National Monument Controversy of 1935-1940," *Utah Historical Quarterly* 33 (Spring 1965): 109-33.

<sup>14</sup> See documents in Box 7, Series: Cedar City District, RG: BLM, MSS 200, Utah Wilderness Association Collection, Special Collections and Archives, Merrill-Cazier Library, Utah State University, Logan.

emphasized economy over ecosystem management. “If this proposal is to succeed it must transcend the idea that the wild and natural lands are not as important as the multiple-use or enterprise lands,” wrote Dick Carter of the Utah Wilderness Association to Brad Barber, deputy director of the Governor’s Office of Planning and Budget. To Carter, it seemed that the proposal was “driven by production of revenue rather than preservation of the Escalante ecosystems,” an observation essentially echoed by Thomas C. Jensen of the Grand Canyon Trust and Terri Martin of the National Parks and Conservation Association.<sup>15</sup>

By 1996, wilderness advocates eager for a mantle of federal protection and movement to end the state’s wilderness stalemate believed that they ought to “nationalize” the debate over preservation and development on the plateau. Some advocated making the Kaiparowits region the poster child for the Utah Wilderness Coalition’s 5.7-million-acre wilderness proposal on BLM lands; others proposed pushing for national monument status.<sup>16</sup> The debate did enter the national stage, but in a way that few could have possibly anticipated. In the summer of 1996 the Clinton administration by its own initiative forged ahead on a plan to designate a large national monument at Utah’s southernmost border.

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<sup>15</sup> Brad T. Barber to Citizens Interested in Canyons of the Escalante, November 9, 1994; Escalante Community Workshop Comments, Boulder, Utah, September 20, 1994; Dick Carter to Brad Barber, September 5, 1994; Thomas C. Jensen to Michael O. Leavitt, Governor of Utah, October 21, 1994; Terri Martin to Leavitt, October 18, 1994; all documents in Folder 2, Box 7, Utah Wilderness Association Collection.

<sup>16</sup> See hand- and type-written notes, January 22, 1996, File: UT: Andalex Mine, Box 26, Wilderness Society Four Corners Regional Office Records.

The last time a president had wielded the Antiquities Act was in 1978 when Jimmy Carter created 15 new national monuments in Alaska. President Bill Clinton, strapped with a reelection campaign, must have surmised that creating the monument would be a politically popular move—possibly bringing Arizona into the democratic column—although it would further alienate Utah (solidly in the Republican camp anyway). But he must have also known that the move would protect a region greatly deserving of protection.<sup>17</sup> He explained his reasoning in a September 18, 1996, speech on the rim of the Grand Canyon: “This high, rugged, and remote region, where bold plateaus and multi-hued cliffs run for distances that defy human perspective, was the last place in the continental United States to be mapped. Even today, this unspoiled natural area remains a frontier, a quality that greatly enhances the monument’s value for scientific study. The monument has a long and dignified human history: it is a place where one can see how nature shapes human endeavors in the American West, where distance and aridity have been pitted against our dreams and courage.”<sup>18</sup>

In sweeping literary language reminiscent of the Wilderness Act of 1964, Clinton presented two strikingly different justifications for the monument’s creation: for its wilderness qualities *and* for its “human history.” These were statements surely designed to evoke awe and reverence for the place, but it did little to flatter locals opposed to the designation. This history was theirs, they felt,

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<sup>17</sup> Bill Clinton, *My Life* (New York: Alfred A. Knopf, 2004), 727-728.

<sup>18</sup> Quoted in James R. Skillen, *The Nation’s Largest Landlord: The Bureau of Land Management in the American West* (Lawrence: University Press of Kansas, 2009), 152. See Proclamation No. 6920, 3 C.F.R. § 64 (2008).

and Clinton's memorialization would celebrate the human past but stymie their future. Clinton clearly stated in his proclamation that existing land uses would continue, with some exceptions, but new development on 1.8 million acres of southern Utah public lands would essentially be prohibited. To some locals, it was one thing to celebrate the hardy, brave souls who explored and settled the region, but it was quite another to shut out their descendants from pursuing an economic livelihood on the land. The *Southern Utah News* editorialized that "Tourists may someday drive through our towns and tell their kids, 'look honey, that's where a lot of hardy people used to be able to live.'"<sup>19</sup>

Nothing angered opponents of the monument more than the perceived arrogance of the Clinton administration developing the proposal behind closed doors. In fact, using the broad executive authorities granted by the Antiquities Act of 1906, Clinton and his team conceived and developed the monument plan without consulting local and state interests that would have likely been opposed to the designation. The Clinton administration did, however, work with a number of Utah residents and environmentalists in drafting the proposal. When just hours before the ceremony was to begin on September 18, Secretary of the Interior Bruce Babbitt asked William B. Smart, Utah's representative on the Grand Canyon Trust board of directors, what would make the monument more palatable for Utahns, Smart recommended that the president promise to trade Utah school lands in the monument for federal lands of equal or greater value and to expedite

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<sup>19</sup> "Dixie Speaks" Editorial, *Southern Utah News*, September 11, 1996.

trades of other school lands throughout the state for more accessible federal land. That promise was included at the last minute in the president's proclamation.<sup>20</sup>

Yet for most residents of Kanab and the tiny communities that ring the outer edges of the monument, the image of Clinton and Vice-President Al Gore standing at the Grand Canyon in Arizona gave the appearance that the designation had been the work of "outside" interests. Former Kane County Commissioner Vance Esplin said, "This whole thing burns me up. Clinton didn't even have enough guts to come here. He stayed 70 miles away." Gerald W. Berry, in a letter to the editor, went even further by making the entirely unsubstantiated claim that Clinton proclaimed the monument in the presence of "hundreds of people who neither live in the state, nor have vested interests here."<sup>21</sup> Clinton and Gore may not have had direct ties to southern Utah (in his proclamation address, Clinton could only reflect on a memorable trip to the Grand Canyon where he "found a place on a rock" and "was all alone" to contemplate the majestic scene before him), but many Utahns hardly welcomed the monument. The explosive rhetoric of many southern Utah residents opposed to the monument merely reflected the erroneous perception that pro-wilderness interests were merely "outside" interests.

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<sup>20</sup> William B. Smart, "Stewardship of the Earth," unpublished manuscript in the author's possession.

<sup>21</sup> Dixie Brunner, "President Inks National Monument," *Southern Utah News*, September 25, 1996; Carol Sullivan, "Former Commissioner Esplin Thinks Rait is in the SUWA," *Southern Utah News*, September 25, 1996; Gerald Berry, "Letter to Pres. Clinton," *Southern Utah News*, September 25, 1996.

Not to be outdone by the president's posturing, Kane County officials staged their own events designed to attract media and national attention. Within a week of the Clinton announcement, commissioners held a "Loss of Rights" rally where they released into the air black balloons in protest. Just moments after the rally concluded, Commissioner Judd and Kanab City Councilman Roger Holland, just off the plane from D.C., spoke at the press conference of meeting with the Utah and Arizona congressional delegates. There, they learned the full extent of the monument's surprise: previous to the September 14 announcement of the proposed monument in the *Washington Post*, not even Utah's congressional delegates knew of the designation or how large the monument would even be. They reported that the rally the previous week received the capital's attention and that the rally that day "brought a lot of impact," although he did not state specifically just what that was.<sup>22</sup> County officials hoped to stir up sympathy and indignation of the designation by "portray[ing] to the public the negative effects of the National Monument designation on Kane County, as well as the public in general." The county officials sardonically recommended putting Kane County citizens on the endangered species list. "Kane County humans would be the first humans declared a dying breed that must have its environment protected. This could be a HUGE media blitz."<sup>23</sup>

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<sup>22</sup> Carol Sullivan, "Local Reps Arrive from Washington, DC in Time for Press Conference," *Southern Utah News*, September 25, 1996. See also Dixie Brunner and Carol Sullivan, "Commission Gets Public Reaction to National Monument Designation," *Southern Utah News*, September 18, 1996.

In October 1996, the commissioners planned a protest by replaying what in southern Utah had become a grand tradition: they called out bulldozers to put blade to dirt on their own county roads within the monument's boundaries. Protesting the monument's designation prompted this action, but it was also made in response to a bill then before congress titled America's Red Rock Wilderness Act. A Sierra Club outing group witnessed firsthand the bulldozer damage in Right-Hand Collett Canyon on the Kaiparowits Plateau. At one point, the dozer cut a "completely new route through a wash" while another grader had to back up after taking a wrong turn and running up against a gully. "Obviously, the vehicle tracks the grader was following were so faint he couldn't tell where the so-called road was," surmised Susan Sweigert of the Wasatch Mountain Club.<sup>24</sup> Clearly, this action alarmed and outraged Utah environmentalists. Alex Levinson and Jessica Woodhouse of the Sierra Club wrote, "The designation of the Escalante-Grand Staircase National Monument was the culmination of twenty years of Sierra Club activism in southern Utah. This hard-won victory is jeopardized by illegal county road expansion."<sup>25</sup> This, of course, was the intention of the commissioners. What would become of the monument, what would be allowed within its borders, hinged on the question of access. If counties could hold on to

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<sup>23</sup> See Kane County Commission Minutes, October 11, 1996, originals on file in the county offices in Kanab, Utah.

<sup>24</sup> Susan Sweigert, "Garfield County's Revenge," *Catalyst*, December 1996, n.p., copy in Folder 7, Box 4, MSS 148, Papers of the Utah Chapter of the Sierra Club, Special Collections and Archives, Merrill-Cazier Library, Utah State University, Logan.

<sup>25</sup> Alex Levinson and Jessica Woodhouse to Phil Berry, et al, October 25, 1996, Folder 7, Box 4, Sierra Club Papers.



the web of roads created over time, they hoped they could determine how the monument would be used. Environmentalists hoped that the designation provided the opportunity to rewrite the future of the Kaiparowits Plateau, Escalante region, and Grand Staircase largely devoid of roads and extractive land uses.

On October 18, the BLM responded to what the commissioners called “routine maintenance” by filing suit against the county (and Garfield and San Juan counties, also involved in illegal road maintenance).<sup>26</sup> The Utah Chapter of the Sierra Club and SUWA, believing the commissioners and protesters were “taking bulldozers and scrapers and widening old two track jeep roads” in an attempt to hijack the area’s wilderness characteristics, subsequently asked to be interveners in the suit “to prevent the federal government from caving in or otherwise compromising on any key issues.”<sup>27</sup> Meanwhile, SUWA volunteers fanned out into the backcountry to document and map roads claimed by the counties, identifying numerous cases of what they called “illegal damage to public property.”<sup>28</sup> These outings were part of a larger effort of the Utah Wilderness Coalition’s Road Survey Project initiated even before the monument’s creation to document 200-plus “roads” in the borders of its 5.7-million-acre Citizens’ Redrock Wilderness proposal, many within the monument. Known as “road

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<sup>26</sup> Larry Warren, “UT Counties Bulldoze the BLM, Park Service,” *High Country News*, October 28, 1996.

<sup>27</sup> See Levinson and Woodhouse to Berry, et al, October 25, 1996, Folder 7, Box 4, Sierra Club Papers.

<sup>28</sup> Gordon J. Swenson, et al, of the Utah Wilderness Coalition, Letter to the Editor, *Southern Utah News*, September 11, 1996.

warriors” and armed with camera, compass, and tape measure, these volunteers hiked the length of well-traveled dirt roads as well as two-track ruts that had not been driven on for a long time, not just in the monument but throughout southern Utah.<sup>29</sup>

At the time of the monument’s creation, over 6,000 R.S. 2477 claims were then in contention in Utah, by far the largest count in the western states. The status of these claims had yet to be finalized. Secretary of the Interior Donald Hodel’s 2477 policy during the height of the Burr Trail conflict in 1988 had asserted that the Interior Department could “administratively recognize” certain 2477 claims. Later, in 1993, the Department of the Interior in a report to Congress stated that the administrative recognition of 2477 claims under the Hodel policy “are recognitions of ‘claims’ and are useful only for limited purposes,” and “are not intended to be binding, or a final agency action.” The 1993 report asserted that a final determination of the validity of a 2477 claim would be made in the courts. The following year, however, the Interior Department introduced a proposal to create a process that would result in “binding determinations of [the] existence and validity” of 2477 claims. Congress soundly rejected this proposal and any attempt to make a final determination on 2477 claims without express congressional authorization. Indeed, the Clinton administration further alienated 2477 proponents when in 1997 Secretary of the Interior Bruce Babbitt revoked the Hodel policy, although the department would continue to “give its views” on

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<sup>29</sup> Susan Sweigert, “On the ‘Road’ in Southern Utah,” *Catalyst*, April 1997, 16-17; Cheryl Fox, “‘Road Warriors’ Spread out over Utah,” *High Country News*, August 4, 1997.

asserted 2477 claims in cases where there was a “demonstrated, compelling, and immediate need.”<sup>30</sup> This department policy only forestalled any immediate resolution between locals who claimed 2477 rights and other people who insisted that advocates of 2477 rights would need to “prove” their claims. The dispute over whether the county had already obtained rights-of-way through construction of the road or whether they would be required to demonstrate construction on each disputed roadway continues to follow a lengthy process through the courts up to the present.

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The local reaction rightly reflected that from a conceptual and practical point of view the designation changed everything. In the stroke of a pen, 1.8 million acres in southern Utah had a new land-use designation with new management priorities. Yet questions lingered over what Clinton did not clearly spell out in his proclamation address. Would the monument be managed primarily to protect its wilderness characteristics? Would facilities be built to cater to tourists and recreationists who would now be drawn to the region? What about Old West economic activities? The proclamation specifically stated that “nothing in this proclamation shall be deemed to affect existing permits or leases for, or levels of,

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<sup>30</sup> U.S. Government Accountability Office, “Recognition of R.S. 2477 Rights-of-Way Under the Department of the Interior’s FLPMA Disclaimer Rules and its Memorandum of Understanding with the State of Utah,” February 6, 2004, at [www.suwa.org](http://www.suwa.org); “Background on RS 2477,” in Folder 7, Box 4, Sierra Club Papers. See U.S. Department of the Interior, *Report to Congress on R.S. 2477: The History and Management of R.S. 2477 Right-of-Way Claims on Federal and Other Lands*, June 1993, 25-26; “Revised Statute 2477 Rights-of-Way,” 59 Fed. Reg. 39216 (August 1, 1994).

livestock grazing on federal lands within the monument.”<sup>31</sup> Yet would the designation affect ranching operations over the long term? What about congressional funding? Utah Senator Robert Bennett, a staunch opponent of the monument and member of the Senate Appropriations Committee, had threatened to withhold congressional funding. Indeed, as Jim Ruch wrote Bruce Babbitt shortly after the monument’s designation, creating the monument was the easy part; deciding how it would be managed would be much trickier.<sup>32</sup>

Nearly everyone took it for granted that the monument would be turned over to the National Park Service (NPS), the traditional caretaker of national parks and monuments. These designated locales are always afforded some kind of protection, but the number of facilities designed to accommodate (and encourage) tourism and the development permitted within their boundaries varies widely. Indeed, from the Park Service’s origins debates over what it means to keep national parks “unimpaired” have persisted between those who wish to fully outfit parks for mass tourism and those who advocate minimal development. The possibility that the NPS would turn the Grand Staircase-Escalante into a recreational Mecca concerned many environmentalists. Shortly after the announcement of the monument, SUWA staff issued a call to action: “We cannot let this national monument become a magnet for visitation like southern Utah’s

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<sup>31</sup> Proclamation No. 6920, 3 C.F.R § 64,67 (2008).

<sup>32</sup> Jim Ruch to Bruce Babbitt, October 15, 1996, File: UT:BLM:GSENM:TWS Management Plan Project, Box 26, Wilderness Society Four Corners Regional Office Records.

national parks have become.”<sup>33</sup> Others also recognized the threat, one even wondering if a coal mine would not have been preferable to unmitigated tourism. “Which is worse—a coal mine on the Kaiparowits Plateau, or visitor center, large over-crowded campgrounds, RV dumps, millions of visitors, ranger housing, etc., etc. at Calf Creek Falls,” Ron Hamblin of Monroe, Utah, queried. “I started fighting coal mining on the Kaiparowits in the 1970’s, but I would rather see that than what the park service will do to the Escalante River.”<sup>34</sup>

An NPS-run Grand Staircase-Escalante National Monument was not to be, however. In a surprise move, the Interior department announced that the BLM would assume jurisdiction of the monument, a concession to the local, anti-monument crowd more accustomed to BLM’s management style.<sup>35</sup> To environmentalists, this presented a challenge and an opportunity. On one hand, some worried that the BLM as head of a national monument would be “captive” to industry and development interests, just as some believed the BLM had been prior to its designation. During the Andalex mine debate, for example, environmentalists had charged Kanab BLM staffers with being resistant to

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<sup>33</sup> SUWA Staff to SUWA Members, no date, File: UT: BLM/wilderness/GSENM?clips, Box 26, Wilderness Society Four Corners Regional Office Records.

<sup>34</sup> Letter to the Editor, *Southern Utah News*, September 18, 1996.

<sup>35</sup> Clinton went on to establish 14 other monuments in 7 western states to be managed by the BLM, touching off a new era in federal land management. See Mark Squillace, “The Antiquities Act and the Exercise of Presidential Power: The Clinton Years,” in *The Antiquities Act: A Century of American Archaeology, Historic Preservation, and Nature Conservation*, ed. by David Harmon, Francis P. McManamon, and Dwight T. Pitcaithley (Tucson: University of Arizona Press, 2006); Skillen, *The Nation’s Largest Landlord*, 211.

environmental and wilderness protection. Valerie P. Cohen wrote to the Secretary of the Interior that “BLM employees managing the Andalex EIS process in Kanab, Utah, publicly displayed consistent bias against citizens perceived as ‘environmentalists.’”<sup>36</sup> Cohen probably foremost referred to Mike Noel, a native Utahn and BLM employee who held a master’s degree in plant biology. Noel had refused to comply with the environmentalists’ FOIA request to see traffic information on the road leading to the Andalex mine and later quit his federal job with the BLM shortly after designation of the national monument.<sup>37</sup> On the other hand, the BLM might be convinced to manage the monument as more of a scientific laboratory and ecological preserve than as a mass tourist destination. Charles Wilkinson, who served as special counsel to the Interior Department and on a work group that drafted the proclamation, noted that the original intent was to make Grand Staircase-Escalante a “wilderness monument.” The proclamation declaring the monument’s purpose to preserve an “unspoiled natural area” suggested to him that even the BLM would minimize roads and developments in the monument. Although historically the BLM had been wed to extractive land

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<sup>36</sup> Valerie P. Cohen to Bruce Babbitt, November 17, 1997; Zukoski to Eaton and Suzanne Jones of the Wilderness Society, and Valerie Cohen of the Taxpayers for Safe Utah Road, November 18, 1996; both documents in File: UT: Andalex Mine, Box 26, Wilderness Society Four Corners Regional Office Records.

<sup>37</sup> Pam Eaton to Fran Hunt and Ken Rait, August 16, 1996; Ted Zukoski to Pam Eaton, Fran Hunt, and Ken Rait, August 16, 1996; Zukoski to Eaton and Suzanne Jones of the Wilderness Society, and Valerie Cohen of the Taxpayers for Safe Utah Road, November 18, 1996; all documents in Folder “UT: Andalex Mine,” Box 26, Wilderness Society Four Corners Regional Office Records.

uses, the Clinton administration reportedly considered the new management move to be a way to redefine the BLM's mission.<sup>38</sup>

Environmentalists also held that position, arguing that the monument's principal value resided in its wilderness characteristics. They generally expected the BLM to act the part of the good environmental steward, and they vigorously challenged the notion that the BLM was just a safe haven for motorized vehicles and industrial development. SUWA vowed to "work vigilantly to stop" lawmakers from appropriating funds to build roads and visitor centers. Roger Holland found this position by environmentalists to be duplicitous, recalling the words of Ken Rait of SUWA that local people "ought to learn which side their bread is buttered on, [that] tourism is their salvation." Wilderness enthusiasts now hoped to minimize tourism when they had previously trumpeted it as the future of southern Utah's economy.<sup>39</sup>

Further, environmentalists hoped to snuff out any vestiges of mining in the monument, including the highly controversial proposed Andalex mine. On this matter Clinton had been very clear in his proclamation address: "We can't have mines everywhere, and we shouldn't have mines which threaten our national treasures . . . I hope that Andalex, a foreign company, will . . . work with us to find a way to pursue its mining operations elsewhere." Although the president did not immediately put the coal proposal to rest (in a press briefing, Secretary of the Interior Bruce Babbitt noted that while the monument put an end to new mining

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<sup>38</sup> Wilkinson, *Fire on the Plateau*, 330-31.

<sup>39</sup> Roger Holland, Editorial, *Southern Utah News*, October 9, 1996.

claims, existing claims would continue to be acknowledged but put through a vigorous environmental process), the monument clearly presented severe challenges to the mining operation—particularly securing environmental clearance to push roads and power lines to the mine site over monument lands. Moreover, the mining would have to be compatible with the purposes of the monument that President Clinton had hinted at but not yet clearly defined.<sup>40</sup>

Still, the possibility of large amounts of energy resources lying dormant within the monument aroused the wide-eyed dreams and dismay of many: the Utah Geological Survey released a report in 1997 stating that the area has between 221 and 312 billion tons of recoverable coal, 17 billion located in school trust lands. The proposed Andalex plant was the closest thing to tapping into this mighty resource. The statistics on the monument's energy potential did not consider, of course, the issue of whether the resources could even be accessed and extracted. "That a mineral is present means nothing," said the Sierra Club's Lawson LeGate. "The question is whether you can get it out of the ground economically."<sup>41</sup> Whatever the economics of the issue, however, in early 1997 Andalex withdrew its application to mine coal in the Kaiparowits.<sup>42</sup>

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<sup>40</sup> Press Briefing by Babbitt, Mike McCurry, and Joe Lockhart, Grand Canyon National Park, September 18, 1996, File: UT:BLM:GSENM:TWS Proposal, Box 26, Wilderness Society Four Corners Regional Office Records.

<sup>41</sup> Jim Woolf, "Monument Contains Billion in Coal," *Salt Lake Tribune*, January 23, 1997.

<sup>42</sup> "Andalex Yanks Request to Mine at Kaiparowits," *Deseret News*, January 25, 1997.



With the coal mine out of the picture, some Kanab residents began to advance tourism as the monument's primary use and the need for Kanab residents to act the part of good hosts. While some avowed that their anger would evoke sympathy, not distaste, among visitors, others insisted that they move forward and accept the new reality rather than fight, gripe, and bicker, no matter how frustrating the situation. Just after the monument's designation, Porter Arbogast, a Kanab City businessman and member of the local chamber of commerce, expressed concern in the local newspaper about "portraying ourselves negatively, for the world to see." He contended that "as hard as it is to accept this new national monument, it is futile to resist in principle." The reasonable course to take, he insisted, was to advantageously use their position to seize control of how the monument would be managed instead of burning Robert Redford in effigy. County commissioners similarly conceded that the monument was there to stay but that the best way to fight it was to earn concessions from the BLM either through funding for county planning or legal avenues.<sup>43</sup>

Thus, while many local and state politicians spoke vehemently against the monument, they nevertheless hoped to significantly influence how it would be managed. Governor Michael Leavitt told Kane County locals that he felt "strongly about co-operation and helping to plan the National Monument," perhaps because

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<sup>43</sup> Porter Argogast, "Strength Comes from Diversity," *Southern Utah News*, October 2, 1996. See also Rinda Alldredge, "Black Wednesday," *Southern Utah News*, October 9, 1996; Carol Sullivan, "New Monument Continues to Consume Commissioners," *Southern Utah News*, October 30, 1996; "Dixie Speaks," *Southern Utah News*, June 11, 1997.

he and others recognized that the monument might serve their advantage.<sup>44</sup> The governor's position raised the ire of some hard-liners; Melvin K. Dalton of Monticello, Utah, wrote perhaps tongue-in-cheek to Governor Leavitt that "the ink would not have been dry on the Escalante National Monument proclamation before I would have had a bulldozer building a road to each one of the state sections in the monument." He then counseled the governor, "I would not trade the state sections out unless I could get ALL the federal land left in Utah into the state's hands."<sup>45</sup> Yet for all their rhetoric even county officials were resigned to the monument's reality and hopeful that at least they would have a say in shaping its management plan. Shortly after the designation, the Kane County Commission had passed a resolution declaring that it would insist on "tourist centers and paved roads" if the monument became reality.<sup>46</sup> Local and county politicians supposed they had every reason to think that the monument would serve as a tourist park; Commissioner Judd believed that Interior secretary Bruce Babbitt and President Clinton wanted a park with roads to provide access to the visitors who would surely come. He even believed that the monument might be made to "serve us"—meaning, of course, to provide the area with a strong economic base.<sup>47</sup> Further,

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<sup>44</sup> Kane County Commission Minutes, April 2, 1997, Reel 7, Series 83799, Kane County (Utah), County Commission Minutes, Utah State Archives and Records Service, Salt Lake City.

<sup>45</sup> Melvin K. Dalton, "Letter to Gov. Leavitt," *Southern Utah News*, October 2, 1996.

<sup>46</sup> Kane County Commission Minutes, October 3, 1996, Reel 6, Kane County (Utah), County Commission Minutes.

while county officials recognized that the president had specifically excluded coal mining from the Kaiparowits Plateau, they presumed other economic ventures might be viable. Some believed it was possible to strike a balance between preservation and development—to have, as Porter Arbogast noted on January 14, 1997, “industry and ecology working together to maximize profit and minimize impacts” and to “make sure trail developments don’t impact ranchers or ecology.”<sup>48</sup>

Jerry Meredith, the new Grand Staircase-Escalante National Monument director, told a gathering at the Kanab/Fredonia United Church in December 1996 that he understood the challenge of trying to please so many different constituents. “Cows are way easier to manage than people,” he joked. He assured the crowd that Bruce Babbitt wanted “a multiple-use monument,” and he urged citizens and the county government to get involved in providing input to draft the monument’s management plan.<sup>49</sup> In a public meeting held on June 12, 1997, the Kane County Commission urged locals to provide input for the management plan, for they must have genuinely felt confident they would have a say in it. “This is

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<sup>47</sup> Carol Sullivan, “Public Hearing on Monument Brings Some Answers, More Questions,” *Southern Utah News*, February 5, 1997.

<sup>48</sup> Kane County Commission Minutes, January 14, 1997, Reel 7, Kane County (Utah), County Commission Minutes.

<sup>49</sup> Dixie Brunner, “Monument Director Meets with Community Members,” *Southern Utah News*, December 18, 1996. See also Carol Sullivan, “Public Hearing on Monument,” 14.

an opportunity to determine the out come of the Monument if we are smart enough to use it,” the commissioners told the local crowd.<sup>50</sup>

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In subsequent years, county leaders would work closely with BLM and state officials to hammer out a management plan that would maintain access and traditional land-use in the monument. The major issues hinged on existing rights and access. In November 1998, county officials signed an agreement with the BLM that would essentially settle the question of roads and access within the monument’s boundaries. The November 4 agreement with the BLM would dissolve county 2477 rights to two roads in the monument—Skutumpah and Smokey Mountain Roads—and the Moquith Mountain Road. In exchange, other roads within the monument would remain open; even those that the BLM planned to close to the public would still be accessible to ranchers and other land users with existing rights.<sup>51</sup>

Yet some county residents lambasted the commission’s handling of the monument road issue. In a February 1999 meeting of the Kane County Commission, Jesse Frost, president of People for the USA, a recently organized pro-states’ rights grassroots group, argued that the November 4 agreement had illegally “relinquished RS2477 rights in the monument.” The following week

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<sup>50</sup> Kane County Commission Minutes, June 12, 1997, Reel 7, Kane County (Utah), County Commission Minutes.

<sup>51</sup> Kane County Commission Minutes, January 11, 1999; Kane County Commission Minutes, February 22, 1999; both documents in Reel 7, Kane County (Utah), County Commission Minutes.

Frost raised the issue again, remonstrating that the agreement curtailed county rights. Mike Noel, Vice President of People for the USA, similarly protested. “This agreement does give up rights. Most roads are RS2477 in Kane County. State statute to close public roads requires a public hearing and even the BLM cannot close a road without public comment. We do not need to give up our roads, heritage and culture.” Pressed by Kane County Commissioner Joe Judd for specifics, Noel retorted, “These roads are our roads. Why do we have to ask them?” Judd responded, “Our intent is to negotiate to avoid a lawsuit. What do you want us to do?” Rancher Calvin Johnson replied: “We want you to avoid this agreement. The ground work has not been done. Roads have not been clarified. Don’t sell us down the road. We’ve lost our rights. Please help us protect them.”<sup>52</sup>

Responding to these claims that the county had traded its birthright, the commissioners maintained that they simply signed the agreement to keep the county out of court. They insisted that fighting a costly legal battle might drag out for months and possibly years with no guarantee of a desired outcome. Judd believed it expedient to learn from neighbors in Garfield County about the expensive, dragged-out suit over the Burr Trail. He agreed with the county’s position on wilderness proposals within their borders. Nevertheless, the commission would refrain from a final decision until the public had also weighed in on the issue.<sup>53</sup>

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<sup>52</sup> Kane County Commission Minutes, February 22, 1999, Reel 7, Kane County (Utah), County Commission Minutes; Carol Sullivan, “Tempers Flare over Roads in the Monument,” *Southern Utah News*, March 3, 1999.

The local public response was swift and seemingly decisive. At a public meeting in June 1999, Mark Habbeshaw of the Canyon 4x4 Club stated, “90% of southern Utah roads qualify for RS2477 status and are vested property rights with constitutional rights of protection.” Lamar LeVevor from Garfield County advocated “unlimited access” to the monument’s roads. Bob Ott from Garfield County endorsed maintaining major roads in the monument—Skutumpah, Kodachrome and Cottonwood—and urged the paving of at least one road “all the way through the monument.” Karl Shakespear of the local cattlemen’s association spoke against road closure.<sup>54</sup> According to a poll taken by People for the USA, not one citizen of Kane County that had been polled wanted the county to sign the road agreement. “These people feel it would be a grave mistake to sign away our granted rights,” J. H. Frost and Brent Mackelprang wrote to the county commission. “These rights were granted by congress and are protected by the constitution, they should not be given up or traded for a privilege that can be revoked by the BLM.”<sup>55</sup>

The county commission came under increasing pressure to back out of the road agreement and instead mount an aggressive campaign for county road rights.

At another public meeting in July 1999, Terril Honey of the road committee spoke

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<sup>53</sup> Sullivan, “Tempers Flare over Roads in the Monument”; Sullivan, “Cattleman Worried about Changes Taking Place in the Monument,” *Southern Utah News*, March 31, 1999; Kane County Commission Minutes, May 24, 1999, Reel 7, Kane County (Utah), County Commission Minutes.

<sup>54</sup> Kane County Commission Minutes, June 14, 1999, Reel 7, Kane County (Utah), County Commission Minutes.

<sup>55</sup> Kane County Commission Minutes, June 28, 1999, on file in Kane County offices, Kanab, Utah.

for everyone present when he acknowledged “the effects this road closure will have on the people of Kane County.” He then spoke of the environmental “extremists” who wanted “zero access.” “[I]f we turn the roads over to the government we are turning the power over to the extremists,” he said. Mike Habbeshaw then requested that the commission make a policy for R.S. 2477 roads and commit not to sign the agreement.<sup>56</sup> Two weeks later, the commissioners convened another public meeting, attended by about 600 people, at the local high school. The speakers were especially determined, even belligerent. Mike Noel, the ex-BLM staffer, told the crowd that “BLM authorization is not required for work on roads” and urged the county to “fight lawsuit with all the might that you have.” Another resident said that in conversations with Utah’s congressional delegation, “they are all appalled that the County is signing this agreement.” The commissioners closed the meeting by bowing to the public’s wishes to pass a motion essentially informing the BLM that the county would assert its 2477 rights.<sup>57</sup> The next month the commission officially motioned to “abandon the signing of the Road Agreement” and to “continue to work on a way to identify Kane County Road rights within the Monument.”<sup>58</sup>

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<sup>56</sup> Kane County Commission Minutes, July 12, 1999, on file in Kane County offices, Kanab, Utah.

<sup>57</sup> Kane County Commission Minutes, July 26, 1999, on file in Kane County offices, Kanab, Utah.

<sup>58</sup> Kane County Commission Minutes, August 23, 1999, on file in Kane County offices, Kanab, Utah.

That August 1999 decision to renege on the roads agreement would prove to be pivotal. Although the BLM administratively determined to proceed with its management plan and close some county-claimed 2477 roads in the monument (while still leaving open nearly 1,000 miles of roads to motorized vehicles), Kane County has officially resisted the closure in the courts and on the ground. The pro-access group People for the USA urged the county commission to fight the issue in court. Even after the People for the USA disbanded in 2000 due to lack of funds, county officials and other determined individuals have directly continued to contest 2477 rights.

The county's contention that it held rights to the dirt routes and roads within the monument received a major boost in 2003 when the Department of the Interior under the Bush administration entered into a Memorandum of Understanding with the state of Utah that established a process for the Department to evaluate certain 2477 rights-of-way on BLM state land. The MOU permitted the state or any county to use the disclaimer process for "eligible roads." Governor Leavitt defended the MOU by claiming that it was high time to resolve a 30-year dispute by "an open administrative process" instead of by "a closed process decided by the courts."<sup>59</sup>

The new regulations and the MOU had plenty of critics, however, who believed that leaving the matter of 2477 claims open to administrative decision

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<sup>59</sup> GAO, "Recognition of R.S. 2477 Rights-of-Way Under the Department of the Interior's FLPMA Disclaimer Rules and its Memorandum of Understanding with the State of Utah," February 6, 2004, at [www.suwa.org](http://www.suwa.org); Michael Leavitt, "Governor Suggests 'Common Ground' Solution," *Salt Lake Tribune*, April 20, 2003, AA4.



would, in the words of SUWA attorney Heidi McIntosh, “disqualify vast, spectacular scenic territory from congressional protection as wilderness or other protective status.” Indeed, McIntosh insisted that the MOU offered loopholes that recognized valid 2477 rights without establishing the legal claim that the route was a “highway” and had been “constructed.”<sup>60</sup> A group of conservation-minded members of congress also weighed in, claiming that the regulations might be “contrary to law” and “devoid of any standards or criteria to be applied in assessing the validity of asserted claims.” Urging the secretary to suspend the disclaimer regulations, Mark Udall and 86 other members of congress acknowledged that “whether intentional or not, issuance of the Department’s new disclaimer regulations has prompted an accelerating wave of road-building expectations in many States.” Perhaps nowhere more so than in Utah.<sup>61</sup>

In 2003, emboldened, perhaps, by the softened 2477 policy, Kane County commissioners made their most daring move yet by unilaterally removing dozens of BLM signs on monument roads with limited access in defiance of the BLM’s existing transportation plan. Mark Habbeshaw, newly elected to the commission, had the signs delivered to BLM headquarters in Kanab with a note defending the county’s actions. In September, several state and county officials requested that the Interior department demote Dave Hunsaker, monument director. The

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<sup>60</sup> Heidi McIntosh, “Activist Says Governor’s Process Is Flawed, Unfair,” *Salt Lake Tribune*, April 20, 2003, AA4.

<sup>61</sup> Mark Udall, House of Representatives, to Gale Norton, Secretary of the Interior, April 16, 2003, at [www.suwa.org](http://www.suwa.org). See also GAO, “Recognition of R.S. 2477 Rights-of-Way.”

department initiated a criminal investigation of Kane County officials involved in the sign removal, but no legal action was ever taken. Two years later, in the spring of 2005, the drama escalated when Kane County officials undermined federal authority by placing their own signs on county-claimed routes within the monument. These signs, in some cases placed alongside BLM markers limiting or closing routes, invited ORV use. This time, The Wilderness Society and SUWA interceded by initiating legal action against the county for violating federal law.<sup>62</sup>

Through direct confrontation, Habbeshaw and other like-minded county officials hoped to force the BLM to play its hand by taking the county to court where a case could be made in favor of 2477 rights. The *New York Times* summed it up: “Kane County’s commissioners are in a land war with the government, claiming ownership of hundreds of miles of dirt roads, dry washes and riverbeds on the 1.7 million-acre monument and adjoining federal lands. The more vestigial rights-of-way they own, the commissioners believe, the more they can control what happens on the land around them.”<sup>63</sup> County officials continue to assert that they will not let the matter rest until the courts make a final decision. They have even refused to maintain county roads within the monument—even those uncontested by environmentalists and the federal government. This was a passive-aggressive means of getting the case heard. As Mike Noel wrote, “Moving off the

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<sup>62</sup> “Kane County Signage & RS 2477,” Earthjustice, [http://www.earthjustice.org/our\\_work/cases/2005/kane-county-signage-rs-2477](http://www.earthjustice.org/our_work/cases/2005/kane-county-signage-rs-2477) (December 17, 2010); Joshua Zaffos, “Serendipity in the Desert,” *High Country News*, January 24, 2011, 18.

<sup>63</sup> Quoted in Protecting America’s Redrock Wilderness: The Facts about R.S. 2477, no date, [www.suwa.org](http://www.suwa.org).

roads and not continuing to maintain a road that the federal court says does not belong to Kane County or the state until adjudicated was the only way to get the quiet title act case heard.”<sup>64</sup>

Although this particular strategy is unique to Kane County, the defense of 2477 claims in Kane County stands at the forefront of the fight for 2477 claims in the rural West. In southern Utah, the defense is many more times intense than anywhere else in the country. By the turn of the twenty-first century, the total number of 2477 claims pending in all western states totaled 5,132, with five thousand of those in Utah alone.<sup>65</sup> R.S. 2477 proponents argue that every two-track trail blazed on public lands prior to 1976 belongs, by definition, to the counties. Any “road” closure, then, was met with resistance. In 2008, when the BLM drafted a Resource Management Plan that would close hundreds of miles of roads in Kane County, anti-fed locals believed that the management plan had been influenced by “big environmental groups . . . whose majority of members resides in the East, have never set foot on our red earth, and . . . who want this back country to themselves.”<sup>66</sup>

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<sup>64</sup> Heidi McIntosh, “RS 2477 and the Skutumpah Debacle,” *Redrock Wilderness: The Newsletter of the Southern Utah Wilderness Alliance*, Vol. 27, No. 3 (Autumn/Winter 2010), 16-17; Brian Bremner, interview by the author, April 22, 2009.

<sup>65</sup> Christa Powell and Buck Swaney, “Divided Highway: The Politics of the Roadless Debate,” 180, in *Contested Landscape: The Politics of Wilderness in Utah and the West*, ed. by Doug Goodman and Daniel McCool (Salt Lake City: University of Utah Press, 1999). Mark Udall, House of Representatives, to Gale Norton, Secretary of the Interior, April 16, 2003, at [www.suwa.org](http://www.suwa.org), noted that Utah claimed 15,000 R.S. 2477 routes on public lands.



16. An RS 2477 claim in the Grand Staircase-Escalante National Monument. Photo copyright Liz Thomas/SUWA. As Bill Howells, executive director of the Southeast Association of Governments, has observed, “In the West, anything you can get a vehicle over is a road. In the East, anything less than gravel is not a road. And there’s not a lot of common perspective.” (Quoted in Jerry Spangler, “Battle Brews in S. Utah over Road Ownership,” *Deseret News*, April 10-11, 1990, B2).

In May 2009, a group of 300-plus all-terrain vehicle (ATV) motorists continued their long and gloried tradition of protest by driving their vehicles up Paria River canyon along a popular and well-used route that had been closed by the BLM management plan. For the county officials who participated in the protests, the closing of the Paria River route was a test case. Just what will become of this route and others now being contested by the county has yet to be determined.<sup>67</sup> Given the enormously divergent perspectives on what constitutes a

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<sup>66</sup> Mark Havnes, “Protesters Roar through Fed Lands,” *Salt Lake Tribune*, May 10, 2009.

road and who owns it, road conflicts like those in Paria Canyon seem destined to play out for many more years to come. While the 1976 legislative intent of RS 2477 had been to resolve county road ownership swiftly within a few years of the act, and despite Donald Hodel's 1988 attempt to settle the matter, 2477 claims have thus far limped sluggishly through the courts and may continue to do so well into the future. And rather than settle the issue at once, the procedure will surely be taken road by road, plausibly spawning ceaseless litigation and courtroom theatrics.

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One may step back and consider the cause of such vehemence and passion. Although this type of anti-fed anger is not uncommon in southern Utah, to characterize it as representative would be overdrawn. There is evidence that a new era of understanding and co-existence is dawning in southern Utah's capital. Monument supporters predicted in the 1990s that with time, even conservative, hard-nosed locals would come to welcome and accept the monument as their own. That may be true for some. Further, the overwhelming demographic majority that pioneer-stock Mormons have held in Kanab has slowly eroded. As Joshua Zaffos recently observed in a cover story for the *High Country News*, Kanab is now home to a world premier animal sanctuary and a growing community of wilderness lovers and other progressives. Although newcomers often create a kind of tension among old timers, in this case their presence seems to have a

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<sup>67</sup> Quoted in Zaffos, "Serendipity in the Desert," 17; Havnes, "Protesters Roar through Fed Lands."

moderating presence. Zaffos observes that “a kind of détente appears to be emerging” in “Utah’s bitter cultural wars.”<sup>68</sup>

Yet the anti-fed sentiment cannot be easily dismissed, primarily because it is interwoven with deep resentment over the perceived erosion of culture, heritage, and tradition in the rural West. The federal government and its alleged environmental allies make an easy target. In Kanab and elsewhere in the West, the storyline often goes that for generations their ancestors lived and worked on the land, often just scraping by but always making do on the endowments of nature and their own fortitude. In recent decades, they feel that that fierce independence has been unfairly tempered by an overbearing, even dictatorial federal government intent on imposing heavy-handed environmental regulations and land use restrictions. And the matter is not merely about economics. It is also about what some regard as the erosion of local culture and heritage. “New West, Old West, that’s what this is about,” said Kane County commissioner Habbeshaw. To him it is honorable to resist “New West” changes to preserve (for a short time, at least) what remains of the traditional “Old West” culture. “Are we going to eventually lose the Old West, the traditions and the culture, [and] shift towards a New West and urban life? You bet we are. But why rush to it?”<sup>69</sup>

Thus, the road—the object celebrated as a means of “progress”—has become a metaphor and sword for tradition and conservation. Roads become artifacts, reminders of the past. Far from being the means of growth and change,

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<sup>68</sup> Zaffos, “Serendipity in the Desert,” 14, 16.

<sup>69</sup> Quoted in *Ibid.*, 19.

as many generations once understood them to be, roads are now symbols of local culture and tradition that has slowly eroded over the years. The irony, of course, is that leaders of a conservative-minded town, Kanab, had for years supported industrial development that would have transformed their towns and landscapes—on the Grand Staircase, on the Kaiparowits, in the Escalante region. Indeed, locals may not entirely understand the factors influencing cultural changes in their communities. As Bill Hedden of the Grand Canyon Trust put it: “Nearly everywhere traditional economies are in decline, creating hardship, dislocation and no small amount of desperation . . . and neither [environmentalists] nor Bill Clinton did it to us.”<sup>70</sup>

From one perspective, the creation of Grand Staircase-Escalante was actually an attempt to push southern Utah and northern Arizona communities into a post-Old West era. The proclamation thus encouraged the collection of scientific, economic, and policy-related information—to consider biota within the monument and the changing nature of communities outside of it. The monument was designed to consider rural people and their communities as a part of the monument “ecosystem”—to sustain human populations while at the same time protecting natural ecosystems. Even environmentalists, happy to welcome the Grand Staircase-Escalante to southern Utah’s constellation of monuments and parks, acknowledged the need to provide in the management plan a mechanism to satisfy all these needs—economic, environmental, and cultural. To Gregory Aplet

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<sup>70</sup> Brent Israelsen, “Staircase Still Strikes Sparks Among Utahns,” *Salt Lake Tribune*, September 16, 2000.

and Pamela Pride Eaton, the challenge was to “see these communities develop in a way that helps sustain the wild character of the monument.” The communities in the vicinity of the monument, they wrote in 1997, “possess a rural character that contributes to the remoteness of the place.” The major goal ought to be to find a way to meet these community’s needs without seeing them become “overdeveloped, commercialized gateways.” In formulating a policy that would protect the environment and the human presence on the land, the Wilderness Society suggested considering the impacts of human beings on the land—the impacts of hunting on wildlife, cattle on cryptobiotic soil, water management on floods, roads on vegetation—and their role in the broader ecosystem.<sup>71</sup>

Yet in advancing the position that the monument may serve as an acceptable “middle” ground where people, animals, and wildness exist in harmony, environmentalists either underestimated or dismissed the major cultural forces that contributed to its opposition. Many likely assumed that when locals learned of the material gains that could be had from the monument, they would happily embrace it. It is not, however, a simple matter of economics. The Kane County road debates centered not merely on the economic value of access but on the cultural and historical meaning of roads. The road itself did not matter as much as the freedom that the road represented. Locals had become accustomed to

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<sup>71</sup> Gregory Aplet and Pamela Pride Eaton to A. J. Meredith, October 29, 1997, File: UT:BLM:GSENM:TWS Management Plan Project, Box 26, Wilderness Society Four Corners Regional Office Records. See also Internal Discussion Draft, “Shaping the Future of the Grand Staircase-Escalante National Monument, Utah: A Project of The Wilderness Society,” File: UT:BLM:GSENM:TWS Management Plan Project, Box 26, Wilderness Society Four Corners Regional Office Records.



moving about the landscape as they pleased. Many attributed the freedom of the road with family, home, and community. These roads enabled fathers and grandfathers to take their children camping or hunting. The road, then, bridged generational gaps. In response to the idea that some roads ought to be closed to motorized traffic but open to foot traffic, Bruce Bolander of Irving, California, stated “many people can’t do that. I have chronic sciatica now and I can’t do it. Our parents (in their 80s) and our kids (as young as two) have made these trips and wouldn’t have been able to see this great country close-up any other way.”<sup>72</sup>

Locals convinced that the monument designation was an abuse of presidential power would also acknowledge that this heavy-handedness and the closure of local “roads” had a degrading effect on local heritage and culture. Local Mormons in southern Utah believed that their ancestors had settled in the “outposts” of the West to flee perceived federal oppression. Utah Representative Thomas V. Hatch and Garfield County Commission D. Maloy Dodds referred to Brigham Young (“a visionary leader”) who directed the settlement of southern Utah “where they could make their own decisions and practice a lifestyle sacred and peculiar to them.” The monument creation was a continuation of this government oppression that had included a war against the United States in 1857 and federal legislation in the 1880s designed to stamp out the practice of plural marriage and the Mormon Church’s iron grip on politics in the Utah Territory. To Hatch and Dodds, President Clinton “wiped out economic freedom from southern

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<sup>72</sup> Bruce Bolander, “Keep All of Our Trails Open,” *Southern Utah News*, January 2, 2008.

Utah,” permanently altering the “home” that had been a shelter for Mormons for nearly 150 years.<sup>73</sup>

To anti-monument locals, management of the monument had also obscured this human heritage. The official monument map handed to tourists by the BLM shows only the main, well-used roads. It details the handful of roads open to travel and omits the rest, giving a flawed impression that movement within the monument is orderly. By design perhaps it is, but there is an extensive underworld of roads and trails (often no more than rut marks) that have yet to be reclaimed to the grass and brush. What are we to believe about these? Are we to think anything at all about them, consider their original purpose, or perhaps future utility? The BLM and the environmental community claim that they no longer serve any useful purpose either as artifacts nor as practical design; that the land’s highest and best use is to revert back to the “natural” landscape. Locals, in contrast, insist that obscuring these roads on official monument maps puts visitors in danger of losing their way or taking a wrong turn in a twisted and brutal landscape. The landscape that appears comprehensible, even friendly, on the maps is in fact chaotic, disorganized, and dangerous. The roads themselves, like the landscapes they traverse, are random, uneven, rough. Seeing the landscape in this way is more than practical, however; it is two different ways of perceiving the world: the one eco-centric, the other anthropocentric—both perhaps idealized, an amalgam of reality and imagination. When these two perspectives collide, as

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<sup>73</sup> Thomas V. Hatch, Utah Representative, and D. Maloy Dodds, Garfield County Commissioner, “What has Happened in America,” *Southern Utah News*, September 25, 1996.

shown in this and previous chapters, the effect can be explosive and longstanding. Even when (if ever) the courts issue a final ruling on RS 2477 in the monument, these cultural divisions will persist. As debates grounded in history, culture and heritage, they have deep and abiding roots.

Environmentalism may be partly to blame for these divisions. In an article published in Jim Stiles' *The Canyon Country Zephyr* in 2006, Loch Wade of Boulder, Utah, blamed the animosity on the environmental movement's alienation of the "working and peasant classes." Instead of forming close ties to the blue-collar working class, environmentalists pursue a legal and political course that alienates people from the very individuals who "stand to benefit the most from environmental justice." He pointed specifically to the "debacle" in Kane County over roads and the environmentalists' aggressive lawsuit and threats against the county for posting signs within the monument. "By working in channels of power, instead of at the grass roots level," writes Wade, "the green movement has allowed the political right to fill the vacuum by cynically appealing to the emotional sensitivities of the working poor, who have come to see the reactionary conservative movement as the protector of their rights and way of life." Wade argues that the environmental movement ought to pursue a "pragmatic" strategy that supports the lower economic classes instead of embracing the attitude that they are collateral damage in the quest to preserve nature. "This will mean that in some cases, humans will have to come first," Wade notes. "But if this pragmatism is based on a willingness to strike a balance that moves towards overall sustainability, then there is a chance for rapprochement between the greens and

working people. Such an alliance, in my view, is the green movement's only hope for lasting victory."<sup>74</sup>

This has, of course, long been a complaint lodged against environmentalism, and the charges seem particularly true in the case of Utah's largest home-grown environmental organization. In another article in the same issue of *The Zephyr*, Stiles writes about SUWA's huge "war chest" (accumulated from a few wealthy donors) but declining membership. The main mission is to work to pass a 9.3-million-acre BLM wilderness bill, an issue that above all alienates the rural poor from the good work of environmental organizations. But Stiles notes that many other "environmental" issues need to be addressed, ranging from urban and suburban development and its impact on sensitive ecosystems to a new proposal to build a controversial water pipeline from Lake Powell to St. George. SUWA, a wilderness advocacy group, would not be expected to be active in urban and suburban issues, water pipelines, and working class justice. Yet the argument may still be valid—that environmentalists have lost (or failed to attract) natural allies in the rural and working-class West by not addressing these broader environmental and social issues.<sup>75</sup>

Further, it may be possible for environmentalists to convince rural westerners that what is environmentally healthy for the land is also good for local culture, tradition, and jobs. In 2010, Utah Governor Gary Herbert approved a

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<sup>74</sup> Loch Wade, "The Stagnation of the Environmental Movement," *Canyon Country Zephyr*, April-May, 2006, 4.

<sup>75</sup> Jim Stiles, "Take It or Leave It.....," *Canyon Country Zephyr*, April-May, 2006, 2-3.

permit for a coal mine near the small town of Alton, just ten miles from Bryce Canyon National Park and not far from the northwestern edge of the Grand Staircase-Escalante. Whereas the earlier Andalex mine would have been underground, this would be Utah's first-ever strip mine, exposing an ugly scar next to what actor and environmental activist Robert Redford calls "an iconic landscape." To Redford, here is a case of Utah's shortsightedness in acting against its better self interest. Not only is the health of wildness at stake, so are jobs. "We could continue to pretend these fights are about jobs versus the environment. But the truth is that beautiful wild places like Panguitch support vibrant tourism industries which mean jobs."<sup>76</sup>

Wilderness advocates and environmental activists need to make this argument while at the same time recognizing and legitimizing the deeply held cultural feelings that many southern Utahns have for the land. When all southern Utahns equate the health of the land with the health of their communities and the revitalization of local culture and heritage, then they may begin to see wilderness advocates as allies instead of ideological enemies—and they may truly be in a position to reclaim their heritage. Until then, we can expect to hear more about the obstinacy of Kane County officials for years to come.

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<sup>76</sup> Robert Redford, "Utah Approves a Mine Next to Bryce Canyon for Coal America Doesn't Need," *Huffington Post*, December 14, 2010, [http://www.huffingtonpost.com/robert-redford/utah-approves-a-mine-next\\_b\\_795955.html](http://www.huffingtonpost.com/robert-redford/utah-approves-a-mine-next_b_795955.html) (December 14, 2010).

## EPILOGUE

### A FRACTURED LANDSCAPE

If we step back from the place-based case studies and take a broader perspective of the region, some broad generalizations begin to emerge. From an elevated vantage point, the lay of the land comes into view—a vast region with mesas, plateaus, and mountains that protrude like islands within a sea of sand, rock and canyon gorges. It is a land of contrasts, with colors and forms so varied that no generalized description is possible. To some observers, this region is a last bastion of the wild and primitive. The beauty and spaciousness and uniqueness of the landscape inspires passionate defense. Despite common perception, however, the plateau country is not virgin territory. Indeed, human markings—roads, perhaps above all—abound. Roads are ubiquitous, even in this region. They appear in nearly every location imaginable—crisscrossing desert expanses, persisting up rocky mesas, creeping along the bottoms of river gorges. The actual paved roads that appear on a highway map may be relatively few—invoking the image of vastness and roadlessness—but in fact the human presence and impact are unmistakable. Any local or county map would show this: roads in a web-like pattern, running in all directions, sometimes connecting points, sometimes not. The idea of the plateau region as a physically and ecologically fractured landscape derives, in part, from the actual imprint of all of these roads in the area.

Yet the plateau region is fractured in another metaphorical sense, as it is gripped in seemingly endless and endemic conflicts over values, beliefs, and

ideas. I have argued that the environmental conflicts of the last four decades on the Colorado Plateau have been *primarily* irreconcilable, driven by polarizing factions intent on stamping a particular ideology on the landscape. The physical fracture directly correlates to the metaphorical fracture because numerous alterations to the built environment over the last forty years were the result of debating, wrangling, arguing, and contesting values and ideas. The casual observer might not know this, however; it would not be immediately apparent that the roads above Negro Bill Canyon WSA were the site of protest during the BLM wilderness study process, or that the semi-paved Burr Trail had once been the subject of perhaps Utah's most volatile environmental conflict.

These divisions have continued to persist, and I would argue that conflict in the region today continues to be driven in part by ideology. The region is still enveloped in an unhealthy culture of distrust and resentment toward "the other," a dig-your-heels-in bunker mentality that has enabled the conflicts already addressed in this study. However ideological, these conflicts are not static; they have developed in a specific region during a specific time over specific issues. As circumstances change and as new issues develop, conflicts in the region may become less divisive. There is abundant evidence that this has already begun to happen; despite the continued, seemingly timeless challenges of balancing industrial and recreational development and environmental preservation in a desert landscape, it may be possible, as we shall see, to have cordial and productive conversations that move beyond deadlock and ideological obstinacy.

How these conflicts have evolved over time and in pockets of the region has been the subject of this study. To assess where we are headed and take a look at the future of any possible resolutions requires returning from our elevated perch to one more particular location within this landscape. Thus, before reflecting on the case studies just presented, we will take a detour off the main road to a popular side canyon in San Juan County, Utah, to examine a relatively new road issue that is currently dividing the West in two. Finally we come full circle, ending where we began, not far from where the Hole-in-the-Rock pioneers passed through and where Edward Abbey covertly sabotaged road equipment on U-95.

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Perhaps at first glance, Arch Canyon appears as an ordinary side canyon of Comb Wash, which empties into the San Juan River. But in fact, Arch Canyon is considered by locals and visitors alike as a rare gem. Near the canyon's mouth is Arch Canyon Ruin, a major Ancestral Puebloan site. For those who made this dwelling home between 700 and 1,000 years ago, it afforded close proximity to the slow-flowing, perennial stream and fertile soils of the canyon bottom. Follow the canyon further to encounter more evidence of ancient habitation. Seemingly, around every turn is a new and delightful site, some near the canyon bottom, others situated higher up on the canyon walls. Farther up still are the stately natural sandstone formations of Cathedral Arch, Angel Arch, and Keystone Arch. After completion of U-95 in 1976, Arch Canyon became even more accessible, located by dirt road only a few miles from the highway. It should not seem surprising, then, that this enchanting, easily accessible place attracts people.



The canyon is dually managed by the BLM in the lower, easier-to-access canyon and by the Forest Service in the upper canyon all the way to the Abajo Mountains. Their specific challenge is to manage a place with a long history of use, one that is contested by many interests who similarly value the canyon but advocate different ways of managing it. This dynamic of use versus preservation has been present for at least four decades in Arch Canyon. This story is worth telling because it highlights the evolution of a relatively recent type of controversy in the Canyon Country—off-road (ORVs) and all-terrain (ATVs) vehicles. In the twenty-first century, off-road vehicles have a pervasive presence on the land, presenting threats to the land’s integrity, challenges to land managers, and flashpoints of contention.

The BLM has played an active but inconsistent role in managing vehicle access in Arch Canyon, at times proposing limited access and other times recommending full vehicle access to the canyon. In 1973, in its South San Juan Management Framework Plan, the BLM decided to close the canyon to off-road vehicles to protect resources.<sup>1</sup> Despite being implemented, the decision to close the canyon to vehicles seems to have been weakly enforced—although according to William Browning of Salt Lake City, from at least 1972 to 1976, a fence at the mouth of the canyon blocked vehicle access.<sup>2</sup> Whatever the barriers to entry into the canyon, off-road motorists were traveling up the canyon increasingly by the

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<sup>1</sup> Scott Groene, Attorney, SUWA, to James Parker, State Director, BLM, November 3, 1989, in BLM field office, Monticello, Utah.

<sup>2</sup> Affidavit of William Browning in Opposition to San Juan County, no date [circa 1990], in BLM field office, Monticello, Utah.

late 1970s. A 1978 BLM report noted that the canyon was “receiving increased ORV traffic approximately five miles from the mouth of the canyon,” which contributed to the erosion of the hillside below Arch Canyon Ruin. BLM employee Fred Blackburn recommended indefinitely closing Arch Canyon to vehicles.<sup>3</sup> But the damage sustained was more than the hillside; in 1979 BLM rangers noted “extensive ORV tracks” for six miles up the canyon and noted “pot holes dug either earlier this year or last year near [the] mouth of Arch Canyon in a large ruin area.”<sup>4</sup> According to William R. Haase of the Utah Chapter Sierra Club, the damage from ORV use was extensive in Arch Canyon compared to disturbance in adjacent Mule Canyon, which in its upper reaches remained “absolutely pristine and contains no evidence of modern man.”<sup>5</sup>

The practice of illegally disturbing ancient Indian sites like those in Arch Canyon was then becoming widespread. In 1979 and 1980, the BLM’s Kane Gulch Ranger Station documented dozens of incidents of vandalism in the San Juan area, noting “heavy vandalism” and “fresh diggings.” The official incident report observed vandalism “to be very Blatant, and becoming more numerous

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<sup>3</sup> Fred Blackburn, BLM, Staff Report, June 11, 1978, Folder 3, Box 8, Series III, MSS 148, Papers of the Utah Chapter of the Sierra Club, Special Collections and Archives, Merrill-Cazier Library, Utah State University, Logan, Utah.

<sup>4</sup> U.S. Department of the Interior, BLM, Moab District Office, San Juan Resource Area, Kane Gulch Ranger Station, Incident Report, Incident No. GG-79-45, Cedar Mesa, August 12, 1979, Folder 3, Box 8, Series III, Sierra Club Papers. See also Jerry W. Ballard, Outdoor Recreation Planner, BLM, Staff Report, May 19, 1980, Folder 3, Box 8, Series III, Sierra Club Papers.

<sup>5</sup> William R. Haase, Public Comment Sheet, Unit No. UT-060-205, Mule and Arch Canyons, no date, Folder 3, Box 8, Series III, Sierra Club Papers.

especially in locations close to Blanding.” At Cedar Mesa, the BLM report stated that the “[a]rea has had increased ORV Travel resulting in impacts to environment and Archaeology.” At one location, the BLM personnel followed motorcycle tracks veering off beyond the dead end of a narrow road to a small dwelling site that had been vandalized for its treasures. “Of significance here is that motorcycles may be being used to comb wide areas of land for archeological sites,” wrote the BLM employee. “This abuse of ORVs may be of consideration in the ORV planning and designations of areas where site densities are high.”<sup>6</sup>

These incidences suggest the problems that ORV use presents to land managers. By definition, ORVs veer off the designated road, using their small frames and specifically tailored gears to maneuver over and around some of the roughest places on the planet. In fact, no road construction equipment is necessary; these vehicles simply push the road farther on—beyond to new places that even road builders had not gone. The ORVs, quite literally, extend the road. The tracks of off-road vehicles are not light, especially on the fragile soils of the desert. The markings extend out like tentacles, suggesting anew the potential for road building in the West.

Critics of increased ORV use on public lands also point out that motorized recreation in the backcountry is a lazy way of experiencing nature. Edward Abbey produced a most searing critique in a letter directed to the editors of *Esquire*

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<sup>6</sup> See U.S. Department of the Interior, BLM, Moab District Office, San Juan Resource Area, Kane Gulch Ranger Station, Incident Reports, 1979-1980, Folder 3, Box 8, Series III, Sierra Club Papers.

*Magazine* in 1976. ORVs were “a goddamned plague,” he wrote. Of the people who use them, he wrote:

The fat pink soft slobs who go roaring over the landscape in these oversized over-priced over-advertised mechanical mastodons are people too lazy to walk, too ignorant to saddle a horse, too cheap and clumsy to paddle a canoe. Like cattle or sheep, they travel in herds, scared to death of going anywhere alone, and they leave their sign and spoor all over the back country: Coors beercans, Styrofoam cups, plastic spoons, balls of Kleenex, ~~and~~ wads of toilet paper, spent cartridge shells, crushed gopher snakes, smashed sagebrush, broken trees, dead chipmunks, wounded deer, eroded trails, bullet-riddled petroglyphs, spray-paint signatures, vandalized Indian ruins, fouled-up waterholes, ~~and~~ polluted springs, and smouldering campfires piled with incombustible tinfoil, filtertips, broken bottles. Etc.

Abbey then castigated federal land managers for “doing far too little” to “stop this motorized invasion of what little wild country still remains in America.”<sup>7</sup>

If Abbey unfairly characterized all ORV users, he hinted rightly at the enormous challenge they present to land agencies charged with protecting the resources of the public lands. Roads are tidy; they can be followed and tracked, connecting point to point. ORV tracks, conversely, wind around, over, and through, weave across the land in erratic marks like a pattern on a crazy quilt. These kinds of “roads” are not the products of careful planning to move from one point to another. Rather, they are the imprint of impulse, of humans’ drive to seek out a new place beyond the next ridge or around the next canyon bend. This is not to say that ORVers do not or cannot follow existing routes, but it would seem that the impulse to discover and even conquer is not easily repressed. As one of the

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<sup>7</sup> Abbey to Editors, *Esquire Magazine*, New York, September 11, 1976, Folder 10, Box 3, MS 271, Papers of Edward Abbey, Special Collections, University of Arizona, Tucson.

BLM staffers noted in May 1980 regarding a patrol of Alkali Ridge in San Juan County, “a great number of new roads that have been developed in the area . . . made it difficult to see if there was any new archaeological vandalism in the area.”<sup>8</sup>

Some environmentalists opined that new motorized tracks in Arch Canyon and elsewhere in the county had been created with sinister motives. Brian Beard of the Utah Chapter of the Sierra Club alleged that San Juan County officials had instructed people to “dig in ruins” and “drive four wheel vehicles to establish roads” in an effort to damage the wilderness characteristics of these areas so they could not be set aside for protection. He and other environmentalists petitioned BLM District Manager S. Gene Day to close Arch Canyon, pursuant to Executive Order 11989, directing land managers to “immediately close such areas or trails to the type of off road vehicle causing such effects.”<sup>9</sup>

The BLM response to Beard in no way complied with the request to close the canyon to vehicles. BLM personnel reported that “the road follows the drainage bottom the entire length of the canyon,” and that “[t]ravel through the canyon appears to be extremely light.” In fact, ORV traces were so minimal, the agency said, that vegetation had begun to grow back along the road bed due to little use in the spring and summer of 1979. Day, the district manager, refused to

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<sup>8</sup> Jerry W. Ballard, Outdoor Recreation Planner, BLM, Staff Report, May 19, 1980, Folder 3, Box 8, Series III, Sierra Club Papers.

<sup>9</sup> Brian Beard, President, Utah Chapter of the Sierra Club, to Gene Day, District Manager, BLM, May 17, 1979; “Destruction of Arch Canyon,” Utah Chapter Sierra Club Newsletter, no date; both documents in Folder 3, Box 8, Series III, Sierra Club Papers.

budge—the canyon would remain open to ORV use. A member of the Utah Chapter Sierra Club speculated, “Perhaps, BLM plans to turn Arch Canyon in to a[n] ORV play ground prejudice their eyes into seeing only ‘slight damage.’”<sup>10</sup>

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To get a sense of just what an ORV playground looks like, visit the annual Jeep Safari in Moab or one of Jeep Jamboree USA’s events held throughout the country. Every year since 1967, hundreds of ORV enthusiasts have converged during these weekends in the Mecca of ORV use—Moab, Utah—to drive their vehicles along designated routes in the redrock backcountry. The Jeep Jamboree USA, sponsored by Jeep-Chrysler to “access the inaccessible,” holds events in out-of-the-way places throughout the country, but a good number occur in southern Utah. In 1989, Jeep-Chrysler held its first annual jamboree in San Juan County’s Arch Canyon.

The advertised event did not go unnoticed by environmentalists disquieted about the impact of the ORV use in the canyon. Prior to the Jamboree, the Southern Utah Wilderness Alliance called the BLM office and requested a copy of the environmental assessment (EA) done for this large gathering of ORVs, but they were told that the event would be “categorically excluded” from environmental review. After being pressured to complete the assessment, the BLM released the EA on March 28, 1989, three days before the scheduled event. SUWA then requested a stay of the event to force the BLM to hold the outing “in

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<sup>10</sup> Letter to Rocco Dodson, Sierra Club Legal Defense Fund, September 6, 1980, Folder 3, Box 8, Series III, Sierra Club Papers.

a non-riparian area,” which the BLM refused to do. Thus, 100 jeeps congregated as planned for the first annual Arch Canyon Jeep Jamboree.<sup>11</sup>

SUWA refused to let the matter rest and appealed the decision of the BLM. The United States Department of Interior Board of Land Appeals (IBLA) determined on October 12, 1989, that the BLM had improperly permitted the jamboree to be held. The IBLA also ruled that the BLM had not properly validated county 2477 rights-of-way claims. Based on this decision, Scott Groene of SUWA concluded that the BLM was responsible to actively correct ORV misuse in the canyon, and he echoed what Brian Beard of the Sierra Club had recommended ten years earlier: “to inform the public that motorized vehicles are no longer allowed there by placing signs at the mouth of the canyon, and perhaps initially patrolling the area on heavy use weekends. The BLM has created this problem and now must take steps to solve it.”<sup>12</sup>

Although the BLM field office believed that it had authority to validate county-asserted 2477 claims, the IBLA decision clearly stated that the BLM had the obligation “to define and determine” the county right-of-way before permitting its use on the basis of county assertion. Even after the decision, however, the BLM continued to operate as though the county had a legal right-of-

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<sup>11</sup> Groene to Parker, November 3, 1989; February 23, 1990, document, in BLM field office, Monticello, Utah.

<sup>12</sup> Groene to Parker, November 3, 1989; Michael F. Heyrend, Staff Council, SUWA, Jane Leeson, Utah Representative, WS, and Rudy Lukez, Conservation Chair, Utah Chapter Sierra Club, to Gene Nodine, District Manager, BLM, February 23, 1990, in BLM field office, Monticello, Utah.

way to Arch Canyon road when, in fact, this claim had yet to be properly decided.<sup>13</sup>

To cover its bases, pursuant to the IBLA ruling and in anticipation of a 1990 jamboree in Arch Canyon, the county filed materials with the BLM for consideration of 2477 status. Once again, SUWA contested the adequacy of the county's 2477 application and otherwise demanded that the BLM take action to close the canyon to ORV use and deny Jeep Jamboree a 1990 permit. The BLM district manager, Kenneth Rhea, responded that under Interior Secretary Donald Hodel's policy the BLM had full authority to make a "factual" determination as to whether Arch Canyon road satisfies the following provisions: (1) land is public land, (2) construction occurred, and (3) is considered a public road.<sup>14</sup> Meanwhile, locals mailed letters with the hope of convincing the BLM that the road met these criteria. Calvin Black even wrote in, saying that he had used the road for multiple purposes several times a year since 1959 and that "I have personally used a shovel and picked and rolled rocks out of the way through the years and have removed trees occasionally as they have fallen across the road."<sup>15</sup> Still, environmentalists

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<sup>13</sup> Heyrend, et al., to Nodine, February 23, 1990, in BLM field office, Monticello, Utah.

<sup>14</sup> Kenneth Rhae, District Manager, BLM, to Michael Heyrend, SUWA, March 9, 1990, in BLM field office, Monticello, Utah.

<sup>15</sup> Calvin Black to Ed Scherick, Bureau of Land Management, January 25, 1990, in BLM field office, Monticello, Utah. See also Cleal Bradford, Executive Director, White Mesa Ute Council, to Dan J. Gliniecki, Manager, Chrysler Motors Corporation, March 23, 1990; Statement by Lynn F. Lyman of Blanding, Utah, November 28, 1989, in BLM field office, Monticello, Utah.



scored a victory when Jeep Jamboree announced that it would cancel the event at Arch Canyon and move it to a less sensitive area.

Nonetheless, the canyon would not be spared from dozens of jeep tire scars, for a roughly organized group of jeepers showed up anyway on the same weekend the jamboree was scheduled. Twenty-five jeeps congregated at the mouth of Arch Canyon with drivers intent on riding up the canyon in direct violation of the BLM's dictate to close it while awaiting a final 2477 determination. The man who would observe and report the offending motorists was none other than SUWA attorney Michael Heyrend who was there anticipating a quiet weekend of backpacking in Arch Canyon. No sooner had he started up the canyon by foot, he heard the roar of motors. Rushing back to the gate at the canyon's mouth, he witnessed the vehicles in a row, revving up for entry. "It looked like Patton's army," he recalled. Heyrend confronted the motorists: "This is closed to off-road vehicles . . . Legally you guys can't go up." After learning that none of the jeepers had permits for entry, he further insisted. "Watch us," was the reply, as they proceeded past him. "The people who were going up the canyon were very hostile to me—their facial expressions, they muttered, that kind of thing. . . . I felt like a civil rights worker in 1962 in Selma, Alabama," he relayed. He did manage to write down some of the license plate numbers as the vehicles drove by. Several days later, when he returned to his car, he found a t-shirt with an obscene drawing of a man in hiking boots. The note accompanying the shirt

read: “With Our Compliments. We could have used your tactics & Screwed your Vehicle Up.”<sup>16</sup>

Later Ken Rhae referred to the ORVers as “just a bunch of people who apparently go together . . . up the canyon.” Since it was not a commercial outing, Rhae supposed that no charges would be made.<sup>17</sup> Incensed, BLM District Manager Gene Nodine took a different stance. “Here we’ve been doing our utmost to cooperate, and [get] everybody to be a partner in the whole thing. Then we find out that this particular incident has taken place.” He stated that the individuals who participated in the incident could be charged, although apparently no charges or citations were ever made.<sup>18</sup>

After 1990, resolution of the conflict over motorized use in Arch Canyon remained in abeyance. The BLM confirmed the county’s 2477 rights to the Arch Canyon road on the basis that the limited construction work on the road had been sufficient and that the road had been open for public use prior to 1976. BLM area manager Edward Scherick signed the administrative decision on April 30, 1990, which stated: “the road asserted by San Juan County, known as the Arch Canyon road, is a valid use of the public lands.” SUWA appealed the 2477 decision, and

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<sup>16</sup> “Four-Wheel Drives Overrun Arch Canyon,” *SUWA Newsletter*, Vol. VII, No. 1, Winter/Spring 1990, 1, 3-5; Joseph Bauman, “Who is Forcing Wilderness Issue,” *Deseret News*, April 13, 1990, A7.

<sup>17</sup> Joseph Bauman, “Environmentalists Angry at Renegade 4-Wheelers Driving up Arch Canyon,” *Deseret News*, April 11-12, 1990.

<sup>18</sup> Joseph Bauman, “Charges are Possible against 4-Wheel-Drive Group, BLM Chief Says,” *Deseret News*, April 12-13, 1990.

the IBLA determined to suspend the 2477 status until the Department of the Interior developed a R.S. 2477 policy.<sup>19</sup>

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The issue of road jurisdiction resumed in 2004 when the BLM rejected a multi-year permit for jeep jamborees in Arch Canyon. But Lynn Stevens, a San Juan County commissioner and the state coordinator of the Utah governor's Public Lands Policy Coordinating Office, defied the BLM by leading the jamboree up the canyon anyway. The BLM reversed course and granted the permit, which was



17. Illegal ORV ride up Arch Canyon, with peaceful protesters. Photo copyright Liz Thomas/SUWA.

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<sup>19</sup> BLM, Administrative Decision, April 30, 1990, BLM Field Office, Monticello, Utah; BLM Rules Arch Canyon Road Remains Open, Despite Protest," *Times-Independent*, May 3, 1990; Lawson LeGate, "'Public Road' is a Jeep Trail," *Deseret News*, June 19, 1990.

then appealed by environmentalists. The permit wound its way through a maze of legal procedures and in the end was remanded back to the BLM.<sup>20</sup>

In 2006, the BLM issued a five-year permit to hold Easter Jeep Safari events in Grand and San Juan counties. Arch Canyon, previously the setting for the Jeep Jamboree, had now been opened up to the Jeep Safari sponsored by the Red Rock 4-Wheelers of Moab, Utah. Dan Kent of Red Rock Forests, an environmental group, vented, “It really makes a mockery of the BLM’s statements that they’re trying to take care of the land and make things better when they go and open the Jeep Safari to new routes. Arch Canyon is a unique and valuable place biologically, and for them to go and dump a big event like this into such a pristine area is just a sham. It’s beyond the pale.” The BLM claimed it carefully reviewed the Jeep Safari proposal, evaluated all the trails in the San Juan County for consideration, and ultimately determined that Arch Canyon would be a suitable site for the outing. BLM Monticello Field Office manager Sandra Meyers remarked, “We studied it very hard and we feel we made the right decision. We care very much, but we are a multiple use agency.”<sup>21</sup>

SUWA attorney Liz Thomas appealed to the BLM once again in October 2006 to close what she called the Arch Canyon “ORV ‘route’” after it sustained damage from high floods. Thomas pointed out that at least in the lower portion of

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<sup>20</sup> Reply, San Juan County, April 20, 2004, in BLM field office, Monticello, Utah.

<sup>21</sup> Quoted in Lisa J. Church, “BLM Renews Red-Rock 4-Wheelers’ Jeep Safari Permits,” *Times-Independent*, no date, [http://www.moabtimes.com/view/full\\_story/66793/article-BLM-renews-Red-Rock-4-Wheelers--Jeep-Safari-permits](http://www.moabtimes.com/view/full_story/66793/article-BLM-renews-Red-Rock-4-Wheelers--Jeep-Safari-permits) (March 7, 2011).

the canyon which she had observed, the flood waters had “essentially obliterated” the trail. She even argued that the ORV ruts made the flood worse than it would have been, pointing to the “deep trenches, gullies and ledges that resulted as flood water was channeled down these linear tracks.” Without the aid of a clearly defined route, she argued, ORV users attempting to maneuver up the canyon posed a threat to the environment and to themselves. Because the contemporary San Juan Management Resource Plan Arch Canyon limited motorized vehicles “to designated routes,” and because the BLM had yet to officially designate a route in the canyon, Thomas urged the Monticello Field Office to close the route to vehicle traffic.<sup>22</sup>

In response to Thomas’s request, the BLM sent personnel to the canyon to inspect the road to determine “what needed to be done.” Meyers concluded that the flood event did not warrant an emergency closure. Rather, she decided to post closure signs and barriers where some vehicles had “detoured” to maneuver around the deep incisions created by the flood along portions of the road. The BLM field office manager also allowed local volunteers to reconstruct the “original route.” On November 18 and 25, 2006, members of San Juan Public Entry and Access Rights (SPEAR) and other locals repaired road damage from the storm using shovels, picks, and other tools to remove debris and rock from the

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<sup>22</sup> Liz Thomas, SUWA, to Sandy Meyers, Manager, BLM Monticello Field Office, October 13, 2006, in BLM field office, Monticello, Utah.

road's bed. BLM personnel joined in the road work, posting signs and barriers where ORV users had veered from the main road.<sup>23</sup>

Rejecting the BLM response as entirely unacceptable and seeking a ban on motorized recreation in Arch Canyon, SUWA filed its 400-page "Petition to Preserve Arch Canyon's Natural and Cultural Heritage" in December 2006. Mustering support from tribal leaders and local business owners, conservationists argued that ORV use in the canyon threatened both cultural resources that were significant to the Navajo and Hopi tribes and the integrity of the natural ecosystem. According to the petition, ORV users targeted Arch Canyon "for use in ORV events," contributing to the development of new routes "along the stream and to archaeological sites" and threatening "prehistoric middens along the way."<sup>24</sup> Given the threat of new routes and potential damage to more ancient artifacts, environmentalists urged the BLM to close the canyon to motorized use. As Liz Thomas of SUWA stated, "there are thousands of miles of ORV routes in southern Utah located in less sensitive areas where ORV use may be appropriate. But some special places should be protected."<sup>25</sup>

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<sup>23</sup> Sandra Meyers telephone conversation with Liz Thomas, October 19, 2006; Sandra Meyers to Liz Thomas, December 19, 2006, in BLM field office, Monticello, Utah; "S.P.E.A.R. Sponsors Road Repair Efforts in Beautiful Arch Canyon," *San Juan Record*, November 29, 2006, 2.

<sup>24</sup> SUWA, "SUWA: BLM Ignores Request to Protect Arch Canyon," *San Juan Record*, March 21, 2007; "Petition to Preserve Arch Canyon's Natural and Cultural Heritage," December 2006, iii-iv, available at [http://www.suwa.org/site/DocServer/Arch\\_Petition\\_final\\_reduced.pdf?docID=861](http://www.suwa.org/site/DocServer/Arch_Petition_final_reduced.pdf?docID=861) (March 7, 2011).

In 2007, the BLM denied SUWA's petition. Disappointed, Scott Groene, also of SUWA, remarked, "The BLM has done a terrible job of managing this canyon. They've allowed it to be over-run with off-road vehicles and jeeps in a way that has smashed down streamside vegetation, [and] led to pollution of the water."<sup>26</sup> In February 2010, however, the BLM agreed to reconsider the petition to assess the effects of motorized vehicle use in the canyon and issue a new decision regarding motorized use in Arch Canyon. In the official review of the petition, the BLM decided to keep the route open to motorized vehicles, although the report acknowledged that "a large increase in ORV use beyond the current levels in the Canyon could pose future risks" to the resources of Arch Canyon. The BLM outlined steps that would be taken to "prevent those possible future risks from occurring," including close monitoring of motorized use in the canyon.<sup>27</sup>

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The story of Arch Canyon reveals both the challenges and the promises of land management in the plateau region today. At first glance, the conflict over access and land use in Arch Canyon reads like the others explored in this study: two

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<sup>25</sup> John Hollenhorst, "Petition Filed to Ban Vehicles in Arch Canyon, Near Blanding," December 26, 2006, copy of article in the BLM field office, Monticello, Utah.

<sup>26</sup> "SUWA: BLM Ignores Request to Protect Arch Canyon," *San Juan Record*, March 21, 2007.

<sup>27</sup> Decision Record on Southern Utah Wilderness Alliance "Petition to Preserve Arch Canyon's Natural and Cultural Heritage," October 13, 2010, available at [http://www.suwa.org/site/DocServer/archCanyon\\_BLMDecision.pdf](http://www.suwa.org/site/DocServer/archCanyon_BLMDecision.pdf) (November 29, 2010).

opposing, loggerhead sides largely unwilling to bend or even to reach a compromise. Even the options seem diametrically opposed—either close the canyon to motorized use or open it to motorized use. Furthermore, ORV use seems to exacerbate the conflicts. ORVers tend to line up on one side of the cultural spectrum and demand the right to access; driving these machines as a symbol of freedom and Americanness. On the other side, critics argue that ORV use is a lazy and environmentally destructive way to enjoy nature, and that indeed true freedom and Americanness is experiencing nature without being confined to a machine. These are two philosophical positions regarding how to experience wild places, and they both make their way into debates over public land access and use.

Indeed, the proliferation of ORV use on public lands suggests a new road-related management problem. ORV and ATV use is a blending of the so-called Old West and the New West. It is a form of mass recreation that complements nicely the tourist economy of the New West. But it is also a pursuit enjoyed by traditional land users who have long valued mobility in a rough and broken country. Their vehicles allow them to traverse the untraversable, to view the country how they want to, unfettered by the confines of a road. In other words, this horse on wheels is here to stay. Contrary to Edward Abbey's prediction in 1976 that "the coming and inevitable day of gasoline rationing . . . will retire all these goddamned ORVs and 'escape machines' to the junkyards where they belong," the ORV and ATV have not only grown up with the modern West,



playing an integral role in its transformation, but have steadily increased in popularity.<sup>28</sup>

Because ORV and ATV use is a blending of the Old West and the New West, the sides of the debate between permitting ORV use on public lands and restricting or banning ORV use are not so clearly defined. Development-minded southern Utah residents have widely embraced this form of recreation, but it is also a form of transportation in the canyon country that has a long history among people generally opposed to road construction. SUWA contested jeep safari events held on public lands, but, at least according to Ken Davey writing in the *Canyon Country Zephyr*, local environmentalists in Moab welcomed the events to their community. As Davey reasoned, “The Safari has always stressed the importance of responsible land use, and by publicizing the beauty of the region, it tends to promote preservation of undeveloped canyons.” Besides, the events pump tourist dollars into a twenty-first-century regional economy that relies heavily on tourism.<sup>29</sup>

Abbey himself is a bit of a contradiction, because he railed against the very form of transportation that he often used to penetrate deep into the backcountry. In Abbey’s writings, he describes rocky adventures on what could hardly be called a road into some of the roughest and isolated pockets of the canyon country. Clearly, he preferred the experience of jeeping the rocky

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<sup>28</sup> Abbey to Editors, *Esquire*, September 11, 1976, Folder 10, Box 3, Abbey Papers.

<sup>29</sup> Ken Davey, “Jeepers v Environmentalists,” *Canyon Country Zephyr*, March 1991, 22.

backcountry trail to driving the slick-paved highway. Moving quickly over the landscape was not as important as feeling and seeing and braving it as one would do by jeep over a rough, backcountry trail. That very line of reasoning drove him and others to contest construction of the Trans-Escalante highway, Utah Highway 95, the Burr Trail, the Book Cliffs highway, and other road projects. Yet he also posited that use of even primitive trails by off-road motorists ought to be limited. In 1974, in response to a National Park Service proposal to create wilderness in Canyonlands National Park, he proposed additional steps to close roads that he himself had once used for exhilarating backcountry experiences. Abbey justified his proposal on the basis “that the preservation of wildlife . . . takes priority over motorized recreation, that most of the canyon country remains wide open to jeep and trailbike exploration, and that if wilderness is to be preserved at all, it must be preserved in our national parks and in areas extensive enough to be meaningful.”<sup>30</sup>

Critics like Abbey may always believe that areas designated as wilderness or at least off-limits to ORV use may never be enough, but this is not to say that many if not most constituents may be pleased with the way the public lands are being managed. It may not always be a matter of either/or. At Arch Canyon, the BLM field office manager decided to allow ORV use in the canyon but to take steps in the future to limit motorized use in the canyon if the BLM determined that motorized use posed a threat to the canyon’s resources. Moreover, the BLM

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<sup>30</sup> Edward Abbey and Renee Abbey to Hearing Officer, c/o Superintendent, Canyonlands National Park, September 9, 1974, Folder 8, Box 3, Abbey Papers.

has attempted to keep ORV use to specific trails—to open the main road up the canyon to ORV travel but to close off the branch trails that had developed over time.

In other words, the BLM need not and does not operate within a black and white paradigm. Federal land managers daily make decisions that cater to a wide ranging constituency. This is reflected in the BLM's waffling management decisions. Several times land managers changed course by variously restricting access and then opening it back up to use. This behavior led to charges by environmentalists that the BLM was not doing its job to protect the land from destructive uses. ORV users could be just as frustrated by the BLM's inconsistency. Few people were entirely satisfied by the BLM's management of Arch Canyon. While some conservationists recognized that the BLM had made efforts to protect the invaluable natural and archeological treasures of the canyon from motorized use by placing designated route signs and barriers in the canyon, Veronica Egan, a member of Great Old Broads for Wilderness, wrote, "history shows us time and again that the agency has neither the personnel nor the funds, and the public often lacks the self restraint," to prevent damage from occurring anyway.<sup>31</sup> Yet, even if the BLM did have the personnel and funding, it would likely be impossible for the agency to please everyone anyway. For one thing, places like Arch Canyon, previously out of the way and used by a handful of locals, are now being discovered and "loved to death." As Robert Turri of the San

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<sup>31</sup> Veronica Egan to Sandra Meyers, November 21, 2006, in BLM field office, Monticello, Utah.

Juan Resource District of the BLM said in 1990, “A few years ago, no one had heard of Arch Canyon. Now we get several calls a day from people asking what’s there and how to get to it.”<sup>32</sup> Moreover, land managers often do not have adequate resources to manage the public lands properly. Beyond that, defining the “proper” thing is a matter of contention. To expect land managers to manage the landscape precisely how “environmentalists” or “developers” would want is disingenuous and possibly wrong-headed. As we have seen in previous chapters, managing the public lands (in other words, negotiating controversy) is a highly localized and subjective affair, contingent upon a number of variables including personalities, culture, and circumstances.

The lesson of Arch Canyon is that these are localized conflicts caught up in national debates. However politicized and contentious these conflicts become, they are being resolved on the local level by people on the ground. It may be true that some people refuse to compromise or to find solutions that may be in the best interest of all groups, but there are many others willing to negotiate and to make decisions. In some cases, the decision is to open a road to ORV use; in others, to close it; whether to issue grazing permits; or a matter deciding how best to manage a newly created national monument. These are hard decisions that are being made by land managers and by varying interests on a day-to-day basis.

There have been some good efforts to break through the deadlock in a spirit of cooperation. In *The Western Confluence: A Guide to Governing Natural*

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<sup>32</sup> Quoted in Carol Poster, “Arch Canyon Road: To Be or Not To Be,” *Utah Holiday* (July 1990), 46.

*Resources* (2004), Matthew McKinney and William Harmon write that they sense the West has moved toward collaboration and cooperation in recent years. They outline strategies to break through the deadlock through negotiation, collaboration, and consensus building. These strategies entail working toward decentralization, or devolution, in which community stewardship and indigenous knowledge become valued contributors to land management decisions. This is possible not by overhauling the current system, as the Sagebrush Rebels hoped to do, but through adaptation—by working within the system to rebuild trust and to give locals a voice in the governing process while also not disregarding national interests. Harmon and McKinney call for creating a sustainable culture that integrates diverse people, needs, interests, and visions. This seems like a level-headed, moderate approach to address deeply rooted divisions that polarize the West today.<sup>33</sup>

Perhaps the best example of the collaborative process advocated by McKinney and Harmon is a coalition of ranchers, environmentalists, and scientists that had been organized to end a decades-long deadlock over land use on the public lands in northern New Mexico. The Quivira Coalition brought together a love of place and mutual respect to broker peace between historically warring interests. The hope was to mobilize what was being called “The Radical Center” to enter into productive, meaningful conversations about the future of the

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<sup>33</sup> Matthew McKinney and William Harmon, *The Western Confluence: A Guide to Governing Natural Resources* (Washington, D.C.: Island Press, 2004). See also Daniel Kemmis, *This Sovereign Land: A New Vision for Governing the West* (Washington, D.C.: Island Press, 2001); Bruce Babbitt, *Cities in the Wilderness: A New Vision of Land Use in America* (Washington, D.C.: Island Press, 2005).

American West and its people. And it is based on an acknowledgement that ranchers—some sixth-generation—know how to manage the land. It is to pay deference to their home-grown knowledge, familiarity with their homeland, and right to make a living on it. Yet ranchers in turn recognize the need to protect, even preserve the land—often from urban and suburban sprawl.<sup>34</sup>

Organizing “The Radical Center” requires working together with other people who hold positions different from one’s own but who share no less of a committed environmental ethic. As William deBuys, a major player in the Quivira Coalition, put it, “You don’t get people to adopt an ethic by beating them over the head with your version while pretending they have none of their own.” He argues that environmentalism must change its tactics, from a dogged insistence on stopping unwanted projects through litigation and regulatory intervention to identifying “with a positive vision and positive accomplishments that will make life better for the people of the region.”<sup>35</sup> Other groups like the Malpai Borderlands Group and the Grand Canyon Trust have begun to do just that, and often with resounding success.<sup>36</sup> And although the mixing of strange bed-fellows seems odd, particularly given the dominant ideologies featured in the previous

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<sup>34</sup> Ed Marston, “Forging a West that Works: Overview,” *The Quivira Coalition*, Vol. 5, No. 4 (February 2003), 1-3.

<sup>35</sup> William deBuys, “Looking for the ‘Radical Center,’” *The Quivira Coalition*, Vol. 4, No. 3 (July 2001), 10. See also Barbara H. Johnson, ed., *Forging a West That Works: An Invitation to the Radical Center: Essays on Ranching, Conservation, and Science* (Santa Fe, New Mexico: Quivira Coalition, 2003).

<sup>36</sup> See Nathan Sayre, *Working Wilderness: The Malpai Borderlands Group Story and the Future of the Western Range* (Rio Nuevo, 2006); Peter R. Decker, *Old Fences, New Neighbors* (Tucson: University of Arizona Press, 1998).

case studies, this type of cooperation is not wholly unique to the West. For all their talk and appearance of self-sufficient individualists, westerners settled and worked together—perhaps most of all Mormons, who during the pioneer era sometimes communally shared and developed resources. It is with some irony today that Mormons are among the most conservative, capitalistic Americans in the country. A recognition of their roots of community cooperation may be a good place to start formulating strategies to resolve land and resource conflicts on the Colorado Plateau. As Wallace Stegner aptly observed in *The Sound of Mountain Water* (1946), “When [the West] fully learns that cooperation, not rugged individualism, is the quality that most characterizes and preserves it, then . . . it has a chance to create a society to match its scenery.”<sup>37</sup>

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Westerners have yet to achieve that society to which Stegner refers, but we continue to try—each person, group, and community playing a part to realize a particular vision. The problem, of course, is that individual visions vary, contradict, and conflict. Indeed, the dominant visions represented by Edward Abbey and Calvin Black are diametrically opposed; the realization of one generally leads to failure in the other. That is why it is common to hear environmentalists lament that every year wilderness is sacrificed in a game of attrition; that each protected acre is precious because more acres are being lost than preserved. Grant Johnson, Boulder resident and co-founder of the Southern

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<sup>37</sup> Wallace Stegner, *The Sound of Mountain Water* (Garden City, New York: Doubleday, 1969).

Utah Wilderness Alliance, expressed a sense of “melancholy or worse at seeing 30 years of change in the canyon country.”<sup>38</sup> Likewise, ORV and ATV users and advocates of development generally feel much the same way. For them, each primitive road, each canyon or wash, each mesa top is precious but in danger of being “closed off” by environmentalists or federal land agencies. When the BLM issued a five-year permit to the Red-Rock 4-Wheelers, environmentalists were not the only ones to complain. As Ber Knight of the Red Rock 4-Wheelers expressed in disappointment over modifications that the BLM had made to his five-year use permit up Arch Canyon, “It’s a game of attrition, really. Every year we lose a little more. These are well-established routes and there’s a long history of use.”<sup>39</sup>

Both sides have tended to blame the other for the losses. Because both sides feel powerless, melancholic at the changes to the landscape, and trepidation facing a future of increasing competition among resources, they tend to believe that they are victims of someone else’s greed or avarice. Circumstances have been particularly jolting in the last half century in which the American West generally has undergone a tumultuous transition from the Old West to the New West. The old resource economy was dying and a new one was taking its place. That, together with a growing concern over environment and wilderness protection, has

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<sup>38</sup> Grant Johnson, “A Personal Early SUWA History,” <http://www.canyoncountryzephyr.com/oldzephyr/aug-sept2005/feedback.html> (July 21, 2010).

<sup>39</sup> Quoted in Lisa J. Church, “BLM Renews Red-Rock 4-Wheelers’ Jeep Safari Permits,” *Times-Independent*, no date, [http://www.moabtimes.com/view/full\\_story/66793/article-BLM-renews-Red-Rock-4-Wheelers--Jeep-Safari-permits](http://www.moabtimes.com/view/full_story/66793/article-BLM-renews-Red-Rock-4-Wheelers--Jeep-Safari-permits) (August 11, 2010).



created a perfect storm in the West. The varying sides have butted heads over how to make sense of these changes. Under these conditions, conflict operated as the dominant paradigm.

Through the case studies I have tried to show that these are ideologically driven conflicts that are endemic to southern Utah. Even in cases where material needs or wants are satisfied, fundamentally opposing ideological positions reproduced themselves in local cultures. In the foregoing cases studies, commissioners bulldozed roads in symbolic protest, built roads and prolonged lawsuits just to make a point, and insisted on a paved highway at exorbitant cost through some of the roughest terrain on the planet. In Kane County, locals claimed roads as their entitled birthright, even if they no longer served a useful purpose or if their sole purpose was to show that the road once had a purpose. Thus, the debate moves from the material (practical) to the ideological (symbolic). Both sides appropriate symbols and meanings that reinforce a particular worldview.

As divisions persist and deepen, new storylines—founding narratives, as I referred to them in the Prologue—begin to emerge—ones that emphasize not possibility but despair. For descendents of Mormon pioneers who continue to make southeastern Utah home, they may think less of the promise of entering a new landscape, theirs by birthright through the sweat of their ancestors and theirs to domesticate as they choose, than of the frustration of inhabiting a place that they perceive to be dominated by environmentalists and federal regulation. For

environmentalists, the narrative is less the discovery of a brand new, untrammelled landscape than it is a landscape mucked up by cows, bulldozers, and people.

Thus, in a sense, the competing worldviews represented by the treks of Hole-in-the-Rock pioneers and Kluckhohn—and played out by Abbey and Black—remain solidly in place. The ideological kin of Black and Abbey continue to hold hard-line stances on many issues; the towns that dot the Canyon Country of Utah remain bastions of conservatism and anti-environmentalism. These folks repeatedly appeal to the heritage that is being stripped away by what they consider to be an overbearing federal government and environmental regulations. For instance, in August 2009, and again the following year, Rep. Mike Noel, R-Kanab, organized a Sagebrush Rebellion-type rally on the steps of Utah’s state capitol. “This is a beginning,” he told the crowd at the 2009 gathering. “We have got to be extreme in the way we take back these public lands.”<sup>40</sup> In March 2010, Noel sponsored a resolution within the state legislature calling for Congress to respect local authority over roads on public lands, with special mention of the Hole-in-the-Rock road. The spirit of that first wagon trek into the San Juan region is as pertinent today as ever. Margaret Dayton, state senator from Orem and descendent of Mormon pioneers, said, “It is one of the last covered-wagon roads, and it’s been a road for over 150 years.”<sup>41</sup>

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<sup>40</sup> Tom Wharton, “Thousands Ride to the State Capitol to ‘Take Back Utah,’” *Salt Lake Tribune*, August 9, 2009; Cathy McKittrick, “Off-Road Struggle Takes to Streets of SLC,” *Salt Lake Tribune*, August 29, 2010.

<sup>41</sup> Quoted in Brandon Loomis, “Utah Legislature calls on Congress to allow local control of old roads,” *Salt Lake Tribune*, March 11, 2010. In January 2011, Utah

Yet the culture of environmental politics in the canyon country is not as clear-cut as it once was. The ideologues are still influential, but the positions and players have shifted over the years. In counties throughout southern Utah, more moderate-minded officials are taking over. This shift occurred several decades ago in Grand County and even now appears to be happening in Kane County, where in 2010 the more moderate Jim Matson replaced Mark Habbeshaw on the commission. Matson, though conservative, apparently has little use for more lawsuits and public displays of anti-fed anger. “We just need to figure out what we can do cooperatively [with federal agencies], and then agree to disagree amicably, if and when there’s a difference of opinion on how to do this stuff,” he said. “There’s much more to work on and I think that agreements can be made [rather] than to spend all of our time with these distractions. And, sometimes, when these things get to be ideologically based, they’re huge distractions.”<sup>42</sup>

In much the same way that some rural conservatives disavow the hard-line stance that has often dominated discourse over environmental issues, some commentators on the other side of the cultural and political divide acknowledge faults in the environmental position. Jim Stiles, long-time Moab, Utah, resident and editor of the *Canyon Country Zephyr*, has a lot to say about environmentalists’ contribution to unhealthy environmental clashes. In 2001 he

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officials announced that they would sue the federal government for control of the nearly 3,000 disputed roads in Utah then controlled by the BLM. See Brandon Loomis, “Now Utah Plans to Sue Feds for Road Access,” *Salt Lake Tribune*, January 19, 2011.

<sup>42</sup> Quoted in Joshua Zaffos, “Serendipity in the Desert,” *High Country News*, January 24, 2011, 21.

pointed to “a strange and troubling contradiction. A love-hate relationship that often tears away at the very principles and values we hold most dear. We came here 20 years ago, embarrassingly self-righteous and blinded by the black and white simplicity of idealistic youth. We came here to save the canyon country [from industrial development].” Yet, he and his comrades (Abbey may be counted among them) did not initially think that their journey into the backcountry would contribute to what Stiles referred to as a “staggering demographic shift and a cultural and recreational revolution” that transformed Moab and similar communities throughout the West into overcrowded tourist destinations.<sup>43</sup>

Meanwhile, Stiles has argued that the environmental movement has changed, too, becoming more and more corporatized. He refers to it as the “greening” of the environmental movement. “[W]ith even local ‘grass roots’ green organizations boasting million dollar payrolls, what incentive is there to actually put themselves out of business?” he asks rhetorically. This is in fact a type of ideology, driven in part by the need to increase the payroll than the desire to find satisfying local solutions to environmental problems. In 2010, Dick Carter, the founding member of the Utah Wilderness Association in the late 1970s, reacted to these changes within the environmental movement by announcing that then end of the High Uintas Preservation Council, which he had co-founded. Explaining his decision, Carter wrote: “Of late, the environmental/conservation movement has just left me behind. It is a vastly different movement with a deeply

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<sup>43</sup> “2009: The Contradictions of Our Lives,” at <http://www.canyoncountryzephyr.com/oldzephyr/feb-march2009/20yrs.html> (March 9, 2011).

different psychology, different expectations and engaged in a very different manner than was my experience. Conversation is not expected nor sought. Little blobs of light filter through now and again but we have been unable to shed that light on a hopeful path.” The long-time activist felt like he had been left behind by larger, perhaps more radical environmentalists with a different “psychology.”<sup>44</sup>

To Jim Stiles, Carter’s exit was like a “death in the family.” The problem, he editorialized, was that no one exhibited the urgency or candor to face the real problems facing the region and the nation today. What we need today are “real, genuine heroes.” The environmental movement needs a heart and a soul, he writes. “In 2010,” he writes, “the corruption and banality of environmentalism and ‘progressives’ is beyond my comprehension. There are no idealists left. I don’t know who the ‘good guys’ are anymore.”<sup>45</sup> The nostalgia for the past extends to the “bad guys” as well. Moab resident Ken Sleight remarked in 1993, “The people I miss were individuals. You can say what you want about them, and yes, I disagreed with them, but they were colorful and unique. They’re being shoved out, and yes, I miss them. They had minds of their own; they had character.”<sup>46</sup>

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<sup>44</sup> “High Uintas Environmental Group to Disband,” *Salt Lake Tribune*, July 12, 2010; Jim Stiles, “Take It or Leave It . . .,” *The Canyon Country Zephyr*, August-September 2010, <http://www.canyoncountryzephyr.com/newzephyr/august-september2010/index.html> (September 11, 2010).

<sup>45</sup> Stiles, “Take It or Leave It . . .”

<sup>46</sup> Quoted in Vaughn Roche, “‘Seldom Seen Smith’ Mourns a Lost Canyon and Dead Foes,” *High Country News*, October 18, 1993.

Stiles' and Sleight's commentaries are poignant. Perhaps rightfully they lament the loss of "real urgency," "honesty," and "candor" on both sides. The Abbeys and the Blacks make the world seem black and white, and they provide easy targets. Each knew who the enemy was. In the modern West we face shades of grey, and we confront the reality that the good guys are not always good, and the bad guys not always bad. This has always been so, but the conflicts in the 1970s to the present always had identifiable foes. Abbey and Black provided the ideological and philosophical underpinnings to the debates. They were social critics who articulated a particular vision or worldview and who generated interest, passion, and righteous anger. As outspoken advocates of a certain position, they framed the contours of the debate, and as symbols of an ideology, they continue to hold meaning to people like Stiles and Sleight.

Yet although some may lament the blurring of these categories, the black and white of Abbey and Black is in the narratives we tell about them, or that they would tell about themselves, not in the people themselves. They are a narrative device. We may hold them up as timeless symbols of differing ways to understand "progress," but they were in real life—as all of us are—complex products of culture and environment. Thus, to follow too closely to either man and to his thinking would be a mistake. We may reflect on these narratives that played out (and in some cases continue to play out) so prominently in southeastern Utah, but we might also forge our own way—teetered as we are to our own culture, heritage, and preconceived notions of the land. There are other, alternative voices in the West today that more attuned to specific circumstances and needs in the

region and that fall somewhere in the middle of ideological spectrum. In other words, ideologues may have their place in the West, but they do not represent the whole spectrum, nor are they the ones who ultimately make the compromises and decisions most of the time, nor should we use them as role models for how to address the challenge of balanced, sustainable, responsible land management on the Colorado Plateau. Perhaps what we need now is to blur the distinction between “good” and “bad,” since those categories may have been what exacerbated the conflicts in the first place. The land ethic and respect for all living creatures—humans included—that is needed for the health of the land and rural communities can only be achieved, I believe, when we do away with categories altogether.

There are always opportunities to move beyond the ideological. It is possible for westerners to look beyond the ideologues and focus on finding real solutions to real problems: to do what the BLM does on a daily basis and maneuver around the demands of a restless constituency. It may be that some will always be discontent, but as varying parties work to ensure that the material interests of concerned stakeholders are being considered, then conflict may lessen. It may be that, over the last forty years, the conflicts have been *primarily* irreconcilable, but these conflicts had been shaped in a specific place and by specific people. These conflicts, then, are historical artifacts; they need not be reproduced.

We may finally look beyond two-faced caricatures that reinforce our own particular vision of the world. Perhaps we need to return to a land ethic that

embraces the best of both of the original narratives—one that reflects the Mormon pioneers' and the conservationists' deep and abiding love and respect for the land. Perhaps it is time that we politely acknowledge the Abbeys and the Blacks at the extreme, then return to the business of crafting a middle-of-the-road compromise.



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