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Attached is the daily news report for April 13.

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DAILY NEWS REPORT - UTAH

UTAH – TOP STORIES – APRIL 13, 2017

1. BLM buys land near Kanarraville Falls, protects recreation

St. George News, April 12 | Julie Applegate

CEDAR CITY – The Bureau of Land Management has purchased nearly 41 new acres of land, including part of the increasingly popular Kanarra Creek Trail that leads to Kanarraville Falls.

2. Land transfer advocates steer their focus to monuments

High Country News, April 12 | Tay Wiles

In January, Sen. Orrin Hatch, R-Utah, called the recently designated Bears Ears National Monument in his state a “travesty.” Hatch vowed to work with President Donald Trump to reverse the December 2016 designation, a stance that many other Utah Republicans have taken in recent months. Utahns like Hatch say the effort is meant to give states control over their own natural resources.

3. Meet Moabosaurus, Utah’s latest dino discovery

The Salt Lake Tribune, April 12 | Brian Maffly

Moab already revels in superlatives associated with its geology, canyons, parks, trails, even its maddening crowds, but many scientists believe Utah's outdoor recreation magnet should also be famous for its dinosaur paleontology.

4. Outdoor Clothing Company Patagonia Visits USU Campus

Utah Public Radio, April 12 | Daniel Kinka

If you’re walking around the campus of Utah State University Wednesday you may have noticed a funny looking vehicle parked on the Quad and lots of signs for the clothing company Patagonia. This promotional event comes on the heels of Patagonia’s recent withdrawal from the Outdoor Retailer Show typically hosted in Salt Lake City.



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5. Water on at Little Sahara, visitors to conserve during Easter weekend

The Pyramid, April 12 | Press Release

FILLMORE — Bureau of Land Management (BLM) and the Little Sahara Recreation Area (LSRA) recently announced that the water supply at the LSRA campgrounds is turned on in time for those planning on visit LSRA during Easter weekend.

6. As crowds stream into Moab, local businesses report ‘great’ spring season

The Moab Times-Independent, April 13 | Jeff Richards

With sunny skies expected throughout the week and large numbers of tourists in town and on surrounding trails, organizers and local business owners say Moab’s annual Easter Jeep Safari is shaping up to be yet another success.

7. What’s On The Horizon For Non-Profits Attending Outdoor Retailer?

SGB Media, April 13 | Staff Writer

The Outdoor Retailer uproar, which is likely to continue until a replacement location is named, has riveted outdoor companies large and small, attendees and boycotters. But the for-profit contingent isn’t the only group closely following the proceedings.

8. Rose Chilcoat charged with trespassing on Utah trust land

The Durango Herald, April 13 | Jonathan Romeo

Criminal charges have been filed against former Great Old Broads for Wilderness associate director Rose Chilcoat and her husband, Mark Franklin, for allegedly trespassing in Utah and endangering livestock.

9. “We lost a real icon”

The Moab Sun News, April 13 | Rudy Herndon

When Ray Tibbetts' friends and acquaintances look back on his life and legacy, they tend to use the same word to describe him: “icon.”



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10. Local rock climbers organize new video campaign in support of Bears Ears National Monument

The Moab Times-Independent, April 13 | Rose Egelhoff

On Dec. 28, then-President Barack Obama declared the Bears Ears area a National Monument, to be managed collaboratively by federal agencies and an inter-tribal coalition. The monument includes Cedar Mesa, Dark Canyon and, of course, the Bears Ears Buttes, sacred to several indigenous communities. The monument also includes Indian Creek, a renowned rock climbing area and previously a Bureau of Land Management special recreation area.

11. House Dems: Documents show consultation with feds, Utah leaders on Bears Ears monument creation

The Moab Times-Independent, April 13 | Rose Egelhoff

Washington — House Democrats say, based on thousands of pages of documents, that the Interior Department had worked and communicated with Utah elected leaders ahead of the declaration of the Bears Ears National Monument despite their claims that it was a unilateral decision void of any local input.

12. PUBLIC LANDS: Changing Bears Ears designation is no Western energy bonanza

E & E News, April 13 | Pamela King

Widespread oil and gas activity in southeast Utah's Bears Ears National Monument is possible, but not probable, if the Trump administration makes any changes to the site's designation.

13. Paleoartist Profile: The Historian Himself, Brian Engh

PLOS Paleo Community, April 13 | Sarah Gibson

You may recognize the [artwork above](#) as that of Aquilops, a pint-sized ceratopsian that was recently described and published in PLOS ONE by our own community editor Andy Farke, which he wrote about here for PLOS Paleo.



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E&E/NATIONAL NEWS – TOP STORIES

1. **Jury to hear more summations in Nevada ranch standoff case**

The Register-Guard, April 13 | Ken Ritter, The Associated Press

LAS VEGAS — A federal jury is due to hear Thursday from three more defense attorneys and a prosecutor before beginning deliberations in the trial of six men accused of wielding rifles during Nevada cattleman Cliven Bundy's dispute with federal agents three years ago.

2. **Trump's border wall plan hits snag as congressman backs environmental suit**

The Guardian, April 12 | Julia Carrie Wong

A US congressman and environmental group have filed the first lawsuit targeting Donald Trump's plan to build a 30ft wall on the US-Mexico border.

3. **METHANE: Leak detection industry sees profits in oil and gas regs**

E & E News, April 13 | Brittany Patterson

The budding U.S. methane reduction industry is a source of high-paying, quality jobs but remains reliant on state and federal regulations, according to a new report.

4. **NATIONAL MONUMENTS: Memos show Obama admin consulting with Utah officials**

E & E News, April 13 | Jennifer Yachnin

Congressional Democrats are firing back today at GOP assertions that the Obama administration failed to adequately consult with Utah officials before it designated the Bears Ears National Monument, highlighting documents the House Oversight and Government Reform Committee received from the Interior Department.



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5. **CLEAN POWER PLAN: EPA warns against 'advisory opinion' from court**

E & E News, April 13 Ellen M. Gilmer

Issuing a ruling now on the Obama administration's Clean Power Plan could threaten the "integrity of the administrative process" as President Trump's U.S. EPA reviews the rule, government lawyers told a federal court last night.

6. **INTERIOR: Zinke sends all-staff harassment warning after IG report**

E & E News, April 13 | Corbin Hiar

Interior Secretary Ryan Zinke today ordered all managers and supervisors at the department to undergo harassment prevention training and called for a review of agency harassment policies and reporting procedures.

7. **PUBLIC LANDS: Groups call for transparency in Interior rules review**

E & E News, April 13 | Kellie Lunney

Interior Secretary Ryan Zinke is getting a lot of mail these days.

8. **INTERIOR: In about-face, Zinke opposes giving bison range to tribes**

E & E News, April 13 | Corbin Hiar

The Interior Department no longer supports legislation that would transfer the National Bison Range to the tribes whose reservation it's located within.

9. **PUBLIC LANDS: Feds want enviros kept out of leasing spat with industry**

E & E News, April 13 | Ellen M. Gilmer

The Trump administration is urging a federal court to keep environmental groups out of a legal dispute between the government and the oil and gas industry.



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10. **INTERIOR: Zinke meets with tribes in quest to save Ariz. coal plant**

E & E News, April 13 | Benjamin Storrow

Interior Secretary Ryan Zinke paid an impromptu visit yesterday to tribal, state and business representatives meeting in Washington to discuss the future of Navajo Generating Station.

11. **EPA: 'We're here today to partner,' Pruitt tells coal miners**

E & E News, April 13 | Emily Holden

SYCAMORE, Pa. — U.S. EPA Administrator Scott Pruitt told workers at the nation's largest underground coal mine here that their industry has a friend in the federal government.

12. **WORKFORCE: As shale recovers, 'you're not going to get everybody back'**

E & E News, April 13 | Saqib Rahim

If there are green shoots to be found in the U.S. oil industry, one of them is at a small sand mine in Pacific, Mo.

13. **EPA: Employee rebellion? Pruitt opts not to 'prejudge' staffers**

E & E News, April 13 | Kevin Bogardus

U.S. EPA Administrator Scott Pruitt said today that his agency's "change of direction" has sparked stories about career employees' resistance to President Trump's agenda.

14. **FINANCE: Seattle mayor calls for fossil fuel divestment**

E & E News, April 13 | Benjamin Hulac

The mayor of Seattle is urging the city's \$2.5 billion pension fund to sell its fossil fuel investments.



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UTAH – FULL STORY

1. **BLM buys land near Kanarraville Falls, protects recreation**

St. George News, April 12 | Julie Applegate

CEDAR CITY – The Bureau of Land Management has purchased nearly 41 new acres of land, including part of the increasingly popular Kanarra Creek Trail that leads to Kanarraville Falls.

“This land leads to an incredible slot canyon that is growing in popularity and a WSA (wilderness study area) that is home to two major canyons, with ridges nearly 8,000 feet up,” Keith Rigtrup, acting Cedar City BLM field manager, said.

The property was purchased March 31 and will be used for recreational opportunities and other uses.

“We know there are many groups that have different interests in what this land has to offer, which is why the BLM’s multiple-use mission is uniquely qualified to help coordinate with organizations and local governments that have a vested interest in the area,” Rigtrup said.

Part of the purchased property sits between land managed by the town of Kanarraville and the BLM-managed Spring Creek Canyon Wilderness Study Area, BLM spokesman Christian Venhuizen said in a statement.

The Cedar City Field Office will manage the property in much the same way as surrounding public lands, Venhuizen said, including dispersed recreation, wildlife habitat and other multiple use opportunities.

The property was purchased from a private company for \$660,000 with Land and Water Conservation Fund money, which is designated for sportsmen and recreational access.

The BLM applied for and received the funds in 2016, and the Cedar City Field Office released the draft environmental assessment for purchase of the property in June 2016.



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Land and Water Conservation Fund was established in 1964 and is funded by earnings from offshore oil and gas leasing. Funds are used to purchase private property for parks, wildlife refuges, forests, open spaces, trails and wildlife habitat.

According to the U.S. Department of Interior, which oversees the program, the Fund has distributed \$3.9 billion to more than 41,000 state projects and protected 2.37 million acres across the country.

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2. **Land transfer advocates steer their focus to monuments**

High Country News, April 12 | Tay Wiles

In January, Sen. Orrin Hatch, R-Utah, called the recently designated Bears Ears National Monument in his state a “travesty.” Hatch vowed to work with President Donald Trump to reverse the December 2016 designation, a stance that many other Utah Republicans have taken in recent months. Utahns like Hatch say the effort is meant to give states control over their own natural resources.

Conservationists call it an attack on some of the nation’s most beloved landscapes. The attempt to abolish Bears Ears and other national monuments is part of a fresh tack in the larger push by conservative lawmakers to purge federal management from public land in the West.

Five years ago, many of the Utah legislators who are now targeting monuments were focused on a different agenda: transferring federal lands to state control. State Rep. Ken Ivory’s Transfer of Public Lands Act aimed to take 30 million acres from the feds and was strongly supported by his colleagues and signed by Gov. Gary Herbert in 2012. But now, at the outset of a new Republican presidential administration that is not particularly friendly to the land-transfer idea, those 30 million acres are still under federal management. While land transfer bills continue to circulate, many of Utah’s land transfer advocates have shifted to a different tactic to undermine federal management in the West: undoing national monuments and hobbling the mechanism presidents can use to create them — the Antiquities Act. Once again, several states have followed Utah’s lead.



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“I think it’s harder for Republican state legislatures (to push land transfer) when you have the Trump administration, their friends, who are in charge of these federal land agencies,” says Steve Bloch, legal director of the Southern Utah Wilderness Alliance. “They’re not the enemy the way the Democrats were. (Interior Secretary) Ryan Zinke is a Montana Republican; Utah politicians don’t see him as very different from them.” Though the GOP official platform last year still included language to promote a massive transfer of federal land to state control, Trump has indicated he does not support such a move. Zinke explicitly opposes a transfer.

Trump and Zinke, on the other hand, haven’t been vocal about their plans for national monuments, or for the Antiquities Act. Last week, a former member of Trump’s transition team told E&E News that the president may be considering executive orders to “clarify” use of the act and “something on monument designations.” All but two presidents have used the 1906 law since it was created, to protect landscapes including what are now Grand Canyon, Zion and Olympic National Parks. Conservative lawmakers have been trying to dismantle it for decades, saying it encourages federal overreach. At least six Western states now have resolutions or bills to rescind or shrink monuments or undermine the Antiquities Act:

- In Utah, Herbert has signed a resolution urging Trump to rescind Bears Ears, as well as a resolution urging Congress to shrink the acreage of Grand Staircase-Escalante National Monument, which was created in 1996.
- In Nevada, a resolution would urge Congress to abolish Gold Butte National Monument, which former President Barack Obama created in December 2016. The bill’s sponsor, Assemblyman Chris Edwards, told HCN he has contacted members of the Trump administration about Gold Butte and is optimistic the president will see eye to eye with him.
- In New Mexico, the Land Commissioner Review of National Monuments bill would require the governor, commissioner of public lands and attorney general to decide whether a proposed national monument is indeed the smallest area “necessary for the proper care and management of items to be protected.”
- In Montana, a bill would “require legislative involvement in federal land designations.” A draft of the legislation is not yet available.
- In Arizona, a bill would urge Congress to “repeal or amend the 1906 Antiquities Act to require Congressional, state, county and local approval in order to designate a national monument.”



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- In Alaska, a resolution would urge Congress to pass the Improved Monument Designation Process Act, which would prohibit the president from creating monuments without congressional approval.
- Similar bills have been recently introduced to Congress, including the aforementioned Improved National Monument Designation Process Act, sponsored by Sen. Lisa Murkowski, R-Alaska. The Nevada Land Sovereignty Act sponsored by Sen. Dean Heller would prohibit future presidents from using the Antiquities Act to designate monuments in Nevada.

Conservative legislators have yet to completely abandon the land transfer idea, however. So far in this Congressional session, Western legislators have proposed 22 land transfer bills, according to research by the progressive advocacy group Center for Western Priorities (that compares to 22 in the 114th Congress, when several states did not hold sessions, and 36 in the 113th). In Montana, Republican Rep. Jennifer Fielder authored two transfer bills, but with the end of the legislative session just weeks away, one has yet to be officially introduced and the other is dead. Arizona had multiple bills seeking transfer of federal lands in 2015 and 2016; this year its public lands bills are tangentially related to transfer but don't specifically call for it.

Kayje Booker of the Montana Wilderness Association says she's seeing another shift in tactics away from wholesale land transfer, with the same goal of undermining federal control: transferring management but not title. "Some of the folks that had been pushing for (title) transfer are now pushing for management transfer as a foot in the door strategy," Booker says.

In response to the land transfer efforts over the past few years, a renewed counter-movement among environmentalists and hunters and anglers also emerged. Now, the new attempts to rescind monuments and weaken the Antiquities Act has pushed that counter-movement into full gear. In January, 1,000 people descended on Montana's capitol in Helena to advocate for federal lands (an estimated 500 attended similar rallies in past years). On April 11, Nevada legislators discussed a bill to support the Antiquities Act and Gold Butte and Great Basin national monuments, and pro-federal public lands advocates marched through Carson City and Las Vegas.

"This is our first session we're able to push back in a really public way," says Nevada Conservation League Director Andy Maagi. Some Nevada conservationists say the 2014 armed standoff between rancher Cliven Bundy and federal officers trying to round up his trespass cattle helped create a



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stronger pro-public lands movement than existed before 2014. Reno City Councilman David Bobzien described the Cliven Bundy drama as “the gift that keeps on giving.”

“I think we’ll hear less and less about the transfer of public lands into state hands,” says Bloch of the Southern Utah Wilderness Alliance. For him the focus is now on Bears Ears National Monument. If Trump moves to repeal the designation, SUWA and a number of partners who support the monument will challenge the decision in court.

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3. **Meet Moabosaurus, Utah’s latest dino discovery**

The Salt Lake Tribune, April 12 | Brian Maffly

Moab already revels in superlatives associated with its geology, canyons, parks, trails, even its maddening crowds, but many scientists believe Utah's outdoor recreation magnet should also be famous for its dinosaur paleontology.

That honor came home this week.

A new dinosaur was officially named for Moab after researchers from Brigham Young University pulled together a complete picture of a new sauropod from thousands of fossilized bones recovered from a nearby quarry at Dalton Wells.

After years of effort, geologist Brooks Britt published a paper Tuesday characterizing the long-necked plant eater whose 32-foot length makes it tiny, as far as sauropods go.

"We are really excited about this new dinosaur," Britt said. "It's one we have been working on for decades. We had to collect huge numbers of bones that were complete to get enough to describe the new animals."

A specimen has been on display at BYU's Museum of Paleontology for years, but it was only after publishing his findings in the University of Michigan's "Contributions from the Museum of Paleontology" that Britt could give the animal a name science would recognize.

That name is *Moabosaurus utahensis*.



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Britt's team had recovered 5,500 bones from the Cedar Mountain Formation and dated to the early Cretaceous.

"One hundred and twenty-five million years ago, when these animals died, there was a drought, and, during this drought, hundreds if not thousands of animals died," said Britt. "The surviving animals walked along and crushed these bones and that's why only 3 percent of the bones we collected at this quarry are complete."

His team members did have remains from 18 individuals to work with and these bones reveal a lot. From the many skulls they had, Britt could tell the Moabosaurus' brain was the "size of a Chinese egg roll," and its teeth were rounded.

"They were not useful for chewing food," he said. "They were useful for biting the food off and then swallowing it."

Southern Utah was hardly the desert it is today when Moabosaurus lived; it was a lush land with large trees growing along streams and lakes.

From previous research, Britt has shown drought played a factor in environmental changes that killed large numbers of animals left in the area as fossil remnants.

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4. **Outdoor Clothing Company Patagonia Visits USU Campus**

Utah Public Radio, April 12 | Daniel Kinka

If you're walking around the campus of Utah State University Wednesday you may have noticed a funny looking vehicle parked on the Quad and lots of signs for the clothing company Patagonia. This promotional event comes on the heels of Patagonia's recent withdrawal from the Outdoor Retailer Show typically hosted in Salt Lake City.

The company's Worn Wear initiative was on the campus repairing peoples' damaged gear and showing off their mobile repair shop.

"We partnered with Post-Landfill Action Network to focus on campuses that are working towards zero-waste initiatives and sustainability. And then we have our repair vehicle, Delia,



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which is, it looks like a combination of a giant wooden submarine and a food truck. And I just like to say that instead of serving food we serve repairs," said Kern Ducote, a content creator for Patagonia's Worn Wear initiative.

"So, that's what Worn Wear is all about, reducing our impact by either 1.) Buying used, if you're going to buy anything at all; and then 2.) Repairing what you already have; and then 3.) Celebrating that," he said.

It may seem odd to have this outdoor retailer so prominently represented here, considering the company's recent feud with the state over Bears Ears National Monument and the future of public land in Utah. Patagonia was among the list of other prominent retailers who succeeded in pulling the industry's Outdoor Retailer trade show from Salt Lake City.

"So we decided to pull out of Outdoor Retailer, in hopes that we can inspire others to also pull out of Outdoor Retailer - other brands - in order to show the [Utah] government that we really care about this - these wild places - and about preserving them," Ducote said.

He explained that the company's concerns in Utah are not with the state itself - they all love it here - but with the state governments' recent positions on public lands.

"We love Utah. There's so much great stuff in Utah!"

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5. **Water on at Little Sahara, visitors to conserve during Easter weekend**

The Pyramid, April 12 | Press Release

FILLMORE — Bureau of Land Management (BLM) and the Little Sahara Recreation Area (LSRA) recently announced that the water supply at the LSRA campgrounds is turned on in time for those planning on visit LSRA during Easter weekend.

However, due to limited water supply, visitors are encouraged to bring at least one gallon of water per person per day and to conserve water obtained from the potable water source to avoid a water shortage during Easter weekend.

Recreation area staff are preparing for thousands of visitors at the first big recreation weekend of 2017. To prepare for this high-volume weekend, staffing will increase, including BLM, Juab



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County, Utah State, and other agencies — providing up to 90 interagency personnel and law enforcement officers. Public safety is the highest priority for all agencies working at this event.

In an effort to improve access into the recreation area, BLM will be instituting traffic control on Thursday, Friday, and Saturday, April 13 – 15, until 9 p.m. A flagger will direct cash paying visitors to the pay booth.

All check and credit card holders will be directed to the visitor's center and pre-paid visitors will be directed through the entrance into the recreation area.

Things to know before visiting LSRA:

- There is a one-night permit fee for Easter weekend per vehicle. This fee includes use of the area for two days and one night.
- AirMed helicopters and West Juab Ambulance will be available in case of medical emergency.
- All four campgrounds will be open and provide access to flush/vault toilets, flush/dump stations, and limited supply of potable water.
- Firewood will not be available from vendors. Wooden pallets are not permitted at LRSA.
- Safety flags are required for all OHV/UTV's. Flags will be available for sale on Vendors Row.
- Children under the age eight are not allowed to operate any OHV/UTV on public lands, roads or trails in Utah. Children ages eight through 15 may operate an OHV/UTV provided they possess an Education Certificate issued by Utah State Parks and Recreations or equivalent from their home state.

Resident operators 16 years of age or older may operate an OHV/UTV if they possess either a valid driver's license or an approved OHV Education Certificate.

- All visitors to Sand Mountain are required to park 20 feet from paved roads.
- Remember, tunneling in the sand can be dangerous.

With more than 300,000 annual visitors, Little Sahara is known as "Utah's Largest Sandbox". Although LSRA does not provide all services, the surrounding cities of Nephi and Delta are full-service communities.



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These nearby communities offer a full complement of fuel, groceries, hotels, medical facilities, OHV supplies and other amenities.

LSRA season passes are available at the BLM-Utah Fillmore Field Office, (435)743-3100 and the BLM-Utah Salt Lake Field Office, (801)977-4300.

For fee and other information about recreation opportunities at Little Sahara Recreation Area, contact the Visitor Center at (435) 433-5960. For weather information, call (435) 433-5961.

Additional information can also be obtained by contacting the BLM-Utah Fillmore Field Office at (435) 743-3100, Monday through Friday, or by viewing a brochure: <http://bit.ly/LSRABrochure>. Utah OHV rules can be found at: <http://goo.gl/35sLK6>.

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6. **As crowds stream into Moab, local businesses report 'great' spring season**

The Moab Times-Independent, April 13 | Jeff Richards

With sunny skies expected throughout the week and large numbers of tourists in town and on surrounding trails, organizers and local business owners say Moab's annual Easter Jeep Safari is shaping up to be yet another success.

"We're excited for Jeep Week," said Elaine Gizler, executive director of the Moab Area Travel Council. "In the spring, when the leaves start budding, so does the town."

Grand County Sheriff Steven White said that aside from a couple of rescue calls and a few minor mishaps, there have been no major problems associated with this year's event or its crowds.

"It's going well so far," White said. "There's lots of people, and a lot of things going on. People just need to remember to be patient."

Two fatal accidents have occurred in the area since last week, but neither was connected to Jeep Safari. Shortly after midnight on April 5, two men died in a multi-vehicle crash involving two semi-trailers on eastbound Interstate 70, near the Colorado-Utah border. World-renowned bicyclist Steve Tilford, 59, and one of the semi drivers, Stanley Williams, 70, of Grand Junction, were killed in that crash. On Sunday afternoon April 9, Gary Nathan Abbott, a 22-year-old man



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from American Fork, reportedly fell 400 feet to his death while camping with friends at Dead Horse Point State Park.

Officials from the Red Rock 4-Wheelers club reported no major problems as of Wednesday morning, marking the halfway point of the nine-day event.

Also on Wednesday, dozens of vendors were setting up trucks, tents, and displays at the Old Spanish Trail Arena for what is believed to be the largest-ever vendor expo. Various vendors will be showcasing a wide variety of off-road vehicle products, including tires, shock absorbers, winches, lights, and accessories.

Many of the companies will be offering free promotional gear and other items, along with chances to win prizes. The vendor show lasts all day Thursday, April 13 and Friday, April 14. The annual local Boy Scout barbecue fundraising dinner will start at 5:30 p.m. Thursday, and a large prize drawing will be held starting at 6:30 p.m. Friday at the expo.

Earlier in the week, several other promotional events took place around town, attracting locals and out-of-town visitors alike. At a Jeep promotional event in the Walker Drug parking lot, several new vehicles in the company's 2017 lineup were on display. A large map invited people to mark where they were from with a pin. The map had pins from virtually every state and several foreign countries.

Many Moab businesses have reported a noticeable upswing in customers not just this week, but since the beginning of the spring season.

"At Moab Adventure Center we are having a great spring. The weather has been good and so the spring river trips are doing very well, as well as our guided hiking trips," said owner Jason Taylor. "At Canyonlands Jeep Adventures, our Jeep rentals have also been doing very well."

"Store sales are good," Taylor added. "Lots of people are walking around town in the evenings and shopping in the stores."

Kyle Kimmerle, owner of OTR Tire Center in Moab, said while he hasn't sold many off-road tires, he has sold a number of trailer tires this week, in addition to routine maintenance and repair jobs. "We've been pretty busy," Kimmerle said.

The economic effect is felt at many other types of local businesses as well.



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“We’re having a great year so far at the furniture store, as is our daughter Lindsey with her business, Lop’s Pop Stop,” said Kimberly Knowles, co-owner of Knowles Home Furnishings.

Gizler said tourists paid a total of around \$4.6 million in transient room taxes (TRT) in Grand County in 2016, plus another \$666,000 in Tourism, Recreation, Culture and Convention Facilities Taxes (TRCC).

“People are here to do everything,” Gizler said. “It’s not just Jeeps, it’s getting familiar with our area. We’re trying to educate the town on how to work with the tourists, to facilitate ways to help make the tourists’ experience better.”

To that end, Gizler said the Moab Area Travel Council is offering a couple of free hour-long training sessions for local businesses to improve their interactions with tourists. They are scheduled for April 27 at 10 a.m. and 2 p.m. at the Moab Information Center.

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7. **What’s On The Horizon For Non-Profits Attending Outdoor Retailer?**

SGB Media, April 13 | Staff Writer

The Outdoor Retailer uproar, which is likely to continue until a replacement location is named, has riveted outdoor companies large and small, attendees and boycotters. But the for-profit contingent isn’t the only group closely following the proceedings.

Outdoor non-profits rely on the twice-yearly show to make connections, land donations and stir up buzz for their respective causes. SGB spoke with representatives from Big City Mountaineers, Access Fund and Protect Our Winters to find out what the controversy and location change could mean for them.

Doug Sandok – Corporate Relations Director, Big City Mountaineers

“The outdoor industry has been our home for a long time. In fact, we sort of grew up with the support of Skip Yowell and JanSport and the others he was able to bring on board. Fundraising within the outdoor industry represents about a third of our overall income, and it’s where we find the greatest passion and understanding of our mission and programs. So the OR show has been a really important time for us to connect with all the people and brands that keep us empowered and inspired, and give our appreciation. It’s like a family reunion for us.



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“OR is an important time for us to do our storytelling and convey the impact and importance of the work they’ve been supporting. As far as direct fundraising at the show, we had our greatest fundraising show to date this past winter. Normally, we try to cover the cost of our going to the show through Happy Hours, parties, events and sales, but this Winter we raised more than \$20,000, an all-time high for BCM, with the help of Columbia, Stanley, Ibex, Thule, SOLE, Polartec, Vibram and a lot of other friends of BCM.

“We’re both supportive of the outdoor industry and OIA, and of course have strong feelings about the importance of public lands for all of us. The most important thing to us is to act with integrity around our values and our beliefs even if it’s not in our own economic interest. We respect those brands that have chosen to pull out, we also support the efforts of the OIA and others in trying to reach a solution that works for all of us.

“I think our strongest role is to continue to advocate for the importance of our public lands in the lives of young people – the next generation of outdoor enthusiasts – and remember that it’s more important than ever for us to create those opportunities to experience wilderness if we hope to preserve and protect those places in the future.

“As far as location, a move to Denver or any other city where we have programs would be great in the sense that we could invite more people from the industry to meet us and raise awareness of what we do. We’re also working on building bridges of opportunity to the outdoor industry among the communities we work with. Without question the kids and communities we work with are underrepresented in the outdoor industry – we’d like to be a part of changing that – and the outdoor industry as a whole is a great place to work and build a career.

“We’d love to bring some kids from Denver or Portland or the Twin Cities to the OR show and build those relationships that would be a step forward in fulfilling some important goals we have, as well as bring a greater diversity of experience and perspective to the outdoor industry. I think we’d all benefit from that.

“Ultimately, if the brands are still excited to attend, then we will attend the show anywhere it lands.”

Brady Robinson – Executive Director, Access Fund



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“As I’m sure you’re well aware, there’s a discussion going on right now about what the role of trade shows is generally. If companies aren’t writing orders, there wouldn’t be much point in being there.

“When we go to the show, it’s a chance to see everybody twice a year, a place to see and be seen. We get a big chunk of our support from the outdoor industry, and there’s a perception – correct or not – that if you’re not at the show you’re not relevant.

“And we’re happy to attend; it’s not like we go grudgingly. The show donates space, and we also pay for additional space for our Jeep Conservation Team. Sometimes we all get together and talk about something like Bears Ears and public lands, and sometimes it’s very nuts and bolts and we dive right into policy.

“The conversations we have vary depending on the partner. It’s not the best place to have an in-depth conversation, but it’s a great place to talk to everyone. You want to get in front of people, and we’re aware of our role. Companies exist to make a profit, and we’re there in part to ask for money and support. However, we know companies get hit up all the time, so we try to find a balance.

“Where the show takes place isn’t as big of a concern. It would be more convenient for us to have it in Colorado, and Gov. Hickenlooper and Luis Benitez are gunning to have it here. On the other hand, I don’t see it as our right and proper role to advocate that the show move to one place or another. But based on our values and how we saw those values fail to be recognized in Utah, that was a really strong play. It rattled a lot of cages and changed the conversation fundamentally. To everyone who was part of the movement, hats off.

“The one thing I’m a little concerned about is the possibility of collateral damage to OIA. They’ve been a great partner, and they depend on the show. With this change that’s looming, it would be a bummer if they emerged weaker.”

Chris Steinkamp – Executive Director, Protect Our Winters (POW)

“Outdoor Retailer is our bi-annual opportunity to connect with the industry and community we serve. We spend time with our partners and athletes and each year we have the opportunity to discuss climate change and other pressing environmental issues as a larger entity. Outdoor Retailer is invaluable to us.



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“The location change might not impact us that much, unless it ends up closer to home in Denver. But the controversy, I believe, has boosted awareness throughout the industry and community about the responsibility we have to protect the places that give us so much, and the levers we have to make a real change, together. If it’s not us, who will? And what’s taken place over the past couple of months has been inspirational. So for us, it’s helped advance the movement amongst partner brands and the outdoor community, who have responded in a way that’s much more engaged in environmental advocacy than ever before.”

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8. **Rose Chilcoat charged with trespassing on Utah trust land**

The Durango Herald, April 13 | Jonathan Romeo

Criminal charges have been filed against former Great Old Broads for Wilderness associate director Rose Chilcoat and her husband, Mark Franklin, for allegedly trespassing in Utah and endangering livestock.

According to a news release from the San Juan County Sheriff’s Office, a Utah cattleman on April 1 discovered a gate to his corral had been closed, thereby cutting off cattle from access to water.

A trail camera the cattleman had placed at the watering sight captured the incident, which occurred near Lime Ridge Road between Bluff and Mexican Hat, on a section of state trust land leased from the Utah School and Institutional Trust Lands Administration. Footprints also were discovered, the Sheriff’s Office said.

Three days later, the cattleman, working at the site, noticed the same vehicle that was captured on camera the day the gate was closed. He stopped it and notified authorities, the Sheriff’s Office said.

Deputies identified the occupants of the vehicle as Chilcoat, 58, and Franklin, 61, who admitted to closing the gate. Chilcoat initially identified herself as Rose Franklin.

On Wednesday, charges were filed by San Juan County against Franklin for attempted wanton destruction of livestock, a second-degree felony; and trespassing on trust land, a Class A misdemeanor.



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Chilcoat was charged with trespassing on trust land as well as providing false personal information to police officer, a Class C misdemeanor, the news release said.

Franklin and Chilcoat could not be reached Wednesday for comment.

The San Juan County Sheriff's Office, too, did not respond to requests for comment.

Chilcoat led the Great Old Broads for 15 years until she retired in June 2016, advocating for public lands and challenging livestock grazing permits, especially in areas of Utah near Cedar Mesa and Canyons of the Ancients.

According to Monticello, Utah's newspaper, the San Juan Record, local cattlemen have complained about similar incidents where gates have been left open or vandalism has occurred in the past few years.

Tensions between environmental activists and Utah locals have come to a head in recent years.

In 2010, when the Great Old Broads were on a field survey in Recapture Canyon, they encountered signs with a skull and crossbones that read "Wanted dead or alive: Great Old Broads for Wilderness. Great Old Broads not allowed in San Juan County."

Two years later, the Great Old Broads claimed locals had threatened their group at a campground in Indian Creek when someone hung a "hag" mask on a fence, vandalized a banner and locked the gate to the campsite, trapping campers inside.

"I find it ironic that these charges are being filed and publicized when the San Juan County sheriff took no action in 2012 when a gate was illegally locked in the night, keeping 30 elderly women trapped on private land," said Shelley Silbert, Great Old Broads executive director. "In addition, a Great Old Broads banner was vandalized, and a mask with fake blood and a threat was left on the gate. Certainly that was a dangerous situation worthy of investigation. Where was the sheriff then?"

And last summer, critics of the group hung various posters at trailheads declaring open season on Colorado hikers.



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“The hunt is open anywhere in San Juan County, Utah,” one poster, supposedly distributed by a group called Protect San Juan County Association. “There is no limit on how many may be harvested. Any weapon may be used.”

According to the San Juan Record, an “exasperated” San Juan County Sheriff Rick Eldredge is “urging more civility.”

Eldredge told the Record when another gate was left open near Bluff, three yearling cattle escaped and were hit and killed by a car. Graffiti was written on the gate, leading the Sheriff’s Office to believe it was intentional.

“Acts such as this increases the danger on roads, destroys herds and is a crime,” he said.

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9. **“We lost a real icon”**

The Moab Sun News, April 13 | Rudy Herndon

When Ray Tibbetts' friends and acquaintances look back on his life and legacy, they tend to use the same word to describe him: “icon.”

Tibbetts, who passed away on Tuesday, April 4, 2017, was a witness to – and a part of – Grand County's history throughout the second half of the 20th century, and well into the new millennium.

“Ray deserves all of the respect he can get in this county because he's done so much for it,” former Grand County Commissioner Ron Steele said. “We lost a real icon in this part of the world.”

“Ray is an icon,” Moab resident Dave Cozzens said. “He always had a smile, and wisdom flowed from him.”

Tibbetts built up that reputation over decades of involvement in the community – both as a local businessman and a Grand County commissioner.



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In Utah and other Western states, he was known as a leading figure of the Sagebrush Rebellion, a movement that sought state control over public lands and land management decisions in the late 1970s and early 1980s.

“Ray Tibbetts leaves behind a legacy of hard work, community and public service, a strong commitment to family and friends, and a love of the land,” Grand County Council member Curtis Wells said.

Although he represented Grand County during a more conservative time in its history, he's continued to influence and mentor current generations of elected officials like Wells. He called Tibbetts a “lifelong, dear friend” to his grandfather – former Grand County Commissioner Jimmie Walker – and a close friend to many other family members.

“Ray and (his wife) Caroline Tibbetts have been very supportive of my political endeavors during the past few years and I'll miss our talks in his back yard,” Wells said. “He will be missed, but most certainly not forgotten ... Good show, Mcgruff!”

A figure in the Sagebrush Rebellion – and the creation of Canyonlands

At the height of the Sagebrush Rebellion, Tibbetts appeared before congressional committees to protest what he viewed as federal encroachment on the sovereign rights of state and local governments to manage roads and public lands within their jurisdiction. His family called Tibbetts a “keeper of the land” who believed in the concept of multiple-use management, along with the need for a diverse local economy.

But he was just as instrumental in the creation of Canyonlands National Park in 1964.

As plans for the park were being drawn up, Tibbetts took several high-ranking federal government officials, including former U.S. Secretary of the Interior Stewart Udall, on helicopter tours of canyon country to show them places that he felt needed to be protected. Most of those places were ultimately included within the new park's boundaries.

After his mother discovered a sandstone arch near Dead Horse Point State Park, Tibbetts worked with the U.S. Geological Survey to put it on the map. Today, it bears his mother's name: Jewel Tibbetts Arch.



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Even in his retirement, Tibbetts remained actively involved in land-use management issues, weighing in on the eastern Utah Public Lands Initiative and the newly created Bears Ears National Monument in San Juan County.

According to Steele, Tibbetts told a representative from Washington, D.C., that if he really wanted to protect the land, the federal government shouldn't advertise it as wilderness.

"Keep it under your hat" was his advice, Steele said. "He understood that for every cause, there's an effect."

Decades before Moab became an outdoor recreation destination that draws visitors from around the world, Steele said that his friend would dazzle him with his geographic grasp of an area that few others had explored.

"He was probably the most knowledgeable man I ever met in this area," Steele said.

In a November 2012 interview with the Moab Sun News, Tibbetts said that the beautiful land and open spaces are the things he loved most about living in Moab.

"Getting the red sand in your blood – it's part of your DNA," he said.

His family members remembered that Tibbetts seemed to know every rock and bush in his beloved red-rock country, which he liked to call "God's Country."

"Ray loved spending time deer hunting, finding the jewels of the earth and feeding his soul in 'his church,'" they said in a remembrance of his life.

In recent years, his family stories reached a wider audience in author Tom McCourt's "Last of the Robbers Roost Outlaws – Moab's Bill Tibbetts," a nonfiction book about his onetime-outlaw father.

McCourt dedicated the book to Ray Tibbetts, with an inscription that reads, "A good man and a chip off the old block."

Steele said that Ray Tibbetts had been saving material about his family for years and years, making McCourt's task that much simpler as he put the book together.

"(Mccourt) said, 'It was the easiest book to write because it was all written for me,'" Steele said.



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From business to government and beyond

For many long-time residents, their introduction to Tibbetts began when they walked into Miller's Clothing and Family Budget Clothing – two businesses that Tibbetts and his brother-in-law Hal Johnson owned and operated. After the stores closed in 1987, following a 32-year-run, Tibbetts went into real estate full time.

Film location manager Larry Campbell looks back to the shops' era as a period when residents could buy "real clothing" in the historic downtown Cooper-Martin Building.

Campbell was born in Moab, and he cannot recall a time when Tibbetts wasn't around.

"Ray's just been here forever," he said.

"He's just always been a great guy," Campbell added. "He had been involved with our community for as long as I can remember."

Steele served with Tibbetts on the Grand County Commission during the height of the Sagebrush Rebellion era. But their decades-long friendship began years earlier, around the time that Steele moved to Moab to work as an electrician for Texas Gulf Sulphur in 1965.

One day, Steele walked into one of the family's clothing stores to buy a new pair of work boots.

"We just hit it off," he said.

In the years that followed, the two men cemented their friendship, and found common cause in their opposition to the Federal Land Management Policy Act (FLPMA) of 1976.

At the time, they belonged to different political parties: Tibbetts was a Republican, and Steele was a Democrat. But they worked with their respective parties in support of platform positions that the Sagebrush Rebellion gave voice to.

In Grand County, the Sagebrush Rebellion flared up when federal land managers closed what Steele called an old toll road through Negro Bill Canyon. Although barriers came and went, Steele said they kept the route open for the remainder of their time in office.



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Like virtually any other issue related to land management in southeastern Utah, the controversial closure – and the controversial reaction to the closure – stirred passions on every side of the political spectrum.

“There were people in this county who thought we were nuts,” Steele chuckled. “But we were not nuts. We were following the Constitution.”

While they may have had their detractors, Steele said that in his opinion, everything that Tibbetts did was for the benefit of the people of this county.

He remembers feeling especially impressed by Tibbetts' reaction when someone offered to charge a meal to a county credit card.

“Ray said, 'No. I will not have the county feed us,'" Steele said.

Likewise, when they had to attend meetings in Salt Lake City on official county business, they would leave early in the morning and come back on the same day because Tibbetts didn't want to charge the county and its taxpayers for a motel room.

“He was very, very concerned about the public money,” Steele said. “He just guarded it like it was his own.”

In his November 2012 interview with the Moab Sun News, Tibbetts outlined his philosophy toward life: “Live your life with gusto and treat everyone with grace and friendship.”

For Steele, his friend's “old-time, pioneer-type thinking” was always on display during their long walks together in the desert.

“He was a guy that just had it figured out,” he said.

Raymond Moore Tibbetts was born on April 22, 1932, in Santa Fe, New Mexico, to James William (Bill) and Betty Jewel Agens Tibbetts. Ray was the youngest of four boys: Bob, Jim and Gail, all of whom preceded him in death. The family returned to Moab in 1939, where Tibbetts completed his education at Grand County schools and served four years in the U.S. Air Force. After returning to Moab, Tibbetts worked two years in the Grand County Sheriff's Office.

Tibbetts married his sweetheart Carolyn Grace Miller on Aug. 7, 1955, and in 2016, they celebrated their 61st wedding anniversary. They had five daughters, Melinda Lee, Monica



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Tibbetts Fryer (Colin), Cynthia Lyman (Tim), Shellee DeVore (Donn) and Megan Pepper (Bill) - all of whom were his “pride and joy,” Steele said.

In addition to his daughters, he had 15 grandchildren, 24 great-grandchildren and one great-great grandchild.

A celebration of Tibbetts' life is planned on Saturday, April 15, from 2 to 5 p.m. at the Red Cliffs Lodge's Colorado Room. In lieu of flowers, the family asks that donations be made to the Ray Tibbetts Memorial Fund at Wells Fargo.

Condolences may be sent to the family at www.SpanishValleyMortuary.com.

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10. **Local rock climbers organize new video campaign in support of Bears Ears National Monument**

The Moab Times-Independent, April 13 | Rose Egelhoff

On Dec. 28, then-President Barack Obama declared the Bears Ears area a National Monument, to be managed collaboratively by federal agencies and an inter-tribal coalition. The monument includes Cedar Mesa, Dark Canyon and, of course, the Bears Ears Buttes, sacred to several indigenous communities. The monument also includes Indian Creek, a renowned rock climbing area and previously a Bureau of Land Management special recreation area.

After hearing about Bears Ears and its potential effect on Indian Creek, Moab resident and rock climber Wade Plafcan began organizing local rock climbers to speak out on the issue.

“I didn’t hear much about climbers doing anything about it aside from just being aware that it was going on,” said Plafcan. “I thought it would be good to have local climber people being involved with it because it’s something that we care about deeply.”

Plafcan met with local organizations that support public lands and talked with other climbers in Moab and at Indian Creek about the issue.

“It’s hard sometimes to get climbers together to do anything but climb, so this is an attempt to get people together a little bit more to help to support it in a more direct way,” Plafcan said



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Although slow to mobilize on the issue, Plafcan said, when it comes to Bears Ears, climbers — who often spend a great deal of time each year at Indian Creek — do care.

“Indian Creek is a world-class climbing destination so they really care about ... protecting what is sort of their home, a lot of the time,” he said. “The big thing for a lot of climbers is protecting it from too much development, mainly oil and gas and things like that.”

Those conversations led Plafcan to the idea of producing a video in support of the monument, to be shared on social media.

The Southern Utah Wilderness Alliance [SUWA] provided funds for a banner reading “Climbers Protect Bears Ears.” Local videographer Scott Rogers volunteered to create and edit the video.

Plafcan, Rogers and a group of friends used a drone to film the two-minute video on March 17, at a route in Indian Creek known as Cactus Flower. In the video, two climbers ascend the route and unroll the banner.

“Indian Creek is a big place so we figured a drone would be the best way to get a dramatic shot of the banner coming down,” Rogers said.

The video has been shared on Facebook pages of Climbers for Bears Ears and SUWA.

But it is not just about rock climbers, Plafcan said.

“I don’t want to seem greedy as a climber, like it’s just about us. The Native American aspect ... affects a lot of people in the area,” he said. “The reason I’m focusing as a climber on it is just because, with so much going on right now, I feel like I have to focus on one thing ... And respecting everything else that goes along with [other] views, but I come at it from a climber’s point of view.”

In the coming weeks, organizers plan to put together another behind-the-scenes video featuring celebrity climbers talking about the importance of public lands.

“It’s obvious for most of us that live out here in Moab that we value public spaces and we value the freedom associated with those,” Rogers said. “It would be a shame to have some private corporation lease the land and fence it off and not allow people to use it ... Hopefully it inspires



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not only members of the climbing community but everyone in general to take a serious look at what could potentially happen to our open spaces and public places.”

Plafcan and others plan to sell T-shirts and hats bearing a logo designed by local artist Maddie Logowitz, and proceeds will be donated to the Access Fund, a climbers’ advocacy organization. For more information, email: climbersprotectbears@earthlink.net.

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11. House Dems: Documents show consultation with feds, Utah leaders on Bears Ears monument creation

The Moab Times-Independent, April 13 | Rose Egelhoff

Washington — House Democrats say, based on thousands of pages of documents, that the Interior Department had worked and communicated with Utah elected leaders ahead of the declaration of the Bears Ears National Monument despite their claims that it was a unilateral decision void of any local input.

After President Barack Obama named the monument in late December, Utah Gov. Gary Herbert and members of the state's federal delegation complained the White House had misused its authority, ignored the will of local residents and shown "little regard" for elected officials who represent the area.

But just a week earlier, Herbert's policy director, Cody Stewart, sent an email to the Interior Department secretary's deputy chief of staff, praising their working relationship.

"Thanks again for all your time," Stewart wrote, according to the House Democrats. "I'm not kidding when I say you're an amazing example of a public servant. I have the utmost respect for you. Thank you for your time and attention."

The House Democrats' memo also notes there were 11 emails exchanged in the lead up to Obama's declaration showing coordination of phone calls between the Interior Department and staffers for Herbert and the congressional delegation.

A spokeswoman for the Republican majority on the House Natural Resources Committee — led by Rep. Rob Bishop of Utah — denounced the findings as cherry-picked quotes.



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"The minority's desperate attempt to create a façade of local support for President Obama's abusive actions is cute but laughable," said spokeswoman Molly Block.

Rep. Jason Chaffetz, R-Utah, called the Democrats' memo "insulting." The Utah delegation had only worked with Interior on legislation, not a monument, and two requests for meetings with Obama were turned down, he said.

"Since 2013, we've made a Herculean effort to engage all stakeholders, including the Obama administration, in finding a comprehensive solution to land-use issues," Chaffetz said in a statement. "The released documents describe ongoing conversations about the Public Lands Initiative (PLI), not a monument designation. The PLI process included repeated attempts to engage President Obama directly but were consistently rebuffed. Democrats on the Oversight Committee — who know nothing about Utah — cherry picking documents to tell one side of the story is insulting and undermines the efforts of local stakeholders who spent many hours negotiating in good faith toward a collaborative solution."

Herbert's office did not immediately respond for a request for comment.

On Dec. 28, Obama used powers granted to the president under the 1906 Antiquities Act to declare 1.35 million acres of federal land in southeastern Utah as the Bears Ears National Monument, a designation sought by tribal leaders and environmentalists to protect the area dotted with culturally sensitive areas.

That action came after Utah's members of Congress failed to advance their own proposal to protect the area under the PLI that had started as a comprehensive effort to reach compromise among environmentalists, tribes, county, state and federal officials on how to set aside some areas for conservation while allowing other lands to be opened up to oil and gas exploration. Tribal leaders and environmental groups, for the most part, withdrew from the process after they said their input was ignored.

President Donald Trump's Interior secretary, Ryan Zinke, said during his confirmation hearings that he believed the president had the power to curtail the monument's size and possibly jettison the declaration altogether.

The House Democrats' memo offers a different version than the one presented by Utah officials, arguing that then-Interior Secretary Sally Jewell had communicated with Utah's members of



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Congress as early as 2013 about the Bears Ears area and that there was regular contact up until the monument declaration.

"If anyone wants to paint Bears Ears National Monument as a surprise or the product of rushed or incomplete planning, they'll have to explain hundreds of emails and dozens of pages of shared work product," said Rep. Raúl Grijalva of Arizona, the Natural Resources Committee's top Democrat. "These documents are an exemplary record of public servants going above and beyond to find a workable solution to a complicated issue, and they show Democrats and Republicans working together more often than not."

If any governor said "half the nice things that Governor Herbert's office said about the Interior Department during this process, I could retire a happy man," Grijalva added.

Rep. Elijah Cummings, ranking Democrat on the House Oversight Committee chaired by Chaffetz, said the documents provided by Interior showed a close working relationship between the federal government, the delegation and other interested parties.

"Taken together, these documents demonstrate a lengthy and productive working relationship between the [Interior] Department and multiple stakeholders, they include frequent acknowledgment of the department's eagerness to accommodate third party needs, and they show that many local officials strongly supported a monument designation," Cummings said.

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12. **PUBLIC LANDS: Changing Bears Ears designation is no Western energy bonanza**

E & E News, April 13 | Pamela King

Widespread oil and gas activity in southeast Utah's Bears Ears National Monument is possible, but not probable, if the Trump administration makes any changes to the site's designation.

President Obama established the 1.35-million-acre monument late last year under the authority of the 1906 Antiquities Act. Opponents of the monument have called on President Trump to take the unprecedented step of reversing the designation.

During his confirmation hearing, Interior Secretary Ryan Zinke pledged to visit Utah to formulate a recommendation on the monument (Energywire, Jan. 18). Delays to Zinke's



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confirmation postponed the trip, but the secretary remains committed to the promise he made during his hearing, an agency spokeswoman said.

Supporters of the monument list oil and gas development as one of the top threats to the Bears Ears area. Last week, the Center for American Progress attempted to quantify that risk and found that the monument is in the 54th percentile for oil and gas development, when compared to similarly sized landscapes.

"Evolving market conditions and technologies mean that where there are oil, gas and mineral resources, there is an ever-present threat of development," said Kate Kelly, CAP's public lands director and previously a senior adviser to former Interior Secretary Sally Jewell.

The Bears Ears Inter-Tribal Coalition, a group formally established in Obama's proclamation, has said the monument is too precious to drill.

"While our Coalition is not opposed to energy development, we believe the Bears Ears area is too valuable to drill for temporary economic gain," the group's website says.

Other groups are skeptical about the prospect of widespread oil and gas production around Bears Ears. Steve Bloch, legal director for the Southern Utah Wilderness Alliance, said CAP's findings on oil and gas potential in the region were "hard to square."

Bears Ears was designated to protect cultural resources, and tribes have an active role in managing those resources, Bloch said. "If the monument designation is rescinded or reduced, it's those resources that are most at risk," he said, "and I don't think they're most at risk from oil and gas."

Looting and robbing are the biggest threats to those resources, he said.

Bears Ears' energy potential pales in comparison to that of Utah's other energy formations, like the Uinta Basin in the state's northeast corner, Bloch said.

In 2012, an operator drilled a well in the middle of the monument, much to the consternation of conservation groups.

"That well's plugged and abandoned," Bloch said. "And that's really the tale of this area."

Industry appetite



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The Western Energy Alliance, an oil and gas industry group that has called for increased access to public lands, said companies are interested in acquiring leases within the Bears Ears monument.

"There certainly is industry appetite for development there, or else companies wouldn't have leases in the area," said Kathleen Sgamma, the alliance's president.

Development and leasing by drillers such as EOG Resources Inc. has occurred on the monument's periphery and away from the cultural resources that are the focus of Bears Ears' protection, she said. The monument proclamation recognizes existing mineral leases.

Conservation groups like the Wilderness Society have raised concerns that the existing leases clustered around Bears Ears could begin to infiltrate the monument if the designation is changed.

"Right now, there's not going to be any new leases. That is the status quo," said Nada Culver, senior counsel and director of the Wilderness Society's Bureau of Land Management Action Center. "But our expectation is if the monument goes away, then that trend [of leasing] would continue."

Even though Bears Ears doesn't have high development potential, Culver said she is still concerned that operators would buy up cheap leases on speculation, potentially tying up additional tracts for energy production, rather than backcountry recreation, cultural experience or other uses.

Obama's proclamation "puts a halt to it, a firm halt, instead of leaving it at the whims of the oil and gas industry, where they might just want to tie up the land," Culver said. "The monument stops that."

Sgamma said concerns about encroaching development are "nebulous" and present a "false choice" between conservation and energy production.

"That's like saying we might as well put the whole West off-limits," she said.

Public Lands Initiative



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If the Bears Ears designation is rescinded or reduced, some have suggested that a piece of legislation introduced last year by a pair of Utah congressmen could serve as a backup protection strategy.

House Natural Resources Chairman Rob Bishop (R) and Government Reform Chairman Jason Chaffetz (R) had previously held up the [Public Lands Initiative](#) as an alternative to a monument designation. Utah Gov. Gary Herbert (R) earlier this year characterized the PLI as a "repeal and replace" option for changing the Bears Ears designation under the Trump administration (Greenwire, Feb. 17).

The section of the PLI establishing the 1.1-million-acre Bears Ears National Conservation Area contains no mineral provisions. But a section defining the administration of national conservation areas would withdraw the areas from new mineral leasing.

"The difference between oil and gas development in the current footprint of the national monument and Bishop's PLI National Conservation Areas (NCA), if there is any, is negligible at best," Natural Resources Committee spokeswoman Molly Block wrote in an email. "The national monument footprint and the NCA footprint follow roughly the same path. Bishop's PLI authorizes extensive land exchanges between the BLM and [the Utah School and Institutional Trust Lands Administration] to concentrate energy development away from the Bears Ears NCA."

She noted that the energy implications of altering the Bears Ears monument designation can only be known when and if those changes are made.

The Western Energy Alliance supports replacing a monument designation with the PLI because the Obama administration's action was "top-down as opposed to bottom-up," Sgamma said.

The PLI would offer more opportunities to collaborate with counties, conservation groups, industry and state agencies to look at a balance of land uses, she said. While the PLI would aside millions of acres for conservation, it also would recognize those lands as appropriate for development, she said.

As its purposes, the PLI lists "greater conservation, recreation, economic development and local management of federal lands." Obama's monument proclamation states as its purpose "protecting and restoring" the Bears Ears area.



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Those purposes are significant, said Michael Blumm, a professor at Lewis & Clark Law School.

"A monument's purposes are protective of ecological and cultural resources, and they don't really mention energy production except to save valid existing rights," he said. "One of the primary purposes of the PLI is to foster energy development."

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13. **Paleoartist Profile: The Historian Himself, Brian Engh**

PLOS Paleo Community, April 13 | Sarah Gibson

You may recognize the [artwork above](#) as that of Aquilops, a pint-sized ceratopsian that was recently described and published in PLOS ONE by our own community editor Andy Farke, which he wrote about here for PLOS Paleo.

The artwork was just one of many pieces done of Aquilops by paleoartist Brian Engh, and the art helped bring the paper international attention and press. Engh recently revisited Aquilops, and decided to reinterpret the creature in a new, camouflaged light. His work just debuted on his website, [Don't Mess With Dinosaurs](#), as well as an in-depth video on his Youtube page.

SZG: So, you've worked with PLOS before when you did a reconstruction of Aquilops for Farke et al. (2014), and now you've done a new version of Aquilops. What is the story behind this project, and why redo Aquilops?

BE: Well, Aquilops was in the collections of Oklahoma State for ten years. It was found by Scott Madsen, who was a part of Rich Cifelli's team at the time. Matt Wedel, who was a student of Cifelli, knew Andy Farke [PLOS Paleo's resident ceratopsian expert], and the group negotiated to describe the specimen. They recognized its significance because, as far as we know, it's at the base of the tree for North American ceratopsians.

So when we were doing the initial reconstruction, Rich Cifelli was pushing for Aquilops to be camouflaged because it was this tiny little animal living in this environment with major predators like Deinonychus and Acrocanthosaurus. But we ended up doing a reconstruction showing it being more showy because we know that the crown group, ceratopsians, are doing insane things with their displays, probably related to sexual selection.



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So, I recently did another reconstruction of Aquilops, interpreting it as a cryptic animal, all camouflage [see below]. That just happened to line up with me doing a talk at the Alf Museum discussing Aquilops. I am currently editing a video for my video series, discussing the different interpretations of Aquilops, and how each could possibly be a valid interpretation in terms of what we know about ceratopsians and modern analogous animals.

SZG: What's your artistic process when creating a piece of paleoart?

BE: Ideally, the project is something that I'm working with a paleontologist on, but in some cases it's just self-motivated by thinking about nature all of the time. But in all cases, it starts with some level of research, whether talking to a paleontologist or reading a paper. And then, it goes into a rough sketching phase. Despite the level of detail in my final pieces, I'm not that good of a draftsman, as far as drawing cleanly. I make a billion sloppy rough sketches by force of will, and work every detail until it's reasonably correct. I know a lot of artists who can just look at a face and then just draw it cleanly—I am not that artist. I spend time refining the composition. I often start with graphite sketches that I then scan into the computer and color digitally. I use a lot of layers, basically creating a sandwich of sketches, lines, colors, etc.

When I am working with a paleontologist, I'll spend a lot of time talking with them, getting their interpretation of the fossils. I also try and see as much of the fossil material myself as possible by visiting collections and even spending time in the field. I'll talk with the researchers to get their ideas and a sense of what they like. I make a lot of sketches, and I'll send all of the sketches to them to get an idea of what they like or don't like, and work from there. So far, everybody I've worked with is coming from a similar position where they want these animals to look realistic and believable, and so I draw inspiration from a lot of modern analogues. I'll show them everything I've done, and I'm willing to be flexible as long as there are good scientific ideas getting communicated with the art. I'm open to ideas from the client, especially when they are paying me well. [laughs].

SZG: You draw a lot of inspiration from modern animals. What do you look at when you're trying to convey a behavior or biology of a dinosaur?

BE: For better or worse, you do have to rely on a lot of living animals to help fill in the gaps regarding organisms like dinosaurs, how they moved, etc. You have to find a happy balance between what their closest relatives are doing, and what their closest living analogue is doing. In



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the case of the hadrosaur jaw, for example, there's a lot of adaptations with regard to chewing, similar to modern ungulates, and so there are a lot of debates like whether they had cheeks, etc.

My personal inclination is to look at ecological role and convergent analogues, but also evolutionary stories. The Aquilops project falls along those lines.

SZG: Do you have favorite paleoartists? Or any that you take inspiration from?

BE: I would say that for me, as far as inspiration, is Doug Henderson, because he emphasized the mood and environment so much in his work. More recently, especially now that I'm trying to improve my own skills in painting and digital painting, I look at James Gurney's work, because he is a master at lighting in his work. I can relate to his work because there is such an emotional bent in his work. His work is deeply sentimental, and makes you feel like a kid. Those two guys are definitely my favorites.

SZG: What kind of non-paleo projects have you been working on?

BE: Um, I make rap music and music videos, and want to make and direct films eventually. I have a huge array of sketches, sketchbooks, and storyboards that I'd love to develop into full motion animation outside of just stills. I went to school for film and animation, and my degree is in that. And when I'm not doing paleoart work, I freelance as an animator or do things in the film industry to fill in the gaps financially.

SZG: Interesting! That seems far out of the array of paleontology! That leads me to ask, how did you get started in paleoart? Was it built out of art skills and interest in paleo?

BE: I never had the art skills, I still don't! [laughs] Everybody compliments artists, who have put a lot of time into their work, with their natural skill or ability, and often it didn't start that way. I had to put a lot of time and practice to get where I am, and sometimes I still can't even look at my art without criticizing it.

But in terms of how I got started in paleontology, ever since I was a little kid I was always interested in paleontology, mythology, story-telling, all that stuff. For me, there's something very primal about paleontology even as a science. I mean, it's studying these ancient beasts who we're also all connected to. For me, that really stirs me up as a human being, and it makes me want to make things.



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So a lot of things I make are oriented to the science of these beings, communicating the mechanics of this bizarre universe we all share. And some of the stuff I make is related to communicating that feeling of, like, being this ape living in this world of complex, bizarre things, that aren't easily understood, and being full of awe and wonder. That visceral feeling can't easily be expressed through straight-up scientific illustration.

SZG: Besides Aquilops, what are some of your other finished projects you have done or are working on?

BE: The bulk of my work over the last almost two years or so has been doing illustrated interpretive panels for BLM public fossil sites—these awesome places that a lot of the public doesn't realize belongs to them. Around the Moab area in Utah, there are tons of dinosaur footprints and even bone in some places, and rather than just trying to hire rangers to police these sites [from vandalism or theft], the government did something that I think is smart, they decided to educate the public about these paleontological resources with a program called the "Respect an Protect" Initiative, which is a program to develop to archaeological and paleontological sites with interpretive panels, so that the public can be more informed and educated about these resources, what they are and why they are important, and that these are a shared public heritage, not something that can be destroyed or stolen.

Some of my other work has been licensed to museums. I've just finished some work for the Museum of Western Colorado. That was a fun project because I got to do a glorious, murderous, Mesozoic predation scene. [laughs]

I'd love to do more interpretive work for museums. I had an awesome experience working with ReBecca Hunt-Foster [BLM]; she gave me a lot of flexibility with regard to design and composition. I would love to do more exhibit design and figure out ways to communicate information to a public audience.

SZG: So, tell me what some of the problems or difficulties being a paleoartist? And what can the paleo community do to help support the work of paleoartists?

BE: What I've started to see, and what has kept me semi-afloat financially in doing paleoart full-time for the past year and a half, is that researchers have been putting paleoart into the grants, but I think that needs to be the norm and needs to be respected by grant-funding organizations. Paleoart is, as I think and the people I've worked with (because they've added funds for art in



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their grants), the face of the science, you know? The actual literature is incredibly important within the community of paleo people, who actually read the literature. But as far as science communication [to a broader audience], you need paleoart to communicate the density of the information that is embedded in every discovery. Paleoart is really important for translating these dense and nuanced scientific ideas into something that people can take away—it's the cliché “an image is worth a thousand words.”

SZG: I agree, as we have seen with PLOS, a lot of papers that have paleoart as part of the publication often skyrocket in views and reach a broader audience. I think it's a great idea for researchers to start seeking paleoart as part of their projects.

BE: Yeah, I think that it's beneficial. A lot of paleontologists and researchers are so often in their own worlds of research that they don't realize that it's actually beneficial to their career to get their research out to the public. And their research is cool to them because they often can imagine these ancient organisms and worlds in their own minds, but the public isn't and won't unless it's brought to their attention. I think it's important to have that visual aid. I would like to see the community, like, acknowledge and respect the contributions of paleoartists by making it normal to pay them a living wage, as the take-away here. Even with the grant money from the Bureau of Land Management [BLM] or other clients to fund my artwork, I still struggle financially, and I put in a ton of work. If I got paid, you know, like, just \$8 an hour for all of the time I work on art, I'd be so good on money!

SZG: Well, your work hours are probably similar to that of an academic, where there are really no set hours, and the time put into your work can take a lot of your day and night.

BE: Yeah, paleoartists are like academics work-wise, but without the possibility of tenure or any kind of a salary ever. I have to fight and convince—I often feel like the process is similar to grant-writing. I send a lot of sketches and ideas to people in hopes that I can get them excited enough to have me as part of their research team.

I'm also working on other ways of funding, such as crowdfunding, etc. I have a Patreon [you can support Brian's Patreon [here](#)], which has been super helpful, like I'm also trying to do my own projects outside of paleontology, all related to natural history, and the Patreon's been cool because it allows me a little financial freedom to be able to invest in stuff that furthers my career. Nobody wants to hire you above what you've demonstrated you can do, and so as an artist, you have to take on projects that challenge you to build a better portfolio.



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SZG: What can the paleo community do to help artists, and vice versa? How can we improve communication between each and towards the public?

BE: Going back to earlier, I would say that the paleo community can help paleoartists by including art as a line item in their grants and funds when possible. Art is the face of the science, and the foundation of the marketing. And scientists can also help artists by making sure that the artist has the necessary information on the fossils to create art successfully. I think Open Access, like PLOS, is a really awesome resource from a paleoartist perspective because it's an incredible amount of information available freely.

That said, at least for me, I get a lot of inspiration by actually looking at the fossils, and even seeing the sites and the strata. So it would be helpful if paleontologists could help artists by making sure they have access to fieldwork, fossils in collections, data and information, anything that could help them in making good art. And paying them. I'd like to fight less for an income that is a living wage.

Paleoartists, too, need to be willing to go to conferences, willing to go to museums, and communicate with scientists. We need to bridge the gap.

These are stories that need to be studied, organisms that need to be understood. And there is some really cool stories! I mean, ammonites, for example! They are some crazy strange animals with a lot of diversity! Some are huge, the size of cars! It's awesome to think about these weird, freakin' space weirdos swimming around in Cretaceous of Kansas.

In the end, there are so many good stories in the fossil record, and artists can help tell those stories, make them exciting to the public and to other researchers. I mean, back to the Aquilops project. I've seen drawings online by other artists of Aquilops, and without the art that was published alongside the original publication, Aquilops might have just been another animal that fell into the ether. Instead, people got to visualize this bizarre creature, and be inspired themselves.

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E&E/NATIONAL NEWS – FULL STORY

1. Jury to hear more summations in Nevada ranch standoff case

The Register-Guard, April 13 | Ken Ritter, The Associated Press

LAS VEGAS — A federal jury is due to hear Thursday from three more defense attorneys and a prosecutor before beginning deliberations in the trial of six men accused of wielding rifles during Nevada cattleman Cliven Bundy's dispute with federal agents three years ago.

With no court scheduled Friday, verdicts aren't expected until next week in the first of three trials stemming from an armed standoff that ended a Bureau of Land Management roundup of Bundy cattle from public land about 80 miles northeast of Las Vegas.

Three defense attorneys told the jury Wednesday that their clients were exercising constitutional rights to protest and bear arms and should be acquitted of charges including conspiracy and assault on a federal officer.

"Some people protest with signs. Other people protest with guns," said attorney Jess Marchese, representing Eric Parker of Idaho. "At the end of the day, no one was hurt, and that's the important thing."

A prosecutor cast the April 12, 2014, standoff as a crime of violence that impeded the government from carrying out U.S. District Court orders to impound Bundy cattle.

"You can't just go vigilante and resist law enforcement officers," Assistant U.S. Attorney Nicholas Dickinson said. "You especially cannot do it with guns."

The tense noontime standoff pitted about 30 armed federal land management and park service officers in battle gear against more than 100 Bundy backers in a dry river bed below an arching Interstate 15 overpass.

The six defendants had assault-style rifles, and most were on the bridge with a view of the scene below, where flag-waving riders on horseback and unarmed men, women and children demanded the release of cows that had been rounded up.

Agents demanded the crowd disperse.

In the end, no shots were fired, the local sheriff brokered a truce, and the cows were released.



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Jury deliberations are expected to take time. Chief District Judge Gloria Navarro spent 45 minutes Thursday reading aloud the instructions the jury will rely on to weigh two months of testimony and reach verdicts on 10 charges that also include weapon violations, obstruction, extortion and threatening a federal agent.

Gregory Burleson of Arizona, Richard Lovelien of Oklahoma, and Idaho residents Todd Engel, Scott Drexler and Steven Stewart, along with Parker, could face mandatory sentences of more than 50 years in prison if they are found guilty of crimes of violence; more than 100 years on all charges.

The trial represents the latest turn in a long-running dispute over land policy in the United States, where states' rights advocates want to wrest federal control of vast tracts of public land in states like Oregon, Nevada, Idaho and Utah.

A second federal trial could start June 5 for Cliven Bundy, his sons Ammon and Ryan Bundy, and two other defendants characterized by prosecutors as leaders of a conspiracy. Trial for another six defendants would follow in the fall.

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2. **Trump's border wall plan hits snag as congressman backs environmental suit**

The Guardian, April 12 | Julia Carrie Wong

A US congressman and environmental group have filed the first lawsuit targeting Donald Trump's plan to build a 30ft wall on the US-Mexico border.

The suit, brought by Congressman Raúl M Grijalva of Arizona and the Center for Biological Diversity in the US district court for Arizona, seeks to require the government to undertake a comprehensive environmental impact analysis before beginning construction.

Such a review would probably take several years to complete, delaying indefinitely the fulfillment of one of Trump's signature campaign promises.

"It will take a significant amount of time to thoroughly analyze [the impacts of the wall], and that's the point," said Randy Serraglio, a spokesman for the Center for Biological Diversity.

"What we learned about the border wall in the past 10 years is that it's hugely expensive, it doesn't work, and it does a tremendous amount of damage," Serraglio said. "The people in the



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United States have the right to know what the damage is going to be, what it's going to cost, and whether it's going to be effective. Those are questions the Trump administration is not interested in answering."

The lawsuit invokes the National Environmental Policy Act, which requires environmental review of major federal programs.

The Department of Homeland Security and Customs and Border Protection, which are named as defendants, declined to comment on pending litigation.

Trump began his presidential campaign in June 2015 with the promise of a border wall to keep out Mexican immigrants, whom he characterized as "criminals" and "rapists". In the first week of his administration, he signed an executive order calling for homeland security to "begin immediate construction" of the wall.

Homeland Security has since begun a bidding process for contractors to build prototypes for the multibillion-dollar project. Still, a lack of interest from major construction firms and a lack of funding from Congress may mean that the proposal never moves beyond a border wall beauty pageant expected to take place in San Diego this summer.

"American environmental laws are some of the oldest and strongest in the world, and they should apply to the borderlands just as they do everywhere else," Grijalva, a Democrat, said in a statement. "These laws exist to protect the health and well-being of our people, our wildlife, and the places they live. Trump's wall – and his fanatical approach to our southern border – will do little more than perpetuate human suffering while irrevocably damaging our public lands and the wildlife that depend on them."

Serraglio said the existing border fence had already caused significant environmental damage, including flooding and erosion.

In July 2008, a heavy thunderstorm produced a damaging flash flood at the Organ Pipe Cactus National Monument in Arizona after the border fence prevented water from flowing away naturally.

On the same day, border infrastructure was responsible for the deaths of two people and \$8m in damage to Nogales, Mexico, when water was trapped on the south side of the border.



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Expanding construction on the border could exacerbate the flooding problems, in addition to threatening the survival of species, such as jaguars, ocelots and wolves, Serraglio said. Additional environmental degradation would probably be caused by the construction of new roads and infrastructure to enable construction of the wall in remote wilderness areas.

The Department of Homeland Security produced an environmental impact statement about border enforcement programs in 2001.

Thursday's suit is not the first time Trump's policies have attracted legal challenges. Both of Trump's attempts to impose a travel ban on several Muslim-majority countries have been blocked by federal judges. On 5 April, 17 states sued to attempt to block Trump's efforts to rescind climate change regulations.

"What's happening now is not driven by any rational analysis of border security needs," said Serraglio. "It's driven by Donald Trump's ridiculous campaign rhetoric, and that is not a sound basis for public policy."

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3. **METHANE: Leak detection industry sees profits in oil and gas regs**

E & E News, April 13 | Brittany Patterson

The budding U.S. methane reduction industry is a source of high-paying, quality jobs but remains reliant on state and federal regulations, according to a new report.

Commissioned by the Environmental Defense Fund, the [analysis](#) found 60 companies across the country are working with oil and gas operators to find and repair methane leaks.

More than half of the companies are considered small businesses, but hope to expand. About a third of the leak detection and repair firms started operating in the last six years, highlighting the increasing need for methane mitigation services, the report released this week found.

Put together by international consulting firm Datu Research LLC, the findings build on a similar 2014 study commissioned by EDF. That survey identified an additional 76 American companies developing technologies to reduce wasted methane, a powerful greenhouse gas.



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"The data show that methane mitigation means jobs, and it also means well-paid, boots-on-the-ground American jobs that can't be sent offshore," said Isabel Mogstad, analyst for EDF's corporate partnerships program.

Many of the companies reported hiring diverse employees, with wide-ranging education levels. For example, with a high school diploma, a technician walking along an oil and gas well pad using an infrared camera to detect leaks might bring in \$13 to \$19 hourly. An environmental scientist or engineer, also part of the team, could pull in much more.

Mogstad said 75 percent of the companies that responded to the survey said methane regulations are already having a positive impact on their business, or they anticipate positive impacts as a result. Many said they anticipated hiring more staff and expanding their business in the next five years.

"The report found one of the primary drivers of their growth is and hopefully continues to be regulations," she said.

Feds aim to loosen regulations

Dexter ATC, a Texas-based leak detection and repair company, which employs about 150 people and operates across the country, said federal regulations have the "potential to generate an estimated \$3.5 million in additional work for existing clients alone."

Federal methane regulations from both U.S. EPA and the Bureau of Land Management are currently under review and likely to be weakened or repealed. Both EPA's New Source Performance Standards (NSPS) and BLM's methane waste rule were singled out in President Trump's recent "energy independence" executive order.

Last week, the Justice Department filed a motion to pause ongoing litigation for 30 days while EPA decides to suspend, revise or rescind its NSPS, which require new and heavily modified oil and gas operations to check for and repair leaks (E&E News PM, April 7).

BLM's methane waste rule requires oil and gas operators operating on public lands to adopt best practices and off-the-shelf technologies to limit the amount of natural gas that is released into the atmosphere or burned off across roughly 100,000 wells. The rule is under review at the agency.



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Mogstad said the report found the burgeoning industry is increasingly looking toward states for continued leadership.

A number of other states have enacted laws that restrict methane emissions. California, Colorado, Pennsylvania, Wyoming and Idaho have leak detection and repair regulations on the books.

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4. NATIONAL MONUMENTS: Memos show Obama admin consulting with Utah officials

E & E News, April 13 | Jennifer Yachnin

Congressional Democrats are firing back today at GOP assertions that the Obama administration failed to adequately consult with Utah officials before it designated the Bears Ears National Monument, highlighting documents the House Oversight and Government Reform Committee received from the Interior Department.

Maryland Rep. Elijah Cummings, the committee's top Democrat, detailed emails and private [messages](#) between former Interior Secretary Sally Jewell and Utah officials, including Gov. Gary Herbert (R), as well as communication between Interior staff and congressional offices.

"The documents obtained by the Oversight Committee contradict Republican statements alleging inadequate input from local communities and instead demonstrate a lengthy process of consultation," the eight-page memo says.

The panel obtained the communications and other records as a result of a request issued by Chairman Jason Chaffetz (R-Utah) in December, one day after President Obama announced the 1.35-million-acre monument in southeast Utah.

"The documents show that the Department of the Interior consulted with the Utah delegation on an ongoing basis since 2013 and made continuous efforts to keep the lines of communication open," Cummings states in the memo.



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But Chaffetz dismissed Cummings' comments as "insulting" and misconstrued, arguing that while Republican lawmakers worked with the Obama administration on the Utah Public Lands Initiative, Utah officials were left out of the discussions about a monument designation.

Democrats highlighted interactions between Interior officials and Utah lawmakers, including Chaffetz and Natural Resources Chairman Rob Bishop (R), over the Public Lands Initiative, the GOP members' preferred alternative to a monument designation.

"We are glad the PLI was finally released during my visit," Jewell wrote to Herbert in a handwritten note in July 2016, following her travel to the state. "My team is reviewing it carefully and will continue to work with the delegation. ... The different points of view weren't as far apart as people anticipated. These lands deserve further protection and resources — that was fairly universal."

Cummings also highlighted an email from an aide to Utah Sen. Mike Lee (R) disclosing that the Senate would not see its own version of the bill, opting to defer to the House.

"We are stilling reviewing your ta [technical assistance] and deciding how to proceed," the unnamed aide wrote. "Just wanted to keep you informed since you have been forthcoming with us."

Arizona Rep. Raúl Grijalva, the top Democrat on the Natural Resources panel, praised Interior in a joint statement with Cummings.

"If anyone wants to paint Bears Ears National Monument as a surprise or the product of rushed or incomplete planning, they'll have to explain hundreds of emails and dozens of pages of shared work product," Grijalva said. "These documents are an exemplary record of public servants going above and beyond to find a workable solution to a complicated issue, and they show Democrats and Republicans working together more often than not."

But a Bishop spokeswoman dismissed Democratic assertions that the new disclosure rebuts criticisms over the Obama administration's decision to declare the monument via the Antiquities Act.

"The minority's desperate attempt to create a facade of local support for President Obama's abusive actions is cute but laughable," committee spokeswoman Molly Block said.



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Congressional Republicans have pointed to their own opposition as well as that of local officials in San Juan County, Monticello and Blanding, Utah, and state officials — Herbert signed a pair of resolutions from state lawmakers earlier this year asking Congress to rescind the monument and for President Trump to reduce the boundaries of the Grand Staircase-Escalante National Monument, which was designated by President Clinton — and argued that the administration undercut the Public Lands Initiative.

Congressional Republicans have also asserted that their interactions with Interior on the Public Lands Initiative did not translate to support for the monument designation — something Bishop and others have long opposed.

"This is insulting. Since 2013, we've made a herculean effort to engage all stakeholders, including the Obama Administration, in finding a comprehensive solution to land-use issues. The released documents describe ongoing conversations about the Public Lands Initiative (PLI), not a monument designation," Chaffetz said in a statement.

He added: "The PLI process included repeated attempts to engage President Obama directly but were consistently rebuffed. Democrats on the Oversight Committee — who know nothing about Utah — cherry picking documents to tell one side of the story is insulting and undermines the efforts of local stakeholders who spent many hours negotiating in good-faith toward a collaborative solution."

Interior Secretary Ryan Zinke has said he plans to visit Utah before issuing any recommendations on the Bears Ears monument, but has yet to do so.

A former member of Trump's Energy Department transition team said last week that he expects the president to issue a new executive order targeting the Antiquities Act, the 1906 law that allows presidents to designate national monuments (E&E News PM, April 4).

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5. **CLEAN POWER PLAN: EPA warns against 'advisory opinion' from court**

E & E News, April 13 | Ellen M. Gilmer

Issuing a ruling now on the Obama administration's Clean Power Plan could threaten the "integrity of the administrative process" as President Trump's U.S. EPA reviews the rule, government lawyers told a federal court last night.

In a filing to the U.S. Court of Appeals for the District of Columbia Circuit, Justice Department lawyers again made their case for freezing litigation over the landmark climate regulation, which aims to slash greenhouse gas emissions from the power sector.

Last month's "energy independence" executive order directed EPA to consider scrapping the Clean Power Plan, and the agency promptly asked the D.C. Circuit to pause the high-stakes litigation challenging the rule while that review plays out (Energywire, March 29).

The D.C. Circuit heard oral arguments in the case last September and was expected to rule any day. Now, the Trump administration says a ruling would interfere with the administrative process and waste judicial resources.

"It is not the proper role of this Court to try to shape a potential forthcoming rulemaking through an advisory opinion, particularly where doing so would intrude upon EPA's authority to interpret and implement a statute it administers and upon a new Administration's authority to change legal and policy positions," DOJ lawyers told the court.

Supporters of the Clean Power Plan last week urged the D.C. Circuit to reject EPA's request to freeze the case. They say the legal questions at issue — particularly the scope of EPA's authority under the Clean Air Act — must be answered regardless of the administration's position on the regulation.

In filings last week, states and advocacy groups argued that freezing the case after extensive briefing and oral arguments would be unprecedented.

EPA pushed back on that claim last night, citing a previous D.C. Circuit decision to indefinitely put on hold litigation over a Nuclear Regulatory Commission licensing decision. That case had been fully briefed but had not been argued.



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Environmental and public health groups have also argued that sidelining the case would actually run afoul of the Supreme Court's 2016 decision to stay the Clean Power Plan because the stay was issued under an Administrative Procedure Act provision that gives courts authority to pause regulations "pending judicial review."

"The requested abeyance perverts the purpose of the Supreme Court's stay, which imposed only a temporary halt in the enforcement of the Clean Power Plan pending judicial review," rule supporters told the court last week. "The Supreme Court explicitly contemplated that the stay would last only until this Court's decision on the merits of the Rule and an opportunity for Supreme Court review" (Energywire, April 7).

EPA slammed that argument in last night's filing, arguing that the Administrative Procedure Act provision "contains no restrictions on the Court's docket management power, nor preclude the ability of this Court to hold in abeyance challenges to an agency rule previously stayed by the Supreme Court."

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6. **INTERIOR: Zinke sends all-staff harassment warning after IG report**

E & E News, April 13 | Corbin Hiar

Interior Secretary Ryan Zinke today ordered all managers and supervisors at the department to undergo harassment prevention training and called for a review of agency harassment policies and reporting procedures.

Sexual harassment "will not be tolerated," he said in a [memorandum](#) sent to all employees this morning.

"I also expect all [Department of the Interior] employees to refrain from engaging in offensive or abusive behavior that may not rise to the level of illegal harassment but is still unacceptable conduct in the workplace," he added. "Bullying, degrading, and intimidating behavior is not acceptable and serves to dishonor the mission and values of our Department."

The memo encouraged employees who suffer harassment or see others being harassed to report the behavior "immediately, without fear of retaliation."



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He also said that, "when appropriate, any employee who is found to have committed sexual harassment, discriminatory behavior, or any other harassing or retaliatory activities will be subject to disciplinary and/or adverse action."

The document was signed a day after a comprehensive report from Interior's inspector general showed that a Yellowstone National Park repair crew had engaged in sexual harassment, drunkenness and crude comments while on the job for more than a decade (Greenwire, April 12).

Zinke, who received the internal watchdog's report before it was publicly released, visited Yellowstone last month and spoke to employees about the problem.

"Told @yellowstonenps team I have #zerotolerance for #sexualharassment," he said in a tweet at the time.

Similar instances of harassment have been exposed by the IG and congressional investigators at several other parks across the country in recent months.

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7. PUBLIC LANDS: Groups call for transparency in Interior rules review

E & E News, April 13 | Kellie Lunney

Interior Secretary Ryan Zinke is getting a lot of mail these days.

Sixteen national conservation and environmental groups today sent Zinke and other top Interior officials a letter calling on the former Navy SEAL to "preserve commonsense energy reforms and ensure that the public has a significant say in any review of policies affecting public lands."

The [latest request](#) comes from environmental advocates including the Sierra Club, the Wilderness Society and Greenpeace. It lands a day after Western-based religious and conservation organizations as well as a veterans group urged Zinke to conduct a fact-based, thorough review of the Bureau of Land Management rule curbing greenhouse gas emissions from oil and gas flaring, venting and leakage on public lands (Greenwire, April 12).

Today's letter focused on a broad [secretarial order](#) Zinke signed in March that mandated a 21-day review of the department's rules on climate change, mitigation and energy development. That



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directive stems from President Trump's larger executive order on energy independence (E&E News PM, March 29).

The groups said they have "grave concerns" that the review process outlined in the secretarial order will result in major decisions being made "behind closed doors" on development and management strategies for public lands and without proper public input.

"These decisions will effectively scrap decades of work by public servants furthering the public interest as required under law," said today's letter.

Zinke's secretarial order, which includes a review of the BLM methane rule along with other regulations related to climate change and oil and gas development, aims for a "reexamination of the mitigation policies and practices" across Interior "to better balance conservation strategies and policies with the equally legitimate need of creating jobs for hard-working American families."

The order "could upend, behind closed doors, critical national park protections that were created in a very thoughtful, open and transparent process," Theresa Pierno, president and CEO of the National Parks Conservation Association, said in a related statement. Pierno signed today's letter to Zinke. "To discount years of analysis, as well as expert and community input, would be a mistake," she said.

Interior spokeswoman Heather Swift yesterday said by email that "Secretary Zinke continually reaffirms his commitment to make sure the Interior Department is a good neighbor to local communities and greatly values local input on land management decisions."

Zinke also received an April 11 letter from conservation advocates focused on increasing the racial and ethnic diversity of both public land visitors and managers to maintain the Bears Ears National Monument in southeast Utah (Greenwire, April 11). That missive argued that it would be "a sign of profound disrespect to tribes" if the Trump administration reduced the monument's boundaries or rescinded its status altogether.

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8. INTERIOR: In about-face, Zinke opposes giving bison range to tribes

E & E News, April 13 | Corbin Hiar

The Interior Department no longer supports legislation that would transfer the National Bison Range to the tribes whose reservation it's located within.

"I took a hard look at the current proposal suggesting a new direction for the National Bison Range and assessed what this would mean for Montana and the nation," Interior Secretary Ryan Zinke said today in a statement. "I recognize the Bison Range is a critical part of our past, present, and future, which is why I have changed course."

Interior's Fish and Wildlife Service last year considered backing legislation that would give the so-called crown jewel of the national wildlife refuge system back to the Confederated Salish and Kootenai Tribes (Greenwire, Feb. 8, 2016).

But Montana's senators weren't ready to introduce legislation authorizing the transfer (E&E Daily, July 13, 2016).

Then, two days before the end of the Obama administration, FWS announced in the Federal Register that it would prepare a draft comprehensive conservation plan for the range. That [notice](#) listed three alternatives, including the agency's preferred management option: congressional transfer of land to the tribes.

A majority of comments on that proposal, however, opposed the preferred alternative, according to an initial FWS review.

Zinke cited those responses and his often-stated opposition to selling or transferring federal lands as the main reasons for the department's change.

"That said, the Confederated Salish and Kootenai Tribes will play a pivotal role in our discussions about the best path forward," he added. "CSKT will be instrumental in helping make this significant place a true reflection of our cultural heritage."

The CSKT live on the 1.3-million-acre Flathead Indian Reservation that surrounds the 18,800-acre range. The refuge lands were purchased from the tribes in 1908.



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But the CSKT have argued that the deal should be invalidated because at the time, such sales were often forced. The tribes also emphasize that they would maintain protections for the land and bison because of the strong spiritual ties they have to them. According to CSKT history, the bison there today descend in part from six calves brought to the area by one of the tribes' ancestors.

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9. **PUBLIC LANDS: Feds want enviros kept out of leasing spat with industry**

E & E News, April 13 | Ellen M. Gilmer

The Trump administration is urging a federal court to keep environmental groups out of a legal dispute between the government and the oil and gas industry.

In an amicus brief filed yesterday at the 10th U.S. Circuit Court of Appeals, Justice Department lawyers voiced their support for a lower court's decision to block a coalition of green groups from intervening to fight an industry lawsuit related to the frequency of federal lease sales.

The Western Energy Alliance's underlying lawsuit centers on whether the Interior Department has violated federal law by canceling and delaying oil and gas lease sales in recent years, despite a Mineral Leasing Act requirement of quarterly lease sales "for each State where eligible lands are available."

While industry lawyers say the lawsuit aims to achieve a narrow goal of enforcing the quarterly lease sale provision, environmental groups say the suit actually attempts to force Interior's Bureau of Land Management to prioritize development over environmental protection by scrapping an Obama-era leasing reform policy that favors a rotational schedule for sales.

BLM last year also saw the industry group's claims as "far broader than WEA has since conceded" and did not object to the Sierra Club, the Center for Biological Diversity and several other groups joining the lawsuit on the government's side.

Now government lawyers have changed their tune, noting that industry lawyers have "expressly and repeatedly disavowed" claims that they sought to force BLM's hand on lease sales.



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"The Conservation Groups have no valid interest in BLM's alleged noncompliance with that MLA provision," the government's brief says. "Their interest is in what happens beforehand, when BLM chooses which eligible lands are available for leasing. If the history of this lawsuit makes one thing clear, it is that this choice is and will remain within the agency's 'considerable discretion,' subject to the environmental-review requirements with which the Conservation Groups are concerned."

Industry lawyers have also pushed hard to keep environmentalists out of the case. In a brief to the 10th Circuit last week, the Western Energy Alliance argued that the environmental groups' attempt to intervene "is premised on a series of straw man arguments" that overstate and distort the legal issues in the case (Energywire, April 6).

The environmental groups have pointed back to industry's initial legal filing, which asks the U.S. District Court for the District of New Mexico to "revise or rescind all agency guidance and instructional memoranda," including the leasing reform policy, "that direct implementation of BLM's lease sale program in a manner contrary to law."

Lawyers for the Western Energy Alliance clarified to the district court that that request was "cosmetic" in nature and was included "in the event the Court found any provisions in the policy to be inconsistent with the Mineral Leasing Act."

Environmental lawyers maintain that the district court ran afoul of 10th Circuit precedent that the government cannot adequately represent prospective intervenors' interests when it is attempting to balance a variety of public interests — including mineral development and public lands protection. That's especially true after the recent change in administrations, the groups told the court.

"The record also shows that WEA believes the new presidential administration may take positions much more favorable to WEA in this case," they wrote. "The district court erred by disregarding this evidence in its intervention ruling, and failing to follow controlling Tenth Circuit precedent."

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10. **INTERIOR: Zinke meets with tribes in quest to save Ariz. coal plant**

E & E News, April 13 | Benjamin Storrow

Interior Secretary Ryan Zinke paid an impromptu visit yesterday to tribal, state and business representatives meeting in Washington to discuss the future of Navajo Generating Station.

Zinke offered the highest-level support to date in the Trump administration's attempt to keep the struggling Arizona coal plant open. But in a sign of the difficulty of keeping the 2,250-megawatt facility running, the meeting ended without any plan to keep the massive coal plant running beyond its 2019 retirement date.

Navajo Generating Station has emerged as an early test of the Trump administration's promise to revitalize the coal industry. Four utilities that jointly own three-quarters of the plant voted in February to close the plant 25 years early, saying it could no longer compete in a market where wholesale power prices have been depressed by cheap natural gas and solar. The government is a part owner of the plant, maintaining a 24.3 percent stake through the Bureau of Reclamation. Federal officials have sought to keep it open, launching a series of working groups charged with tasks like finding a new owner and peeling back regulations that would make it more cost-competitive.

Zinke was confirmed on the day officials from the Interior Department, the Navajo and Hopi tribes, Peabody Energy Corp., and the utilities with a stake in the plant met in Washington last month.

His appearance at the meeting yesterday, held at Interior's headquarters, was not anticipated, said Dan DuBray, a Reclamation spokesman. The secretary's arrival was applauded by the crowd. He then gave a brief set of remarks, welcoming those gathered and pledging Interior's help in facilitating further talks on the plant's future, DuBray said.

Zinke took to Twitter shortly thereafter, writing, "Listening to #NavajoNation, #Hopi & partners about challenges & opportunities facing the Navajo Generating Station. Looking for solutions."

The secretary's appearance was welcomed by meeting participants, who called the discussions productive. Still, none emerged with responses to the larger question of finding a new owner.



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Instead, they noted that efforts were largely focused on securing a short-term lease extension with the Navajo Nation to operate the plant through 2019.

Tribe 'exploring options' in solar, wind

The plant is located on tribal land in northern Arizona. The current lease runs through 2019, but Salt River Project, the facility's operator, has said it will need to shut down Navajo Generating Station this year if a short-term extension cannot be reached. The public power company says it needs several years for decommissioning and wants to have cleanup completed by the time the lease ends.

Scott Harelson, a Salt River Project spokesman, said the company is meeting weekly with Navajo officials to discuss the issue. Those gathered in Washington agreed that the lease extension is the most pressing issue, "as all other options hinge on the plant remaining open until the current lease ends," Harelson said.

Navajo and Hopi officials have called for federal subsidies to keep the plant open. Navajo Generating Station is served by the Kayenta coal mine, which covers Navajo and Hopi lands. In a statement yesterday, Navajo Nation President Russell Begaye said the tribe's focus remains on keeping the plant open, noting that coal revenues account for 40 percent of the tribe's tax collections. But in a slight shift, Begaye also signaled that the tribe is considering options should the plant close.

"Should NGS close, we are asking the Department of Interior to guaranteed access to transmission lines for development purposes," Begaye said. "We are exploring options to develop solar, wind and other renewables of which we will need access to the transmission lines on our land in order to export it. Additionally we would like to assume the rights to water and minerals on our land. Currently, we have no rights to minerals beneath our soil. As we seek economic independence, we would like rights to the uranium, coal and other minerals beneath our soil."

Reclamation officials struck a similar tone, describing the talks as productive. While much of the focus yesterday concerned the plant's operations through 2019, hope remains that it can be kept open beyond that date, said David Palumbo, deputy Reclamation commissioner for operations.

"At the same time, we recognize this is a difficult task among the stakeholders and therefore are exploring ways to minimize negative impacts should the plant close," he said in a statement.



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Identifying an owner has proved the biggest challenge for those hoping to keep the plant open. Salt River Project, Arizona Public Service Co., NV Energy and Tucson Electric Power, which jointly own 75 percent of the plant, have all said they will exit the plant at the end of 2019.

Salt River Project, Arizona Public Service and Tucson Electric Power serve most of the load in Arizona, while NV Energy was already planning to exit the plant in 2019 to comply with a Nevada law barring utilities from buying coal.

Running the plant beyond 2019 would result in annual losses of \$100 million to \$150 million, Salt River Project has said.

Peabody Energy, operator of the Kayenta mine, has emerged as the most vigorous defender of Navajo Generating Station. In contrast to the utilities' findings, the St. Louis-based firm has touted a study it commissioned that found the plant would save ratepayers \$700 million through 2040.

"We're encouraged by ongoing discussions led by the Department of the Interior to maintain this valuable resource," said Kemal Williamson, Peabody's president for the Americas, noting that the company has offered to lower fuel prices paid by the plant. "Our third-party study demonstrates the plant can be very competitive with natural gas and other baseload coal plants."

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11. **EPA: 'We're here today to partner,' Pruitt tells coal miners**

E & E News, April 13 | Emily Holden

SYCAMORE, Pa. — U.S. EPA Administrator Scott Pruitt told workers at the nation's largest underground coal mine here that their industry has a friend in the federal government.

When President Trump signed an executive order last month to lift restrictions on fossil fuel, Pruitt said to applause that "the war on coal is done."

Dozens of employees from Consol Energy Inc.'s Harvey mine gathered to hear Pruitt. Jimmy Brock, CEO of a Consol subsidiary, CNX Coal Resources, said Trump was making good on his promise to "unleash" American energy.



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"It's no lie that in the industry in the last eight years, we've all felt a lot of pain," he said, but "there's always going to be a need for coal in the generation mix. We don't know what percentage or what part that's going to be, but we're going to be part of it as long as we mine coal safely and compliantly and take care of the environment."

For his part, Pruitt said it's not necessary to be forced to choose between environmental protection and economic growth.

"We need to listen and learn and pass common-sense regulations that ensure good outcomes for our environment but also recognize the importance of job growth," Pruitt said. "We're here today to partner."

Pruitt said the Obama administration launched a "regulatory assault" on industry and still didn't achieve compliance with air pollution standards or clean up hundreds of hazardous waste sites.

"We're going to improve the environment in our country, protect our water and protect our air, but at the same time do it the American way," he said.

EPA is dubbing Pruitt's visit the start of his "back to basics" agenda. The Sierra Club called it his "back to pollution" plan.

Energy analysts insist there's not much the Trump administration can do to boost coal production as power companies move toward cheaper natural gas, wind and solar power.

But Hal Quinn, president and CEO of the National Mining Association, said Pruitt's visit to the mine "should give confidence to coal communities across the country that the days when our government stands in opposition to them are over."

The Harvey mine produced 3 million tons of coal and employed 178 people in 2016, according to the Mine Safety and Health Administration.

After speaking, Pruitt spent the afternoon touring the mine and meeting with industry representatives and Pennsylvania Coal Alliance officials, according to an EPA spokeswoman.

Employees presented him with his own hard hat, which a miner's wife decorated with his name and Trump's campaign catchphrase, "Make America Great Again."

After the brief address, mine workers said they were cautiously optimistic.



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Heath Hollowood, a fourth-generation coal worker who has been a contractor for CNX Coal Resources for 10 years, called Pruitt's visit "very encouraging" but said he understands that even if the federal government eases regulations, coal will still have to compete with natural gas.

"But in the short term," he said, "yeah, coal is definitely a viable option."

Others said they've seen layoffs for years and don't expect to keep their jobs in the industry permanently. They said a future president is likely to bring back climate rules that could speed the closure of coal plants.

Job options in the area are limited, and they don't pay as much or tap what they've learned in the coal industry, they noted.

Employees speaking in the parking lot after the event lamented that the rest of the country doesn't understand their work to limit the environmental impacts of coal mining. They said they have doubts about mainstream climate science and think federal policy should consider the value of coal as a cheap fuel source and employer.

"It was very refreshing after eight years of feeling like a second-class citizen," said a worker who declined to be named.

Clean Water Act penalty

The mine Pruitt visited today tangled with EPA over pollution just last year.

The Justice Department as well as EPA and the state of Pennsylvania announced a [settlement](#) last August with Consol and CNX to implement "extensive water management and monitoring activities" to stop discharge of mining wastewater at the Bailey mine complex, which includes the Harvey mine.

As part of the settlement, Consol agreed to pay a \$3 million civil penalty for violating the Clean Water Act.

"Mining operations that discharge to our rivers, lakes and streams have an obligation to comply with our nation's laws that protect those water bodies, as well as public health," then-EPA Region 3 Administrator Shawn Garvin said in a statement at the time.



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"The actions required by today's settlement represent a major step forward in protecting local waterways and the health of communities."

Trump and Pruitt have been pushing to revive coal by cutting regulations by EPA and other agencies, but many energy companies are losing interest in the resource. That includes Consol, which is looking to move out of the coal business.

Earlier this year, the company said it wants to sell off its Pennsylvania coal mines. Why? So it can focus more on producing natural gas (Energywire, Feb. 2).

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12. **WORKFORCE: As shale recovers, 'you're not going to get everybody back'**

E & E News, April 13 | Saqib Rahim

If there are green shoots to be found in the U.S. oil industry, one of them is at a small sand mine in Pacific, Mo.

Over the last few months, U.S. Silica Holdings Inc. has hired a handful of workers to prepare the mine for around-the-clock operations. The mine now has about 33 workers, according to Steve MacDonald, a business agent with Laborers Local 110.

"They really needed more men because they were working 13 [days] on, one off," he said. "More product's moving out the door."

That makes Frederick, Md.-based U.S. Silica a rare bird: a company that's hiring despite low oil prices — maybe even because of them. According to securities filings, the company finished 2016 with about 1,400 employees, up from 1,000 the year before.

The oil slump, which started in late 2014, led to a savage downsizing in the energy industry: more than 224,000 jobs lost since January 2014, according to consultancy Challenger, Gray & Christmas Inc. But as they laid off workers, oil companies devised ways of getting more production with less cash, including blasting their wells with more sand.

Now, as the U.S. industry begins a new chapter of expansion, an open question is whether it needs as many people as it used to. President Trump is confident it will: He campaigned on a



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promise to roll back regulations, stimulate oil and gas output, and give birth to 400,000 new jobs a year.

But analysts see an industry far less labor-intensive than it was in 2014.

"The reality is that I think we created too many jobs when it was \$100 a barrel. The industry at that point, it was nearly impossible to go broke," said Allen Gilmer, co-founder and executive chairman of data-analytics firm Drillinginfo Inc. "And that's kind of an unsustainable business model. And I think that today it's really being focused on people that know how to make money and are working at being that lower marginal cost operation.

"You're not going to get everybody back. But I'm not sure you're ever going to need everybody back," he said.

Innovation drives decline

U.S. crude oil production was 8.8 million barrels per day in January, according to the U.S. Energy Information Administration. That's the same production figure as July 2014, when oil prices topped \$100 a barrel and there were nearly three times as many rigs drilling for oil.

The feat has kept the United States a leading oil producer throughout, as prices bombed into the \$20s and rebounded into the precarious \$50s today. Today, U.S. shale sits firmly in the middle of the global oil supply curve, and traditional producers haven't been able to budge it yet.

And it's largely due to innovations in technology and tactics.

A decade ago, shale drillers focused on buying up land and drilling on each parcel just to keep it. Today, drillers use "pads" that drill in various directions, like a hand that punches underground, then opens.

The "fingers" — each well — are longer, and the gaps between them have narrowed. Each segment of the well is blasted with more water and sand. And the hand can plunge deeper, reaching lower layers of rich rock.

"A typical shale well in the Permian now has a two-mile lateral (10,000-plus linear feet) and uses 15 million pounds of sand — that's 1,500 pounds of sand per linear foot," RBN Energy LLC, a consultancy, said in February. "We've been hearing that using 20 million pounds of sand per



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two-mile lateral is becoming more common in the Permian, and who knows how far this trend might go."

The oil crash was originally expected to make "tight oil" uneconomic. Instead, the producers that survived the crash have recentered their businesses for lower price levels.

"Prices needed to drill new wells in the Permian Basin, SCOOP/STACK and Eagle Ford are below \$50 per barrel on average," Michael Plante, senior economist with the Federal Reserve Bank of Dallas, said in a report last month. "As a result, it's no surprise that these regions continue to attract new rigs and capital week after week."

Oil prices haven't yet returned to the \$80-plus level that producers hoped for, and prices remain sensitive to the fragile accord reached by OPEC.

Even so, U.S. producers are preparing to increase output.

Capital budgets for the fourth quarter of 2016 were 72 percent bigger than in the fourth quarter of 2015, according to the EIA, which looked at 44 onshore U.S. oil producers.

What that means for jobs is unclear.

The A-Teams

Before oil prices crashed in 2014, each new land rig spawned 356 full-time jobs in the oil and gas industry, according to Trey Cowan, senior industry analyst with Platts RigData.

When prices crashed, every rig that went offline took 93 jobs with it, Cowan estimated.

Today, how many jobs will a new rig generate? Jesse Thompson, an economist with the Dallas Fed, said it will be lower than before the oil crash.

He said technology has improved and companies have pared their drilling teams down to their "A-Team."

"The extra energy industry jobs, the number of jobs that you get for every extra rig is going to be lower in this next cycle than it was in the shale boom. Because we're going to be more efficient," he said.



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Leading companies in the Bakken Shale are touting "enhanced completions" that pull more oil from each well. Sand has been a key ingredient in their recipes.

During fracking, sand is mixed with water and chemicals and pumped into the well. The fluid shatters the rock around the well bore. The sand creeps into the cracks and holds them open, functioning as a "proppant." Oil and gas molecules seep out.

The average Bakken well used about 4 million pounds of proppant in 2014, according to Drillinginfo. By 2016, that had risen to 6.5 million.

In a recent earnings call, Oasis Petroleum Inc. described its "two big hitters" — hosing the rocks with more sand and more rounds of water.

Oasis' average well got 4 million pounds of sand last year, but in the year ahead, it wants to average 10 million. The company will experiment with 20 million- and 30 million-pound "jobs" this year. Right now, the company's forecasting a 2017 production that's 30 to 40 percent higher than last year's.

But like many other shale producers, Oasis has cut jobs in the downturn. The company had 558 employees at the end of 2014, according to a securities filing. At the end of 2016, it had 477. The company didn't return requests for comment.

'Do not expect a repeat of employment explosion'

What happens next is of paramount importance in places like North Dakota, which has counted not just on jobs in the energy industry but all the economic activity — in construction, restaurants and services — that spills over.

In 2005, the industry created about 20,200 direct and indirect jobs, according to a recent study by a North Dakota State University economist. By 2013, that number had more than quadrupled.

But by 2015, following the oil crash, the total number of jobs had pulled back to about 72,300. That represents about 17 percent of all jobs in the state today, the study estimated.

What happens next will depend heavily on oil prices, said Dean Bangsund, an economist with NDSU's Department of Agribusiness and Applied Economics. But he thinks the boom days are through.



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"Do not expect a repeat of employment explosion 2010 to 2014," he and Nancy Hodur, another NDSU researcher, said in a December presentation to county officials.

Meanwhile, stocks of sand companies are booming. Financial analysts haven't had much success predicting the price of oil, but they think that even if prices stay low, U.S. oil companies will continue to demand sand.

According to the U.S. Geological Survey, total production of hydraulic fracturing sand pulled back in 2016 but "remained at historically high levels."

In a February report, Credit Suisse Securities analysts called sand the fastest-growing sub-segment in oil field services.

"We estimate sand demand shrunk by 27 percent last year and will expand by 64 percent this year," said the analysts, led by James Wicklund. "In 2017, sand volumes will eclipse the peak of 2014 with a rig count less than half of what it was then."

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13. **EPA: Employee rebellion? Pruitt opts not to 'prejudge' staffers**

E & E News, April 13 | Kevin Bogardus

U.S. EPA Administrator Scott Pruitt said today that his agency's "change of direction" has sparked stories about career employees' resistance to President Trump's agenda.

Appearing on "Fox & Friends," Pruitt was asked about EPA employees' reported use of Signal, an encrypted messaging app that workers have allegedly used to communicate with each other while avoiding being snooped on by Trump's appointees.

"Let me say, there's been a change of direction, obviously, at EPA, and I think that's what's prompting these kinds of stories," Pruitt said.

Reports of EPA employees' use of encrypted messaging have sparked litigation against the agency — the latest being a lawsuit filed by Judicial Watch, a conservative-leaning watchdog. In addition, the matter has fallen under agency investigation (E&E News PM, April 12).



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Federal employees sending encrypted messages for official business could violate the Freedom of Information Act and the Federal Records Act, which require agencies to preserve their records.

Pruitt said he tries not to question the EPA career staff's motives.

"You see kind of a competitiveness, a concern about what's happened the last eight years by some of the employees, but we try not to prejudge that, give confidence to the folks that are there, give them the direction that we're going, and hopefully, they will respond properly," Pruitt said.

The EPA chief also dismissed concerns that career employees would slow down carrying out Trump's priorities, adding he has already moved ahead on that agenda.

"We're going to get it done, and we have already gotten it done the first 51 days," Pruitt said, noting that the agency has begun rolling back major regulations, such as the Clean Power Plan and the Waters of the U.S. rule.

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14. **FINANCE: Seattle mayor calls for fossil fuel divestment**

E & E News, April 13 | Benjamin Hulac

The mayor of Seattle is urging the city's \$2.5 billion pension fund to sell its fossil fuel investments.

In a [letter](#) to the Seattle City Employees' Retirement System, Mayor Ed Murray said he found the arguments for divestment persuasive.

Murray requested that the fund sell any stakes in companies that primarily mine and burn coal, and he asked the board to study the role fossil fuel investments should play in the pension system.

"The advocates and employees I've heard from have made compelling arguments about the need to divest pension investments from fossil fuels, and our exposure to financial risks if we don't do so," Murray said, adding that such "arguments have merit."



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The pension fund board is expected to discuss fossil fuel divestment and the mayor's letter at a meeting this morning.

"The SCERS Board has considered fossil fuel divestment multiple times in recent years, but has not voted to divest," a spokeswoman said in a statement.

Asked how much of its money is held in fossil fuel investments, the pension fund did not say.

According to the latest figures, 56 percent of the Seattle pension is in public equities — the category that would include stocks of coal, oil and gas companies.

"In Seattle, we should stand up for the health of Americans by moving our investments away from coal electricity and towards clean energy," Murray wrote.

Tensions with investors

The City Council unanimously passed an ordinance in February to cut ties with Wells Fargo & Co., which does about \$3 billion worth of business in the city annually.

Wells Fargo's financing of the company building the Dakota Access Pipeline — the oil pipeline in North Dakota that drew thousands of protesters to its site — triggered the council's decision.

The debate over investing in assets connected to the fossil fuel industry has in recent years roiled city and state pension funds, as well as college and university campuses.

Those demanding that funds immediately dump any fossil fuel positions — an argument led most prominently by the climate advocacy group 350.org — have clashed with investors who say they can make more change in corporate America by using their stocks as leverage to lobby companies. And the full-stop divestment campaign has butted up against resistance from industry groups, too.

Trade organizations for petroleum products, refiners, oil producers and fracking companies are fighting back.

They have commissioned research showing divestment is financially painful, and have shown up at pro-divestment meetings (Climatewire, June 27, 2016).



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In an interview, Alec Connon, who works with the Seattle chapter of 350.org, said the topic of divestment appeared during the tenure of Michael McGinn, the previous mayor.

But those discussions fizzled out, Connon said. "There hasn't been much movement in the past from the board," he said.

Calif. debates divestment

Connon said he is "pleased" with Murray's strong call for divestment, calling it a "significant step."

"Aligning the money of the city with its values is critical," he said.

The divestment push by Northwest Divest to target the Seattle fund began six weeks ago.

Not all pension funds are keen on divesting, though.

State bills in California that would require the California Public Employees' Retirement System (CalPERS) — a \$310 billion fund — to wash its financial hands of the Dakota Access project or President Trump's proposed U.S.-Mexico border wall could cost taxpayers, according to officials at the fund.

By divesting from projects, CalPERS would lose its opportunity to use its stock as leverage to change companies' policies, fund representatives told The Sacramento Bee.

"When you divest, you basically take our voice out of the debate," Wylie Tollette, the chief investment officer at CalPERS, said in an interview with the Bee.

Dozens of cities in the United States and elsewhere, including major cities like Oslo, Norway; Paris; Copenhagen, Denmark; and Melbourne, Australia, have divested from fossil fuels, according to a list 350.org keeps.

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