



By Kent Horner for USA TODAY

**End of the road:** Cowman Myron Carter says he will lose access to roads that are crucial for caring for cattle herds in the 1.9 million-acre Grand Staircase-Escalante National Monument in southern Utah.

# Residents resent edicts creating monuments



By Jerry Sintz, U.S. Department of Interior

**Protected:** Phipps Arch is in the Grand Staircase-Escalante National Monument.

## President's declarations put millions of acres off limits

By Traci Watson  
USA TODAY

ESCALANTE, Utah — If President Clinton thought the people of this desert town would forgive him for what he did to them 4½ years ago, he miscalculated.

"He just bombed us," growls Escalante garage owner Curt Richins, a descendant of some of the area's earliest settlers. "He slapped us in the face. He slapped my ancestors, my grandparents, in the face."

The "slap" came on Sept. 18, 1996, when Clinton — without seeking approval from Congress or the people of Escalante — signed a proclamation establishing the Grand Staircase-Escalante National Monument, now 1.9 million acres of canyons and badlands that stretch across much of southern Utah.

Since that proclamation, Clinton has established or expanded 12 more national monuments — and, as the law allows, he did so without congressional backing. Clinton has turned more land in the continental USA into monuments than any president since Teddy Roosevelt, in the

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# More land set aside

Congress of bills to redraw monument boundaries, a time-tested way to shrink monuments. The new administration will also have the power to whittle down monuments it deems "unnecessary." Bush will be able to eliminate monuments because no president has tried. But Congress has the power to abolish monuments and has done so several times.

## Hard feelings run deep

Most of the monuments Clinton created are so new that federal officials haven't decided how to manage the land. That provides another avenue for the new administration. But insights on how well monuments protect the land and the price to be paid for setting aside large pieces of the American West can be gained by looking at Grand Staircase-Escalante.

It's not the perfect model. Anti-government feeling runs deep in southern Utah, and people there were blindsided by Clinton's action, whereas people near other new monuments were forewarned. Nevertheless, a visit to Grand Staircase illustrates the passion that a monument can stir. That opposition is going to happen in every monument created in the West, predicts Jerry Meredith, the first manager of Grand Staircase, "and it will remain until the generation that opposed it at the time of creation is gone."

Utah's Kane and Garfield counties, which encompass Grand Staircase-Escalante, are some of the most gorgeous and lonely places in the USA. The two counties together have only 11,000 residents, who live in an arid paradise of forested peaks, red cliffs and cattle ranches. While rich in scenery, the counties are poorer in more tangible assets. Forecasted unemployment in December was 6.2% in Garfield County and 4.7% in Kane County compared with 3.3% for the state. In recent years, more than 90% of Escalante High School graduates have left the area for work or college. Most probably won't return.

Many residents of Escalante see a savior for their town: logging, mining and other "extractive industries" that make use of the land. So the planned opening of a coal mine within the monument was eagerly awaited in the mid-1990s. Although it would have funneled huge trucks onto the region's narrow roads, the mine also would have created hundreds of jobs. But in 1999, the company holding the rights to the coal agreed to abandon the mine for \$14 million from the government. Local people

# National monuments established or expanded by President Clinton



- Monuments**
- 1 Grand Staircase-Escalante National Monument  
1.9 million acres
  - 2 Grand Canyon-Parashant National Monument  
1 million acres
  - 3 Agua Fria National Monument  
71,000 acres
  - 4 California Coastal National Monument  
70,000 acres
  - 5 Pinnacles National Monument  
8,000 acres added to existing monument
  - 6 Giant Sequoia National Monument  
328,000 acres
  - 7 Canyons of the Ancients National Monument  
164,000 acres
  - 8 Cascade-Siskiyou National Monument  
52,000 acres
  - 9 Hanford Reach National Monument  
195,000 acres
  - 10 Inwood Forest National Monument  
129,000 acres
  - 11 President Lincoln and Soldiers' Home National Monument  
2 acres
  - 12 Vermilion Cliffs National Monument  
293,000 acres
  - 13 Craters of the Moon National Monument  
861,000 acres added to existing monument

- Proposed sites**
- 14 Upper Missouri River Breaks National Monument  
377,000 acres
  - 15 Pompey Pillar National Monument  
51 acres
  - 16 Carrizo Plain National Monument  
204,000 acres
  - 17 U.S. Virgin Islands Coral Reef National Monument  
13,000 acres
  - 18 Buck Island Reef National Monument  
18,000 acres to be added to existing monument
  - 19 Sonoran Desert National Monument  
486,000 acres
  - 20 Kasha-Katuwe Tent Rocks National Monument  
4,000 acres
  - 21 Minidoka Internment National Monument  
70 acres

over time, as people see what the monument actually means, some of the acrimony will be decreased.

## Some are applauding

Even in Escalante, where animosity toward the new monument has mostly heated, the monument has its defenders. The town may be a five-hour drive from the nearest big airport, but it, too, is part of the New West. Over the past decade, a small band of urban refugees has arrived, to retire or to open galleries or coffeehouses. The newcomers, who are still far outnumbered by natives, tend to think that federal intervention will be the savior of the land, not the ruin of it.

Environmentalists also think the monument is good for the land. Especially singled out for praise are federal officials' plans to restrict people who like to wander the desert on four-wheelers, dirt bikes and other cross-country vehicles — rules that merit the BLM a "big gold star," says Jim Catlin of the Wild Utah Project, a Salt Lake City environmental group. Environmentalists also credit the removal or repair of crumbling roads.

The other land that Clinton has made into monuments generally wasn't facing change as dramatic as the planned coal mine in Grand Staircase. But federal officials say that as more people live in the West, now is the time to act to save lands from development. "I have the authority to sell [federal] land," Interior Secretary Bruce Babbitt says. "It was a real threat in the past, and it could be in the future. ... The pressure is mounting."

Since the Grand Staircase announcement, Babbitt has taken pains to solicit opinion from towns near potential monuments. But officials admit they'll face hostility anyway. "Anytime this kind of designation takes place, there are people in the local community who are going to have a concern," says former BLM director Fry. "No one wanted Central Park in New York when they first designed it."

But many people do want Grand Staircase. Support for Clinton and monuments is easily found in the area: Just go to a scenic wayside. "He's a wonderful guy, and he did a wonderful thing," Walkinsville, Ga., resident Allen Powers declares of Clinton. "He needs to do more," Powers says, as he and his family scan the monument from a highway overlook.

Such words leave local people feeling forgotten and besieged. "They say it belongs to everyone, and it does," says Escalante grocer Brent Griffin, a descendant of a pioneer family. "I think of whose families settled it and sacrificed and tried to make a go of it."

SOURCE: U.S. TODAY'S RESEARCH BY TRACY WILSON FOR MARY MATHIAS, USA TODAY

ment staff has stirred resentments by clamping down on the herds grazing the Grand Staircase, a stark contrast to the BLM's more pro-cattle attitude before the monument was made a monument. The bad feelings came to a boil last fall when the agency rounded up dozens of privately owned cattle from monument land and shipped many of them to a distant auction house.

The BLM says that last summer's severe drought meant the cattle had to be removed from their normal pastures and that other ranchers complied with orders to move their herds. The two ranchers whose cattle were impounded say their animals were summarily removed without due process.

One rancher struck an agreement with the BLM and now has his cattle back. The other rancher, however, went to the auction house and, with the tacit permission of the local sheriff and district attorney, took her cattle home.

Monument manager Kate Cannon believes the antagonism will fade. Whether Escalante and other towns change "is up to them," Cannon says. Contrary to Carter's fears, she says the roads cartmen use will not be closed to them. And she argues that restrictions are needed to ensure the land will "remain intact for years to come. ... I think

can't take a drive on roughly 1,200 miles of monument roads that the new rules declared closed.

Escalante cowman Myron Carter bounces down a gravel lane in his pickup, a sticker reading "Hungry and Out of Work? Eat an Environmentalist" affixed to the bumper. Carter is giving a tour of dozens of well-traveled roads scheduled to be closed to the public and, Carter says, to ranchers and their staff. The roads lead to stock tanks and salt licks. In an age when the pickup has replaced the company, they're crucial for caring for the herds.

Carter stops his pickup at a border where two Escalante-based ranches pen cattle. "Even if they give a permit to the cowman to use this corral," Carter says, "what about the person who wants to come out here and spend the day?"

Others worry that that the area's character will change as development, such as chain hotels and vacation cabins, takes over. Several cattlemen on the outskirts of town already have sold their land to buyers who plan to build houses. "They broke this up into ranchettes overnight," says rancher Dell Letevie of nearby Boulder, Utah, referring to recently sold ranches. "We're doing Colorado, that's all we're doing."

In a region where ranching is not just a job but a culture, the monument galling to locals, most people

# Decision on refuge continues Interior policy in West

By Tom Kenworthy  
USA TODAY

Six months into her tenure as steward of millions of acres of federal land, Interior Secretary Gale Norton is showing extraordinary deference to Western states and their elected officials.

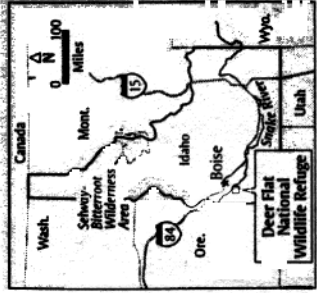
In recent weeks, the former Colorado attorney general has sided with officials from Wyoming and Idaho instead of environmentalists in blocking plans to ban snowmobiles in Yellowstone National Park and to introduce grizzly bears in an Idaho wilderness.

Now, in a decision that environmental critics say could have implications throughout the West, the agency has recommended that the Justice Department not appeal an Idaho court's ruling that denies water rights for a federal wildlife refuge on the Snake River.

Because water law is such a complex and arcane policy area, Norton's decision in the case involving the Deer Flat National Wildlife Refuge might not draw much national attention. However, it could be a key benchmark in a region defined by huge expanses of federal property and fierce competition for scarce water.

"This could set a terrible precedent if it is not appealed," says Don Barry, an official with the Wilderness Society who served as an assistant interior secretary in the Clinton administration. "Other states will look at this and say, 'Idaho got away with it, so can we.'"

Many Westerners are delighted with the determination of Presi-



Deer Flat National Wildlife Refuge: Geese fly over Lake Lowell this month in the preserve in Idaho.

dent Bush, Norton and Environmental Protection Agency chief Christie Whitman to rely heavily on state and local political advice in setting federal conservation policy. Many politicians, business leaders and off-road vehicle enthusiasts have chafed for decades against what they considered autocratic federal rules regulating grazing, mining, logging, water use and access by off-road vehicles to remote federal lands.

Western officials say the Bush philosophy is an especially welcome relief from the past eight years, when the Clinton administration sometimes triggered resentment by overriding their concerns on such issues as designating wilderness areas as national monuments. During last year's presidential campaign, Bush criticized the Clinton administration for what he called a "command and control mindset" and promised to be more responsive to state and local interests.

"I appreciate the willingness of

the Bush administration to make the states partners in important policy decisions," Idaho Gov. Dirk Kempthorne said when Norton blocked the plan to put grizzly bears in his state's Selway-Bitterroot Wilderness.

In another case, the U.S. Forest Service has begun overhauling a Clinton administration policy that prohibits road-building and other development in 58.5 million acres of national forest reflect local viewpoints. Last week, the EPA said it would re-vamp tough water pollution rules strongly opposed by farm and timber groups and some states.

In one case, enhanced deference serving federal lands and wildlife.



Norton: Considers local interests.

to state concerns actually pleased some environmentalists. This month, the Interior Department scaled back a proposed sale of oil and natural gas leases in the Gulf of Mexico from 5.9 million acres to 1.5 million acres. The larger lease sale had faced stiff political opposition in Florida, where even the president's brother, Gov. Jeb Bush, opposed it.

In most instances, however, the administration's willingness to defer to state and local officials has cost it support among environmentalists. They say governors and other state officials are often more interested in catering to local businesses and industries than in con-

serving federal lands and wildlife.

At issue in the Deer Flat case is whether the string of nearly 100 islands along the Snake River in southwest Idaho is entitled to federally reserved water rights. Since a Supreme Court case in 1908, federal water rights have been governed by what is known as the Winters Doctrine. That legal principle gives U.S. parks, refuges and other properties implicit rights to enough water to satisfy the purposes for which the lands were set aside. Federal efforts to protect birds along the Snake date to 1909. President Franklin D. Roosevelt created the Deer Flat National Wildlife Refuge in 1937 as "a refuge and breeding ground for migratory

birds and other wildlife." During court proceedings on Snake River water rights, the federal government has consistently asserted that sufficient water to maintain the islands was implicitly guaranteed in the refuge's creation.

But early this year, the Idaho Supreme Court upheld a lower court's decision that no such guarantee exists, although the refuge is composed of islands. Though Roosevelt's executive order "conjures up images of water," the lower court wrote, "it is equally as likely that the term 'island' was a fortuitous nonlegal description of the land that comprised the reservation."

If the Justice Department accepts Norton's recommendation not to challenge the Idaho decision, it would be a rare instance in which the federal government has not fought vigorously to defend its water rights to protect wildlife on U.S. lands.

Todd Fenzl, assistant refuge manager at Deer Flat, says the policy would significantly reduce the refuge's ability to protect scores of bird species. Having sufficient water in the Snake River, he says, "is the lifeblood of this refuge." If more water is diverted for agriculture, many of the islands could be "land-bridged," he says. That would give predators and poachers access to important migratory bird species.

But Idaho Deputy Attorney General David Barber praised the court ruling. He says it prevented a "devastating impact" on a state "that depends to a substantial degree on irrigated agriculture."