

BLM Lists Risks of Land Deal

San Rafael swap may harm natural resources;
Deal May Bring More Harm Than Good

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A large proposed land exchange between the state of Utah and the U.S. government could jeopardize endangered species, big-game habitat, historical and archaeological sites and paleontological resources in the Book Cliffs of eastern Utah.

Removing 122,000 acres of lands from federal ownership in Uintah County also could "significantly impact" a herd of wild mustangs.

Those opinions were expressed in a series of internal memorandums issued by the Vernal field office of the U.S. Bureau of Land Management (BLM) as "feedback" to the proposed San Rafael land exchange.

The proposal, which Congress is expected to consider next month, calls for the federal government to deed 135,000 acres of federal lands to the state in exchange for 108,000 acres of state school trust lands trapped largely within the San Rafael Swell, which is being considered for national monument status.

The Vernal memorandums, copies of which were obtained this week by The Salt Lake Tribune, appear to contradict the bill's language stating the exchange avoided federal assets with significant endangered species habitat, archaeological resources, areas of critical environmental concern or "other lands known to raise significant environmental concerns of any kind."

A "white paper" prepared by those who negotiated the land exchange stated that "areas containing sensitive resource values were avoided or removed . . . to the greatest extent possible."

To environmental watchdog groups, the Vernal memorandums indicate just the opposite. As a result, the proposed land exchange -- already under fire for being lopsided in favor of the state in terms of value -- should be scrapped, said Janine Blaeloch, director of the Western Land Exchange Project, a government watchdog group based in Seattle.

"This whole thing is built on lies," said Blaeloch. "Congress needs to reconsider whether this is a good deal for the public."

Proponents of the land exchange bill, however, downplayed the cultural and natural resources in the federal lands in the Book Cliffs.

"I guess significant would be the [key] word. We're not aware of anything that is truly significant," said John Andrews, attorney for Utah's State Institutional Trust Lands Administration (SITLA). Besides, SITLA would be bound by state and federal laws that protect endangered species and archaeological resources, he said.

SITLA, which by law must maximize profit on its lands for the benefit of Utah schools, would be the recipient of the federal lands in the exchange. The Uinta Basin lands are believed to be rich in energy deposits.

Environmentalists, including the Southern Utah Wilderness Alliance, argue that SITLA is less likely than the BLM to pay heed to the plight of species, habitat, archaeological sites and fossils.

"The key thing to me in changing ownership is that as long as the land is in federal ownership, everyone inside and outside of Utah has the right to comment on how it is managed," Blaeloch said.

According to the Vernal memoranda reviewed by The Tribune, the federal land in Uintah County proposed to be exchanged to the state contain the following resources:

- * 32 American Indian sites that are eligible for inclusion on the national historic register. "Loss of these sites would be harmful to the Ute tribe . . . [and] to the archaeological profession, historians and general public," according to one of the internal documents.

- * Numerous prehistoric fossil resources, including "category 1" sites that are the most likely to produce important scientific discoveries. Many of the fossils are well-preserved, some are unique to Utah and "need to be retained in [BLM] administration," wrote the unnamed author of one of the memorandums.

- * One endangered plant, one threatened plant and two plants that are candidates for protection under the Endangered Species Act. One of the parcels also contains critical habitat for the pikeminnow, an endangered Colorado River fish.

- * Important habitat for a variety of wildlife. This includes "crucial" and "high-quality" summer and winter range for elk, deer and antelope.

One of the parcels, consisting of about 2,200 acres, also contains mating and nesting grounds for the sage grouse, whose numbers are rapidly declining around the West, and habitat for the spotted owl and northern goshawk.

"Overall, [this parcel is] probably the most sensitive parcel for wildlife-related concerns."

The Uinta Basin parcels also hold a "high potential . . . for the occurrence of oil, gas, tar sands and oil shale resources," state the Vernal memoranda.

BLM appraisers and mineral experts have previously criticized the proposed land exchange for not considering the Uinta Basin lands' mineral value.

The critics have estimated that the land exchange, which negotiators valued at roughly \$35 million on each side of the deal, is a net gain to the state of around \$100 million.

Rep. Chris Cannon, R-Utah, sponsor of the land swap bill, maintains the deal is equal. Though the bill was derailed last month after key Democrats expressed concern about its fairness, Cannon expects it to sail easily through the House when Congress reconvenes next week.