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# Consulting local interests first in planning for a national monument

Matthew Stephen Higdon

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To the Graduate Council:

I am submitting herewith a thesis written by Matthew Stephen Higdon entitled "Consulting local interests first in planning for a national monument." I have examined the final electronic copy of this thesis for form and content and recommend that it be accepted in partial fulfillment of the requirements for the degree of Master of Science, with a major in Planning.

John D. Peine, Major Professor

We have read this thesis and recommend its acceptance:

Accepted for the Council:

Dixie L. Thompson

Vice Provost and Dean of the Graduate School

(Original signatures are on file with official student records.)

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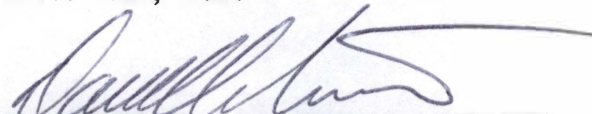
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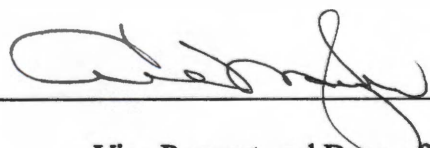
  
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We have read this thesis and recommend its acceptance:

  
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Acceptance for the Council:

  
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Vice Provost and Dean of  
Graduate Students

**Consulting Local Interests First  
in Planning for a National Monument**

A Thesis  
Presented for the  
Master of Science in Planning  
Degree  
The University of Tennessee, Knoxville

Matthew Stephen Higdon  
May 2003

Thesis  
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.H54

## **Dedication**

To Steve and Donna Higdon, and Maurice and Rachel Bales,  
for their continual support and love.

## Acknowledgements

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## **Abstract**

The research represented in this thesis examines the effectiveness of a community-based participatory approach to a planning and decision-making process, in the context of a proposal to proclaim the San Rafael Swell area of Utah as a national monument. When leaders of Emery County in eastern Utah and the Governor of Utah asked President Bush in January 2002 to consider creating a national monument in the San Rafael Swell area in Emery County, Utah, these officials specifically requested that the consideration be made in a manner that would provide for public participation and openness. President Bush in May 2002 initiated what was to be referred to by the Department of the Interior as the “San Rafael Swell Study” when he asked Secretary of the Interior Gale Norton to gather information on the Swell’s historic and scientific features. The process that was partially implemented by the Department, with input from state and local officials, was a unique decision-making effort; at no time had an administration gone about considering a national monument designation in such a way. Bush assured Utah leaders that no monument would be created without the approval of the local communities. In the end, the process was terminated after a controversial referendum vote in the county. The county that was provided a unique opportunity for input into the presidential decision chose the ballot box over the participatory dialogue.

The main objectives of this research are to document and evaluate the San Rafael Swell Study and the context from which it originated. The San Rafael Swell Study, as a public participatory approach to planning and decision-making, is evaluated using a set of criteria that are derived from public participatory planning theory.

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# **Chapter 1**

## **Introduction**

### **Issue of Concern**

The central issue of this research is the planning and decision-making process for use and management of public lands by the George W. Bush administration, in the context of a proposed national monument designation in the San Rafael Swell area of eastern Utah. The unique manner in which the administration carried out this process as a way to inform the president on this decision and the manner in which local politics influenced the outcome are core components of this issue. The ability of the administration and their devised process to engage the public, foster local stakeholder participation, and build consensus for the initiative within the community will be evaluated.

### **Objectives of the Research**

The main objective of this research is to document and evaluate the planning and decision-making process implemented by the Bush administration to determine whether the San Rafael Swell area of Emery County, Utah should be designated as a national monument. Documenting and analyzing the process that unfolded and discussing the planning and decision-making elements in a reflective manner with key participants will allow for an evaluation of the effectiveness of the decision-making process. This research of the unique “San Rafael Swell Study” as a method of planning and a decision-making

process for proposed national monument designations will give insight for local, state or federal policy makers faced with similar situations or related federal land use issues.

Little information exists from which to evaluate the effectiveness of the types of community-based strategies for public participation in decision-making that were implemented in the San Rafael Swell Study (Carr and Halvorsen 2001). The research represented in this thesis examines how well a community-based participatory approach served the decision-making process relating to a national monument in the San Rafael Swell.

### **Overview of Topic**

Federal policy for the management of public lands, particularly those in the western United States, has regularly drawn criticism from members of adjacent communities and their leaders for what is perceived as a lack of consultation or dialogue about land use issues that affect them the most. At no time perhaps was this dissatisfaction so heightened than by the designation of the 1.9 million acre Grand Staircase-Escalante National Monument by President Bill Clinton in 1996 in southern Utah. Clinton and 13 other presidents have used the Antiquities Act of 1906 as a way to set aside federal lands of scientific or historic interest for greater protection as national monuments. Clinton, without consultation with even the governor of the state, surprised and dismayed many Utah residents by the scale of the designation area and by the lack of opportunity given to residents or leaders to voice their opinion on the decision. These monuments are created by presidential proclamation. No consultation, planning, or public participation process is required by the Antiquities Act.

When leaders of Emery County in eastern Utah and the Governor of Utah asked President Bush in April 2002 to consider creating a national monument in the San Rafael Swell area in Emery County, Utah, these officials specifically requested that the consideration be made in a manner that would provide for public participation and openness. President Bush in May 2002 initiated what was to be referred to by the Department of the Interior as the “San Rafael Swell Study” when he asked Secretary of the Interior Gale Norton to gather information on the San Rafael Swell’s historic and scientific features. He requested a process that would “solicit public participation and comment for any and all interested parties and consult fully with the Governor and the entire congressional delegation of the State of Utah.” Further, the president stated: “An open and public process for gathering this information is important to me” (Bush 2002a). The process that was implemented and planned for by the Department of the Interior’s Bureau of Land Management (BLM), with input from state and local officials, was a unique decision-making effort; at no time had an administration gone about considering a national monument designation in such a way.

Emery County residents and their leaders were, at the same time, in intense discussion regarding this proposal. Though the officials had acted in what they had deemed the best interests of the county, many in the community voiced concern and distrust for the proposal. County leaders desired a process that would provide the local interests a ‘seat at the table’ in determining the future of these public lands. With an administration and a Secretary of the Interior who had stated that their public lands agenda would be inclusive and collaborative with the consultation of local stakeholders as a central theme, the county saw an opportunity to craft a federal land designation with

their direct input. In Emery County, the Bush administration had an opportunity to implement a decision-making process using this locally-oriented paradigm for federal land use policy: a process, according to a state-wide newspaper, that if done properly, would create “a new BLM model for future federal land management decisions” (“Sound Off,” 2002).

### **Methodology**

The methods used to complete this research are qualitative in nature and include a documentation of the process and related events, a review and content analysis of relevant literature and sources, interviews with eight individuals involved in the process and related events, and an evaluation of the process using a set of defined criteria. The ability to evaluate the overall effectiveness of the San Rafael Swell national monument designation planning and decision-making process is largely dependant on the utilization of these four methods.

This evaluation will utilize a set of three criteria derived largely from public participation theory to guide analysis of the implemented process. These criteria are:

- a. ‘Efficacy of the public involvement in the process’ - the level of consensus developed among stakeholders, their responsiveness to the participatory approach, as well as the receptiveness and respect for their input and perspective.
- b. ‘Information pertinence, competence and use’ - whether the community was given appropriate, relevant and adequate information in order to develop informed opinions.
- c. ‘Objectivity of the process’ - how independent and unbiased the process was.

These criteria are more thoroughly defined and discussed in Chapter 5.

The core objective of this thesis shall be fulfilled by first documenting the following: the political and ideological context within which local officials and the governor asked for consideration from the President; the discussions and events that initiated the effort and shaped much of the discussion; the public response and participation in the dialogue and process; and finally, those events that ultimately curtailed the process. These documented events and issues will provide the context for the next methods of research: the review of relevant literature and related information; and content analysis of documents, letters, newspaper articles, public meeting discussions, speeches, meeting notices, flyers, internet web pages, and other related resources.

Central to the evaluation of the decision-making process are interviews conducted by the author with eight individuals involved with the designation proposal, the public dialogue, the formulation of the process, and the implementation of the participatory process. These individuals include a key county commissioner, a county lands council member, Bureau of Land Management officials, a leader of the conservation community, and an influential member of a community group. These interviews, conducted by telephone, are intended to elicit the reflections and opinions from these important players in how successful the process served the decision-makers, what were the central factors influencing the outcome, what improvements could be made to the process, and generally, what they would like to have seen occur differently, if anything at all.



## **Chapter 2**

### **Review of Literature**

There are four related areas of focus in this research: the planning and decision-making process, public participation, consensus-building, and community-based approaches to participation. A discussion and overview of each area provides a greater understanding of the proposal to designate the San Rafael Swell area as a national monument and the subsequent process and events.

#### **Planning and Decision-Making Process**

There are numerous theories and models for the planning process. Most who discuss and analyze planning theory have formed variations of similar approaches. In particular there are five approaches of planning theory that are most widely accepted in the field: advocacy, comprehensive, equity, incremental, and strategic planning. These approaches are differentiated primarily by one key factor: who determines the policy and its intent. Identifying the differing placement of authority in each approach leads to differing models for decision-making (Campbell and Fainstein 1996).

Of most concern to this research, however, are the basic similarities among these approaches. Each of these approaches shares common planning and decision-making process elements. These common and distinct elements are data gathering, data analysis, policy making, implementation, and monitoring. Various planning models may combine

the elements into one stage of a planning process but these elements are distinguishable and equally significant (Kelly and Becker 2000).

A simplified model for the planning and decision-making process will serve to exemplify the planning process for decision making and planning and can be seen in Figure B-1 (Tables and Figures in this thesis can be located in the Appendices). This model incorporates the five basic elements most common to all of these five planning approaches and characterizes the process as a continual, cyclical practice. According to the model, the goals and aspirations of the community or study area should be the starting point for the process. Identifying, documenting and specifying these goals provide clarity and focus from which communities can direct the effort. Next, an inventory of community characteristics, conditions, assets, and constraints is required to inform the decision-making process. This collection of information serves the next step of the process: the analysis stage. Utilizing the information and resources to uncover the community's needs, major concerns or problems, potential opportunities and assets, any unexpected characteristics, and most controversial issues, helps shape the direction of the community and its planning dialogue. This analysis is continually scrutinized as the community evolves so that revisions and reassessments are necessary components of this stage (Spencer 1971).

The formulation of a plan is the result of this analysis and investigation. Most planning efforts develop a plan based on these careful examinations and typically, alternative solutions are considered until the preferred alternative is chosen by those responsible for the decision. Implementation and evaluation of the plan form the final two stages of the simplified planning model. Implementing the chosen plan typically

takes many years and requires broad public acceptance of the plan. Evaluating and monitoring the progress of a plan is a never-ending stage. Rethinking a plan as it is implemented is required so that the unpredictable events or circumstances that are an accepted part of community life are addressed during the process. This circular process of planning and decision-making, then, is an evolving exercise in assessment and study, implementation and monitoring, and reevaluation and revision (Spencer 1971).

The planning approach most relevant to this research is the comprehensive planning approach. The comprehensive planning model is illustrated in Figure B-2. An expansion of the simplified model discussed above, the comprehensive planning model is considered an adaptation of what is referred to as the rational model of planning theory (Hoch et al 2000). As the name suggests, the comprehensive approach has been described as a generalized, inclusive plan considering all subject matter relating to land uses and development in a specified area, with a specified time horizon (Kelly and Becker 2000). This approach to planning calls for a decision-making process that includes the definition of goals, the identification of barriers to achieving those goals, the identification of alternative solutions, and a comparison of the merits of various alternative solutions (Hoch et al 2000).

The planning and decision-making processes of the U.S. Bureau of Land Management are examples of comprehensive planning efforts. The typical BLM planning documents come in the form of Environmental Impact Statements or Environmental Assessments, as required by the National Environmental Policy Act (NEPA) and the agency's organic legislation, the Federal Land Policy Management Act. The agency's *Land Use Planning Handbook* provides specific guidance to agency

planners and policy makers for preparing, amending, revising and implementing plans, and directs that issues such as air, water quality, paleontology, cultural resources, wildlife, vegetation, recreation, transportation, cattle grazing, forestry, oil, and realty be included in a plan's scope. The BLM must also consider such issues as local economic, demographic, and sociological characteristics. Figure B-3 illustrates a model for the agency's land use planning processes. This BLM model closely resembles the simplified planning model (Figure B-1), as well as the comprehensive planning model (Figure B-2). The identification of issues, the collection of inventory data, the formulation of alternatives, and the implementation and monitoring of land use plans are the vital pieces of the BLM planning process (Bureau of Land Management Handbook H-1601-1 [BLM] 2000). A model for how the bureau integrates the specific requirements of the NEPA process with its own planning process is illustrated by Figure B-4.

The organic legislation of the BLM and NEPA specify that public lands be managed in a way that provides protection for the quality of scientific, historic, scenic, environmental, air and atmospheric, water resource, and archaeological values. The agency must also consider preserving lands in their "natural condition" while providing for public recreational opportunities and the country's mineral, timber, food and fiber needs (BLM Handbook 2000). The BLM's planning processes are the primary means by which the agency achieves these goals. The varying interests, however, typically create conflicts that make policy-making difficult. According to the agency's planning guidelines, "Where there are competing resource uses and values in the same area, [the Federal Land Policy Management Act] requires that BLM manage the public lands and their various resource values so that they are utilized in the combination that will best

meet the present and future needs of the American people' (BLM Handbook 2000). Finding this combination is a difficult task for the agency and is one that usually requires the input and consultation of the general public.

### **Public Participation**

Involving and incorporating the views of the public in the planning and decision-making process emerged in the 1960s as critics decried the top-down approach that planners and policy makers were using to implement decisions. These critics urged planners to develop and forge new relationships with the public as a way to serve their most important clients: the people (Fainstein and Fainstein 1996). The public participation elements of planning that emerged are grounded in democratic political thought. "Public involvement is viewed as an unassailable good, for public deliberation and participation are keystones in our democratic culture" (Steelman and Ascher 1997). Democratic planning theorists express a moral imperative of involving the public in democratic decision-making processes as the best way of ensuring legitimacy and support of a policy (Fainstein and Fainstein 1996). Public participation, they add, can develop social, psychological, and political empowerment in communities, and can result in a more educated and informed public (Steelman and Ascher 1997).

There are a variety of ways that the public can be involved in the decision-making policies of their community. Steelman and Ascher (1997) identify four broad types of public participation in policy making:

- a. 'Standard representative policymaking'- elected and appointed officials making policy on behalf of their constituents, presumably reflecting some combination of their views, preferences, and interests.
- b. 'Binding direct policy making by non-governmental representatives'- citizen or group representatives formulating policy, but operating within structures overseen by elected or appointed officials.
- c. 'Non-binding direct involvement'- citizens contributing input to the deliberative process, the outcome of which is mediated by an administrative or legislative body; these include public comment periods, hearings, open meetings and some citizen advisory commissions.
- d. 'Referenda'- direct binding policy making by citizens, established through constitutional provisions such as initiative, referendum and interests.

Of the four types, citizen participation in the form of taking part in Referenda and Non-binding direct modalities are increasingly common and are most relevant to this research (Steelman and Ascher 1997).

Planning processes that incorporate the public into deliberations, described as 'non-binding direct involvement' above, have been key components in many federal land use legislation since the 1970s. The National Environmental Policy Act originated from the increased awareness of environmental issues and ensures the public's involvement in government decisions regarding the environment. NEPA and the Federal Land Policy Management Act each delineate requirements for public involvement as well as for more formal, collaborative relationships among agencies and other levels of government and stakeholders. These legislative actions have granted to citizens opportunities for

providing their opinions, relevant data, and advisory input to officials and planners. For instance, the BLM's *Land Use Planning Handbook* outlines required public comment periods and opportunities for public review (BLM Handbook H-1601-1 2000).

Also related to this research is the use of referenda and public involvement practices. Referendum votes can be described as the clearest form of decision-making by a participating public. As voters face a simple up or down decision, a vote to determine the majority viewpoint offers democratic legitimacy as well as equal standing for those participating voters. Steelman and Ascher also point out that referenda provide input that is likely to be more representative of the public at large. These referenda, however, do not provide for compromise or even a varied range of alternatives from which voters can choose. Further, a referendum vote does not provide any sort of preference for those parties who are most knowledgeable about the issue. (Steeleman and Ascher 1997)

The kinds of practices implemented by planners when public participation is desired for a process can vary. There are four general kinds of involvement that those designing public participation planning processes utilize, depending on the goals for the public participation program. First, a 'public information' program would be utilized if the goal of officials is to have a better-informed public, though the public would not likely influence the decision made. Second, 'procedural public participation' refers to programs that comply with requirements of procedure and take place when the central goal is to allow the public an opportunity to be heard before a decision becomes final. Third, if a program demands the consent or backing of the public, a 'consensus-seeking public participation' program is necessary. The nature of this type of program is discussed in greater depth below. Finally, a 'negotiation or alternative dispute resolution'

public participation program would be utilized for situations when agreements among various parties to decision substance is required before a decision can be finalized (Department of Energy [DOE] n.d.).

Because of the legal mandate placed on the agency by NEPA and the Federal Land Management Policy Act, all planning efforts of the Bureau of Land Management could be described as procedural public participation programs. Informing the public, gaining consensus, and negotiating or alternative dispute resolution are goals of the agency, but are not the central objectives of the BLM planning processes, as directed by law. Public involvement efforts that provide the public with information and work toward building consensus are utilized by federal agencies such as the BLM more frequently in special circumstances, such as the proposal to designate a national monument in the San Rafael Swell and the related process.

Further, as a management agency of federal public lands, the BLM must consider the interests of all citizens. With a comprehensive approach to public lands planning and management, BLM planning guidelines and the guidelines of the Council on Environmental Quality specify that public involvement during the decision-making processes should be broad enough to address “local, regional, and national interests” (DOE n.d.). BLM planning efforts that fall under NEPA requirements may have more formal relationships with other government agencies or bodies at the state, federal, tribal, or local level, and the agency’s *Land Use Planning Handbook* recommends collaborations with communities, individuals and governments to work together “toward commonly understood objectives” in order to yield “a significant improvement in the stewardship of public lands” (BLM Handbook H-1601-1 2000). Such collaboration,



however, falls under specific guidelines under the Federal Advisory Committee Act of 1972. This legislation was passed by Congress to “reduce narrow, special interest group influence on decision makers” and to “foster equal access for the public to the decision-making process” (BLM Handbook H-1601-1 2000). Not only is public participation encouraged and provided for by the BLM in public planning efforts, but there is an attempt to reduce the influence of special interest groups so that the interests of all Americans are considered, especially where there are competing resource uses and values (BLM Handbook H-1601-1 2000).

The use of public participation is particularly important during key stages of the model planning and decision-making process represented in Figure B-1. During the first stage of planning and decision-making, goal setting, the public’s involvement can identify the significant interests of stakeholders so that a more complete understanding of major issues can be formed early. At this stage as well, public participation will help planners and officials gauge the level of public interest (DOE n.d.).

Public participation during the analysis and plan formulation stages of the process is perhaps most crucial. There are several objectives for utilizing the public during these stages. First, the public can help identify the criteria for evaluation of the alternatives of the plan or decision. Public input can likewise help planners identify plan or decision alternatives and understand what types of impacts these alternatives may have. In this way, the public can help evaluate the merits of the alternatives from their point of view. Finally, selecting a preferred alternative is made easier when planners and decision-makers are aware of what is most acceptable to the public and parties involved (DOE n.d.).

## **Building Consensus**

Building consensus is an important participatory component of the planning and decision-making process, particularly when multiple stakeholders and interests are involved. Working to unveil the most acceptable plan or decision for a community is a method of exercising democratic traditions (Hoch et al 2000). Accordingly, planners and officials have come to rely more on consensus-building processes for several reasons. The way in which citizens view the role of the government is changing to reflect a decrease in trust of elected or appointed officials and as such, are demanding greater involvement in decision-making and policy-setting processes. Elected or appointed officials are also finding that these consensus-building efforts offer a better opportunity to hear from “a more balanced array of interests” rather than only “narrowly focused interest groups, groups capable of wielding great power, and groups that do not reflect the attitude of the community as a whole” (Hoch et al 2000). Also contributing is the larger number of entities involved in the decision-making. Collaboration between public and private entities is necessary as interests and jurisdictions overlap due to increasing fragmentation of the process. For instance, highway corridor decisions may require collaborative dialogue between state, local, neighborhood, utilities, and planning representatives (Hoch et al 2000).

Consensus-building has become a tool in which planners can address and mitigate the effects of conflict in a planning and decision-making process. As a means to involve those most affected by decisions actively, consensus-building mechanisms offer parties with varying interests empowerment in the process. Whereas many decision-making processes rely on some sort of majority vote or opinion for conclusion, building

consensus can redefine what it means to reach an agreement (Hoch et al 2000). Ideally, reaching consensus means that all participants are in full agreement of a chosen course of action. But significantly, when participants have had an opportunity to express their views with other parties, learn about differing views, discuss possible solutions and options, and seek a consensus, “the formal definition of agreement often proves less important than the process” (Hoch et al 2000). Finding agreement on a given plan or decision in this way creates stability for the policy and cohesiveness amongst stakeholders that is based upon relationships and much more likely to be successfully implemented. Moving from a process that creates winners and losers to a process where all participants may gain is difficult and depends on these relationships (Susskind and Cruikshank 1987).

There is a large amount of research and literature on consensus-building and many models for the consensus-building process. The model offered by Lawrence Susskind and Jeffrey Cruikshank (1987) represents a consensus-building process of twelve steps, occurring during three distinct phases: prenegotiation, negotiation, and implementation. Table A-1 represents this model. Susskind and Cruikshank’s discussion of each step in the process as well as its comprehensive discussion of the factors involved in successful negotiation and collaboration provides a valuable theoretic framework from which this research can examine the San Rafael Swell Study and the events in Emery County in regard to the building of a consensus.

In summary, the prenegotiation phase of consensus-building process involves the simple recognition that a dialogue should take place among stakeholders. Once this is done, careful selection of participants and their representatives is made. It is likewise

imperative that guidelines and ground rules for the discussion are formed before an agenda is set. The joint fact-finding step is the final step in the prenegotiation phase. Joint fact-finding involves participants answering together a major question: “What do we know, and what don’t we know about the issues, contexts, and experiences relevant to this dispute” (Susskind and Cruikshank 1987)? As a part of this assessment, participants may find that their positions have been based upon assumptions, incorrect or poorly interpreted data. By separating the issue’s facts from its fiction, joint fact-finding can begin the establishment of a productive and positive relationship from which to continue the consensus-building process (Susskind and Cruikshank 1997).

Phase two of Susskind and Cruikshank’s model process is negotiation. Creation of options in which there is mutual gain is the first step in this phase. A creative effort to invent options that serve the interests of the stakeholders rather than their overall positions is crucial. Packaging an overall agreement is the next step. This step involves stakeholder prioritizing their interests so that trading and bargaining between stakeholders can occur. Promises and agreements can flow from this bargaining step as a final package is built. The next important step is the production of an agreement in writing to solidify the negotiations. Binding the parties into this agreement and having the agreement ratified by represented groups is the final step in this second phase (Susskind and Cruikshank 1997).

The implementation phase of consensus-building involves postnegotiation measures designed to bring the informal agreements into the official planning and decision-making process. This step usually depends on the circumstances and governing bodies involved. At times it may involve administrative orders, legislation, or a binding

legal contract. It is imperative, though, that the parties involved in the negotiation find an effective means to formalize the agreement. The next step in this phase involves ensuring that the implementation of the agreement takes place in a smooth and timely manner. Finally, should something go wrong, Susskind and Cruikshank's model consensus-building process concludes by addressing a way in which renegotiation can take place. Defining and creating a renegotiation provision offers assurance to parties that dialogue will reconvene if necessary (Susskind and Cruikshank 1997).

### **Community-Based Approaches to Public Participation**

Another central area of focus to this research is the recent growth of public participation programs involving local community members in public land management planning and decision-making. Researchers Deborah Carr and Kathleen Halvorsen (2001) attribute this development in public land management to the convergence of community development and public involvement thinking. According to Carr and Halvorsen (2001), the community development and public participation fields share ideals when it comes to the value incorporating a local-oriented approach to citizen involvement.

There are four ways in which this common thinking has been categorized. The first category is the value attributed to local decision-making. Beyond the ability to foster empowerment, local processes result in many residents altering the view they have of the role they play regarding the public lands, from resource consumer to citizen. This change often improves the quality of working relationships and outcomes can be more accepted by the community. Further, some research suggests that those residing closest

to the resource area may have less extreme views about management options than special interest group or even agency staff members, perhaps allowing for more balanced discourse (Carr and Halvorsen 2001).

Second, the value of solutions appropriate to the local community is more significant because local residents and workers tend to bear greater costs in public land management without receiving proper benefits in return. Community residents are typically credited with providing knowledge and information for planners and managers about the area's social, economic, and ecological makeup. This type of expertise can result in management solutions or outcomes that are better suited to the community. If decisions are made in this community-oriented context, outcomes are more likely to be innovative and less likely to be generic in form (Carr and Halvorsen 2001).

The values associated with participatory democracy, Carr and Halvorsen's third category, has been discussed above. Participatory processes implemented by public land and environmental legislation in the past thirty years have often been criticized. Assessments show little evidence that the inclusion of the public in the agencies' decision-making processes has had any significant effect on the decisions being made. Partially as a result, public participation scholars and the public have "encouraged the adoption of processes that provide for two-way dialogue and power sharing between agency decision makers and citizens..." (Carr and Halvorsen 2001).

The fourth category described by Carr and Halvorsen (2001) does not focus on the process of planning and decision-making but rather, the outcomes of developing management solutions that are "integrated and sustainable." Combining the current public land management focus on the ecosystem with these public participation and

community development ideals can result in more sustainable public land management alternatives and decisions. Complementing this thinking is the belief that the well being of communities and the sustainability of public lands are “inseparably linked” (Carr and Halvorsen 2001).

The convergence of thinking that has occurred in recent years has offered land managers and communities alike an opportunity for greater benefits, as well as for more sustainable resources and healthier ecosystems. Little information is available that assesses how successful and effective these community-based participatory approaches have been however (Carr and Halvorsen 2001). The research represented in this thesis examines how well a community-based participatory approach served the decision-making process relating to a national monument in the San Rafael Swell.

## **Chapter 3**

### **Context and Background Information**

The political, legal and geographic context of the proposal to designate a national monument in the San Rafael Swell area of Utah is central to understanding the events that took place, the development of the San Rafael Swell Study, and ultimate failure of the process. An overview of the use of national monuments to protect areas of national interest is the first portion of this chapter. Then, the San Rafael Swell and Emery County, Utah will be discussed in regard to the area's relevant history, management conflicts and politics.

#### **National Monuments**

This chapter begins with an overview of the character, origins and history of presidential national monument proclamations since the early twentieth century. The manner in which the Clinton administration utilized the Antiquities Act of 1906 will be examined with particular interest paid to the creation of the Grand Staircase-Escalante National Monument in southern Utah. The approach taken by the George W. Bush administration will then be discussed.

#### **The Antiquities Act of 1906**

Since the passage of the Antiquities Act in 1906, Presidents have used the legislation to set aside federal lands for protection and preservation. The Act grants the



President the authority to use his or her own discretion in declaring “historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest” located on federally owned and controlled lands as national monuments (Title 16, Chapter 1, Subchapter LXI, Sec. 431 of US Code). Since 1906, there have been 147 national monument designations made by Presidents or Congress, who likewise have such authority. Nearly all of these monuments, though, have been created by executive order of the President and only four Presidents- among them George W. Bush- have not used the Act to create national monuments (BLM 2002a).

The Antiquities Act has given protection to a wide variety of national assets, including petrified forests in Arizona, paleontological deposits in Colorado, historic forts in Florida, prehistoric cliff-dwellings in the southwest, the grave of Meriwether Lewis in Tennessee, the Statue of Liberty in New York, and an island off the coast of South Carolina. The Grand Canyon, Carlsbad Caverns, Mount Olympic, Glacier Bay, Arches, Joshua Tree and the Grand Tetons are all examples of one-time national monuments which were later given National Park status (The Wilderness Society 2001).

The establishment of these monuments by executive order does not require that the President engage the public, local, or state governments in the decision-making process for designation and thus provides the office a large amount of discretion when it comes to the designation. Significantly, the President’s proclamation can direct subsequent use and management of these federal lands as well. Though the Act specifically states that the designation area should be confined to “the smallest area compatible with the proper care and management of the objects to be protected,” the interpretation of this requirement has widely varied over the last century, with thirty-six

monument designations being more than 50,000 acres or larger (the largest monument designation, Wrangell-St.Elias in 1978, being 10.6 million acres in size) (The Wilderness Society 2001). In fact, during House debates in 1906 on the language of the Act, some congressmen expressed fear that the Act could potentially restrict use of large amounts of federal lands (Subcommittee on National Parks and Public Lands 1997). The differing interpretation over the size of monuments continues today to be the basis for many opposing the creation of monuments, as will be discussed below.

There is not a substantial amount of literature relating to the decision-making processes associated with the establishment of the scores of national monuments and a thorough historic overview of designations is outside the scope of this research. However, of relevance are several common elements typically present in Presidential decisions to create national monuments between 1906 and the 1990s. First, until 1996, the agency responsible for almost all of these national monuments after their creation has been the Department of the Interior's National Park Service. Further, Presidents typically consulted closely with the Department of the Interior before these proclamations. This consultation occurred not only because of the role the National Park Service would play in its management, but also because many of these lands under consideration were at the time under managed by the Department's Bureau of Land Management. Also of note, Presidents would most often confer with relevant members of Congress, state officials, and interested parties before these proclamations were made.

Only Presidents Ford, Carter and Clinton have designated national monuments since the passages of planning policies that included elements of public participation and involvement in the 1970s. The creation of the National Environmental Policy Act, the

Federal Land Management Policy Act, and the National Forest Management Act of 1976 (which guides Forest Service land management), as noted above, were at least partially the result of increased pressure from the American public for wiser environmental decision-making. This momentum toward public involvement, however, did not apparently influence the Carter administration's decisions regarding the protection of Alaskan lands in 1978. Alaska officials, lawmakers, and residents were outraged when President Jimmy Carter, with one stroke of a pen, created 14 national monuments totaling 56 million acres after Congressional efforts to protect Alaskan lands failed. (In acreage, Carter's *Alaska National Monument Proclamation* was the single largest application of the Antiquities Act to date) (Williss 1985). At the time, Carter consulted with Interior Department officials and staff regarding specific lands of historic or scientific interest but made minimal effort to involve the public in the decision-making (Williss 1985). Following the Carter administration, the next application of the Antiquities Act by a President to create a national monument would not take place until the mid-1990s.

#### The National Monuments of President Clinton and Bruce Babbitt

In September 1996, President Clinton stood on the south rim of the Grand Canyon to announce the creation of the Grand Staircase-Escalante National Monument in southern Utah. The announcement came as a surprise to almost all Utahns. Utah's governor, Michael Leavitt, received a phone call at 2 a.m. that day from the White House notifying him of Clinton's decision (Stoddard 2002a). The state's Congressional delegation was equally taken off guard after Senator Bill Bennett received assurance just days before from the Secretary of the Interior Bruce Babbitt that no final decision had

been made (Subcommittee on National Parks and Public Lands 1997). The 1.7 million acres of land set aside represented the largest monument designation ever in the lower 48 states (The Wilderness Society 2001).

Reaction from the public and state officials was immediate. Utah Senator Orrin Hatch added: “There has been no consultation. No hearings. No town meetings. No TV or radio discussion shows. No input from federal land managers on the ground. No maps, no boundaries, no nothing” (Smith 1996). Senator Bob Bennett of Utah called it, “the mother of all land grabs” (Woolf 2002). Representative James Hansen questioned the designation’s legality, intent, and process, and called the announcement “incredible, absurd, appalling...” (Smith 1996). Citizens in the region decried the potential loss of access to large coal deposits, grazing lands and related jobs due to the designation as well. Governor Leavitt called the monument “foul” and also denounced the move as a “land grab” (Kelly 2002; Woolf 1996). The new monument, Leavitt said, was “one of the greatest abuses of executive power in [U.S.] history” (Kenworthy 2002). The fact that Clinton was in Arizona to announce the monument’s creation was not lost on any of the state’s leaders.

Despite the governor’s immediate claim that national environmental groups were responsible, these groups denied any involvement. Two staff members of the President’s Council on Environmental Quality apparently drove the push for the Grand Staircase-Escalante National Monument (Woolf 1996). Email records from these staff members later showed that much of the discussion regarding the monument and the announcement at the Grand Canyon were intended to be kept from the public for as long as possible and were perhaps politically motivated by the presidential election in November

(Subcommittee on National Parks and Public Lands 1997). In 1992, Clinton had finished third in Utah behind George H.W. Bush and H. Ross Perot, and as the staff member stated in an email, those not supporting the monument, “are unlikely to support the Administration under any circumstances” (Subcommittee on National Parks and Public Lands 1997). Representative Hansen argued that Clinton was merely attempting to firm up the support from environmentalists across the nation while sacrificing Utah’s electoral votes in the election: “He would lose Utah, but he didn’t have a chance at winning that state anyway” (Subcommittee on National Parks and Public Lands 1997). As expected, President Clinton did not carry the state of Utah but was reelected in 1996, ensuring that Babbitt would oversee the plan preparation for the new monument. The planning process for the new monument was completed in 2000 and praised by some for its inclusiveness and participatory character (Goodman and McCool 1999).

As a response to the designation of the Grand Staircase-Escalante National Monument in southern Utah, several efforts emerged from Congress in following years to weaken the powers of the Antiquities Act but were unsuccessful. Representative Bill Orton, the delegation’s only Democratic member, was first to introduce legislation one week after Clinton’s announcement at the Grand Canyon. The bill would have required congressional approval for all national monument designations.

US Representative Hansen of Utah has introduced legislation since 1997 (with varying titles) with the intent to amend the Antiquities Act of 1906 to require the solicitation of public comment and participation in developing a declaration, as well as consultation with the affected state’s governor and congressional delegation at least 60 days prior to the declaration (Young 1999). In 1999, the legislation was entitled the

“National Monument NEPA Compliance Act” in the House and the “National Monument Public Participation Act of 1999” in the Senate. In 2002, it was called the “National Monuments Fairness Act.” The bill would have required the Secretary of the Interior to comply by NEPA guidelines to release an Environmental Impact Statement for these actions. Hansen also attempted to restrict the acreage designated in monuments to no more than 50,000 acres (Harrie 2002). Still, in 2002, the designation of the Grand Staircase-Escalante National Monument was cited as an example of how the Act can be manipulated to “violate the true intent of the law” (Bureau of National Affairs 2002). These legislative efforts were all defeated.

In the final year of his presidency, seeking to establish his legacy as an environmental president, Bill Clinton used the Antiquities Act to designate another 18 national monuments. As a response, Congressional Republicans in 2000 made an alteration to an appropriations bill that would have forbidden the development of management plans in four of these monuments (Cox 2000). Seven monuments were established in the final days of his term, on January 17, 2001.

The Bush administration and the new Secretary of the Interior Gale Norton were highly critical of these last minute proclamations and immediately froze the actions upon taking office. Again, the issue of public involvement in Clinton and Babbitt’s decision-making was a central concern. In the first weeks of the Bush administration, Secretary Norton criticized the last minute national monument designations of Clinton: “I certainly disapprove of the process by which those monuments were generally created...” (Pianin 2002). Norton was most critical of the swiftness in making the designations without consulting with state and local officials, or property owners (Pianin 2002). These

remarks and criticisms denote the shift in policy of public land use, management and decision-making that occurred with the inauguration of George W. Bush.

Environmental groups countered Norton's claims that Clinton failed to consult with the public or with officials prior to making these monument designations. The Wilderness Society has documented the pre-designation, public participatory process of 15 of the 17 monuments that were designated in Clinton's last 12 months in office (The Wilderness Society 2001). This documentation shows that before the creation of these 15 monuments, Secretary Babbitt visited and toured each proposed area and met with state, local and/or community officials. In most cases (11 of 15), some form of public dialogue was initiated, with public meetings most common. In several cases, the documentation specifies that the area's Resource Advisory Council (advisory groups created by BLM reforms in the mid-1990s with members representing the diverse constituents of communities) were deeply involved in the dialogue (Davis 2001). Significantly, before the creation of the Sonoran Desert National Monument on January 17, 2001, the Secretary worked with both tribal representatives and an electric power company to develop language for the proclamation to address their management and land use concerns (The Wilderness Society 2001). As documented, these meetings and types of discussions can be characterized as public participatory and/or collaborative in nature, though the level of active consensus-building is not mentioned. Despite their involvement in a variety of traditional ways, however, none of these 15 efforts provided the public with as much opportunity for input than would be required by NEPA during an Environmental Impact Statement process.

The Clinton administration's legacy of federal land regulation and policymaking is most comparable with other Democratic presidents. Greater sensitivity and awareness of environmental impacts and ecological values when developing the nation's resources has been more apparent with Democratic presidents than Republicans since the passage of NEPA in 1969 (Davis 2001). Clinton, however, was more likely to take a personal involvement in the development of environmental policies, rather than setting a general pro-environmental policy direction friendly to the environment and letting those below him deal with the details. Eight years of this type of policy brought much animosity to the administration, particularly from Western states. The creation of the Grand Staircase-Escalante National Monument, for many, embodied the greater federal heavy-handed and top-down policies toward western public lands that took place during the Clinton administration, as well as the during the past 35 years of shifting land use preferences of federal lands, "from a largely commodity production orientation to a more balanced perspective between development and amenity valued" (Davis 2001).

#### President George W. Bush and Gale Norton

The approach of George W. Bush to environmental issues has been a controversial one in the first years of his presidency. Bush's actions toward weakening or eliminating many long-standing environmental laws and regulations have outraged many. Federal policies relating to the management and use of public lands have also been scrutinized by the administration. Bush quickly reversed or brought reviews of several of Bill Clinton's public land initiatives. Conversely, conservative thinkers have praised Bush's approach as an innovative way to minimize the constraints of bureaucratic



red tape. According to a scholar with the American Enterprise Institute, Bush's new type of environmental policy will produce "less of the old-style, command-and-control regulation" from Washington and "more use of markets, incentives, and regulatory flexibility to enable companies 'to get around some of the rigidities in the way we've implemented environmental laws for the last 30 years'" (Cooper 2002).

Many in the American west, particularly those in resource-dependent communities, welcome the new president's market-based approach and hope that it marks an easing of environmental regulations and less of a top-down approach to land management policies. Federal land policies and their effects on nearby communities has been a contentious issue for years. In the 1990s an emerging activism among mostly western communities, called the Wise Use Movement, brought attention to the many public lands conflicts across the west (Davis 2001). These groups focused on the protection of jobs and economic development against burdensome federal regulations and the protection of property rights. Further, the groups believed that federal management of public lands had been directed by environmentalists so that valuable, job-creating resources were being locked up (Davis 2001). Funded largely from energy or resource-based industries with financial interest in weaker regulations, the groups reflected a population of westerners that once possessed great influence in directing regional and local policy decisions that affected their livelihood the most (Devine and Soden 1997). These sentiments countered those of the increasingly influential environmental interests around the nation and within the west. In the more conservative regions of the west, including the heavily Republican state of Utah, the receptiveness to Bush's economic and community-based public lands policy and weakening of environmental regulations has

been high. Bush's community-based views on public lands issues would be exhibited in the administration's examination of national monument creations.

In his administration's early days, President Bush decided against attempting to overturn any of Bill Clinton's national monument designations. Instead, after much criticism of Clinton's use of the Antiquities Act of 1906, discussion regarding these monuments focused to development of their management plans. As noted, Gale Norton's criticism of Clinton's monument designations had focused largely on the lack of process and public involvement in the months leading up to their creation. Because these monuments designations would not be overturned, Norton focused on planning for the management of the monuments in a way that would be certain to include those the administration wanted to consider the most: local communities and their residents.

In a March 2002 letter to state and community elected officials where new national monuments had been established, Secretary Norton stated her department's commitment to bringing "common sense and balance to the decision making process by listening to people who were most affected by the sudden designations. The Interior Department is opening up lines of communication with local people that were not always properly fostered in the past. We are dedicated to charting a new course of responsibility. President Bush and I want to partner with local people at the beginning- not at the end of the process." Norton concluded by stating that her department was "dedicated to listening to all people to develop real results, instead of focusing on conflict and divisiveness" (U.S. Department of the Interior 2002a).

One month later, Norton again wrote these constituencies and described a model for the monument planning initiatives of "what I call the Four C's: Consultation,

Cooperation, and Communication, all in the service of Conservation” (U.S. Department of the Interior 2002b). Reiterating her concern with how Clinton created the monuments, Norton again focused on the importance of involving the local communities during the planning and decision-making processes. Norton challenged the Department’s agencies and bureaus to implement planning processes that served as models for involving those who lived and worked closest to the new monuments. BLM Director Kathleen Clarke, whose agency was given to manage most of these new monuments, stated: “If the planning and management process for the monuments is to be effective, we must make sure it is citizen centered. We must ensure that local communities have a true stake in these national monuments to guarantee that generations of future Americans can enjoy them too” (U.S. Department of the Interior 2002b). Specifically, Secretary Norton called for community-based planning and management approaches that would bring about a greater reliance on local governments and community groups to provide services in the monuments, and make “partnership arrangements for management of ongoing, traditional activities, such as grazing, recreation, and other uses authorized by the monument proclamation” (Norton 2002). Norton’s community-based goals were welcome news for many throughout the west who were against the new monuments and had been displeased with stronger federal environmental regulations on the uses of public lands.

Weeks after Secretary Norton’s letter to officials regarding this planning approach, President Bush called for a review of the National Environmental Policy Act by his Council on Environmental Quality. Critics pointed out that the review would be a search for flaws in the law and could lead to formal changes in the important environmental law (Cooper 2002). Considered the nation’s most significant

environmental doctrine by some, Bush's Agricultural Undersecretary Mark Rey suggested that the law had become "static" and that agencies could continue to provide for public involvement in decision-making "by exploring new ways to involve the public in a good-faith and interactive effort" (Cooper 2002). However, at the time, Rey did not specify what type of new public participation methods might be considered or utilized by the administration.

The Bush administration's view of the role of communities and planning processes in federal public lands and environmental policy decisions are still evolving and taking shape. However, the distinct policy statements made by members of the administration have created a climate in which many leaders and citizens from around the country have not seen since the last Republican president. For some state and local leaders around the country, whose interests may best be served by the policies of President Bush, the opportunity to develop innovative and unique processes was recognized.

### **The San Rafael Swell: Background of Politics and Use**

An introduction to the San Rafael Swell area and Emery County, Utah is necessary. The emerging conflicts and conflicting interests relating to uses and management of the Swell, and previous proposals for special designations in the area will be discussed.

## Description of the Area

The San Rafael Swell in eastern Utah is a geologic anticline uplift of sedimentary rock formed millions of years ago. Erosion has transformed this area into deep canyons, high mesas, vertical cliffs of red sandstone, and large natural arches. The expansive area is rich in minerals, paleontological resources, wildlife, ancient rock art and dwellings, and unique plant life. The dramatic scenery of this part of the Colorado Plateau has more recent historical significance as well. The Old Spanish Trail skirted the rugged reef of the San Rafael Swell, and settlers in the late 19<sup>th</sup> century used the area, “one of the last American frontiers,” for grazing cattle and horses. Outlaw Butch Cassidy and his gang used the canyons of the Swell to avoid arrest, and in later years, Cold War capitalists supplied much of the nation’s uranium and radium from area mines (BLM 2002b).

The San Rafael Swell lies entirely in Emery County, Utah and is a portion of the millions of acres of public lands in the state managed by the Bureau of Land Management. For a map of the San Rafael Swell area and nearby communities, see Figure B-5. The rural county is most well known for the scenic San Rafael Swell and the associated recreational opportunities. Despite strong connections in the county to ranching and farming, Emery county’s employment base has historically been in the mining, electric service, and government sectors (Bureau of Economic Analysis 2000). Emery County, with a population of less than 11,000 residents, is a large county in the eastern portion of the state, covering an area of 2.8 million acres (U.S. Census 2000; Utah Division of Travel Development 2002). Of that acreage, only 8.4% is privately held lands. The BLM is responsible for the management of 72.3% of the county’s lands (2.06 million acres), and the US Forest Service and the state of Utah control management of the

remaining acreage (Utah Division of Travel Development 2002). Of these 2.06 million acres of BLM managed lands in Emery County, the geologic acreage of the San Rafael Swell covers more than 500,000 acres, though many consider up to 800,000 acres in the area as part of the Swell (Simmons 2003).

### Recreation and Conflicts

Traditionally, the San Rafael Swell has been an area utilized most by area residents for livestock grazing, limited mining of uranium and radium, and recreational sightseeing, camping, and riding of off-road vehicles. Grazing continues today on public lands in the Swell, but mining operations there have become obsolete (Darlington 2003). In recent times, the Swell has witnessed a dramatic increase in recreation use of all types, from all-terrain vehicle (ATV) enthusiasts to hikers in search of wilderness solitude. The recreational opportunities in the San Rafael Swell has become the central focus of public interest in the management of the Swell.

Before the 1980s, the San Rafael Swell was a largely undiscovered place for recreation. The area hosted activities such as horseback riding, rock collecting, camping, off-road riding, hiking, river floating, hunting, animal viewing, and visits to cultural sites. Few guidebooks were available to direct a visitor's exploration of the Swell, and few outside of the region knew of its qualities. In 1982, the small four-wheeled ATV entered the market, expanding the options for off-road vehicle enthusiasts (Darlington 2003). Off-road enthusiasts in the San Rafael Swell before this time were principally driving motorcycles, jeeps, and trucks (BLM 2003a). Since the early 1980s, the San Rafael Swell has witnessed a significant increase in demand from off-road vehicle enthusiasts

largely because of these smaller vehicles. In the state, registration of off-road vehicles such as ATVs has quadrupled in the past twelve years alone (Darlington 2003).

According to the BLM, demand from all forms of recreation has also increased dramatically in the Swell during this time. The agency attributes this demand partially to a greater national interest in recreation, a larger number of in-state and out-of-state visitors, as well as an increase in the population of the state (BLM 2003a). As visitor demands increased, local BLM officials saw increasing impacts to the resources of the San Rafael Swell, particularly from these motorized uses. Throughout the 1980s and 1990s, the increasing popularity of ATVs created greater conflict with the management of the Swell, including the BLM's Wilderness Study Areas (WSA), as well as other areas where travel was confined to established routes (BLM 2003a). Wilderness Study Areas are lands that have identifiable wilderness characteristics and are set aside to be studied for their suitability and manageability as wilderness. These areas are managed and treated by the BLM as wilderness until Congress determines whether they should receive full wilderness protection and status (Darlington 2003).

According to the BLM, these smaller types of off-road vehicles were allowing riders to enter lands that previously were mostly inaccessible to larger vehicles and 'pioneer' new routes in areas where cross-country vehicular travel was restricted, including some WSAs. The BLM has noted damage from these vehicles to the San Rafael Swell's landscape (specifically hill climbs), viewsheds, vegetation, cryptobiotic soils, and water resources (BLM 2003a).

As the BLM has struggled to resolve these conflicts between the increase in recreational use and the impacts that use of motorized vehicles have had on the resources,

conflicts amongst the users have increased as well. Increased numbers of visitors to the Swell has brought conflicts between groups of motorized and non-motorized users. (Interestingly, the BLM has termed those who use the Swell for more primitive recreation such as hiking, backpacking, river floating, and animal viewing as ‘non-motorized users’). Those primitive users seeking quiet or solitude in the Swell have expressed displeasure with crossing paths with these vehicles. The agency has had a difficult time quantifying these conflicts, but note that such conflicts “have manifested themselves in verbal threats to BLM employees and volunteer groups working in the field, verbal clashes between motorized and non-motorized users, vandalism [to BLM signs and barricades], hundreds of letters, phone calls, and visits from the public to BLM managers and staff specialists promoting their side of the issues, and letters and articles in newspapers and special interests publications” (BLM 2003a).

### Wilderness and Other Special Designation Proposals

The Wilderness Act of 1964 was intended to provide a system by which America’s wildlands would gain federal protection. With such sparsely populated expanses of rugged, harsh, and spectacular terrain in Emery County, and with such a high proportion of land under federal management there, the issue of wilderness considerations and policies for the San Rafael Swell was inevitable. In the late 1970s, the Bureau of Land Management, as required by the Federal Land Management Policy Act, completed an inventory of 23 million acres of BLM lands throughout the state to identify lands with wilderness characteristics, as defined by the Wilderness Act of 1964 (Southern Utah Wilderness Alliance 2003).



In the San Rafael Swell area, the BLM identified and established six Wilderness Study Areas in 1980. These six WSAs have a total acreage of 262,505 (BLM 1999). Congressmen, wilderness advocates, governors and federal officials criticized the quality of the BLM's inventories (Goodman and McCool 1999). As described by the BLM in 1999, "Charges that the BLM improperly omitted qualifying areas in the original inventory led to protests and appeals, hearings before Congress, legislative proposals to protect the disputed areas, and the most intractable controversy over any resource inventory since the passage of [the Federal Land Policy Management Act]" (BLM 1999).

After successfully pushing for national forest wilderness in Utah during the early 1980s, Utah wilderness advocates organized the Utah Wilderness Coalition in 1985; a collection of 40 citizens groups who felt the BLM had failed in its original inventory to adequately identify all public lands with wilderness characteristics. As a result, the Coalition initiated and completed their own inventory of public lands, identifying more than 5 million acres of wilderness lands in the state (compared to the 2.46 million identified by the BLM in 1980) (Southern Utah Wilderness Alliance 2003; Goodman and McCool 1999). In 1989, this effort resulted in a "Citizen's Proposal," a bill introduced to protect the more than five million acres of lands that was identified by the Coalition as a part of the National Wilderness Preservation System (Southern Utah Wilderness Alliance 2003). Three years later, this bill became "America's Redrock Wilderness Act."

Conflict over the issue of wilderness in Utah continued in Congress through the 1990s. The issue of Utah wilderness developed as a subject of regional and national discussion and Congressional delegates, both Republican and Democrat, attempted to resolve the issues with legislation (BLM 1999). The America's Redrock Wilderness Act

was originally intended by its sponsor, Rep. Wayne Owens of Utah, to spark debate on the wilderness issue. Owens' goal was a compromise of at least 4 million acres of wilderness in the state (Owens 1992). The Utah Wilderness Coalition essentially shared this goal (Warnick 1999). This compromise did not occur and the "Citizen's Proposal" and America's Redrock Wilderness Act has continually been defeated in Congress.

The America's Redrock Wilderness Act has been sponsored in each Congress since 1993 by Representative Maurice Hinchey of New York (Utah Wilderness Coalition 2003). The Act has gained greater support over time, with 136 members of the House cosponsoring the bill in 1998 (Southern Utah Wilderness Alliance 2003). A Senate version of Redrock Wilderness Act was introduced in 1997. In 1999, after two years of reassessing the Utah lands, the Utah Wilderness Coalition updated the bill, calling for a total of over 9 million acres within the state, including tens of thousands of more acres in the San Rafael Swell (Utah Wilderness Coalition 2003; Southern Utah Wilderness Alliance 2003). In this continuing debate on Utah wilderness, the wilderness advocates had increased the pressure.

America's Redrock Wilderness Act has not been well received by most of the state's congressional delegation throughout the bill's history. The Utah Wilderness Coalition asserts that efforts to pass the bill have also failed due to the opposition of the state's elected officials (Utah Wilderness Coalition 2003). In 1995, Utah's delegation introduced the Utah Public Lands Management Act into both the Senate and the House, aimed at designating 1.7 million acres of BLM lands as wilderness, including almost all acreage of the six Wilderness Study Areas in the San Rafael Swell. The bill in the Senate was a part of an omnibus legislation. When Utah's senators failed to gain enough votes

to end debate in the Senate (opponents of the measure felt the bill did not designate enough lands), the Utah wilderness portion of the omnibus legislation was dropped from consideration (Utah Public Lands Research 1998).

Two years later, Representative James Hansen of Utah submitted another wilderness bill for consideration that would have designated 2.7 million acres of wilderness in Utah, adding 1.2 million acres to the 1995 legislation. Significantly, however, many of the groups that made up the Utah Wilderness Coalition stated that they were unwilling to compromise (Wright 1997). That stance continues today and over the past two years, the America's Redrock Wilderness Act has gained even greater Congressional support. Wilderness advocates blame Representative Hansen of Utah, chair of the House Resources Committee, for the failure of the passage (Darlington 2003). This unwillingness to compromise has created difficulties for Utah leaders from all levels of government in the attempt to resolve the issue, and the perceived threat, of wilderness designations in Utah.

Just as wilderness activists formed an alliance as the Utah Wilderness Coalition, a bond was formed among the state's local governments and land and resource interest groups, such as the Utah Cattlemen's Association, the Utah Water Users Association, the Salt Lake Area Chamber of Commerce, the Utah Snowmobile Association and the Utah Trail Machine Association (Fitzgerald and Schwabach 1999). The Utah Public Lands Multiple-Use Coalition was formed because of "common concerns such as potential limitations on public land multiple use, reduction in state and local tax revenues stemming from those uses, and economic viability of rural communities" (Fitzgerald and Schwabach 1999). Desiring policy that limits the federal government's control of public

lands, this group's positions on wilderness issues called for protection of traditional uses such as mineral exploration and extraction, grazing, and timber harvesting, as well as consideration for the impacts any wilderness designation would have to a county's tax base and property and water rights. Regarding tourism and recreation, the Coalition calls for preserving access to lands for recreational activities and tourism: "wilderness legislation seeks to restrict human access to ... designated lands" (Fitzgerald and Schwabach 1999). The Emery County government, as a member of the Utah Association of Counties, was a part of this advocacy coalition.

#### The Emery County Public Lands Council

In 1995, as the debate on Utah wilderness continued, and as user conflicts in the San Rafael Swell grew, the Emery County commission formed a body to advise them on public land issues in the county (Utah State University 2003). The Council's mission has been to represent the county's interests as an advocate for local public land users, to partner with the federal or state managing agencies on public lands issues and policies, and significantly, to:

participate in the development, coordination, and implementation of the planning objectives of federal, state, and local entities to ensure harmony between the objectives of these various entities and the Emery County Master Plan. It is the intent and purpose of the Emery County Public Lands Council to aggressively preserve the community heritage of Emery County by vigorously participating in and influencing all public land planning and decision-making processes on behalf of and under authority of the Emery County Commission (Emery County 2003).

Emery County Public Lands Council quickly became an active player in the public land issues of the San Rafael Swell and began working for some form of protective designation for the area (Miller 2002). Consideration for special designations of the area was not a new idea, with talk in the 1930s of making the Swell a national park and in the 1970s of making the area a National Conservation Area (Stoddard 2002b).

County leaders were distrustful of the Clinton administration and feared another possible use of the Antiquities Act of 1906 to create a national monument in the San Rafael Swell area (Lutz 2000). Largely as a result, in 1998, working with Representative Chris Cannon of Utah, the Council helped craft legislation for the “San Rafael Swell National Heritage and Conservation Area”. The bill, characterized later by county officials as “our local recipe for land management,” would have established a national conservation area in the Swell to preserve heritage while maintaining the many other economic, scientific and cultural resources” (Davis 2002a; House of Representatives 1998). The legislation also delineated the completion of a management plan that included multiple uses. Conservatonists countered that the bill went too far, eliminating up to 650,000 acres of lands with wilderness character from future designation and the BLM threatened to recommend a presidential veto of the bill (Nijhuis 1998).

After the defeat, county officials met with representatives of the Department of the Interior to create a bill that would be more acceptable to local residents (Lutz 2000). Congressman Cannon introduced “The San Rafael Western Legacy District and National Conservation Act” in 2000, hoping a 2.8 million acre Conservation Area in Emery County would result. The tourism-oriented bill, supported by the Clinton administration, would have also designated a Legacy District, with federal appropriations for increasing

the tourist appeal of the area. Local residents praised the proposal for its possible economic opportunities and for the protection it would provide for the Swell (Lutz 2000). Utah wilderness advocates worried that passage of the bill threatened the designation of areas in the San Rafael Swell as wilderness. Conservationists in Congress took action by successfully amending the bill. The bill's sponsors pulled the altered legislation from the House when "county leadership no longer felt that the people of the area would support it" (Davis 2002a). The second significant attempt by the Public Lands Council to resolve these contentious issues had failed.

### **The Enlibra Philosophy of Governor Michael Leavitt and Efforts in 2001**

Just as the Emery County Commission reacted to the contentiousness of public lands issues in their county during the 1990s, Utah's Governor Michael Leavitt and his peers in the Western Governors Association searched for an approach to addressing the increasingly complicated environmental issues and problems they faced in their respective states. In the late 1990s, Leavitt and Oregon Governor John Kitzhaber coauthored a new philosophy for confronting these issues and called it "Enlibra." Enlibra has been intended to serve as "an evolving set of new principles for environmental management... based upon principles that have proven effective in resolving environmental and natural resource debates in a more inclusive, faster and less expensive fashion" (Western Governors' Association 2002). There are eight guiding principles of Enlibra:

- a. 'National standards, neighborhood solutions' -Assign responsibilities at the right level.

- b. 'Collaboration, not polarization' -Use collaborative processes to break down barriers and find solutions.
- c. 'Reward results, not programs' -Move to a performance-based system.
- d. 'Science for facts, process for priorities' -Separate subjective choices from objective data gathering.
- e. 'Markets before mandates' -Pursue economic incentives whenever appropriate.
- f. 'Change a heart, change a nation' -Environmental understanding is crucial.
- g. 'Recognition of costs and benefits' -Make sure all decisions affecting infrastructure, development and environment are fully informed.
- h. 'Solutions transcend political boundaries' -Use appropriate geographic boundaries for environmental problems.

Leavitt has repeatedly stated that Enlibra is a philosophy and not a policy, and has one simple basis: bringing all stakeholders involved in environmental disputes together to work out differences. Many leaders have been receptive to the approach. Secretary Gale Norton praised the philosophy as "the path to environmentalism, a path away from conflict and toward consensus and partnership" (Spangler and Bernick 2002). Taken as a call for greater participation and collaboration in consensus-building, Governor Leavitt's philosophy of environmentalism further lays the foundation for the background of this research topic.

In early 2001, Governor Leavitt invited members of the executive representatives of the Utah Wilderness Coalition to a series of talks with Emery County officials to discuss the San Rafael Swell area, and attempt to reach consensus about special designations for the area that would be in the interests of both the local community and

the wilderness advocates (Young 2003). An objective of the meetings was to articulate a new proposal for a National Conservation Area in the San Rafael Swell that would be acceptable to the different interests. By mid-2001, though, the groups and the governor's office agreed to reconvene in early 2002, after the BLM's Price Field Office released its long-awaited Route Designation Plan for the Swell. The BLM travel plan addressed the wilderness and vehicular access issues and the groups felt that discussions would be more productive after the plan's February release (Young 2003). The governor's series of meetings had been a beginning to a process- a process, though, that was to be replaced by a much more ambitious proposal in 2002.



## **Chapter 4**

### **The San Rafael Swell National Monument Proposal and Process**

The previous chapters have introduced the role in which participatory planning techniques and approaches can help achieve the support of the public in planning efforts, as well as in policy and management decision-making processes. Further, a description of the political, legal and geographic background of public land use issues in the San Rafael Swell area of Utah was given. This chapter explores the innovative public participatory approach that the Bush administration took in determining whether the designation of a national monument would be in the best interests of stakeholders and provides a description of the process that was implemented to gain the public's involvement. The events leading to the process's termination and failure will be documented as well.

#### **Proposal for a National Monument in the San Rafael Swell Area**

With so many involved interests seeking a resolution to the conflict between user groups in the San Rafael Swell area, and with the efforts of politicians and officials to find solutions for these issues, new approaches for the management and use of the Swell were inevitable. After the defeats of proposals in Congress to bring special protection to the San Rafael Swell in 1998 and 2000, frustrated county officials continued to discuss and develop possible options for the area (Davis 2002a). Given a greater sense of

urgency by the efforts of the Utah Wilderness Coalition, the county's commissioners and Public Lands Council spent much of 2001 working toward a new plan and held talks with member groups and representatives of the wilderness coalition. County officials, however, reported in early 2002 that such talks failed due to the wide gap in the two opposing positions (Davis 2002a). On January 22, 2002, the county's only newspaper, the *Emery County Progress*, announced a meeting of the Public Lands Council that was to both update the community on "recent developments" and review alternatives, such as wilderness, a national conservation area, a national park, and a national monument, for special designation of the San Rafael Swell, "in relation to recent changes in the U.S. Senate, Utah's Congressional delegation and the White House" ("Lands Council" 2002).

#### Announcement of the Proposal

At that meeting, on January 26, Governor Michael Leavitt, a representative of Congressman Chris Cannon's office, and state legislators joined the crowd of more than 200. The Emery County Public Lands Council brought forth the suggestion that perhaps the best way for the county to proceed would be requesting President Bush to declare the area as a national monument. Council members Dennis Worwood and Wes Curtis explained the Council's progression to such a proposal. Curtis discussed the 1998 and 2000 failures to pass legislation that would have served the county's interests and also noted the failures of the attempts to compromise with Utah wilderness advocates (Davis 2002a). "We have felt for a long time that the environmental agenda is too extreme. [The environmental agenda] would eliminate cattle grazing, eliminate roads and that is not in the best interests of our citizens," Curtis explained. Curtis noted that the Council

began considering national monument status for the area as an option when they realized that “a new and friendly administration” would support and act on the proposal, “but only if it was what the people of the county wanted” (Davis 2002a). County leaders felt assured that the Bush administration would involve the local community in the shaping of a monument from the very beginning (Worwood 2003).

According to Curtis, the management policies of a new 620,000 acre national monument would be the same as those delineated in the “San Rafael Swell National Heritage and Conservation Area” in 1998, sought by the county as the “local recipe for land management” and “ideal... from the county’s point of view” (Worwood 2003). The Public Lands Council was of the opinion that pursuing a national monument designation for the San Rafael Swell would be their best opportunity “to go back to the original recipe we came up with in 1998.” (Figure B-6, “How the Monument Would Work,” is a description of how the monument might be managed, based on the 1998 legislation). Curtis added that because of the failures in Congress to establish a special designation for the Swell, the county felt it had the opportunity in President Bush to do it “administratively” (Worwood 2003).

While suggesting that President Bush utilize the Antiquities Act of 1906 to restructure the management policies of the San Rafael Swell in a way most desirable to the county, the Public Lands Council was mindful of the bitter feelings many Utahns still had toward the controversial use of the Act by President Clinton in establishing the Grand Staircase-Escalante National Monument in 1996. As discussed in Chapter 3, Clinton’s failure to involve the public and seek input from Utah residents and leaders in that decision was the key element of this public sentiment. The Public Lands Council

continually stated during the meeting that the proposal would not go forward without the comments and support of the county's citizens; that decision "rested in the hands of the people of Emery County" (Worwood 2003).

Although county leadership felt that their idea for a national monument designation had not fully been given substance, the *Emery County Progress* reported the Council's discussions had "reached the point where they needed public input on whether to pursue the idea or let it die" (Davis 2002a). The Council emphasized the sense of urgency they were feeling to act at that time, noting not only a friendly White House administration but also a Republican control of the US Congress that could easily shift after the November 2002 elections. Governor Leavitt agreed: "This is a very bold action. I am persuaded that if this community decides that this should be done, then now is the time" (Davis 2002a).

After the meeting, Dennis Worwood told the *Emery County Progress* that the proposal for the creation of a national monument would be submitted through Governor Leavitt's office to the Department of the Interior, thereby beginning the process of soliciting public input and comments, and creating a final proposal for the monument (Davis 2002a). This statement seemed to contradict statements made in the meeting by officials, as recorded by the newspaper, that going forward with the proposal was in the hands of county citizens. The misperception of what it meant to go forward was to lay the ground for the confusion and outrage among some in the community that grew in the coming weeks.

For the most part, there was cautious support of the idea by those citizens present. Most audience concerns had been dispelled by the proposal's strong adherence to

language from the 1998 bill for the Swell. Some expressed concern, however, of the fact that the issue of wilderness designations would not be resolved with monument status. Because wilderness can only be designated by an act of Congress, President Bush would not be able to eliminate some 650,000 acres of lands in the county, as was proposed by the legislation in 1998, that wilderness advocates wanted designated as wilderness. One commissioner tried to provide perspective by stating, “The monument does not resolve wilderness issues, but it takes away the urgency” (Davis 2002a). Other audience members expressed worry that the language of a proposal could be changed through the process to the point that county residents would not want the resulting monument (Davis 2002a).

Two days later, when Governor Michael Leavitt gave his annual State of the State address in Salt Lake City, many residents of Emery County were stunned to hear the governor announce that a formal request for the creation of a national monument in the San Rafael Swell area would be made to the President:

I’m proud tonight to announce that local and state officials will formally request that the President of the United States use his executive powers to create the San Rafael National Monument. Unlike the scenario involving the Grand Staircase National Monument in September 1996, this is no stealth proposal. While both regions contain spectacular land deserving of protection, the Grand Staircase was created by a different president who developed his executive order in complete secrecy with no notice and no collaboration. By contrast, the San Rafael proposal is the product of seven years of intense negotiations involving many stakeholders. We will ask President Bush to allow sufficient notice and additional discussion

before acting. We are protectors of the land, but respecters of process. Members of the Emery County Commission and Public Land Council are with us tonight to formalize this request. I salute your boldness (Leavitt 2002a).

The governor, whose Enlibra philosophy had guided his views on environmental dispute resolution, was taking the county's proposal forward to the surprise of many in the county.

The governor had informed the county's officials of the announcement. However, officials had not expected the governor to specifically request a monument, rather than simply a process for dialogue that had been described in the Emery County meeting just days before. The dramatic announcement did not serve the county's leadership as it created an impression that the monument discussions were not, after all, to take place. However, at a press conference the following day, Governor Leavitt clarified himself by stating that his request was for a monument process, not a monument proclamation (Worwood 2003).

Many of the upset residents of Emery County felt that the Public Lands Council meeting just days before was the beginning of the discussions on whether to begin a public process, whereas the governor intended for discussion and public involvement to take place once the proposal had been made from the governor to the Department of the Interior and then, the White House. The public process was intended to take place with the partnership of the federal authorities. According to the *Emery County Progress*, "while public comment during the public meeting was, for the most part, supportive of the proposal, many felt that they had been blindsided by the county and the governor when the announcement was made to carry the proposal forward" (Davis 2002c).

Significantly, the newspaper had reported that Public Lands Council member Dennis Worwood had stated only after the public meeting that the process would go forward in this manner. Yet, Council members had also reassured those in the audience that the monument proposal would go forward only after their approval (Davis 2002a). It was apparent that confusion existed over what would occur next. While the creation of the monument would go forward only if the county's residents approved of such a proposal, the process for determining the public's attitudes for that monument was to begin. After Leavitt's formal announcement, county officials admitted that they should have done "a better job explaining that after the January 26 public meeting the proposal process would begin" (Davis 2002c). Governor Leavitt's choice of words for announcing the proposal complicated the county leadership's attempt to define what the process would entail. County Commissioner Randy Johnson, also on the Public Lands Council, responded to the criticism by asserting that, in fact, the substantive discussions were still to come. Despite what the governor had inferred in his speech, though he later clarified himself, Johnson told county residents, "It's not a done deal. There will be at least 90 days of public comment. All we are looking at is a proposal" (Davis 2002c). This controversy over how the announcement was made and the confusion of how the public would be consulted on the issue quickly created public skepticism in the county that affected the dialogue and course of events throughout the entire year. In light of lingering public distrust of monument proclamations as a result of the creation of the Grand Staircase-Escalante monument, the proposal to create a national monument in the San Rafael Swell area had begun poorly.

## Reaction to the Proposal

In the days that followed the governor's announcement, much attention was given to the proposal around the region and extreme opinions were already being formed about the idea. The state's newspapers praised the concept in editorials and articles about the proposal appeared in national magazines and newspapers; several citing the Republican governor's support of the proposal for a national monument despite his criticism in 1996 of the creation of the Grand Staircase-Escalante National Monument. Local and statewide newspapers also reported on the concern and outrage of many Emery County residents.

Motorized-recreation users were most vocal in their concern and resentment. The Utah Shared Access Alliance, with 5,000 members in the state, criticized the proposal for lacking legal standing. The group felt that the Antiquities Act of 1906 could not be utilized to designate such a large monument. Members of the Southeastern Utah Off-Highway Vehicles Club stated that when they left the Public Lands Council public meeting on January 26, they believed that the idea was "still in its infancy" and therefore, were surprised at the governor's announcement just days later. They felt the process, to that point, had been disappointing (Israelson 2002). Despite the fact that the monument proposal being touted would be rooted in the 1998 National Conservation Area legislation that the off-road vehicle user groups had supported, the off-road vehicle community was not enthusiastic about the idea (Worwood 2003).

Environmental groups also complained. Despite the governor's Enlibra philosophy of inclusion and collaboration, these groups noted that they had not been informed of the idea or included in discussions for the new monument (Kenworthy 2002).



Only a day before the speech had the Southern Utah Wilderness Alliance, a member-group of the Utah Wilderness Coalition been notified of the governor's announcement (Young 2003). The Utah Wilderness Coalition, having actively participated in the series of meetings that took place in early 2001 at the invitation of the governor, saw the governor's proposal for a monument and public process as very surprising (Young 2003). That dialogue process was being replaced by a much bolder effort in which the governor and local leaders would play a larger role.

Congressman Chris Cannon of Utah unexpectedly came out against the proposal, resuming his stance that a President's use of the Antiquities Act of 1906 in creating such large monuments is an abuse of power. Cannon felt as the Utah Shared Access Alliance did - the law provided for acreage in a monument only "large enough to protect the scientific and historical objects" (Harrie 2002). A national monument of 620,000 acres of the San Rafael Swell area, Cannon believed, was far too large a monument for what the Antiquities Act provided. Interestingly, Representative Hansen of Utah supported the proposal despite having introduced legislation in Congress for five consecutive years that would limit any such designation to only 50,000 (Harrie 2002). The state's third Congressman, Democrat Jim Matheson, also favored the proposal.

On February 11, at a meeting with Governor Leavitt, Secretary of the Interior Norton expressed praise for the proposal: "One of the things that is important to this administration is having local input into the process of creating monuments. We appreciate the state and local officials being involved in suggesting it. Now, we want to look at this from the federal perspective" (Harrie 2002). Days later, the Emery County Public Lands Council met and stated that the issue was in the hands of the Department of

the Interior for the time being (Stoddard 2002c). The Council announced that the department would be conducting the public comment process but had not made definite plans as to when that would take place. During the public comment period, explained Commissioner Randy Johnson, the process will include the consideration of comments from around the nation as well as local input and fact finding. Because federal lands were at issue, county and state leaders knew that national input of some type was necessary to help legitimize the proposal. The Council announced that the county would also have public scoping meetings parallel to those conducted by the Department (Stoddard 2002c).

In February, the Public Lands Council and its Chairman, Dennis Worwood, wrote letters to the *Emery County Progress* arguing for the need for proactive steps to address the public lands issue. In his letter, "Standing Still is No Option in Public Lands Issue," Worwood cited four clear trends that had affected the Public Lands Council's sense of urgency and need for proactive efforts (Worwood 2002). Worwood stated that he hoped these four trends would be at the core of the public discussions about the monument. First, Worwood stated, the large population growth throughout the Western United States has spurred more visitation to public lands across the west, including the San Rafael Swell, and the county should be prepared for continuing growth of visitation. A second trend was the growing awareness across the country in public lands issues. The interest, he asserted, has spurred a trend toward more federal policies and controls of these public lands and less influence from local communities. Worwood noted the importance of the Bush administration's willingness to consider the wishes of local communities as the primary reason the monument was even considered. Worwood specifically cited the

growing willingness of federal policy-makers to create wilderness areas on public lands as another trend. Finally, the coal-based Emery County economy was also a concern. As geologists are predicting only 25 more years of coal resource extraction in the county, Worwood felt citizens should be mindful of the future economy of the area (Worwood 2002).

In early March, the Department of the Interior notified Emery County officials that they would like the county to draft the language for a national monument proposal rather than draft it at the department. “They don’t want to design a monument,” Randy Johnson explained, “They want to react to our proposal” (Davis 2002d). Dennis Worwood added later, “Since no one has ever used this approach, it took some time for the Department of the Interior to sort out the details (“Lands Council Prepares” 2002). Focus returned to Emery County to consider how a draft proposal for the monument would be articulated.

#### The Public Meetings of Emery County and the Castle Country Rural Alliance

The county announced plans for several public meetings and hearings to solicit comments from Emery County residents about what should be included in the draft proposal. Entering into these meetings, it was stated that the Public Lands Council would use the framework of the 1998 legislation, which itself had been the result of public meetings in the county, to begin the public dialogue. Again, officials noted that the county’s residents would make the decision on the monument proposal and its scope. Dennis Worwood added, “We’re doing something that’s never been done before, so

there's no precedence for it. The [Department of the Interior] is waiting for us to give them a product for their own public process" (Davis 2002d).

Three public meetings were held by Emery County to solicit input from residents regarding the monument proposal. Held March 22 and March 23, in the towns of Green River and Castle Dale, respectively, the first two meetings included speakers from members of the Public Lands Council, a representative of the Utah Travel Council, and Dick Manus, recently retired BLM manager for the San Rafael Swell area. The principle subject of these two meetings was access and travel within a proposed monument. At each of the two meetings, after hearing from the speakers, the 50 and 60 participants in attendance were divided into smaller groups to discuss their concerns. Many participants expressed support for the proposal while others were more cautious or still outraged at the idea. Some expressed a fear that the monument status would lead to a national park designation. Some participants expressed concern that including input from outside the county or the state would alter any proposal to a point that county residents would have an undesirable monument forced upon them. ("Residents Let Their Voices" 2002).

The third meeting conducted by the Emery County Public Lands Council was held April 10 in Castle Dale. As grazing issues within the proposed monument was the primary subject of the meeting, a BLM Range Specialist from the nearby field office, a representative of the Utah's Cattlemen's Association, and Dell LeFevre, Garfield County Commissioner and a grazing permittee in the Grand Staircase-Escalante National Monument were featured speakers. Public Lands Council member Dennis Worwood reminded those on hand that county officials were hoping to gain quality input from the public to be used to formulate a proposal and make a recommendation to the county

commission on how to proceed in regard to the monument proposal (Stoddard 2002b). The speakers discussed how the new monument's grazing allotments would be managed and what types of changes, if any, the community could expect regarding the grazing of these lands. During his speech, the Utah Cattlemen's Association official derided the use of the Antiquities Act of 1906 for the establishment of such large-scale monuments, reading from the state's Republican Party Platform, which stated the party opposition to the Grand Staircase-Escalante monument. One incentive for creating a monument, he added, was to limit the amount of land that could be designated as wilderness (Stoddard 2002b).

The *Emery County Progress* documented a synopsis of the many comments that were voiced when the audience was broken into smaller groups for discussions. Of those noted by the newspaper, a large majority of comments was against having the area designated as a monument. A sample of these comments include, "It won't stop the Wilderness Study Areas;" "No monument, because there aren't guarantees;" "Can't trust the government;" "No more federal employees to increase our taxes to pay for them;" "Elimination of grazing will take away rancher's livelihood;" "Doesn't want commercialization"; "Opposed to wilderness"; "Supporter of grazing as long as it adheres to BLM standards;" "Why protect the land from itself?" and "Leave the Swell alone, but fight for multiple use in court" (Stoddard 2002b). Though the meeting was focused upon the topic of grazing in the proposed monument area, the comments listed by the newspaper reflected what might be considered emotional rather than substantive input from the public.

The county's leaders had hoped to gather specific ideas to shape the language of a monument proposal from these public meetings. However, the leadership determined that by drafting a monument management proposal prior to any Interior Department public participation process would only result in the further alienation of those in the community who had felt that the proposal, as announced by the governor, was a "done deal" when announced. Crafting the specific details of a proposal with community input and dialogue would help dispel that skepticism (Worwood 2003). It was necessary that the citizens in the county take part in shaping the proposal during that process, rather than having the county's leadership create one on their own.

On March 23, 2002, just hours after the conclusion of the second public meeting held by the county, the Castle Country Rural Alliance held their first ever public meeting. The Emery County group had formed over the course of a few weeks in late February and early March 2002 as a coalition of groups and individuals largely as a response to the consideration of the San Rafael Swell area as a national monument. The Alliance's stated mission was to involve a wide public involvement with the public lands issues of the county and area, as well as with the area's economic development issues (Davis 2002e). Between 150 and 200 people attended the Alliance's meeting - almost twice the number of attendees to the Public Lands Council's two meetings combined. Attendees heard from Paul Conover, the spokesman and founding member of the Alliance (and active off-road vehicle proponent); former BLM state director Jim Parker; Professor Jeff Durant of Brigham Young University; a resident of Garfield County, Utah (home of the Grand Staircase-Escalante National Monument); and a member of Montanans for Multiple Use (Stoddard 2002d).

Each speaker discussed aspects of national monument planning and management that may have affected Emery County and stressed the importance of those in attendance getting involved with the process and expressing their views to the County Commission. Jeff Durant began the conversation by discussing the difficult nature of determining whether the county's residents should or should not support a new monument. Parker, now a consultant in Garfield County, spoke of the Bureau of Land Management's role in a monument and noted that, in his view, the agency had too often dealt with land use conflicts by eliminating a type of use altogether. Rick Crawford, a resident of Garfield County, spoke on his experiences with the management of the Grand Staircase-Escalante monument and his views that the federal government has no constitutional right to public lands, despite federal ownership. Crawford at one point stated, "Create a monument, then the land is constitutionally legal and held by the federal government" (Stoddard 2002d).

Those in attendance at the Castle Country Rural Alliance meeting were offered opportunities throughout the evening to ask questions and voice concerns. Many in the audience betrayed a lack of knowledge about the proposal and a poor understanding of the process that was described by the county to gather public input. One citizen was reported to ask how they would be able to know what the final proposal would be. Another citizen asked, "Who is going to listen to what the people have to say?" (Stoddard 2002d). Others in attendance voiced concerns more related to the issues of managing a new monument. Others used the occasion to voice their sentiment regarding the outside influences involved in the management of the nearby area and their disappointment in their county's commissioners: Often, the comments involved more emotion than

substance: “We are controlled lock, stock and barrel by environmentalists and we are in trouble. It’s time to take a stand and follow through with what we want. Our freedom’s at stake and we have been sold down the river by people we trusted” (Stoddard 2002d). Before adjourning those in attendance were once again encouraged to become involved, and to join the Castle Country Rural Alliance.

The coverage given to the meeting by the *Salt Lake Tribune* depicted a staunch opposition to the proposal. The article, “Emery County Expresses Dismay at Leavitt’s San Rafael Plan,” played on the attendees’ distrust of how the announcement was made by the governor in January. The *Tribune* noted that after many years of negotiations between the county, the BLM, and environmental groups, there had been no indication to residents of the county that the efforts may result in a proposal for a national monument. Further, the *Tribune* inferred covert actions by the governor: “The governor’s plan was kept secret until just 48 hours before Leavitt’s speech” (Dumas 2002). Garfield County resident Rick Crawford was quoted telling the crowd, “Knowledge gives you power. That’s a reason they thrust this upon you so fast” (Dumas 2002). Most significantly, the *Salt Lake Tribune* failed altogether to cover or even mention in their article the two public meetings conducted by the Emery County Public Lands Council that were intended to constructively gather public comments specific to the proposal. These meetings were not mentioned despite the fact that one of the two meetings had been held the same day as the Alliance’s, and the other only the night before.



## Formal Request to the President

In the first week of April, Governor Leavitt wrote a letter to the President formally requesting that the San Rafael Swell be considered for national monument designation. The governor stated that there were areas of the Swell that were historic and scientific in value and expressed his desire for a process that would be inclusive and would involve the public. Interestingly, Leavitt told the President that the “request has the full support of Utah’s congressional delegation,” though Rep. Chris Cannon was still in opposition to such a use of the Antiquities Act of 1906 (Gehrke 2002).

On May 1, President Bush responded to Governor Leavitt’s request by writing Secretary Norton and requesting that he be provided with information regarding the historic and scientific merits of the San Rafael Swell area. “In gathering such information, please solicit public participation and comment from any and all interested parties and consult fully with the Governor and the entire congressional delegation of the State of Utah. An open and public process for gathering this information is important to me” (Bush 2002a). President Bush also wrote Governor Leavitt to inform him that the proposal would be considered and that Secretary Norton would compile information about the proposal in the aforementioned manner (Bush 2002b).

Bush’s request for information sparked the beginning of the federal public participation process specific to the monument proposal. Though the decision was the President’s to make, the interests and comments of the public, particularly those residents in Emery County, was a central component of what the Secretary of the Interior would consider when informing the President. With Governor Leavitt and the Public Lands Council having repeatedly assured the residents of Emery County that there would be no

monument without their consent, it seemed the proposal rested on gaining the approval of Emery County residents through a participatory process implemented by the Department of the Interior (Davis 2002a).

During most of April and May, the Emery County Commission and the Governor's office did not know what process would be implemented by the Bush administration to assist the President in obtaining the information and determining whether the designation would be made. On April 17, Governor Leavitt visited Emery County with his cabinet and held a town meeting in Castle Dale. The governor visited several sites in the Swell and held a town meeting for county residents to speak with the governor about a variety of concerns. The meeting included discussions of the proposed monument. When one resident told the governor that a majority of the county's residents were against the proposal the governor tried to assure those in attendance that the proposal was "an idea, not a proposal. We will look at the process for a year. What we hope to accomplish is to set the standard for how public process should take place. I give the assurance this is not something coming without a long process and public support" ("Capital For a Day" 2002). Paul Conover of the Castle Country Rural Alliance presented Governor Leavitt with a petition and written statements expressing dissatisfaction with how the process had taken place to that point. Conover said that he and others in his group felt as if the monument idea had "just dropped out of the sky." Governor Leavitt responded by citing his partnership with the Emery County Public Lands Council in devising the idea. Further, Leavitt said, "I didn't dream it up on my own. We are still figuring out the process" ("Capital for a Day" 2002).

Through the months of May, June and July 2002, determining the process by which officials would involve the public into the decision-making of the San Rafael Swell's future was in the hands of the Department of the Interior. As mentioned, Emery County had determined that it was best that no specific draft for the language of the declaration be completed until after the public participatory process took place (Worwood 2003). It would be during that process that the county's residents would shape a specific proposal to their liking. As talks between the governor, the Department of the Interior, and county officials took place, a process that would address the president's request for information and public input took shape.

### **Petition for a Referendum Vote**

On June 18, Mark H. Williams, president of the Southeastern Utah Off-Highway Vehicle Club, submitted a petition to Emery County officials with more than 900 signatures to have a resolution regarding the monument proposal put on the county's general election ballot on November 5<sup>th</sup>. Along with the Castle Country Rural Alliance, Williams' group gained enough signatures to place the decision directly into the hands of county voters. Voters were to choose whether, "The Emery County Commission shall by resolution endorse the establishment of 620,000 acres of public land in Emery County as the 'San Rafael Western Heritage Monument'" (Stoddard 2002e).

Williams told the *Emery County Progress* that the groups had little trouble in gaining enough signatures. "It became evident early in our petition drive that not only were some Emery County residents unhappy with the way the monument was introduced, but also they did not have a basic understanding of the problems the designation of this

monument would create. Putting this on the ballot is the most accurate way to determine how the people of Emery County really feel about this proposal” (Stoddard 2002e).

Citing the “secret” manner in which Leavitt had announced the proposal, Williams noted the large amount of resentment in the county about way the proposal was brought forward (Spangler D. 2002).

County commissioners had planned to conduct an “extensive poll” of county residents after the “extensive public information process” that was being planned by the Department of the Interior had taken place (Stoddard 2002e). With the initiative successfully placed on the ballot, Commissioner Randy Johnson knew that informing the public during the process was even more important so that voters could make informed decisions in November. “We want to give people in the county a good clear picture of the options before the vote in November. We want to pull away from the rhetoric of the extremes and get down to what a monument does and what it cannot do. We want the voters to make a decision to pursue the monument or not based on good information” (Stoddard 2002f).

The successful petition drive by Mark H. Williams and the Castle Country Rural Alliance also revealed the level of distrust and skepticism that had formed about the proposal. Officials, residents, and journalists alike continuously pointed to the creation of the Grand Staircase-Escalante National Monument as the origin of such suspicion. For all the talk by the governor and the Public Lands Council about the need and effectiveness of public process and input in the designation of a monument, a great number of community members were more willing to let the decision be made with a referendum vote and outside of a structured planning process. With an incoherent plan

for how the public involvement would take shape and no detailed outline for the management of the proposed monument, the emotion and distrust of many in the community mounted while the process for public input was developed. Finally, announced on August 8<sup>th</sup>, Emery County and state officials, and the Bureau of Land Management would have a process in which the public could take part.

### The San Rafael Swell Study

After months of discussion, the Department of the Interior, the State of Utah and Emery County officials developed a process that would involve the public in the consideration of the national monument in the San Rafael Swell area. A description of the process and its elements follows.

### Introduction of the Process

The formal announcement of the initiation of the public feedback and information process took place on August 8<sup>th</sup> in Emery County and was a well-publicized and long awaited occasion. Governor Leavitt, the Emery County Commission, and Sally Wisely, state director of the Bureau of Land Management, were on hand to describe the public participatory process that was to take place over the course of several months. Days before the announcement, Governor Leavitt told the *Emery County Progress* that the purpose of the meeting was “to lay out the proposal process and make certain everyone has a chance to contribute to the development of the proposal. This is only an idea. It is difficult to know whether you are for or against the monument right now, because there is no proposal. How can you form an opinion about a proposal you have never seen?”

(Stoddard 2002g). Intended to be both inform the community and solicit input and feedback, the process was to address one central question:

“Is a national monument designation the proper course of action to ensure that the priceless landscapes and heritage resources of the San Rafael Swell are both protected and enjoyed by current and future generations” (Stoddard 2002g)?

Approximately 100 people attended the event on August 8<sup>th</sup> to hear the details about the ‘San Rafael Swell Study,’ the community dialogue process that was to be implemented by the Bureau of Land Management to address this question. The BLM had been given authority over the process by the Department of the Interior because the lands involved were under the agency’s jurisdiction (Stoddard 2002g). The BLM, the State of Utah, and Emery County officials, as partners, had been meeting since June 2002 to develop a process that would provide the President with relevant information, while including the public in open dialogue (BLM 2002b).

At the event, the process being announced was praised for its historic significance and potential influence on public involvement and governmental partnership in national monument policy-making. “It is historic that we’re having this kind of meeting prior to the declaration of a monument rather than afterwards,” one official stated (Davis 2002f). The hopes of the governmental partnership, Governor Leavitt added, was to solicit and gather opinion and information in such a way that the San Rafael Swell Study can serve as an example “that has national significance to prove that a process done this openly can work” (Davis 2002f). Once again, the Governor emphasized that the proposal for a national monument in Emery County, compared to the Clinton declaration of the Grand Staircase-Escalante monument, be done properly, by involving those most affected.

A central issue addressed during the meeting was the consideration given to the public input and opinions of those outside of Emery County and the state. Many in the audience that day still felt that the proposal would be shaped by outside influences, even interest groups, and could take a form that Emery County residents would not support. Dr. Keith Allred, a professor from Harvard University's John F. Kennedy School of Government, who was to oversee the public information process for the Study, reminded those in attendance that all opinions from the public at large must be considered. "The people of the United States own the land, not the people of Emery County, not the people of Utah, but the people of the United States," Allred stated (Davis 2002f). Commissioner Randy Johnson, though, reiterated the point that the president had told him personally that a monument would not be established without the support of locals.

Also addressed at the announcement was the potential for the outcome of the November referendum vote to affect the process. Should a majority of residents vote for the Emery County Commission's endorsement of the proposal, the San Rafael Swell Study would continue after the referendum, to answer the central question and inform the president's decision. Should a majority vote against the Commission's endorsement of the proposal, Commissioner Johnson said that the San Rafael Swell Study would still continue because the president had requested the solicitation of information regarding the monument in the county and that mandate was not bound by any vote. However, Johnson stated that the county would not pursue the monument designation should the referendum vote be against the support of the proposal. With the president's assurance that the support of local resident and officials was central to his decision, the implication would be that there would be no monument, thus negating the potential benefits of the

San Rafael Swell Study process (Davis 2002f). A description of the elements of the San Rafael Swell Study process is given below. The process that was implemented by the partnership during the Study and the results of the November 5<sup>th</sup> referendum vote will then be documented.

### Elements of the Process

The result of the joint effort to devise a process for public dialogue was a multifaceted program. The intended schedule for the program was ambitious, taking place over the following four months (from August to November) with a final report being issued to Secretary Norton by February 2003. The partnership had devised a program including seven elements that would include the use of more traditional means of gathering public feedback such as public workshops, as well as educational events to inform participants about the significant issues at hand. The San Rafael Swell Study process was comprised of two phases. Phase one would be the education and information distribution part of the process. Phase two would be the collection of public input through meetings and a survey (Banks 2003).

The public's involvement would guide the process toward an answer to the central question: Was a proclamation designating the San Rafael Swell as a national monument the "proper course of action" to provide protection of the resources and enjoyment from the public (Stoddard 2002g)? The BLM, the state of Utah, and Emery County were hoping to answer this question with the information and insight gained by implementing these seven elements of the Study process.



The elements of the San Rafael Swell Study were designed to distribute as well as gather information with the public's participation. The *distribution of information through literature and an information website* was the organizers' first objective. The website was to be produced in August to coincide with the announcement on August 8<sup>th</sup>. Information packets were distributed to attendees of meetings and were available as well from the offices of the partnering governments. Second, an *inventory report* was to be completed by October 2002 that would include a comprehensive literature search and expert opinions and information from area resident's about the historic and scientific features of the San Rafael Swell.

In September, organizers planned to conduct a *resource symposium* over two days to allow interested members of the public to hear from historians, scientists, and other specialists about the Swell area. The fourth element of the Study was *public meetings and workshops* to solicit opinions, advice, and perspectives on what is valued most about the Swell and what preferences the public had in regard to the area's management. These meetings included several regional workshops and were to be completed by November 2002. Fifth, a *public opinion survey* was planned for completion in October 2002. Professor Keith Allred of Harvard University would develop the survey by working with involved interest groups. The survey would be done on the local, state, and national levels, as well as through the Study's website. *Field tours* of the San Rafael Swell were planned for September and October featuring a variety of experts or specialists to allow interested members of the public to experience the area. The final element of the information and public feedback process was the *final report*. The report was intended to compile and gather the findings, public input from meetings and the survey, and

perspectives of the local and state governments into one document for submission to the Bush administration (BLM 2002c).

### **The San Rafael Swell Study: The Process Prior to the Referendum Vote**

The San Rafael Swell Study was not completed as planned. However, between the August announcement of the Study's elements and the November 5<sup>th</sup> referendum vote in Emery County, many of the elements were developed and implemented. The following is a description of the public involvement elements of the San Rafael Swell Study that were implemented by the partnership of the BLM, the State of Utah, and Emery County.

### **The Information Distribution and Website**

In August, the process began with the production of the San Rafael Swell Study's information website and the distribution of literature. The website had been designed to both distribute information to interested visitors and collect feedback. The site provided visitors with access to information about the process for the San Rafael Swell Study, a schedule of events, background on the issue of special designation for the Swell, and multi-media presentations. A portion of the website was dedicated to the management issues of other national monuments to inform the public about varying potential management options for the Swell. Visitors were able to access a variety of maps, including maps for self-guided tours of the area, and news items related to the Swell. Visitors could also sign up for electronic mail alerts of upcoming events. See Table A-3 in the Appendices for a list of this website's features.

The interactive website also featured information regarding the Swell's ancient and modern history, as well as pages on the area's ecology, geology, and paleontology. The website featured descriptions and updates of the events that would take place during the process. As mentioned, one of the central purposes of the website was to collect feedback. Visitors to the site could do that in several ways: by submitting formal general comments online, submitting comments related specifically to 'objects of interest', and completing the public opinion survey online. The BLM did not tally the number of visits to this website, though it is reported that "hundreds" of visitors either submitted comments or requested that they be sent messages updating them on events and relevant news (Harrison 2003). As of the writing of this thesis, the site is available on the Internet at <http://www.ut.blm.gov/sanrafaelswell>.

Also during the month of August, postcards were mailed to hundreds of people from around the country who had at one time expressed an interest in the planning and management issues of the San Rafael Swell. Contact information for this mailing was gathered largely from the local BLM field office planning files. Recipients were notified of the Study and invited to participate in the Study by attending the upcoming workshops, forums, tours, and meetings, or by visiting the information website. These individuals also received a colorfully illustrated invitation specific to the Resource Forum that was planned in September. An information packet was also organized and distributed in August to interested members of the public and attendees of the first workshop.

By early September, a 15-minute long video had also been produced by the BLM highlighting the outstanding visual features of the San Rafael Swell. Intending to give viewers a visual introduction to the area, many of the area's geologic and historic sites

were featured. The well-produced video displayed a variety of modern recreation uses of the Swell as well, and was accessible for viewing on the Internet to visitors of the San Rafael Swell Study website.

### Resource Inventory Report

The first public workshop, a technical workshop, took place on August 28 in nearby Price, Utah. Considered the starting point in the process of dialogue, the objective of the meeting was to gather information for the resource inventory report that was being completed for the Study. The Bureau of Land Management contracted the planning and consulting firm Booz Allen Hamilton to assist in conducting some of the elements of the Study. Specifically, the firm would organize and facilitate the public meetings and forums, as well as complete the inventory and final reports. Held at the College of Eastern Utah, the half-day gathering marked the first event for the public to get involved in the Study.

The resource inventory process was described to attendees as a “monument neutral” process that would simply portray the resources that exist in and around the San Rafael Swell as accurately as possible (Stoddard 2002h). The inventory report was intended to be a scientific survey of the area, up to eighty pages long, with maps and chapters discussing the subject areas, and was an important part of what President Bush would receive to inform his decision. The subject areas for the inventory were: paleontological resources, archaeological resources, geologic resources, ecology and life zones, flora and fauna, history of presettlement Native Americans, history of outlaws and pioneers, mining history, pioneer and ranching heritage, modern uses and human

involvement (Stoddard 2002h). The meeting was conducted to gather from the public the expertise that planners noted may come only from local residents. This information would help to inform the discussions during the September Resource Forum, as well as guide the organizers of the Study in determining the subject matter and agenda of the field tours.

The participants of the technical workshop were quick to help Booz Allen Hamilton identify resource materials and tools that could contribute to the inventory. Among the participants were representatives of the Utah Geological Survey, the College of Eastern Utah museum, the *Emery County Progress*, Brigham Young University, and off-road vehicle user groups. The range of expertise and input these participants offered to the discussion was dramatic. For instance, participants discussed and brought forth information on grazing patterns and permits, pre-historic rock art inventories, rock climbing routes, dinosaur fossils, uranium mines, the construction of Interstate 70, wild burro populations, grave markers and headstones, oil drilling operations, and historic cabins. Of the ten subject areas, however, very little discussion occurred regarding ecology and life zones, and flora and fauna (Stoddard 2002h). The emotional and contentious issues involving the potential creation of a national monument was largely avoided. However, one leader of an off-road vehicle users group cynically described the San Rafael Swell area as so similar to the other “three quarters of the state” that he wondered “what made the Swell so special [as] to warrant monument status” (Stoddard 2002h).

Booz Allen Hamilton and the BLM utilized the technical workshop to initiate much of the research and documentation for the inventory report. Work on the report

began shortly after the workshop and was overseen in the BLM by Lynn Jackson of the Moab Field Office. On August 8<sup>th</sup>, officials had announced that the inventory report would be completed by October. Considering the scientific nature of the report, this deadline was ambitious (Jackson 2003). By the end of October, the draft report was still weeks away from completion.

### The Resource Forum

The Resource Forum of the San Rafael Swell Study was an educational event intended to provide extensive historic and scientific information to the general public from a range of expert speakers. The event took place on September 19 and 20, 2002 in Emery County. Prior to the event, invitation flyers were mailed to the hundreds of individuals on the BLM's planning issues mailing lists. The public was encouraged to take advantage of this opportunity "to learn more about the unique combination of resources, beauty, and cultural heritage that has spurred discussion of special designation for this area for more than half a century" (BLM 2002d).

The forum took place over two evenings at the local high school. Participants were greeted each evening with a brief introduction and then attended breakout sessions of their choosing from a range of presentation topics. Each breakout session lasted one hour and ran concurrently so that participants could choose which presentation topic they were most interested in attending. Each evening, there were two separate breakout sessions, allowing those in attendance an opportunity to attend four sessions total (BLM 2002b).

On the first evening, participants were welcomed by the BLM's state director, Sally Wisely. Director Wisely reminded participants of the purpose and goals of the San Rafael Swell Study, as well as the Resource Forum. The forum, she stated, was not only for interaction but also to garner open dialogue with the public. Wisely stated that the forum was "just to put the information on the table," so that the public can be more informed about the Swell and the proposal. Also welcoming attendees were representatives of the Emery County Commission and the Governor's Rural Partnership group (Stoddard 2002i).

Presentations made on the first evening included a history of the area, made by a professor from Brigham Young University, an overview of the geology of the Swell from a Utah Geological Survey official, and a description of the area's fossil resources from a BLM paleontologist. Also, a professor of geology from Utah State University discussed the geology and mining resources in the Swell, and a local historian presented a history of the Swell in the last fifty years. From the BLM's national office in Washington, D.C., an official presented an explanation of the various special management approaches and trends that the federal agency could utilize to protect significant areas (Stoddard 2002i).

On the second evening, another presentation was given relating to paleontology. Jeffrey Durrant, a geography professor from Brigham Young University, was on hand to discuss the role of ranching in Emery County and what changes could take place if the Swell were to become a national monument. Threatened and endangered plant and animal species were also discussed. A state archeologist presented an overview of the prehistoric art and habitat sites within the Swell. Finally, on the second evening, a BLM

planner discussed the modern-day role that recreation plays in the management and protection of the Swell (Stoddard 2002i).

### San Rafael Guided Field Tours

In conjunction with the Resource Forum, guided field tours of the San Rafael Swell allowed interested members of the public to tour the area in groups, guided by technical experts. Three of the seven tours were held the day after the Resource Forum's completion, Saturday, September 21<sup>st</sup>. Participants of the forum were encouraged to attend the educational field tours to see first hand the areas that had been extensively discussed. Information about the field tours was also placed in the area's newspapers.

The themes of the tours that day were paleontology, archeology, and geology; ecology, flora and fauna; and the modern uses of the Swell. For the three tours, however, only five individuals showed up to take part. The low turnout was a disappointing start to the field tours segment of the San Rafael Swell Study (McCoard 2003). However, for the four guided field tours that followed, the turnout was better, but only marginally. For the October 5<sup>th</sup> ecology, flora and fauna tour, approximately seven people took part in the trip. On October 12<sup>th</sup>, about 15 individuals accompanied the BLM paleontologist for a look at paleontology, archaeology, and geology sites of interest. A week later, a BLM planner led another 15 participants for a look at modern uses in the area, visiting recreation sites, rock art locations, and popular trails. The final field tour was intended to cover the mining, pioneer, and ranching history of the area but was cancelled because of inclement weather. At least seven participants had been registered to participate (McCoard 2003). Of those that participated, guides reported that at least half of the



participants were from Emery County, or nearby Carbon County. Participants also came from the Wasatch Front region of Utah, as well as parts of southern Utah and western Colorado (Leschin 2003).

### Public Opinion Survey

Dr. Keith Allred is a specialist in dispute resolution and mediation studies at the John F. Kennedy School of Government at Harvard University. A native Utahn, Allred was brought into discussions about the San Rafael Swell Study several months before the August initiation of the San Rafael Swell Study by Governor Leavitt (Worwood 2003). Allred assisted the San Rafael Swell Study by working to develop a public opinion survey to help gauge the general public sentiment regarding the issue. Governor Leavitt had hoped to marginalize the special interest groups that had both the tendency to force extreme views into discussions and the ability to overrun traditional public meetings and workshops. The survey was an opportunity to gather information on the public's sentiment without the threat of the groups' direct influence (Worwood 2003).

In May 2002, Allred visited Emery County and met with county officials and residents about the monument proposal and their desire for public involvement, and admitted that he liked the monument conceptually and that gaining the involvement and input of the stakeholders was a crucial part of analyzing the proposal (Stoddard 2002j). By mid-summer, plans had been made for Allred and his student assistants to administer an extensive poll as part of the San Rafael Swell Study, randomly sampling residents of Emery County, residents of Utah, and citizens from around the country. The samplings were to be a complement to the perspectives and input gained from the planned public

meetings and workshops. Administered by random sampling, the telephone survey was to be more representative of the general public's sentiment on the issue. The survey was also to be available on the Study's website so that any person interested could take part.

As Allred noted during the August 8<sup>th</sup> announcement ceremony, the samplings of Utah residents and of citizens from around the nation was an acknowledgement that the Study was part of a decision-making process regarding the public lands of the federal government. All federal planning efforts that fell under NEPA and organic legislation required that local, regional and national interests be considered (BLM 2000).

Interestingly, the sampling for public opinion from across the country and the online access to the survey provided the only opportunities for those outside of Utah that were interested in the issue to take part in the San Rafael Swell Study discussion, aside from traveling to the area. Jeffrey Durrant of Brigham Young University, who closely followed the San Rafael Swell Study, noted that the inclusion of a national opinion survey favorable to the proposal would give President Bush political legitimacy for a monument designation in the Swell area. The national opinion survey, he felt, had less to do with the lands belonging to all Americans and more to do with the President looking out for his "political backside" (Durrant 2002).

In early September, Dr. Allred presented to the members of the Emery County Public Lands Commission a draft survey. On September 10<sup>th</sup>, members of the Public Lands Council expressed dissatisfaction with the questions that Dr. Allred had presented to the group. The Council felt that the survey was too complex and "didn't ask the right questions" (Stoddard 2002k). Council members expressed a concern that there were no questions relating to grazing in the area as well. The Council doubted that the set of

questions presented to them would provide any useful information and asked Allred to rework the survey (Stoddard 2002k).

It was intended that the survey be developed in part by both environmental and off-road vehicle users interest groups. During the summer months, Allred had consulted with a variety of interest groups, from the off-road vehicle groups and 'Wise-use' groups, to the conservation and wilderness advocates. In fact, Allred served as a primary contact with the conservation community in preparation for the public participatory process prior to August, meeting repeatedly with leaders of the Southern Utah Wilderness Alliance in particular. In mid-September, Allred convened a meeting for representatives of the governor's office, Emery County, off-road vehicle groups, 'Wise Use' groups, and the environmental community to discuss the formulation of questions for the survey. The director of the Southern Utah Wilderness Alliance was the sole representative of the conservation community (Young 2003) to further discuss the survey and its questions.

Work on the telephone survey continued through the month of September and October. Allred received feedback from the BLM during this time and was asked to craft questions that focused on the multiple land uses and types of resources located in the area. It was generally felt at the BLM that Allred's early drafts of survey questions placed too much emphasis on the conflict between wilderness issues and off-road vehicles users' concerns for preserving vehicular access to public lands (Jackson 2003). By late October, the San Rafael Swell Study website announced that the Allred survey would not be completed until January 2003, a full three months behind its scheduled completion in October.

## Public Meetings and Workshops

The consulting firm of Booz Allen Hamilton was in charge of organizing and facilitating the public meetings and workshops for the San Rafael Swell Study. The meetings were to serve a central purpose in the Study by eliciting public comments and feedback in a traditional public participatory format, and providing the public to discuss their questions and concerns with officials. These meetings were originally intended to take place from September to November.

In early September, Booz Allen Hamilton and the BLM had tentatively scheduled the meetings for the first week of October. However, by the end of September, the BLM told the Emery County Commission that the meetings would not occur until the third week of November, after the November 5<sup>th</sup> referendum vote on the future of the national monument process (Stoddard 2002k; Stoddard 2002l). BLM officials determined that given the ambitious scheduling of the events, with the Technical Workshop, Resource Forum, and Field Tours all within a matter of weeks, these public meetings would need to be scheduled later in order for the BLM and Booz Allen Hamilton to more adequately prepare (Jackson 2003). It would have been possible to conduct the meetings during the final week of October but given the intensity of discussions and lobbying efforts in the county just prior to the November referendum, BLM officials determined that the meetings would be more productive after the referendum (Jackson 2003; Banks 2003). County officials preferred these take place prior to the November vote to help inform the county's voters and develop greater dialogue prior to the important vote (Jackson 2003).

Before the referendum vote, Booz Allen Hamilton intended to conduct at least four meetings in late November and early December and a draft version of BLM planning

bulletins had been written in preparation for the events (Banks 2003). Meetings were to be held in Salt Lake City and Price, as well as in Green River and Castle Dale in Emery County. The format for the two Emery County meetings was to include a general session with introductions and presentations, an “open house,” and breakout discussion groups to elicit specific comments. (Stoddard 2002k).

### Final Report

The final element of the San Rafael Swell Study process, the final report, was intended to be a document to “consolidate inventory findings, public input, and perspectives from state and local governments” and was to be submitted to the Secretary of the Interior (BLM 2002c). This summary document, to be written by Booz Allen Hamilton, would include input and results from the public opinion survey, the public meetings, and the resource surveys. The report would not offer recommendations to the president regarding the national monument decision (Jackson 2003).

### The November 5<sup>th</sup> Referendum Vote

In June 2002, when Mark H. Williams, president of the Southeastern Utah Off-Highway Vehicle Club, presented the petition to the Emery County Commission for a referendum by county voters on the issue of the national monument, he stated that there could be no more accurate representation of the wishes of Emery County residents regarding the monument than the results of a simple vote (Stoddard 2002e). When the signatures for that petition were collected and presented to the county’s clerk, the county, the state of Utah, and the BLM had not yet determined what elements would be involved

in the San Rafael Swell Study process and how the public participation and dialogue would be provided for.

Though the process was undefined at the time, the governor and the county's leaders had clearly and repeatedly stated that should the citizens of the county oppose the proposal for the national monument, they would withdraw their request of the President. The referendum vote, they recognized, would force them to withdraw that request. The county referendum vote was not binding on the Bush administration's decisions and policies toward the public lands in the San Rafael Swell. Yet, the political reality was that the president would not act without the consent of the governor and local communities. In effect, the county referendum became a vote for whether the participatory decision-making process of the San Rafael Swell Study would continue or whether there would be no monument proposal at all. The federal land issue would be determined by a county vote.

Those voting on November 5<sup>th</sup> were to express their support for or opposition to Citizen's County Initiative #1: "The Emery County Commission shall, by Resolution, endorse the establishment of 620,000 acres of public land in Emery County as the "San Rafael Western Heritage Monument." A majority vote 'for' the initiative would, in essence, only give approval for the Commission to continue partnering in the San Rafael Swell Study. The dialogue would continue. In essence, a majority vote 'against' the initiative would not allow the Commission to support the Study or any proposal to create a national monument. As mentioned, this would lead to the withdrawal of the governor's support and in the end, the President's consideration of the monument would not take place.

## Lobbying Efforts

As the Study and its events were being conducted from August until November, there was a concurrent effort outside of the process to lobby the voters of Emery County. The November 5<sup>th</sup> vote became a focus for many in the community because of the potential consequences. Would the process and dialogue continue or would the monument discussions end? Though much discussion had taken place since the announcement in January, a clear increase in lobbying occurred during the weeks just prior to the November vote (Stoddard 2003).

Those opposed to the monument had formed an alliance in the very first weeks after the announcement was made. Mark H. Williams had been able to solicit many of the signatures for the petition by the efforts of the Castle Country Rural Alliance and off-road vehicle user groups, particularly the Southeastern Utah Off-Highway Vehicle Club. Opponents of a national monument in the county, who had built enough momentum in the weeks that followed the announcement to place issue on the referendum, were active during these months in lobbying Emery County voters to vote against the proposal. Williams successfully called for and gained the permission of the Emery County Commission to speak for those against the initiative on the "Voter Information Pamphlet" that the Emery County clerk provided to Emery County residents before the vote (Williams 2002a).

Lobbying by these opponents of the monument began, in a larger sense, in the days after the initial announcement by the county and the governor (Stoddard 2003). Placing the issue on the ballot had provided the opponents with a means to circumvent the public participation process that had been planned and had initiated their active

lobbying against the monument proposal, through their own Internet websites, public meetings, newspaper and radio advertisements, and billboards and yard signs in the county. One county resident estimated that there were three times the number of anti-initiative yard signs in the county than those expressing support for the initiative (Stoddard 2003). The local off-road vehicle user groups were highly successful in getting the word out to other groups around the state and region about the issue. Money poured in to the local off-road vehicle users groups to fund the placement of these advertisements and signs (Stoddard 2003). Most of the money came from large off-road vehicle user groups from around the state and region, as well as from the all-terrain vehicle industry (primarily ATV dealers and repair shops) and ranchers (Stoddard 2003; Spangler D. 2002).

Though many opponents of the monument were supportive of the 1998 legislation crafted by the county to create a National Conservation Area in the Swell area (suggested by the Public Lands Council as the model for a new monument), the monument proposal was unacceptable to them. Opponents continued to press the issue that the designation of such a sizeable monument was an illegal use of the Antiquities Act. In the Voter Information Pamphlet that was distributed to residents, Mark H. Williams continued to criticize the announcement of the monument proposal as a “secretly developed” scheme by county officials to “fool” residents (Williams 2002b). Williams argued that the proposal “doesn’t cut it. It can’t be salvaged. We’ve got to make them start over. From scratch” (Williams 2002b).

During these months, those favoring the initiative were also actively attempting to gain support for the initiative in order to continue the process. Citizen’s for Emery



County's Future was formed in September 2002, to speak out in support of the monument proposal and the continuation of the San Rafael Swell Study, and "to counter the flood of opposition funded by outsiders" (Petersen, Jeffs, Wilson 2002). The group hoped to counter the large amounts of "negative" information that the opponent groups had successfully disseminated. The group purchased advertisement space in the *Emery County Progress* as well, and was an instrumental part of the lobbying for the initiative (Stoddard 2003).

Interestingly, adding their support for the initiative was the Southern Utah Wilderness Alliance. In the *Emery County Progress*'s final edition before the referendum, the environmental group purchased a full-page advertisement expressing their hope that the monument process would continue (Stoddard 2003). Many across the state viewed the group's backing as a "cynical move to kill what support remained [for the monument proposal]" ("A Swell Monument" 2002). With such animosity in the county towards this wilderness advocacy group in particular, many observers felt that the group had actually opposed the monument and knew that their endorsement would help defeat the monument initiative in the referendum ("A Swell Monument" 2002). Larry Young (2003), Executive Director of the group, expressed to the author that his group's intentions were less cynical. Young said his group merely wanted to send a clear signal to those in the county, and those in the White House, that the wilderness advocacy group was part of the process. Given that the group was "not on the inside most of the time" during the Study process, their views on the issue should be known, they felt (Young 2003).

Much of the lobbying took place in the community's newspaper editorials. The *Emery County Progress*, in the weeks leading up to the vote, provided editorial space to those in the community to express their views and opinions. The paper likewise provided editorial space for county leaders, as well as leaders of opposition and proponent groups to make their case. Many readers from outside of Emery County also voiced their opinions in the paper. In the final edition before the vote, the paper ran the arguments for and against the initiative that were part of the "Voter Information Pamphlet" distributed by the county. Countering Mark H. Williams' argument against the initiative was Dennis Worwood, chairman of the Public Lands Council.

Members of the Public Lands Council were provided other opportunities in the newspaper to voice their hopes that the community would not end the San Rafael Swell Study. Throughout the process, the Council's opinion that the Study and a monument proposal provided the county its best chance to 'have a seat at the table' was a central part of their lobbying for the initiative and was expressed in the newspaper several times during the final weeks before the vote (Stoddard 2002a; Stoddard 2002f). Because the initial motivation of the Public Lands Council's monument proposal was to provide an opportunity for the county to have a key role when it came to the decision-making of the public lands issues in the San Rafael Swell, an important aspect of the referendum vote would be the loss of that opportunity should county residents vote against the initiative. The Public Land Council desired that county voters were aware of this consequence in the weeks leading up to the vote. Worwood, in his argument for the proposal, stated: "At issue is, who should make the decisions about the future of the San Rafael Swell? Should

they be made by those who live here, or left to Washington DC bureaucrats and national environmental organizations” (Worwood 2002b)?

In the last week of October, Governor Leavitt returned once again to Emery County to lobby for support of the initiative and to meet with county officials and members of the off-road vehicle user groups. A moderator for the meeting began the discussion by noting that those in attendance all had common goals and desires for the Swell and noted that the misunderstandings and mistakes that had occurred over the previous nine months had not been intentional. The discussion, he stated, was an attempt to clear up some of those misunderstandings and move forward (Stoddard 2002a).

Governor Leavitt reaffirmed his position that the process in place was an opportunity for the county to take a major role in determining the federal policies of the local public lands, rather than to wait for an unwelcome action “created for the Swell under the cover of darkness by a Democratic pro-environmental president in the future” (Stoddard 2002a). The governor stated that he believed that the people of Emery County had supported the effort and that a referendum result against the initiative meant he had “misread the situation” (Stoddard 2002a). No decisions had been made about the specific proposal for a national monument. Leavitt questioned how anyone could dislike a monument proposal when no proposal had yet been drafted (Stoddard 2002a).

Despite what county officials and the governor had been stating for months about pulling out of the proposal if residents voted against the initiative, the leaders of opposition groups expressed at the meeting their belief that, if the initiative were voted against, new discussions and a new process should begin on November 6<sup>th</sup> (Stoddard 2002m). (In mid-October, Mark H. Williams had told the *Deseret News* of his

confidence that the county's voters would reject the monument and then, "they can finally discuss [a proposal] with commissioners" (Spangler D. 2002)). When Paul Conover of the Castle Country Rural Alliance pressed commissioners at the meeting on the prospects for developing a post-election "alternative process," Commissioner Ira Hatch responded that the county was already involved in that alternative process, the San Rafael Swell Study; "We are trying to put forth that process and accomplish it if we can" (Stoddard 2002a).

Remarkably, Mark H. Williams stated that opponents were not opposed to the monument per se, but the large amount of acreage proposed for inclusion in that monument. Again, Williams expressed his belief that such a large monument was an illegal use of the Antiquities Act. Public Lands Council member Wes Curtis noted that since the amount of acreage was not "set in stone," a vote for the initiative would allow for greater discussion on the issue of acreage. Commissioner Randy Johnson added that "the parameters of a monument would be built with discussion from a lot of parties" and that the "a defined product" had not been built (Stoddard 2002a). Johnson once again noted that the commission would be ethically bound by the results of the referendum: "A 'no' vote would mean that Emery County is out of the public land business. We've worked on the cutting edge to develop something legal and correct. We would no longer be in that business... no new options" (Stoddard 2002a). Despite these appeals, Williams said that his off-road vehicle user group "couldn't support [the process] the way it was designed and put out" (Stoddard 2002a).

## The Election Results and the Fallout

On November 5, 2002, 53% of voters in Emery County voted against the initiative. The votes numbered 2,156 against the measure and 1,884 for the measure. More than 6,300 residents, two-thirds of the county's eligible voters, took part in the decision. Emery County voters also, by almost precisely the same vote count, defeated the re-election bid of County Commissioner Randy Johnson, perhaps the county official most responsible for the initiation of the monument proposal (Draper 2002). Given what Governor Leavitt and the county's leadership had promised, the San Rafael Swell Study would not have their support.

Immediately following the referendum, BLM officials said that the San Rafael Swell Study would continue because of the non-binding nature of the county referendum on the federal issue. However, because of statements from the Bush administration and Secretary Norton that gave Emery County residents primary control of the proposal's fate, BLM officials, as partners of the state and county in the process, were aware that the process was not likely to continue (Banks 2003). Three days after the referendum, BLM official Don Banks stated in the *Salt Lake Tribune*, "We intend to sit down with the county and state and determine what's next" (Smart 2002).

After the vote, Governor Leavitt said that the monument process had been "killed" by the county's voters (Smart 2002). "Critical to my involvement was the County Commission and the local community's willingness to be actively and deeply engaged, and I don't think that exists now," he said (Smart 2002). Leavitt stated his regret that the county's residents had lost an opportunity for management of the Swell that would have guaranteed their input. Instead, he said, "There will be federal planning

processes down there... without the community” (Smart 2002). County officials and proponents echoed the governor’s sentiment while expressing frustration and sadness that the potential benefits of a monument in their area had been lost (Smart 2002). Comments from county leaders were absent in the flurry of news articles that reported the initiative’s defeat and Emery County’s local newspaper included virtually no monument-related coverage in their following newspaper edition.

Shortly after the referendum, statewide and local newspapers reported that many in the county were asking the simple question: what will happen next regarding the San Rafael Swell (Stoddard 2002n; Smart 2002)? One week after the referendum, in a regularly scheduled meeting, the Emery County Public Lands Council said relatively little about the monument proposal and the referendum results. Attention turned to the issues of water rights, grazing, and the development of the local BLM field office’s Resource Management Plan, the guiding document of the office for the management of public lands in its district, including the San Rafael Swell. Becoming involved in following the progress of this plan, the Council members commented, was where the county’s leaders and residents should begin to focus (Stoddard 2002o).

As Emery County leaders looked forward, so too did the state’s conservation groups. Though the Southern Utah Wilderness Alliance had stated their support for the initiative to support the monument proposal and process, the group expressed no signs of disappointment after the referendum. After all, while members of the Utah Wilderness Coalition had been willing participants in the San Rafael Swell Study, coalition members knew that the proposal to create a national monument in the Swell was an effort of the county and the governor, largely to their exclusion. One Southern Utah Wilderness

Alliance staffer said after the vote: “If monuments are unpopular, Leavitt has only himself to blame,” referring to the governor’s continual criticism of the creation of the Grand Staircase-Escalante National Monument in 1996 (Smart 2002). The primary efforts of the conservation groups remained in Congress and the America’s Redrock Wilderness legislation. The San Rafael Swell Study had not affected the group’s goals.

Mark H. Williams expressed elation at the results of the county referendum. Williams told the *Deseret News* that the manner in which the Grand Staircase-Escalante monument had been created played a key role in the results (Spangler D. 2002b). Opponents in the community celebrated that the threat of greater federal interventions that they felt a national monument would have brought to the area had been avoided. Leaders of the Castle Country Rural Alliance, though, continued to caution county residents and opponents of the initiative of the potential that Governor Leavitt would ignore the vote and continue to pursue the national monument (Killian 2002). The group also urged concerned citizens to use the momentum gained from the referendum defeat to help reform the makeup of the county’s Public Lands Council to reflect the large number of sport hunters in the area. The Alliance also urged citizens to take part in the planning efforts of the BLM and the US Forest Service (Killian 2002). Surprisingly, despite criticism, the Alliance acknowledged that the funding of “outside” special interest groups such as off-road vehicle user clubs had influenced the referendum. “With 80 percent of Emery County federally managed, we’d better get used to that sort of thing” (Killian 2002). In addition, the group’s spokesman said, “We’ve got to find a way [to] stop some of the special interests from standing on the sidelines throwing lawsuits at each other and bring them to the table” (Killian 2002).

### **The Termination of the San Rafael Swell Study Process**

On December 4, 2002, Governor Leavitt formally asked President Bush to terminate the public participatory process of the San Rafael Swell Study. The governor thanked the president for the administration's implementation of such an open and public process. Leavitt continued, "I am sorry to report to you that the citizens of Emery County recently voted by ballot referendum to end the process. Because of my commitment to the local citizens, I now respectfully request that you terminate the process. While I am disappointed with this outcome, I am grateful for your personal attention to our state and the goodwill you have shown by your willingness to foster public participation in land management decisions" (Leavitt 2002b). With the letter, the promise made by the governor to end the process should Emery County residents not support the monument proposal was formally kept.

Shortly thereafter, also in December, President Bush made a request to Secretary of the Interior Norton to formally end the Bureau of Land Management's involvement in the San Rafael Swell Study. Because of the uncertainty of how to proceed after the county and governor's withdrawal from the partnership that had formed the Study process, the BLM had not conducted the public meetings that had been planned for late November (Banks 2003). With Secretary Norton's termination of the process, Keith Allred's unfinished public opinion survey was altogether abandoned. BLM officials decided that the final summary report of the Study that was to be presented to President Bush would also not be completed, as so much of that document depended on the public input phase of the Study.



In December, BLM officials decided that the San Rafael Swell Inventory Report would be completed. Work on the resource inventory document had taken place early in the process and was a result largely of the technical workshop and the literary review of Booz Allen Hamilton (Banks 2003). The report would be the only element of the process to be completed, except for the production of the Internet website that took place in August.

On January 21, 2003, a draft report of the San Rafael Swell Inventory was produced for the internal review of BLM scientists and technicians. In its draft form, the report was attractively formatted and easy to read. As a description of the San Rafael Swell's historic and scientific character, the one hundred page draft document contained extensive graphic representations of data, as well as high quality photographs of the area. BLM Geologist Lynn Jackson (2003), leading the effort to complete the report, admitted that the report was not a highly technical scientific document but rather, was intended to have been a summary document resulting from varied public input and resources, and an extensive literary review. To date, however, it is hoped that parts of this inventory report may be included as part of the Resource Management Plan project being conducted by the BLM field office responsible for the San Rafael Swell area. It is intended that the final San Rafael Swell Inventory Report be submitted to the Secretary of the Interior as a summation of the Swell's historic and scientific value (Jackson 2003). The final version of the report has not been completed at the time of this writing.

Emery County leaders continue to work toward having greater input to the federal land planning processes in their county. In March 2003, the BLM announced that Emery County officials would help establish a new citizens advisory committee to examine the

management issues specific to the San Rafael Swell as a subgroup of the Utah BLM's Resource Advisory Council. A majority of the subgroup would be comprised of Emery County leaders "recruited for their knowledge and consensus-building skills" (Jackson 2003).

The formation of the advisory committee marked another opportunity for the county's interests to be considered in the policy making of the federal lands in the county. However, as the initial drafting of alternatives for the BLM's Resource Management Plan for the public lands in Emery County took place in late March 2003, one county commissioner lamented that the county's influence in the BLM's considerations was "insignificant" (Stoddard 2003). As predicted by county leaders and the governor in their attempt to win support for the monument proposal and the San Rafael Swell Study process, the formation of management alternatives for the San Rafael Swell and its environs were now taking place largely without the direct input of the county's residents.

## **Chapter 5**

### **Evaluation of the San Rafael Swell Study Process**

#### **Introduction**

As explained in the methodology description in Chapter 1, part of this research's objective is fulfilled with the documentation of the context and events surrounding the San Rafael Swell Study, as well as performing a review of relevant literature, documents, and materials. After documenting the process that was implemented and designed to solicit public input, an evaluation of the process using a set of defined and meaningful criteria will fulfill the objective of the research. This chapter begins with an introduction to the individuals interviewed as part of this research. Then, three criteria that will be used for the evaluation will be defined in detail. The chapter will examine the San Rafael Swell Study in regard to each of the three criteria in order to gauge the process's success.

Central to the evaluation of the process were interviews conducted by the author with four of the key figures involved with the designation proposal, the public dialogue, and the formulation and the implementation of the participatory process, and four individuals who participated or observed in a significant way. As stated in Chapter 1, these interviews, conducted by telephone, were intended to elicit the reflections and opinions from those who played important roles regarding how successful the process served the decision-making, what the central factors in the outcome were, what improvements could be made to the process, and generally, what they would like to have seen occur differently, if anything. The retrospective input from these figures provides

more empirical substance to the evaluation than would be present if only literary sources were consulted. Also incorporated into the evaluation of the San Rafael Swell Study process will be content analysis of critical documents, articles, literature, and other sources.

Telephone interviews were conducted with eight individuals, four of which played key roles in the monument discussions. The questions asked of these individuals were intended to solicit insight specific to the criteria and were intended to spur conversation about the Study. The respondents were asked to elaborate on their answers as needed and were encouraged to discuss other points that they felt were pertinent to the process and issues involved. The individuals interviewed are introduced here:

Dennis Worwood, as member and acting Chair of the Emery County Public Lands Council, was a central figure in the devising of the initial idea for a national monument process for the San Rafael Swell. Throughout 2002, Worwood was a key spokesman for the group in public meetings and represented the Council's stance in newspaper editorials and in the county Voter's Information Pamphlet. Worwood has worked closely as a member of the Public Lands Council with the County Commission, state government, and BLM, as well as the entire Congressional delegation of Utah, in a continuing effort to help shape the federal land policies in the county.

Randy Johnson, former County Commissioner of Emery County, was perhaps the most instrumental county official in the development of the proposal to create a monument in the Swell area. As a member of the County Commission and the Public Lands Council, Johnson, like Worwood, served as a central spokesman for the Council in support of the proposal and the most outspoken of the county's three commissioners on

the need and importance of the national monument dialogue and process. Johnson's bid for re-election was defeated in the same November 5<sup>th</sup> election that ended the San Rafael Swell Study process.

Gary Armstrong, Planner and Consultant with Booz Allen Hamilton in Salt Lake City, served as the contracted organizer and facilitator for the Technical Workshop and Resource Forum and led the company's effort on completing the Resource Inventory Report for the BLM. Lead contact between the BLM and his company, and principal representative of the company on the San Rafael Swell Study, Armstrong also planned the public meetings that were to take place in November.

Tom Gnojek, Outdoor Recreation Planner for the Bureau of Land Management in Price, Utah, attended all of the events that took place for the Study, leading a Field Tour of recreation sites in the Swell and led the discussion on recreation as a modern-use of the Swell during the Resource Forum. Gnojek also attended the Technical Workshop and has been the Price Field Office's principal contact with both the conservation and off-road vehicle use communities for issues in the San Rafael Swell for 12 years.

Wayne Ludington, Wildlife Biologist for the Bureau of Land Management in Price, Utah, also attended all of the events that took place during the Study. Ludington attended the Technical Workshop to consult on issues relating to wildlife as well as plant life in the Swell, and was to lead the tour of the Swell that pertained to fauna and plant life.

Mark H. Williams, president of the Southeastern Utah Off-Highway Vehicle Club and Emery County resident, led the campaign in the spring of 2002 to place the monument proposal issue on the ballot on November 5, 2002. Williams attended most of

the public meetings and events relating to the national monument proposal and the San Rafael Swell Study. A staunch advocate of preserving vehicular access to public lands, Williams likewise questioned the use of the Antiquities Act of 1906 to designate large-scale monuments.

Larry Young, Executive Director of the Southern Utah Wilderness Alliance, leads perhaps the most vocal member-group of the Utah Wilderness Coalition. Young and his group have led the push for Congressional designation of wilderness in Utah, including large areas of Emery County. Young represented the conservation community in the discussions with Emery County leaders and the governor in 2001, and provided input into Dr. Keith Allred's public opinion survey during the Study.

Patsy Stoddard, Editor of the Emery County Progress, attended all of the events associated with the San Rafael Swell Study. Stoddard likewise attended and reported on each county government meeting pertaining to the monument proposal during 2002 and covered the campaign for and against the monument initiative in the autumn. Stoddard was selected to be interviewed because of her role as observer and for her perspective.

### **Criteria for Analysis**

Three criteria for evaluation have been derived from literature and research of public participation theory, processes, and techniques. Among public participation analysts, however, there is no consensus for the 'right' way to evaluate public participation processes (Beierle and Cayford 2002). This can be attributed largely to differing views about the purpose of public participation among researchers. In the past, public participation processes have been evaluated based largely on the benefits of

democratization, the achievements of a group or agency's own goals, or the achievement of broader social goals (Beierle and Cayford 2002). This evaluation of the San Rafael Swell Study process is most similar to the second of these three approaches because of the practical goal of federal, state, and county officials. For the purpose of this research, success will be measured in terms of fairness of process, the efficacy of stakeholder involvement, and the pertinence of information. These measurements are derived from the intent of the San Rafael Swell Study process: the building of a general consensus as a result of fair process and substantive feedback from informed stakeholders. Three criteria relevant to the goals, circumstances, and type of public participation process represented in the San Rafael Swell Study have been selected.

The partnership involved in developing and implementing the San Rafael Swell Study had hoped the process would answer one key question: "Is national monument designation the proper course of action to ensure that the stunning landscapes and important scientific and historic resources of the San Rafael Swell are both protected and enjoyed" (BLM 2002c)? In order to answer this question, the planners determined that seven elements would be implemented in two phases – each phase with distinct goals. Phase one would be an effort to disseminate information and educate participants. Phase two would be to gather substantive feedback and comments through constructive dialogue at meetings and a public opinion survey. Together, these phases were intended to provide an open forum that would educate and inform the public in order to gather more useful and substantive feedback. In the end, officials were hoping that dialogue and interactions at meetings would build a consensus among informed stakeholders regarding whether a monument was the proper course of action to be taken. Because of the

statements of the governor and President Bush regarding their respect of the wishes of local residents, a general consensus on the issue was desired in order to make any proclamation.

How effective, then, were the elements of the San Rafael Swell Study process in informing and involving the public to reach this end? While all three criteria address the process, two criteria will specifically address this question: 'Information Pertinence, Competence and Use' and 'Efficacy of Stakeholder Involvement.' The third criterion is the 'Objectivity of the Process.' This criterion reflects the expectation that participants believe that a process is open and fair. Particularly in highly controversial decisions, such as the proposal for a national monument in the San Rafael Swell area, ideal public participation processes should reflect democratic values of fairness and openness, in order to be legitimate (Steelman and Ascher 1997). The objectivity of the process is crucial to public participatory processes for success.

There is some overlap in the criteria. For example, granting stakeholders an equal voice in the dialogue is an aspect of a process's 'efficacy of involvement,' but may also play a role in determining the 'objectivity' of the process. Also, although the potential for information to be manipulated is an aspect relevant to 'information competence', it is also an issue that reflects the process's 'objectivity.' These three criteria are discussed more thoroughly below. The criteria for evaluation used by Steelman and Ascher (1997), and Ashford and Rest (1999) were partially operationalized for this research.



### 'Efficacy of the Public Involvement in the Process'

This criterion addresses both the process and the outcome of the public participation. One of the key measurements of success for a public participatory process is the ability of the process to produce the desired effect. The question of whether a national monument designation was the proper course of action in Emery County was to be answered through a public participatory process that would engage and include all stakeholders. Further, with the engagement of all stakeholders, the process would strive to build consensus among informed stakeholders for an agreeable outcome.

The following elements compose this criterion:

- a. Was the process accessible to all stakeholders? In order for the desired feedback and dialogue in a public participatory process, all stakeholders must have the ability to take part and the process must allow their voice heard to be heard.
- b. How and when was the public engaged in the process? The manner in which and the point at which stakeholders were identified and engaged for dialogue is an important component of having a process that produces the desired effect. Identifying and bringing in all stakeholders make successful outcomes much more likely.
- c. How willing were the stakeholders in becoming involved in the process? The willingness of participants to take part in the process can shed light on the level of their acceptance and trust of the process.
- d. Was consensus built among the stakeholders? The ability of the process to foster stakeholder agreement and create compromise is a consideration particularly involving contentious and complex decisions.

- e. Did the elements included in the process achieve the initial aim? The outcome of the process can help determine whether the involvement of the public was effective in the decision-making.

#### 'Information Pertinence, Competence, and Use'

Public participatory processes that aim to educate and inform the stakeholders are dependent upon the availability and use of pertinent information. One of the central aims of the San Rafael Swell Study was to inform the public of the issues involved in order to better serve the dialogue in the decision-making process. This criterion is composed of the following elements:

- a. Did the participants have the resources available to obtain the relevant information or technical expertise they needed to determine whether a national monument designation in the Swell was a proper course of action (Ashford and Rest 1999)?
- b. Was the information exchange between the public and the experts or officials fluid and open? The quality of exchange of information is significant because the responsiveness of officials and experts to communicate with participants has a relationship to the perceptions of legitimacy and trust in the process held by the public (Beierle and Cayford 2002).
- c. Was the information that was gathered and utilized relevant to serve the process and adequately comprehensive? Often, federal agencies utilize technocratic approaches to decision-making. The ability of government entities to provide the

participants with understandable, relevant and comprehensive information creates greater likelihood for success.

- d. Was the information manipulated by the experts or by any stakeholders (Steelman and Ascher 1997)? Emotionally charged appeals regarding possible consequences or actions, often made by participants in advertisements or 'fact' sheets, can make the process vulnerable to the negative effects of public confusion or fear.

#### 'Objectivity of the Process: Fairness'

The development of a process that is fair, and perceived to be fair, is a requirement if public participatory processes are to be successful. The objectivity of the process is the basis from which participants can firmly work toward legitimate and acceptable outcomes and decisions. Openness and diversity in the process works to engage the public, create constructive dialogue, gain legitimacy for decisions, and build trust in the leading institutions, and among stakeholders. This criterion is composed of the following elements:

- a. Was the process biased and leading toward one result or decision? Any predetermined result would defeat the purpose of participatory processes, particularly those involving contentious issues.
- b. Was there an opportunity for a diversity of views and expertise to be represented in the dialogue? A fair and objective process ensures the ability of each interested party to voice their concerns and views. This openness includes the introduction

of the often-unique knowledge held by participants most familiar with a study area (Steelman and Ascher 1997).

- c. Was there a respect for “different viewpoints and different forms of expression or expertise” (Ashford and Rest 1999)? The extent to which the diversity of views and expertise was acknowledged and incorporated into the dialogue of the process can impact the public’s acceptance of the process.
- d. Was the process independent of politics? How vulnerable was the decision-making to political influences? To some level, most issues involving multiple parties that are civic in nature are political, particularly when government entities are directly involved. However, if these political influences can come to dominate or dictate process and outcome, successful public participation is doubtful.
- e. Did the process foster the trust of stakeholders for the county, state, and federal partnership? A process that objectively includes stakeholders and provides for diversity will most often result in the development of trust. The level of trust fostered, then, can serve as an indicator for the success of public participation.

### **Evaluation of the San Rafael Swell Study**

An evaluative narrative of the San Rafael Swell Study, as it relates to these three criteria follows.

### Evaluation of 'Efficacy of the Public Involvement in the Process'

The ability of a public participatory process to produce the desired outcome is an important measurement of success. Considering that the San Rafael Swell Study was not completed, because of the results of the referendum vote, it could be argued that the efficacy of public involvement in the process would be impossible to gauge or that there was none at all. However, based on the events that did take place and the responsiveness to those events, the efficacy of the San Rafael Swell Study can be generally described and explored.

The effectiveness of the public's participation in the San Rafael Swell Study can at least partially be determined by examining how accessible the process and its elements were to the stakeholders. However, before this may be done, there should be a determination of who the stakeholders are in these circumstances. Because the San Rafael Swell study process was a discussion of federal public lands, it would be incorrect to limit the determination of the stakeholders to those only residents of Emery County or of the state of Utah. While the county residents and residents of the state are more affected by the land use decisions within the San Rafael Swell, there are only a small number of this population that is directly affected. That is, it can be argued that only those that would experience a change to their livelihood, such as ranchers or mining companies being restricted or banned from grazing or extraction in the Swell area, would be directly affected, whereas recreational use and enjoyment of the scenery of the Swell and benefits or burdens of a national monument that may alter the economy of the community would be an indirect effect (Ashford and Rest 1999). The people of Emery County can certainly be considered stakeholders, regardless of the level of effects any

policy change would bring. However, stakeholders also encompass the officials of government entities of each level (city, county, state, tribal, or federal), conservation groups, vehicular recreational groups, and any other group of people that may have interests in the issue. Because the San Rafael Swell lands are primarily federally owned, and the managing agencies are to determine their use with the interests of the American people, all Americans should be considered as stakeholders.

When President Bush asked Secretary Norton to study the San Rafael Swell for its significant features in a way to include the input of “any and all interested parties,” the President did not specify that the communities closest to the San Rafael Swell would have more influence into the process than any other interested party (Bush 2002a). However, members of the Bush administration made it clear to leaders of Emery County that there would be no national monument designated in the San Rafael Swell without the consent of the local communities. By expressing this position, the Bush administration was, in effect, granting those with local interests the dominant role in a decision-making process that carried national interests. The result was a process in which, even before its initiation, participants and interested parties did not have an equal voice.

How accessible, then, was the San Rafael Swell Study to all stakeholders? Only the Internet website and the national public opinion survey sampling that was intended was accessible to those outside of the immediate area. Interested parties from any location could complete the survey online as well. The Field Tours, Technical Workshop, and Resource Forum were all conducted in Emery County or adjacent Carbon County. Only one of the four public meetings that were planned was to take place outside of these two counties and was to be held in Salt Lake City. The accessibility of

the San Rafael Swell Study for most individuals or groups outside of the state of Utah was very limited overall. For those in the county who desired to become involved in the San Rafael Swell Study, the process elements that were conducted before the referendum vote were accessible and convenient in location and timing. National interests in the establishment of a new national monument were not the apparent focus of the administration and the issue of balance among the local and national interests, in this case, is a political issue.

The manner and timing in which stakeholders were identified and engaged for dialogue is an important component of having a process that produces the desired effect. President Bush's request for input from all interested parties could be interpreted as a broad identification of stakeholders: the American people. However, the ability of those outside of Utah to play a role as a stakeholder was limited by the San Rafael Swell Study process's local focus. Successful outcomes are more likely when identifying and bringing in all stakeholders occurs.

Stakeholders in Emery County and elsewhere in Utah were engaged during the San Rafael Swell in various informative events, all in the hope of creating a productive dialogue on the national monument issue for later public meetings. The innovative, multi-tiered program that was organized offered a variety of techniques for public involvement. Conversely, the manner in which stakeholders outside of the region were to be engaged during the San Rafael Swell Study was, as mentioned above, primarily through a national sampling of public opinion for Keith Allred's survey and access to the website and its online survey. The engagement of the broader American public in this manner was regarded by observer Jeffrey Durrant, Ph.D., of Brigham Young University,

as only a means for the Bush administration to gain political legitimacy for having consulted those outside the state and thus, to cover its “backside” (2002). However, former County Commissioner Randy Johnson expressed his view during an interview with the author that President Bush had more sincere intentions – to simply serve the interests of local, state, and national interests alike (Johnson 2003). Despite Johnson’s view, however, the opportunities for outsiders to have input into the process was not provided for equally or adequately. In fact, as was documented in Chapter 4, the very ability of outsiders to shape the San Rafael Swell monument proposal created fear in many of the county’s residents. This sentiment was recognized by Johnson and other leaders who had actively tried to guarantee the input of Emery County resident for years in the decision-making of the public lands on the San Rafael Swell.

The timing in which participants were included in the process also sheds light on the efficacy of their involvement in the decision-making. In regard to the San Rafael Swell Study, the stakeholders were brought in at the process’s very beginning. From the initiation of the Study with President Bush’s letter to Secretary Norton, the process was designed to inform and educate the public before gaining their input for whether the monument was a proper course for the area. In a sense, the decision-making began when the elements of the San Rafael Swell Study were implemented. In fact, there was no specific outline for monument management before the beginning of the Study. That outline was to be shaped by the public during the course of the Study. The San Rafael Swell Study successfully included the local stakeholders, at least, as early as possible.

It is most likely, however, that many involved in the San Rafael Swell Study consider the beginning of the process to be when the Emery County Commission and



Governor Leavitt first brought the idea forward to the people of Emery County in January 2002. Others have identified those January 2002 events as the beginning of the “political process” (Armstrong 2003). For this research, only the elements of the San Rafael Swell Study as a federal participatory process will be considered in this chapter. The political issues associated with the events surrounding the announcement of the national monument proposal will be discussed further in Chapter 6.

The willingness of stakeholders to participate in the San Rafael Swell Study also gives insight into the efficacy of the process. As mentioned in Chapter 4, the Internet website garnered “hundreds” of comments or requests from the public to receive electronic updates (Harrison 2003). The responsiveness of Emery County residents to play a role in this decision-making process was not fully realized, as only the Technical Workshop, Resource Forum, and Field Tours were conducted. However, some observations of those interviewed for this research can contribute to this discussion. All of those interviewed stated that the attendance at the Technical Workshop was sizeable. Ludington and Stoddard stated that most of the people who attended were hoping to contribute their personal expertise or experiences to the body of knowledge about the Swell, as was the workshop’s intention.

At the Resource Forum, each of those interviewed reported that attendance was smaller than what had been expected. When asked for their view on why attendance to the forum was low, opinions varied. Gary Armstrong (2003) noted the scheduling conflicts during that weekend. He noted that during the scheduled events a major festival in the county, a Republican Party meeting, high school sporting events, and an unrelated off-road vehicle user group rally in another part of the state were all occurring. Dennis

Worwood (2003) felt that the low turnout was partially due to feelings of opponents to the monument proposal that they did not want to take part in any of the related process. Stoddard speculated that people in Emery County simply felt that they already knew about the Swell and its features and would not have learned anything new. Ludington (2003) felt that the low turnout was at least partially due to “people having made up their minds already” on how they would vote on the referendum initiative, and thus, chose not to take part. Mark H. Williams (2003), however, did take part in the Technical Workshop and Resource Forum and said that others in his community of off-road vehicle enthusiasts took part as well. Tom Gnojek (2003) felt that the turnout could be attributed to the fact that there had been two prior attempts (in 1998 and 2000) to create a special designation for the area and thus, people “already knew how they felt” about special designations. The Field Tours also were attended in fewer numbers than expected by those interviewed for primarily the same reasons as expressed above. Most likely, a combination of all of these varying reasons would explain the poor attendance. Generally, at least, the small attendance to the events reflects an unengaged public.

The portion of the San Rafael Swell Study process that was completed did not provide for any consensus-building or compromise. In fact, most of those interviewed pointed out that the leading agency of the Study, the BLM, made an effort in the initial events to avoid public discussions regarding the political differences involved in the issue. The agency’s intention, according to Gary Armstrong (2003), was to act as directed by the president – to collect scientific information and gauge whether the resource features would support a monument designation. The events were not intended to bring opposing views together, but merely to educate and inform the public on the

Swell's resources (Armstrong 2003). Gnojek (2003) noted that any consensus-building during these early meetings would have been extremely unlikely anyway because most in attendance had already "made up their mind" on the issue. Later public meetings were to take place after the election to gather public input in dialogue. Armstrong (2003) though, stated that the BLM's desire was to stay out of the political dialogue; the debate of whether a monument should be created was more of a political issue within Emery County. Given the early termination of the San Rafael Swell Study process, the lack of opportunity provided for discussions on the contentious issues involved, and the poor public attendance of the events that were held, there was very little opportunity for any compromise or active consensus-building within the federal process. There is no evidence to suggest that the dialogue developed any consensus among groups.

If the San Rafael Swell Study is compared to the model of the consensus-building process of Lawrence Susskind and Jeffrey Cruikshank, as described in Chapter 2 (see Table A-1), it is no wonder that little consensus was developed. This Study was not developed in a way in which the development of consensus among stakeholders would have been likely. Representation, for instance, was largely limited to the local interests rather than broader stakeholders. For instance, the wilderness advocacy groups were not a major part of the Study's targeted stakeholders. There was no negotiation phase that would have included the development of options for mutual gains. If any negotiation had occurred, it would have undoubtedly been limited to discussions between factions within the county. True consensus-building between a variety of stakeholders during the San Rafael Swell Study was absent.

## Evaluation of 'Information Pertinence, Competence, and Use'

As mentioned, public participatory processes that aim to educate and inform the stakeholders are dependent upon the availability and use of pertinent information. One of the central aims of the San Rafael Swell Study was to inform the public of the issues involved in order to better serve the dialogue in the decision-making process. The Bureau of Land Management's role as leader of the Study process made the agency the key figure in determining the type and quality of information that was to help inform the discussion. With the political debate going on outside of the San Rafael Swell Study, it was apparent that the information would need to be unbiased as well. Because the elements of the Study that were completed were primarily informative and educational events, the role and quality of information in the San Rafael Swell Study can be easily discussed and evaluated, despite the Study's premature end.

First, an examination of whether the stakeholders involved in the San Rafael Swell Study had the resources available to them to obtain the information and expertise they needed is important. The BLM did an impressive job of making information accessible to interested parties via their Internet website. As described in Chapter 4, the attractive and comprehensive website was oriented to distributing information in a variety of ways on both resource and management issues that would pertain to any monument designation. Patsy Stoddard (2003) praised the website for its comprehensive materials, though pointed out that the website was not updated often enough, particularly during the month of October when decisions were being made on when to hold the public meetings. The slowness in updating the website may be explained by the uncertainty that was created by the referendum vote. However, most of the information that was present on

the website was not necessarily in need of updating. This information includes the maps and descriptions of resources, an overview of monument management policies, and a history of how the San Rafael Swell Study had come about. Only the “News/Press Release” section of the website was time-sensitive and slow to be updated.

The Study’s website provided the majority of information that was accessible to those interested parties outside of the immediate area of Emery County. The ability of those taking part in the national public opinion survey to have informed input and opinions regarding the issues related to the San Rafael Swell was an obvious oversight by the BLM and Keith Allred. A sampling of opinions from across the nation without any opportunity for any of the educational efforts that were afforded to those local residents could not have been specific enough to the San Rafael Swell to have been abundantly useful in informing the president.

Further, all of those interviewed for this research were happy with the information that was available at the Technical Workshop, Resource Forum, and Field Tours. These events, it was generally felt, were informative and insightful, even to those that had lived in the area for decades. The range of issues discussed covered all of those resource focus areas that had been determined to be most significant as a historic or scientific value. Stoddard noted that the information was high quality and detailed (Stoddard 2003). In addition, Gnojek (2003) noted that the video production that was completed as a visual introduction of the Swell was an impressive and dramatic visual documentation of the Swell’s scenic qualities and contributed to the body of knowledge that those not as familiar with the Swell could gain.

Regarding the information presented during the Resource Forum, Gary Armstrong stated that there were some individuals with expertise regarding the San Rafael Swell who had such strong political opinions regarding the potential for a national monument there that the BLM did not feel comfortable including them in the Forum. In their effort to stay neutral to the political discussions taking place outside of the Study, the BLM wanted more neutral experts to speak in order to stay out of the politics. Armstrong (2003) stated that while the move on the agency's behalf did create a more neutral setting for the events, removing the "negativity" that may have been included, the expertise that these individuals would have provided had been lost. Armstrong also noted that given only six weeks to organize the event, it was almost impossible to provide an academic-type, research symposium that was the initial goal for the BLM, state, and county partners. Despite the short scheduling, as well as the attempt to have only neutral presenters, Armstrong was pleased in how informative the Forum was for attendees (Armstrong 2003).

By those interviewed, it was generally felt that the information presented and distributed as part of the San Rafael Swell Study was both comprehensive and relevant to serve the process. Scientific information was a central focus of the Technical Workshop and the Inventory Report, but as the Antiquities Act grants presidents the ability to create national monuments for significant historic areas as well, there was an emphasis made by the BLM to gather and incorporate information regarding the historical or heritage significance of the Swell area. There was a large amount of enthusiasm shown during the Technical Workshop by participants to pass along their experiences in the San Rafael Swell for inclusion into the story of the area's heritage. Those with personal histories,

such as former miners, ranchers, and explorers who knew the area before it caught the attention of many in the region and nation, made up a large part of those in attendance at the Technical Workshops. This group was so anxious to have their stories heard, according to Ludington (2003), that they “walked over” those with science-based input to have their voice heard. However, no other person interviewed for this research expressed such a division or conflict.

Visitor use of the Swell was a relevant topic that was addressed as well. Tom Gnojek led the discussions on the modern-day uses of the Swell that focused largely on recreational uses. The recreational visitation statistics for the San Rafael Swell have been difficult to compile by the BLM, given the remote, secluded and dispersed Swell area. Gnojek (2003) acknowledged this but commented during the interview that he felt the discussion during the Resource Forum that he led, as well as the Field Tour that he guided, was a success in that those in attendance learned a good bit about the modern visitation issues there.

Several of those interviewed mentioned the inclusion of Robert Heille of the BLM’s Washington, D.C. office as a beneficial speaker. Heille’s explained and clarified the differences between certain special designations such as “national heritage areas,” “national conservation areas,” and “national monuments.” Heille described how each designation could be made and under whose authority such power was granted by law. Stoddard (2003), Gnojek (2003), and Armstrong (2003) all noted the importance of this discussion as a particularly informative and helpful presentation. Perhaps no other presentation or expert was as beneficial to addressing the largely political issues about whether a designation was in the interests of the county’s residents. It can be assumed

that had Heille's expertise been included in the few debates and discussions outside of the San Rafael Swell Study that took place before the referendum vote, there would have been voters with a clearer perspective from which to cast their vote. Heille's presentation in the Resource Forum was singled out by Ludington and Armstrong as particularly effective in helping clear up some perceived misconceptions that may have remained regarding the controversial creation of the Grand Staircase-Escalante National Monument, as well as the authority and procedures surrounding the creation of new monuments (Ludington 2003; Armstrong 2003). Ludington (2003) considers Heille's presence at the Forum as one of the most positive aspects of the BLM's attempt to inform the public during the Study process.

Too often, federal agencies have been criticized for utilizing technocratic approaches to decision-making even in the midst of less scientific processes. However, during their work in the San Rafael Swell Study, the BLM clearly attempted to bring in a larger breadth to the information gathering and distribution. Though participation was lower than anticipated in the events that were completed, the San Rafael Swell Study process impressively provided participants with understandable, relevant and comprehensive information.

The information events, as well as the website and video, were praised all around for their quality and comprehensiveness. An open and fluid exchange of information between the public and the experts or officials is also a significant consideration to the evaluation of public participatory processes because the responsiveness of officials and experts to communicate with participants has a relationship to the perceptions of legitimacy and trust in the process held by the public (Beierle and Cayford 2002). Again,



the ability of exchange of information at the events completed for the Study was impressive. One of the elements of the Study was the Resource Inventory Report. The Technical Workshop was an attempt to include the public in the scoping for information for that report. As noted by Stoddard (2003) and Ludington (2003), many of the participants to the Technical Workshop were there to have their own interests heard, or to take part by sharing their personal history regarding the Swell. Clearly, a central focus of the Technical Workshop and thus, the Inventory Report, was the inclusion of information from the local stakeholders. However, stakeholders not in attendance or from other parts of the country were only invited to write their input to these efforts or discussions in the “comments” or “objects of interest” page on the Study website. No address or phone number for those interested to give their input was given on the website or in the notification mailings. Those not in attendance or within the region could not benefit from the Technical Workshop or Resource Forum.

All of those interviewed acknowledged that those in attendance were able to voice their concerns and raise issues during the Technical Workshop and Resource Forum. During each event, time was provided for participants to ask questions of the experts or presenters. Gnojek (2003) characterized the events as “interactive” in this regard. Randy Johnson (2003) praised the meetings for being “open” as well. However, when more political questions and opinions were expressed, adequate explanation was given but there was a conscious effort to bring discussions back to the more resource-oriented issues (Armstrong 2003). These meetings, as Armstrong pointed out (2003), were not intended to garner public input or be a forum for expression. Those meetings, again, would have taken place later had they not been cancelled.

The potential for stakeholders to manipulate information is another threat to fair and balanced decision-making and consensus creation. As stated above, emotionally charged appeals regarding possible consequences or actions, often made by participants in advertisements or 'fact' sheets, can make the process vulnerable to the negative effects of public confusion or fear. Those interviewed were asked specifically if any of the contentious political discussions raging outside of the San Rafael Swell Study made their way into the federal process. None of those interviewed expressed that political differences played a role in the more resource-oriented, informative meetings that were held. Ludington (2003), as mentioned, did feel that some individuals during the Technical Workshop dominated discussion of their own personal interests histories rather than allow for more scientific knowledge to be expressed. However, to define those actions as manipulative of the information would go too far. Considering the ample scientific expertise and knowledge already present in the BLM and various other resources, there would likely be minimal effect of any such "walking over" anyhow (Ludington 2003).

Information was highly manipulated outside of the San Rafael Swell Study process, however, to such a degree that it should be further discussed here. The campaigning by off-road vehicle user groups played on public fears of what a national monument designation may bring to the community. These groups argued, for instance, that a monument would increase the likelihood of wilderness designations and that the monument could "easily be much worse than Grand Staircase [Escalante National Monument]" (Williams 2002b). Aggressive phone call campaigns, signage, and advertising dwelled on the secretive manner in which the national monument was initially

discussed and that the county's residents had been "fooled" by their leaders once, and "now they're trying to fool us again" (Williams 2002b). These scare tactics were a lot for proponents of the measure to overcome. As Dennis Worwood (2003) pointed out, opponents of the measure outspent proponents ten-to-one on these efforts and those individuals that these groups brought into the county to help persuade residents to vote against the referendum initiative had no expertise or experience with the issues of which they spoke. These groups played upon the lingering distrust many in the region had regarding national monument proclamations and management to their interests. As mentioned in Chapter 4, the Southern Utah Wilderness Alliance may have also played a manipulative role in the lobbying of the referendum initiative. Many observers feel that their placement of a full-page advertisement in the *Emery County Progress* in support of the national monument proposal was actually a calculated move to help defeat the initiative, though Larry Young states the group's intention was sincere and should not be characterized as cynical (Stoddard 2003; Young 2003).

Again, though this manipulation did not play a large role within the events of the San Rafael Swell Study that took place, it exemplifies the distrust and extreme emotions that swirled around the Study and that Emery County leaders have had to contend with in their pursuit of special designation of the San Rafael Swell. It also sheds light on the amount of difficulties that the state, county, and BLM would have faced in gaining consensus or compromise during the later stages of the San Rafael Swell Study, had the process not been terminated.

### Evaluation of the “Objectivity of the Process: Fairness”

A fair process that is accepted by participants is crucial for successful public participatory processes. One gauge of fairness is the objectivity of a process. As mentioned above, objectivity is the basis from which participants can firmly work toward legitimate and acceptable outcomes and decisions. Openness and diversity in the process are likewise central components of process fairness. During the San Rafael Swell Study, the conduct and presentation of the BLM and its representatives is a firm indicator that the federal process was intended to be fair and unbiased. There was little sign that the events that did take place as a part of the Study process were leading to one side of the political issue and there was no indication that the conscious effort of neutrality would not continue during the Study’s final stages.

Only one individual interviewed for this research or in newspaper accounts of the Study’s events expressed any feeling that the Bureau of Land Management was presenting the San Rafael Swell issues with a biased perspective. Mark H. Williams (2003) felt that the BLM seemed to be leaning towards the creation of a monument, though he did not elaborate or articulate how he came to this sentiment. Williams went on to state that the employees of the State Office of the BLM seemed “neutral” during the discussions while those in the nearby Price Field Office of the BLM were not neutral to the issue, despite the “front” which they exhibited (Williams 2003).

All of those interviewed except Williams gave credit to the agency for maintaining their neutrality during the process. Based on the coverage of the events and the agency’s website and information distribution (press releases, mailings, etc.), the BLM’s attempt to maintain neutrality as an information seeking and distributing partner

in the process was successful. Randy Johnson (2003) praised the events for their openness and lack of bias. Despite his perception that some in the BLM had biased views on the monument, Williams (2003) did express his feelings that the information and the presentations were objective and fair. Johnson (2003) noted that the information was well balanced in presentation and it was apparent that the BLM was very careful to give both perspectives on issues. Similarly, Gnojek (2003) remarked that “all options and what they would mean” for the county were impartially explained to attendees. Armstrong (2003), who facilitated the Technical Workshop and Resource Forum, explained that in leading the discussions he was well aware of the BLM’s wishes for unbiased presentation in their effort to maintain neutrality. Gnojek (2003) pointed out that the draft public opinion survey developed by Professor Keith Allred was considered by individuals in the BLM that he had spoken with to be too “slanted.” As expressed in Chapter 4, the county’s leaders felt that the issues discussed were too narrowly focused on recreation issues and the BLM considered the first drafts of questions to place too much emphasis on two of the most polarizing issues relating to managing the San Rafael Swell: wilderness designations and off-road vehicle users’ concern for access to public lands (Stoddard 2002k; Jackson 2003). This perception of Allred’s work led to the postponement of the survey administration before the referendum vote (Jackson 2003). Indeed, the BLM made much effort to ensure that the role they played would be perceived as neutral.

For those stakeholders outside of the region, the information provided on the Internet website was likewise well balanced and neutral, though limited in relation to the variety of information gained from attending the events. Again, the BLM’s neutrality

was a conscious effort and that was reflected on the printed materials distributed, the video, and the Internet website.

A process that ensures the ability of each interested party to voice their concerns and views is also considered fair and open. This openness includes the introduction of the often-unique knowledge held by participants most familiar with a study area (Steelman and Ascher 1997). (There is some overlap present between this criterion component and the information-oriented criterion discussed above). As discussed above, many participants were eager to take part in the Technical Workshop and give their own expertise about the San Rafael Swell. These participants aided the compilation of the Inventory Report and contributed in this way at the very beginning of the effort to complete the report. Likewise, these participants contributed to the exchange of information between officials and experts with the participants. This type of participation also exhibits the objectivity of a process, as well as a respect for such input from the partners of the Study.

The diversity of viewpoints that was represented during the San Rafael Swell Study is another important factor in evaluating the process. Because of the small attendance to the Resource Forum and Field Tours, it would be difficult to determine whether diverse viewpoints were expressed during the Study process elements that took place. Some observations, though, can be made. All of those interviewed stated that there was a good range of diverse viewpoints represented by attendees. Tom Gnojek (2003) noted disappointment that the same individuals that he had been working with for years on San Rafael Swell issues made up the majority of those in attendance during the

events. Apparently the events did not bring many people who had already an extensive knowledge of the issues.

Regarding the diversity of views, according to Dennis Worwood (2003), a central objective of Keith Allred's public opinion survey was to incorporate the voices of those people who would not normally be heard. This survey, as mentioned, was one of the only means by which interested parties from around the country could take part in the San Rafael Swell Study without extensive travel to southern Utah. The diversity of interests that the American public represents is broad. Views regarding the desire for national monuments, special designations, wilderness, recreation, and public lands policies vary dramatically among citizens of the country. Because the local stakeholders were the primary focus of the Bush administration and the San Rafael Swell Study, the diversity of views represented in this process was minimal. Few interests that were not local were represented during these discussions.

From even within the state, in fact, not all interests, even the ones everyone were aware of, were represented. Larry Young (2003) stated that his wilderness advocacy organization felt that the San Rafael Swell Study was Emery County's "dance" and that his group was only "somewhat invited" and "certainly weren't represented". Though they had no major role, they were willing participants when approached, as was the case when Keith Allred gathered their input before the Study had begun. However, Young stated that no members of his organization attended the events (partially because, he said, they were not aware of the events until just before they took place). Further, to his knowledge, the conservation community was not represented in any way, nor were they invited to present or share their views with attendees (Young 2003). While the

information presented at the events was comprehensive and impressive, the diversity of views represented among stakeholders was severely limited by the focus placed upon the local communities by the state, county, and BLM, as well as by the political power President Bush and Governor Leavitt had given the county's residents when they stated the monument would be created only if they so desired.

Of related importance was the respect given to the diverse viewpoints and forms of expressions that were present. In the discussion above regarding the openness of the process and the exchange of information between participants and the experts or officials, it was found that a great deal of respect was given to the views of those in attendance. With questions and discussions welcome in the Technical Workshop and Resource Forum, and certainly during the Field Tours, the openness of the events that took place was evident to those in attendance that were interviewed. Considering that the public input forums were still to come for the Study process, and these were to be opportunities for broader discussions among participants and officials, there is every indication that these events would have been as respectful of diverse views as the previous events. Each of those interviewed felt that the BLM and Booz Allen Hamilton's facilitator were successful in providing unbiased and open events where all viewpoints were respected. Indeed, given the raging rhetoric taking place outside of the Study process by those campaigning, the respect given to the diversity of views and expertise that was present within the Study process was remarkable.

But how independent of political influence was the San Rafael Swell Study process after all? As mentioned, most of those interviewed agreed that the BLM maintained neutrality in the process successfully. However, to some level, most issues



involving government bodies and multiple stakeholders are political. When these political influences can come to dominate or dictate process and outcome, successful public participation is doubtful. Political influences dictated the outcome of the San Rafael Swell Study in the end. The referendum vote, the result of campaigning by special interest groups, created a path in which opponents could circumvent the participatory decision-making process and dialogue. Perhaps Gary Armstrong (2003) expressed it most succinctly: “There was a political process and a planning process and the two didn’t meet.” That is, while the BLM was able to develop and initiate a public participatory process in the San Rafael Swell Study, the less-formal political process of the referendum initiative were two separate processes independent of each other, but only to an extent. Young (2003) stated that the Study process was too “convoluted” by the politics and that when considering the issues, one “can’t disconnect the politics with what the BLM was trying to do.” The outcome of the San Rafael Swell Study process was dependent on the referendum vote of Emery County residents only because the governor, county leaders, and the president had expressed their intent to abide by the wishes of the residents.

The role of politics and the intensive lobbying for and against the monument proposal that took place outside of the Study process did have an impact on the efforts of those conducting the Study process in several ways. Not only was the attendance perhaps impacted negatively, as Ludington (2003) and Worwood (2003) suggested, but also the viewpoints of those in attendance during the events that took place were largely the result of these contentious political disagreements. Wayne Ludington (2003) felt that most

people were in attendance at these events to hear about and represent only specific resource interests.

Also, significantly, the amount of campaigning for and against the proposal by off-road vehicle user groups had an effect on how the Study process was scheduled. Because of the BLM's effort to stay neutral to the discussion of whether a national monument was the proper course of action for the area, the aggressive campaigning during the month of October 2002 particularly, created a climate in which the BLM decided it was best to postpone the San Rafael Swell public meetings that had been planned. Gary Armstrong (2003) noted that the agency also recognized that the referendum vote was a county issue, and as the agency was a partner of the county and its commissioners for the Study, no meetings would be conducted just prior to the referendum in order to confirm their neutrality in the issue. According to Don Banks (2003), the politics were too "heated" for the BLM to hold the Study's public meetings. The political process was overshadowing the resource-oriented planning process of the San Rafael Swell Study. In the end, the ballot box decision made by the county's voters led to the termination of the federal decision-making process. While the San Rafael Swell Study maintained an independence from the raging referendum campaign before November 5th, the Study process ultimately was overcome by the politics.

One final consideration should be made to the objectivity of the process. A process that objectively includes stakeholders and provides for diversity will typically result in the development of trust. The level of trust fostered during the San Rafael Swell Study is concerned not only with objectivity but also results. Again, because this participatory process was terminated before its completion, the level of trust developed

during this process would be minimal. Those interviewed were asked whether they felt the stakeholders involved had developed or altered their feelings toward the county's leaders, the governor, or the BLM. No one I spoke with felt that any of the three partners had gained by their involvement in the San Rafael Swell Study.

No one, however, expressed a belief that the Bureau of Land Management had been negatively impacted by the Study and related events. Gnojek (2003) mentioned that the BLM has always enjoyed a degree of trust with the residents of Emery County. It was, according to Gnojek, those in Washington, D.C. that these residents did not trust. (Interestingly, Emery County resident Mark H. Williams (2003) had identified those in the Price Field Office, including Gnojek, as "not neutral" in the Study process). Gnojek felt that the level of trust in the BLM was not impacted either way by the Study effort (Gnojek 2003). The BLM's role in being a neutral distributor and collector of information appears to have shielded the agency from a public loss of trust.

Randy Johnson commented that many in the county, particularly those in the off-road vehicle user groups, now held the view that the county's leaders had conspired against them. The level of trust for the county leadership, then, was negatively affected (Johnson 2003). Perhaps the best support for this view is this fact that Johnson lost in his bid for reelection as County Commissioner. Patsy Stoddard (2003) supported Johnson's view, noting that more residents are leery of the Emery County Commission today as a result of their effort to have a national monument designation discussed in their county. Many residents, she said, felt they had been "hood-winked" by commissioners because of the perception still held by many that the idea had been formed "under darkness".

Incidentally, Mark H. Williams (2003) felt that his county's leaders held similar aversion for him. "I'm still an outcast" in the county, he stated.

Wayne Ludington (2003) and Larry Young (2003) both singled out the governor's office as perhaps the government entity most negatively impacted in regards to the level of trust held by the public. For Larry Young, Executive Director of the Southern Utah Wilderness Alliance, the governor's approach to special designation in the San Rafael Swell area by utilizing the Antiquities Act and President Bush was a disappointing move away from the efforts Leavitt had made in 2001 that more actively included the Utah Wilderness Alliance in discussions that more closely reflected Leavitt's Enlibra philosophy. Young stated that the governor's abandonment of that effort in 2001 proved that his Enlibra philosophy was a "sham" and merely "rhetoric". The proposal to create a national monument, Young felt, had been a violation of the trust that had emerged between Alliance members and the governor's office. "The governor demonstrated clearly that he couldn't be trusted," according to Young (2003). Ludington (2003) added that the manner in which the governor announced the San Rafael Swell national monument proposal still "hovers" over Governor Leavitt and has created distrust in the office.

Clearly, there was no identifiable development of trust as a result of the San Rafael Swell Study. Based on the confidence that those interviewed expressed in the San Rafael Swell Study process as a way to garner public sentiment and collect and distribute information, it can be speculated that had the Study been completed, there was a distinct likeliness that a higher level of trust could have been developed. However, in this case, one can only speculate.

## Evaluation Conclusions

The components for these three criteria give a greater insight than what one may expect to find from a process of decision-making that was terminated and left incomplete. The San Rafael Swell Study process was a solid attempt to inform the public and the president alike, and garner public input on this national monument decision. The effectiveness of the public's involvement, the pertinence, competence and use of information, and the objectivity of the process have been discussed. Based on the evaluation and the informed views of those interviewed, there are several conclusions that have been discussed in this chapter which will be reviewed here.

The San Rafael Swell Study offered multi-tiered opportunities for interested participants to take part. The innovative manner in which the BLM engaged the public during this process is noteworthy and can serve as a model for others in the future. The Study, however, highly limited the involvement of those outside the immediate area of the San Rafael Swell. With minimal input from those outside the area, and the stated aims of the president, governor and county to respect the wishes of those in Emery County, the process, even before its initiation, had been constructed to grant local interests much more influence in determining the future of any national monument; participants and interested parties did not have an equal voice. Given that the national monument proposal could have included more than 600,000 acres of federal public lands, the attempt to garner input from a broader stakeholder base should have taken place. The public opinion survey of a national sampling seemed more like a token attempt at legitimacy, rather than a sincere effort to involve Americans. This lack of broader input

could have negatively impacted the legitimacy given to any monument designation had one resulted from the Study.

Those in Emery County and nearby communities were included into the process very early in the federal decision-making effort. However, much has been said about the impact of having the governor and the county's leaders announce the proposal in the manner in which they did. The level of participation during the Study process was disappointing, except for the Technical Workshop. That event was a particular success, with a high number of enthusiastic participants hoping to contribute to the body of knowledge of the Swell by giving their related personal histories. The lack of participation during the events could be explained by several factors, including scheduling conflicts, as well as the fact that much discussion about special designations for the San Rafael Swell had taken place over the past four years prior. Those in opposition to the national monument seemingly placed all of their efforts to end the process at the ballot box and were less inclined to take part in the federal Study process. Further, this lack of participation and the polarized viewpoints held by many in the community created no consensus on the issue of the national monument proposal. Perhaps most significantly, the BLM, early in the process, had no event that was to initiate a dialogue intending to build consensus.

Overall, the efficacy of stakeholder involvement in the San Rafael Swell Study was mixed. The manner and timing in which participants were engaged was commendable. However, if one considers the viewpoints of the American people, the Study made little effort to include and engage broader viewpoints. The weakest points of

the efficacy of stakeholder involvement are the poor responsiveness of the public and an overall lack of consensus creation during the first phase of the San Rafael Swell Study.

Those organizing and leading the San Rafael Swell Study should be praised for the quality of information that was used during the process. All of those interviewed for this research expressed the feeling that the BLM had actively and consciously attempted to provide attendees diverse and high quality information sources for the education and informative elements of the process. The website was a prime source of information for the Study process and was an attractive, multi-media educational tool for the BLM. Likewise, the video production supported the agency's aims of describing the Swell's features.

The BLM was most successful in providing unbiased information and their conscious efforts to maintain neutrality on whether a monument would be the proper course of action for the area was recognized by those interviewed. Providing a variety of viewpoints and exploring differing options gave attendees balanced information, and the comprehensiveness of the information presented was notable.

The relevance and pertinence of the information presented was likewise noteworthy. Not only was the information on the Study's website useful for those interested in learning more about the management and policy options related to protecting public lands, but the inclusion of Robert Heille of the BLM's Washington D.C. office was particularly informative.

The information exchange between attendees of the events and the officials and experts was likewise noteworthy. As exemplified by the exchange of information at the Technical Workshop, there was an effort made by the BLM to incorporate the unique

knowledge from locals on historic and scientific values in the Swell. However, the lack of input provided to those not in attendance or in the region is disappointing. Provided with no educational or informative means that were available to those within the immediate area, it is unclear how the BLM and Keith Allred intended to use the public opinions garnered from around the nation when so few, if any, of those individuals surveyed would be familiar with the pertinent information. Those hoping to give input on these matters were directed only to the Study website and provided a general “comments” submission form.

Within the San Rafael Swell Study, the information that was used and distributed was done so fairly and without bias. However, the politically charged campaign for and against the national monument proposal that was taking place outside of the process was significant in its manipulation of information. The means utilized during these lobbying efforts was unfortunate.

Overall, the quality of the information provided was excellent. Those in the Swell area enjoyed the availability of this information more than those outside of the area. With a quality exchange of information between those who attended the first few elements of the Study, it can be said that the San Rafael Swell Study was successful in providing competent and pertinent information to those involved locally.

The level of objectivity of the process was mixed as well. With such controversy and debate going on outside of the Study’s events, the BLM did a remarkable job in maintaining its neutrality in the role of collecting and delivering information. The agency’s ability to conduct events that were outside of politics was largely due to their focused mission of simply informing the president and gauging the public’s sentiment.



Again, almost all of those interviewed expressed praise for the BLM's ability to conduct unbiased presentations. Likewise, there was praise for the respect that the agency and the facilitator granted to all viewpoints within these events. These differing viewpoints were provided an opportunity to be heard during the events that did take place, though the forums for greater public input were to take place later during the public meetings.

The objectivity of the process, however, was ultimately influenced only by the politics taking place outside of the process. This major weakness for the process was the result of the governor and president's acknowledgment that the issue was in the hands of local residents. The statements of these leaders gave opponents of the monument idea the mechanism by which to usurp the San Rafael Swell Study process with a referendum vote. Constructive and potentially beneficial dialogue was subverted in favor of a venue that was more highly influenced by campaign tactics, special interests funds, and misleading rhetoric. Despite the unbiased and fairness within the process, it was ultimately influenced by the politics surrounding it.

## **Chapter 6**

### **Conclusions**

Though this evaluation of the San Rafael Swell Study was limited by the process's termination it can be said that the unique decision-making process was a noble attempt to provide the local community with well-balanced information and a variety of participatory options in determining whether a national monument in the San Rafael Swell was the best course of action. In the end, however, the story of what took place in 2002 surrounding this issue is less of a decision-making story than a story of politics. The planning effort could not overcome the political issues. In fact, as Gary Armstrong noted (2003), the politics of what took place remained in front of the planning and decision-making of the San Rafael Swell Study throughout the year. Thus, when the voters of Emery County denied their commission the opportunity to support a national monument proposal, the process ended. Given the stated views of the governor and the Bush administration, a county referendum vote determined the fate of a national issue.

Many of the issues reflected in the proposal to create a national monument in the San Rafael Swell area are not unique and unfortunately, are common constraints to decision-making and policy determination. In particular, the influence of special interest groups, the land use conflicts that are contributing to ever more polarized views, and the amount of input local communities and states have on federal land decisions are issues that played a significant role in the politics and discussions regarding the San Rafael Swell. So too are these issues common through the American West. The ability of land

management agencies to balance these broadening, more polarized interests has been extremely difficult.

The San Rafael Swell Study clearly reflects the political viewpoint that local communities and interests should be directly involved and considered when land use decisions are made on the federal level. By 'sharing' the policy decisions, the Bush administration's attempt to marginalize the federal government's control and influence over these valuable areas is a dramatic shift in policy from the Clinton administration during the 1990s. The Bureau of Land Management is mandated by its organic legislation and by the National Environmental Policy Act to maintain and manage the resources and lands in a combination best suited to the interests of all Americans, particularly when there are competing and conflicting uses and values in an area, such as the San Rafael Swell. Planning efforts by the agency requires that notice be given nationwide to the public and that any interested party may provide comments during the development and approval of those plans.

Because the Antiquities Act of 1906 provides a president the ability to make substantial land use and management decisions unilaterally, and without the requirements of NEPA, the Act has been criticized by a wide variety of individuals as abusive and excessive. A president's incorporation of the views of local communities in national monument decisions is determined not by Congressional mandate but at the president's own discretion, as well as political necessity. George W. Bush's move to study a national monument designation for the San Rafael Swell area is an expression of his administration's values. It is not likely that most Americans would be critical of having an innovative, public participatory process in creating a national monument – a process of

active, democratic participation, discussion, education, and dialogue. In this regard, the San Rafael Swell Study was a noble undertaking.

The politically savvy leaders of Emery County viewed the proposal as an opportunity to circumvent the opposition that had been met in Congress on two prior efforts for creating a special designation in the Swell – designations that were most desirable to the county’s residents. By using a president with a priority interest in local concerns to create a land designation to their liking, the County was taking the opportunity to more aggressively seek its own interests. President Bush and Secretary Gale Norton’s receptiveness to the idea was well known and created an opportunity for Emery County leaders to implement their local-based approach to federal land use decisions.

Given the disproportionate influence granted to those within Emery County in this way, the San Rafael Swell Study failed to fully incorporate the broader balance of interests that federal land use managers are mandated to consider in all other planning efforts. It could be said that most decision-making processes that incorporate public participation take place in the vicinity of lands under consideration and that the public opinion survey element of the Study would incorporate the views of those outside of the area. However, statements made by the president and the governor provided Emery County residents de facto control of the matter and as a result, allowed opponents of the proposal in the county a mechanism by which to commandeer the process entirely. Despite the best efforts of the Department of the Interior’s Bureau of Land Management to incorporate the public’s input into an innovative public participatory decision-making

process, the fate of the entire proposal rested in the hands of several thousand voters in the sparsely populated county.

By all accounts, these same individuals were subjected to weeks of scare tactics and misinformation at the hands of special interest groups. While residents within Emery County have continually expressed a desire to have direct input into any special designation initiative and were worried about the possible influence of outsiders in crafting a national monument designation, many of those same individuals welcomed the money from outsiders who were aligned with their interests to help fund the effort to defeat the proposal at the ballot box.

Most of those aligned against the national monument were avid recreational users who feared any potential changes to the management of the San Rafael Swell that would restrict their access and enjoyment of the area. Their zealotry in defeating the proposal likely was rooted not merely in disagreement over the mandate given to presidents in the Antiquities Act. Most likely, as has been evident in recent years, these individuals feel that the access for their preferred use of the area, specifically off-road vehicle use, has been under threat by the increasing momentum gained across the nation by those working for wilderness protection and public lands preservation. The emotions surrounding uses of the San Rafael Swell has been building for years.

The last twenty years have witnessed increased polarization and a larger number of public land conflicts among recreation users. Hikers become offended by the noise, dust, or environmental impacts created by these off-road vehicles. Off-road vehicle users resent current wilderness or Wilderness Study Areas in many areas of the West and “feel locked” out of public lands. These differing uses have increased the influence of special

interests groups. Most highly involved in the national monument proposal referendum vote was the faction that many Emery County residents were most receptive or aligned to - the off-road vehicle user groups. Before the referendum lobbying was over in Emery County, a group representing the other extreme, the Southern Utah Wilderness Alliance, provided their own input with a full-page advertisement, to whatever effect. Of those interviewed for this research, several noted the lingering resentment among Emery County residents for how the money and involvement of special interest groups had influenced the community's decision (Stoddard 2003; Worwood 2003; Ludington 2003).

These polarized viewpoints have spurred the degree of involvement and influence in the related special interests groups. These groups have played a large role in the policy making of the federal government's management of public lands for years. As former County Commissioner Randy Johnson expressed it (2003), there is now a minority population represented by groups that have a majority voice. Just as greater balance between both national and local interests is a significant issue that an administration and Congress must contend with, so too is the influence of these special interest groups in policy making. Johnson felt that most Americans were confident that a balance between interests could be developed rather than the continuing strength of these special interest groups. However, he lamented that he had been unable to determine how to create a decision-making process that negated the disproportionate influences of these groups (Johnson 2003). Clearly, the San Rafael Swell Study process that he and his fellow county leaders had desired had failed to counter the political aggressiveness of the opposing special interests.

The level of distrust and the extremes of emotion had a profound effect on the San Rafael Swell Study as well and contributed to the premature termination of the decision-making process. The presence of emotion and the lack of trust can equally threaten an objective decision-making process, and can drive a process away from substantive dialogue. Clearly, many in Emery County did not trust their leaders or the governor. Distrust and emotion were coupled with the lingering suspicions of national monuments based on President Clinton's creation of the Grand Staircase-Escalante National Monument and the perceived threat of wilderness designations limiting access to vehicular use of the San Rafael Swell. Both highly charged issues increased the political lobbying before the referendum vote and distracted likely participants from taking part in the Study process. Likewise, these elements can erode the cognitive abilities of participants that are necessary for objective and rational decision-making.

A significant barrier to the success of the San Rafael Swell Study as a decision-making process was the manner in which the proposal to create a national monument was framed. Too often government decision-making processes regarding land-use issues draws the public and interested groups into a fight for their own interests. In fact, drawing on extreme viewpoints and special interest group influence, the public is seemingly predisposed to conflict regarding public land uses and policies. The manner in which local leaders, the governor, and the Bush administration chose to frame the dialogue for providing a special designation for the San Rafael Swell directed public sentiment and participation toward such a conflict. Because the proposal regarded only a national monument, all other options were removed from consideration, along with the dialogue and debate to go with them.

The limiting of options led to public sentiment that was polarized into those in favor of and those opposed to the idea. In a sense, the leaders of the proposal themselves invited a vote to take place by limiting the options in this manner. The fact that only a single option would be considered provided a convenient mechanism for opponents of the national monument to commandeer the dialogue by placing the issue on the referendum ballot. Voters could easily cast their support or opposition to the initiative, rather than substantively discuss the issue and become an integral player in the decision-making process.

In the context of planning and decision-making, such a limitation of alternatives at the outset of a process removes ration and logic from the process. As discussed in Chapter 2, the comprehensive approach to planning, also referred to as the rational approach, calls for decision-making process phases that include the definition of goals, the identification of barriers to achieving those goals, the identification of alternative solutions, and an open comparison of the merits of various alternative solutions (Hoch et al 2000). For the San Rafael Swell Study, goals that were formed around the county's efforts in 1998 to create a National Conservation Area were the basis for the county leaders' proposal with no consideration of the change of context in 2002. Most significantly, numerous and varied alternative solutions were not identified before this decision-making process was initiated because of the manner in which the process was framed as a national monument issue at its onset. Without clearly defined goals that were in a proper context or an array of alternatives from which to discuss, compromise or negotiate, a rational decision-making process is impossible. By having only one option for the public to consider, the goals of the public had already been too specifically



defined. Altogether, the crucial initial phases of the planning process that openly solicit the desires and goals of the public and analyze the merits of differing proposals were absent from the proposal to create a national monument in the San Rafael Swell area. The process's premature demise was a direct result of that absence.

Mistakes made by the county leaders and the governor of the state played a direct role in the polarized views, emotions and distrust that were present in Emery County during the year. The Bureau of Land Management, however, seemed to have played such a neutral role in the entire process that the agency has received no criticism for its involvement in the process. However, while conducting this research, one decision that was made by the agency during the San Rafael Swell Study seems most unfortunate and could be characterized as a missed opportunity to contribute to the decision-making that was to take place by referendum vote. When the BLM postponed the public input elements of the San Rafael Swell Study until after the November 5<sup>th</sup> referendum, the agency was passing up a forum in which many of the misperceptions and confusion held by those in Emery County could have been addressed or resolved. The agency could have maintained the neutrality that was unwavering throughout the Study process and served as a mediating force in the debate of whether a monument was a proper course of action. The county's politics, however, as discussed in Chapter 5, was an issue that this federal agency simply felt was best addressed at the county level. Though the agency's absence in the political debate is understandable, the potential for benefits from a careful and constructive forum for dialogue could have served to inform those residents in determining the fate of the entire proposal.

Governor Leavitt's decision to announce during his State of the State address that his office and the county officials were to ask President Bush for a national monument designation in the San Rafael Swell was a disastrous start to the effort to decide whether a monument should be created. As early as the day after the speech, the governor was forced to clarify his statements by assuring those in the county that what his intentioned were only to ask for a process to explore the idea, rather than a proclamation. Leavitt's choice of how to announce the idea was a dramatic mistake and created a hurdle for the national monument proposal that could not be overcome. Given the intense controversy that was created when President Clinton created the Grand Staircase-Escalante National Monument in 1996, the governor should have been much more mindful of making such a presumptuous announcement.

Emery County's residents had not been fully informed of the idea. Many of those that had attended the very first meeting of the issue had left expecting the discussion to continue in the county for some time before the governor sent the request to President Bush. County leaders failed to clarify what was to happen after this meeting to the residents. The commissioners of the county were likewise caught off guard by the governor's address and spent the following nine months struggling to make up for the skepticism, resentment, and distrust that the governor had created. In hindsight, further discussions on the county level, outside of the glare of media attention the governor's announcement garnered, should have occurred before the idea was taken to the next step.

County leaders also failed to adequately advertise that initial meeting that took place a few days before the governor's speech. The vague press release published by the *Emery County Progress* announcing the late January Public Lands Council meeting

should have more clearly detailed the intent of the meeting. This move could have minimized the surprise of many in the community to the idea and would have given ample opportunity for those interested in the proposal who would not have otherwise attended to take part in the initial discussion.

The governor's announcement and the resulting controversy had another important impact to the national monument proposal idea. In order to counter the claims of opponents that the national monument decision had already been made, the county leaders were forced to enter the San Rafael Swell Study in August with no clearly defined monument framework. This open issue may have avoided further conflict in the community but it did not serve the San Rafael Swell Study. The lack of clarity in what was to come out of the San Rafael Swell Study did not help the county's voters in deciding whether to support the referendum initiative or not. One approach that could have been taken is similar to the requirements that the BLM faces in other land use decisions – to provide a variety of alternatives for land use decisions. Several monument frameworks could have focused discussion inside and outside of the Study process.

Responsibility for the termination of the San Rafael Swell Study and the national monument proposal should also be partially delegated to those in the off-road vehicle user community. By quickly placing the issue in a referendum, this group of stakeholders let their skepticism and distrust for community leaders control the fate of the idea, without having any attempt at constructive dialogue. The placement of the initiative on the November ballot meant that there would be virtually no room for negotiation. As is most common of referendum votes, there was less potential for the necessary education

of the public outside of a participatory process and the exchange of information between the public and experts would have been relatively minimal (Steelman and Ascher 1997).

Given the attempts by leaders and the continuous discussions in the past regarding special designations for the Swell, and the known contentiousness of those issues, more creative and engaging dialogue and interaction between stakeholders was required. The referendum vote brought the special interest recreation group the ability to have a greater influence on the fate of the national monument proposal by making the forum for that decision as basic as possible – the ballot box. For the loss of dialogue, potential compromise, and community support that could have come from an open and productive public participatory decision-making process, the off-road vehicle user groups share responsible.

Just as the Bush administration supported the participatory process of the San Rafael Swell Study, the president left the door open for these special interest groups to commandeer a quality decision-making process with a referendum vote by putting the determination of the proposal's fate in the hands of the local residents. The productive public participatory process could not overcome the political process in the end. Bush's support of the county's initiative in pursuing a national monument process was largely due to its grass-roots origins, according to the county's leaders (Johnson 2003).

Ironically, though, the bottom-up approach to determining federal policy reflected by the proposal to create a monument in the San Rafael Swell area was ultimately derailed by those at the bottom, within a very small community. While individual federal land use decisions such as the creation of a national monument may often be impacted by such local issues or problems, an administration's policy defining the land use and

management of all public lands across the nation that places such concentrated influence in these local communities is unwise. A federal policy that grants local communities such disproportionate influence in land use planning, or simply in the decision to create a national monument, is highly vulnerable to the ugly politics and often irrational or emotional views of factions within small communities.

Those involved in the proposal to create a national monument in the Swell area vary in their opinions of whether anything was accomplished during the monument discussions and the San Rafael Swell Study. Gary Armstrong (2003) felt that the information collected and presented during the Study would enrich the understanding of the area for many years to come. Mark H. Williams (2003) felt that the BLM knew more about the resources in the area as a result of the Study. Randy Johnson (2003) felt that the conflict was a lesson to others to work towards balanced land use policies. Sadly, others felt that nothing had been accomplished and the only lessons learned were political.

The role of special interest groups, the polarized views that these groups represent, and the ways in which the government balances local and national interests on public lands are issues that continue to affect public lands management and are worthy of further research. For all the quality of information and procedural fairness that was present in the San Rafael Swell Study process, the political mistakes that were made doomed the decision-making effort and in the context of skeptical stakeholders and an emotional environment, the creation of a new national monument in the San Rafael Swell by President George W. Bush was not to be.

**Bibliography**

## Bibliography

- A Swell Monument. (2002, November 10). Editorial. *Salt Lake Tribune*. Retrieved November 10, 2002, from <http://www.sltrib.com>
- Armstrong, Gary. (2003, April 10). Telephone interview with author. Planner and Consultant, Booz Allen Hamilton, Salt Lake City, Utah.
- Banks, Don. (2003, April 3). Telephone interview with author. Chief, External Affairs Group, Bureau of Land Management, Salt Lake City, Utah.
- Beierle, Thomas, and Cayford, Jerry. (2002). *Democracy in Practice: Public Participation in Environmental Decisions*. Washington DC: Resources for the Future. 149pp.
- Bureau of Economic Analysis. (2000). Regional Accounts Data, Table SA25 Total Full-time and Part-Time Employment by Industry 1979-1999. Washington DC: U.S. Department of Commerce.
- Bureau of Land Management. (1999). *Utah Wilderness Inventory*. Washington DC: U.S. Department of the Interior.
- Bureau of Land Management. (2000). *Land Use Planning Handbook H-1601-1*. Washington DC: U.S. Department of the Interior.
- Bureau of Land Management. (2002a) Monument Management. Press Release. U.S. Department of the Interior Bureau of Land Management. Retrieved December 21, 2002, from <http://www.ut.blm.gov/sanrafaelswell>
- Bureau of Land Management. (2002b). San Rafael Swell Study. U.S. Department of the Interior. Retrieved October 12, 2002, from <http://www.ut.blm.gov/sanrafaelswell>
- Bureau of Land Management. (2002c, August). Join the Dialogue: San Rafael Swell Study. U.S. Department of the Interior. Information brochure.
- Bureau of Land Management. (2002d). What's So Swell About the San Rafael Swell, Resource Forum Invitation. U.S. Department of the Interior. Mailing.
- Bureau of Land Management. (2003a). San Rafael Swell Route Designation Plan EA. U.S. Department of the Interior. Retrieved March 3, 2003, from <http://www.ut.blm.gov/sanrafaelohv/ea/eachapter1.htm>

Bureau of Land Management. (2003b, March 3). Press Release: Subgroup formed to look at San Rafael Management Issues. Salt Lake City, Utah. Retrieved March 3, 2003, from <http://www.ut.blm.gov/NewsReleases/nrmar3a.html>

Bureau of National Affairs, Inc. (2002, March 15). Committee Approves Bill to Curb Antiquities Act. *Daily Environment Report*, p.A-12. Retrieved February 21, 2003 from <http://subscript.bna.com/SAMPLES/den.nsf/f253ebd124fb4b52852564800058047d/06120a73471568b485256b8300106167?OpenDocument>

Bush, George W. (2002a, May 1). President of the United States. Letter to Secretary of the Interior Gale Norton.

Bush, George W. (2002b, May 1). President of the United States. Letter to Utah Governor Michael Leavitt.

Campbell, Scott, and Feinstein, Susan. (1996). *Readings in Planning Theory*. Malden, Massachusetts: Blackwell Publishers. 543 pp.

Capital for a Day. (2002, April 23). Emery County Progress. Retrieved December 1, 2002, from <http://www.ecprogress.com/index.php?id=5>

Carr, Deborah S., and Halvorsen, Kathleen. (2001). An Evaluation of Three Democratic, Community-Based Approaches to Citizen Participation: Surveys, Conversations with Community Groups, and Community Dinners. *Society and Natural Resources*, 14, 107-126.

Cooper, Mary H. (2002, October 25). Bush and the Environment. *CQ Researcher*. 12, (37), 1-46. Retrieved February 2, 2003, from <http://library.cqpress.com/cqresearcher/toc.php?mode=cqres-date&level=2&values=2002>

Cox, Rachel S. (2000, June 16). Protecting the National Parks. *CQ Researcher*. 10, (23). Retrieved February 12, 2003, from <http://library.cqpress.com/cqresearcher/toc.php?mode=cqres-date&level=2&values=2000>

Darlington, David. (2003, January/February). Untracked Utah. *Sierra*. pp. 24-31, 51.

Davis, Charles (Ed.). (2001). *Western Public Lands and Environmental Politics*. Boulder, Colorado: Westview Press. pp. 276.

Davis, James L. (2002a, January 29). Land Council Proposes San Rafael Monument. *Emery County Progress*. p. 1.

Davis, James L. (2002b, January 29) Public Opinion on Monument Proposal Varies. *Emery County Progress*. p.1.



- Davis, James L. (2002c, February 5). Storms of Questions Boil Over Monument Proposal. *Emery County Progress*. Retrieved February 2, 2003, from <http://www.ecprogress.com/index.php?id=5>
- Davis, James L. (2002d, March 12). Council Plans Meetings on Proposed Monument. *Emery County Progress*. Retrieved February 2, 2003, from <http://www.ecprogress.com/index.php?id=5>
- Davis, James L. (2002e, March 19). New Organization Looks to Keep Area Informed on Issues. *Emery County Progress*. Retrieved February 2, 2003, from <http://www.ecprogress.com/index.php?id=5>
- Davis, James L. (2002f, August 13). Monumental Ideas. *Emery County Progress*. Retrieved January 11, 2003, from <http://www.ecprogress.com/index.php?id=5>
- Department of Energy. (no date). How to Design a Public Participation Program. Office of Intergovernmental and Public Accountability (EM-22). Retrieved February 21, 2003, from <http://www.em.doe.gov/ftlink/public/doeguide.pdf>
- DeVine, Kelly, and Soden, Dennis L. (1997) Changing Political Geometry: Public Lands and Natural Resources in Nevada. Brent S. Steel (Ed.), *Public Lands Management in the West*. Westport, CT: Praeger Publishers, 129-150.
- Draper, Electa. (2002, November 7). 53% Vote Against Protecting Historic Land. *Denver Post*. Retrieved March 19, 2003, from <http://www.denverpost.com/Stories/0,1413,36%7E25570%7E974989,00.html>
- Dumas, Bianca. (2002, March 25). Emery County Expresses Dismay at Leavitt's San Rafael Plan. *Salt Lake Tribune*, p. B1. Retrieved March 1, 2003, from Salt Lake Tribune archives, TribAccess, <http://www.sltrib.com>
- Durrant, Jeffrey O. (2002, September 3). Rowing Along National Monument Process. *Emery County Progress*. Retrieved February 2, 2003, from <http://www.ecprogress.com/index.php?id=5>
- Emery County Public Lands Council. (2003). Mission Statement. Retrieved February 21, 2003, from <http://www.co.emery.ut.us/publiclands/>
- Fainstein, Susan S., and Fainstein, Norman. (1996). City Planning and Political Values: An Updated View. Scott Campbell and Susan Fainstein (Editors), *Readings in Planning Theory*. Malden, MA: Blackwell. 265-287.
- Fitzgerald, Andrew, and Deborah, Schwabach. (1999). Drawing Lines in the Desert Sand. Doug Goodman and Daniel McCool. *Contested Landscapes*. Salt Lake City: University of Utah Press, 67-80.

Gehrke, Robert. (2002, April 9). Leavitt Pushes for San Rafael Monument. *Salt Lake Tribune*, p. B2. Retrieved March 1, 2003, from Salt Lake Tribune archives, TribAccess, <http://www.sltrib.com>

Gnojek, Tom. (April 10, 2003). Telephone interview with author. Outdoor Recreation Planner, Bureau of Land Management Price Field Office. Price, Utah.

Goodman, Doug, and McCool, Daniel (Eds.) (1999). *Contested Landscape: The Politics of Wilderness in Utah and the West*. Salt Lake City: University of Utah Press, 237-254.

Harrie, Dan. (2002, February 12). Cannon Blasts Monument Plan. *Salt Lake Tribune*. Retrieved January 22, 2003, from Salt Lake Tribune Archives, TribAccess, <http://www.sltrib.com>

Harrison, Martha. (2003, April 14). Telephone interview with author. Webmaster of San Rafael Swell Study website, Bureau of Land Management, State Office, Salt Lake City, Utah.

Hoch, Charles J., Dalton, Linda C., and So, Frank S. (2000). *The Practice of Local Government Planning, Third Edition*. Washington, DC: International City/County Management Association. pp. 19-39, 423-438.

House of Representatives, U.S. Congress. (1998). H.R. 3625 Bill Summary & Status for the 105th Congress. Retrieved March 2, 2003, from <http://thomas.loc.gov/cgi-bin/bdquery/z?d105:HR03625:@@L&summ2=m&>

Israelson, Brent. (2002, February 2). Recreation Off-Roaders Leery of Leavitt's Monument Plan. *Salt Lake Tribune*. p. B4.

Jackson, Lynn. (2003, April 2). Telephone interview with author. Geologist, project coordinator of San Rafael Swell Study, Bureau of Land Management, Moab Field Office, Moab, Utah.

Johnson, Randy. (2003, April 10). Telephone interview with author. Former Emery County Commissioner and Public Lands Council member. Castle Dale, Utah.

Kelly, Eric Damian, and Becker, Barbara. (2000). *Community Planning: An Introduction to the Comprehensive Plan*. Island Press, Washington, D.C. 478 pp.

Kelly, Shannon. (2002). The Creation of GSENM: A Case Study in the Politics of Land Use. Northern Arizona University. Retrieved January 21, 2003, from <http://www.cpluhna.nau.edu/Places/gsenm4.htm>

Kenworthy, Tom. (2002, January 29). Utah governor to request monument. *USA Today*, p.5A.

Killian, Tory. (2002, November 12). Letter to the Editor: Castle Country Alliance Predicts Next Steps. *Emery County Progress*. Retrieved December 2, 2002, from <http://www.ecprogress.com/index.php?id=5>

Lands Council Prepares for the First in a Series of Meetings on Monument. (2002, March 19). *Emery County Progress*. Retrieved December 2, 2002, from <http://www.ecprogress.com/index.php?id=5>

Lands Council Seeks Public Comments During Meeting. (2002, January 22). *Emery County Progress*. Retrieved January 3, 2003, from <http://www.ecprogress.com/index.php?id=5>

Leavitt, Governor Michael. (2002a, January 28). State of the State address. Retrieved March 1, 2003, from <http://www.utah.gov/governor/stateofstate.html>

Leavitt, Governor Michael. (2002b, December 4). Letter to President George W. Bush. Salt Lake City, Utah.

Leschin, Michael. (2003, March 28). Email message to author. Geologist/Paleontologist, Bureau of Land Management, Price Field Office, Price, Utah.

Ludington, Wayne. (2003, April 10). Telephone interview with author. Wildlife Biologist, Bureau of Land Management, Price Field Office, Price, Utah.

Lutz, Catherine. (2000, May 22). Stirrings in the San Rafael Swell. *High Country News*. Retrieved March 18, 2003, from [http://www.hcn.org/servlets/hcn.Articles?article\\_id=5818](http://www.hcn.org/servlets/hcn.Articles?article_id=5818)

Miller, Layne. (2002, April 18). Emery County Pleads for Safer Highways. *Salt Lake Tribune*. B4.

McCoard, Ruth. (2003, March 20). Telephone interview with author. Planning Specialist, Bureau of Land Management, Price Field Office, Price, Utah.

Nijhuis, Michelle. (1998, June 8). All's not Swell. *High Country News*. Retrieved March 18, 2003, from [http://www.hcn.org/servlets/hcn.Articles?article\\_id=4218](http://www.hcn.org/servlets/hcn.Articles?article_id=4218)

Norton, Gale. (2002, April). Letter to state elected officials. Basic Text of Letter. Retrieved January 24, 2003, from <http://www.blm.gov/nlcs/monuments/letter.pdf>

Office of Intergovernmental and Public Accountability. (n.d.). *How to Design a Public Participation Program*. Washington, DC: U.S. Department of Energy. 34 pp. Retrieved October 31, 2002, from <http://www.em.doe.gov/flink/public/doeguide.pdf>

Owens, Wayne. (1992). Is Preservation of Utah's Remaining Wilderness in Utah's Best Interest? Samuel I. Zeveloff and Cyrus M. McKell. *Wilderness Issues in the Arid Lands of the Western United States*. Albuquerque: University of New Mexico Press, 13-34.

Pianin, Eric. (2002, February 21). White House Won't Fight Monument Designations Norton Says Boundaries, Land Use Rules May Be Amended. *Washington Post*. p.A7.

Petersen, Kent, Jeffs, Tracy, and Wilson, Bevan. (2002, October 29). Letter to Editor: Send Message of Support. *Emery County Progress*. Retrieved March 22, 2003, from <http://www.ecprogress.com/index.php?id=5>

Residents Let Their Voices Be Heard On Monument Proposal. (2002, March 26). *Emery County Progress*. Retrieved December 2, 2002, from <http://www.ecprogress.com/index.php?id=5>

Simmons, Neil. (2003) E-mail to author. GIS Specialist, U.S. Bureau of Land Management, Price Field Office, Utah.

Smart, Christopher. (2002, November 9). Community Remains Divided After Defeat of Monument Proposal. *Salt Lake Tribune*. Retrieved January 22, 2003, from Salt Lake Tribune Archives, TribAccess, <http://www.sltrib.com>

Smith, Christopher. (2002, October 16). Grand Staircase National Monument: It's a New Name but an Old Idea. *Salt Lake Tribune*. Retrieved January 22, 2003, from Salt Lake Tribune Archives, TribAccess, <http://www.sltrib.com>

Sound off on San Rafael. (2002, August 14) *The Salt Lake Tribune*. Retrieved October 25, 2002, from <http://www.sltrib.com>

Southern Utah Wilderness Alliance. (2003). Retrieved January 29, 2003, from [http://www.suwa.org/page.php?page\\_name=arwa\\_home](http://www.suwa.org/page.php?page_name=arwa_home)

Spangler, Donna Kemp. (2002a, October 19). Emery Voters Key to Swell Monument. *Deseret News*. Retrieved March 22, 2003, from <http://deseretnews.com/dn/print/1,1442,405022211,00.html>

Spangler, Donna Kemp. (2002b, November 6). Monument Rejected in Emery. *Deseret News*. Retrieved March 22, 2003, from <http://deseretnews.com/dn/print/1,1442,405022211,00.html>

- Spangler, Jerry D., and Bernick, Bob Jr. (2002, August 5). New Institute to develop environmental philosophy. *Deseret News*. Retrieved March 22, 2003, from <http://deseretnews.com/dn/print/1,1442,405022211,00.html>
- Spencer, James A. (1971). *City and Regional Planning*. Guy-Harold Smith (Editor), *Conservation of Natural Resources, Fourth Edition*. John Wiley and Sons, Inc. 624-634.
- Steelman, Toddi A., and Ascher, William. (1997). Public involvement methods in natural resource policy making: Advantages, disadvantages and trade-offs. *Policy Sciences*, 30, 71-90.
- Stoddard, Patsy. (2002a, October 29). Monument in the Balance. *Emery County Progress*. Retrieved December 2, 2002, from <http://www.ecprogress.com/index.php?id=5>
- Stoddard, Patsy. (2002b, April 16). Monument Meeting Draws Vocal Crowd. *Emery County Progress*. Retrieved December 2, 2002, from <http://www.ecprogress.com/index.php?id=5>
- Stoddard, Patsy. (2002c, February 19). Lands Council to Draft Travel Plan Response. *Emery County Progress*. Retrieved December 2, 2002, from <http://www.ecprogress.com/index.php?id=5>
- Stoddard, Patsy. (2002d, April 2). Community Gathers for Monument Meeting. *Emery County Progress*. Retrieved December 2, 2002, from <http://www.ecprogress.com/index.php?id=5>
- Stoddard, Patsy. (2002e, June 25). Successful Petition Drive Puts Monument Proposal on Nov. 5 Ballot. *Emery County Progress*. Retrieved December 1, 2002, from <http://www.ecprogress.com/index.php?id=5>
- Stoddard, Patsy. (2002f, July 9). County Plans Monument Meetings. *Emery County Progress*. Retrieved March 2, 2003, from <http://www.ecprogress.com/index.php?id=5>
- Stoddard, Patsy. (2002g, August 6). Monument Process to begin. *Emery County Progress*. Retrieved December 4, 2002, from <http://www.ecprogress.com/index.php?id=5>
- Stoddard, Patsy. (2002h, September 3). Let's Get Technical. *Emery County Progress*. Retrieved January 10, 2003, from <http://www.ecprogress.com/index.php?id=5>
- Stoddard, Patsy. (2002i, October 1). Looking Out for the Swell. *Emery County Progress*. Retrieved January 10, 2003, from <http://www.ecprogress.com/index.php?id=5>
- Stoddard, Patsy. (2002j, May 18). Lands Council Hears Update on Water Situation in County. *Emery County Progress*. Retrieved January 10, 2003, from <http://www.ecprogress.com/index.php?id=5>

Stoddard, Patsy. (2002k, September 17). Lands Council Brief on Water Worries. *Emery County Progress*. Retrieved January 10, 2003, from <http://www.ecprogress.com/index.php?id=5>

Stoddard, Patsy. (2002l, October 8). Swell tour turnout small BLM reports. *Emery County Progress*. Retrieved January 10, 2003, from <http://www.ecprogress.com/index.php?id=5>

Stoddard, Patsy. (2002m, October 29). Editorial: Glad the Elections Will All Be Over Soon. *Emery County Progress*. Retrieved January 10, 2003, from <http://www.ecprogress.com/index.php?id=5>

Stoddard, Patsy. (2002n, December 17). What's Next for the Swell? *Emery County Progress*. Retrieved January 10, 2003, from <http://www.ecprogress.com/index.php?id=5>

Stoddard, Patsy. (2002o, November 19). Lands Council Discusses Issues. *Emery County Progress*. Retrieved January 10, 2003, from <http://www.ecprogress.com/index.php?id=5>

Stoddard, Patsy. (2003, April 2). Telephone interview with author. Editor, *Emery County Progress*, Castle Dale, Utah.

Subcommittee on National Parks and Public Lands, Committee on Resources. (1997, November 1). *Behind Closed Doors: The Abuse of Trust And Discretion In The Establishment Of The Grand Staircase-Escalante National Monument: Legislative Study and Investigative Staff Report*. Washington, DC: House of Representatives. Retrieved on January 24, 2003, from <http://www.house.gov/resources/105cong/parks/staircase.htm>

Susskind, Lawrence, and Cruikshank, Jeffrey. (1987). *Breaking the Impasse: Consensual Approaches to Resolving Public Disputes*. New York: Basic Books, Inc. Publishers. 276

U.S. Census Bureau. (2000). Census 2000. Retrieved January 22, 2003, from <http://www.uscensus.gov>

U.S. Department of the Interior. (2002a, March 28). Press Release: Secretary Norton Listens, Seeks Local Voices to Bring Common Sense and Balance to National Monument Plans. Washington DC: U.S. Department of the Interior. Retrieved March 1, 2003, from <http://www.doi.gov/news/010404.html>

U.S. Department of the Interior. (2002b, April 24). Press Release: Interior Secretary Makes Plans to Manage National Monuments. Washington DC: U.S. Department of the Interior. Retrieved March 1, 2003, from <http://www.doi.gov/news/020424a.html>

Utah Department of Travel Development. (2002) 2002 State and County Economic and Travel Indicator Profiles. Retrieved February 2, 2003, from <http://travel.utah.gov/countyprofiles.html>

Utah Public Lands Research. (1998). Title XX Utah Public Lands Management Act. Retrieved March 2, 2003, from <http://users.aol.com/utahplr/blmwild/s884.htm>

Utah State University. (2002). Emery County Profile. Retrieved February 24, 2003, from <http://www.usu.edu/about/news/usu2you/allcounties/emery.pdf>

Utah Wilderness Coalition. (2003). About the Utah Wilderness Coalition: History. Retrieved March 14, 2003, from <http://www.uwcoalition.org/about/history.html>

Warnick, Richard. (1999). The Year of Utah Wilderness: Lessons from 1984. Doug Goodman and Daniel McCool (Eds.). *Contested Landscape*. Salt Lake City: University of Utah Press, 217-235.

Western Governors' Association. (2002). Enlibra. Retrieved March 21, 2003, from <http://www.westgov.org/wga/initiatives/enlibra/default.htm>

Wilderness Society. (2001). *The Antiquities Act: Protecting America's Natural Treasures*. Retrieved November 21, 2002, from <http://www.wilderness.org/Library/handbooks.cfm>

Williams, Mark H. (2002a, July 15). Tell it straight. *Emery County Progress*. Retrieved February 2, 2003, from <http://www.ecprogress.com/index.php?id=5>

Williams, Mark H. (2002b). Argument Against the Proposed Initiative. *Emery County Voter Information Pamphlet, Citizen's Proposal Initiative#1, November 2002*. Emery County, Utah.

Williams, Mark H. (2003, April 13). Telephone interview with author. President of the Southeastern Utah Off-Highway Vehicle Club and Emery County resident. Huntington, Utah.

Williss, Frank G. (1985). *The National Park Service and the Alaska National Interest Lands Conservation Act of 1980: An Administrative Record*. Washington, DC: U.S. Department of the Interior National Park Service. Retrieved on January 2, 2003, from [http://www.cr.nps.gov/history/online\\_books/williss/adhi.htm](http://www.cr.nps.gov/history/online_books/williss/adhi.htm)

Wolf, Jim. (1996, September 22). Making of a Monument. *Salt Lake Tribune*. Retrieved January 22, 2003, from Salt Lake Tribune Archives, TribAccess, <http://www.sltrib.com>

Worwood, Dennis. (2002a, February 26). Standing Still No Option in Public Land Issue. Emery County Progress. Retrieved February 2, 2003, from <http://www.ecprogress.com/index.php?id=5>

Worwood, Dennis. (2002b). Argument For the Proposed Initiative. *Emery County Voter Information Pamphlet, Citizen's Proposal Initiative #1*, November 2002. Emery County, Utah.

Worwood, Dennis. (2003, April 4). Telephone interview with author. Acting Chair, Emery County Public Lands Council. Castle Dale, Utah.

Wright, Jim. (1997, September 11). What's True in Debate on Wilderness? *Standard-Examiner*, D1.

Young, Don. (1999). *Public Participation in the Declaration and Subsequent Management of National Monuments, to Accompany H.R. 1487*. Washington, DC: 106<sup>th</sup> Congress, House of Representatives, Report 106-252.

Young, Larry. (2003, April 3). Telephone interview with author. Executive Director, Southern Utah Wilderness Alliance, Salt Lake City, Utah.



## Appendices

**Appendix A: Tables**

Table A-1: The Consensus Building Process. Susskind, Lawrence, and Cruikshank, Jeffrey. (1987). *Breaking the Impasse: Consensual Approaches to Resolving Public Disputes*. Basic Books, Inc. Publishers. New York. 95.

<b>The Consensus-Building Process</b>
<i>Prenegotiation Phase</i>
<p>Getting Started</p> <p>Representation</p> <p>Drafting Protocols and Setting the Agenda</p> <p>Joint Fact Finding</p>
<i>Negotiation Phase</i>
<p>Inventing Options for Mutual Gain</p> <p>Packaging Agreements</p> <p>Producing a Written Agreement</p> <p>Binding the Parties to Their Commitments</p> <p>Ratification</p>
<i>Implementation or Postnegotiation Phase</i>
<p>Linking Informal Agreements to Formal Decision Making</p> <p>Monitoring</p> <p>Creating a Context for Renegotiation</p>

Table A-2. Questions for the eight individuals interviewed.

*Questions related to 'Efficacy of Public Involvement'* -

1. Are you confident the elements of the process would have achieved the goals of the Study?
2. Who were the targeted stakeholders?
3. Was the process accessible to them?
4. How receptive were these stakeholders to participating?
5. Do you think the political situation/referendum meant less people participated?
6. How would you describe the turnout to the events?
7. Strengths/weaknesses of public participation elements?

*Questions related to 'Information Pertinence, Competence, and Use'* -

8. About the information that was out there, do you think it was adequate to inform the people?
9. Was there enough to inform residents' vote on November 5<sup>th</sup>?
10. Was there any type of information that was not presented?
11. Was there good exchange of dialogue and expertise from locals to officials?
12. Was the information that was presented balanced?
13. Strengths/weaknesses of the information distribution?

*Questions related to 'Objectivity of the Process: Fairness'* -

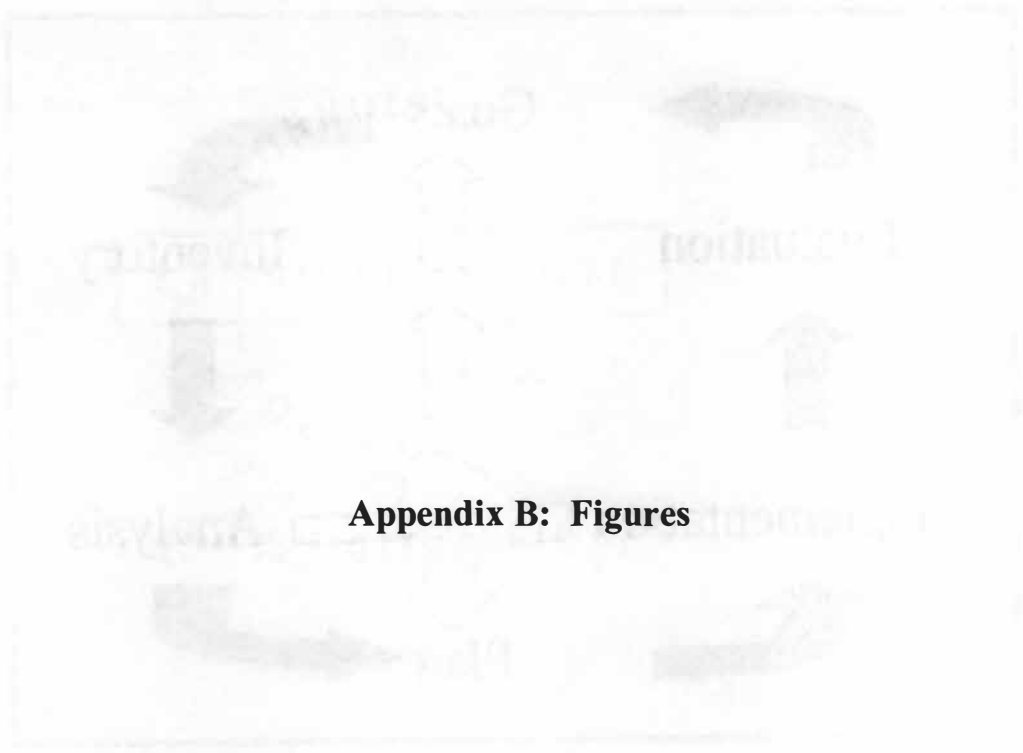
14. Was the fair? Would it have lead to a particular outcome?
15. Was due respect given to different viewpoints or forms of expressions?
16. Did the political issues (like the referendum debate) affect how the process was planned in any way? (For instance, was there more attention, for instance, given to certain issues? Were things talked about that wouldn't have been if there were not referendum to take place?)
17. Do you believe the level of trust or respect for the BLM, county, or governor was affected by the San Rafael Swell Study?

*Questions not directly related to Criteria, but to the Study's Results:*

18. What would you say was achieved/result in the end by the San Rafael Swell Study?
19. What should have been differently?
20. Are there any lessons to be learned from these events?

Table A-3. Features of the San Rafael Swell Study Website. From <http://www.ut.blm.gov/sanrafaelswell>

Features of the San Rafael Swell Study Website	
<b>Information Pages</b>	<p>Background of Bush's Request to Norton</p> <p>Key Elements of the San Rafael Swell Study</p> <p>Monument Management:</p> <ul style="list-style-type: none"> <li>Monuments of the past</li> <li>Topics often addressed in proclamations</li> <li>Other management issues</li> </ul> <p>Objects of Interest:</p> <ul style="list-style-type: none"> <li>Geology</li> <li>Paleontology</li> <li>Ecology and Life Zone of the Desert(Flora &amp; Fauna)</li> <li>Pre-1700 Human History</li> <li>1700-Present Human History</li> <li>Modern Uses</li> </ul>
<b>News and Events</b>	<p>Features (with photos)</p> <p>News Articles</p>
<b>Calendar</b>	Project Schedule
<b>Feedback</b>	<p>Submission of general comments</p> <p>Submit of comments on 'objects of interest'</p> <p>Subscribe to receive periodic electronic updates.</p>
<b>Maps</b>	<p>Black and white map</p> <p>Land status map</p> <p>Map with photos</p> <p>Satellite image map</p> <p>Relief map</p> <p>Self-Guided Tour Maps:</p> <ul style="list-style-type: none"> <li>Historic Mining Features</li> <li>Geologic Features</li> <li>Recreation and Scenic Features</li> <li>Cultural and Paleontologic Features</li> </ul>
<b>Multimedia:</b>	<p>General Photo Gallery of the Swell</p> <p>Slideshows : Cold War, Copper Globe Mine and the Civilian Conservation Corps</p> <p>Videos: San Rafael Swell 2002</p> <p>Archive Videos of area's features (6) and historic restoration (2)</p>
<b>Other</b>	<p>"Swell Trivia" Questions</p> <p>Kid's Art submission (Those that submit art receive a rock art pin)</p>



**Appendix B: Figures**

Figure 1: A diagram illustrating the process flow between four stages: Analysis, Production, Distribution, and Consumption. The flow is indicated by arrows connecting the stages in a clockwise cycle. The 'Production' and 'Distribution' stages are highlighted with a darker background.

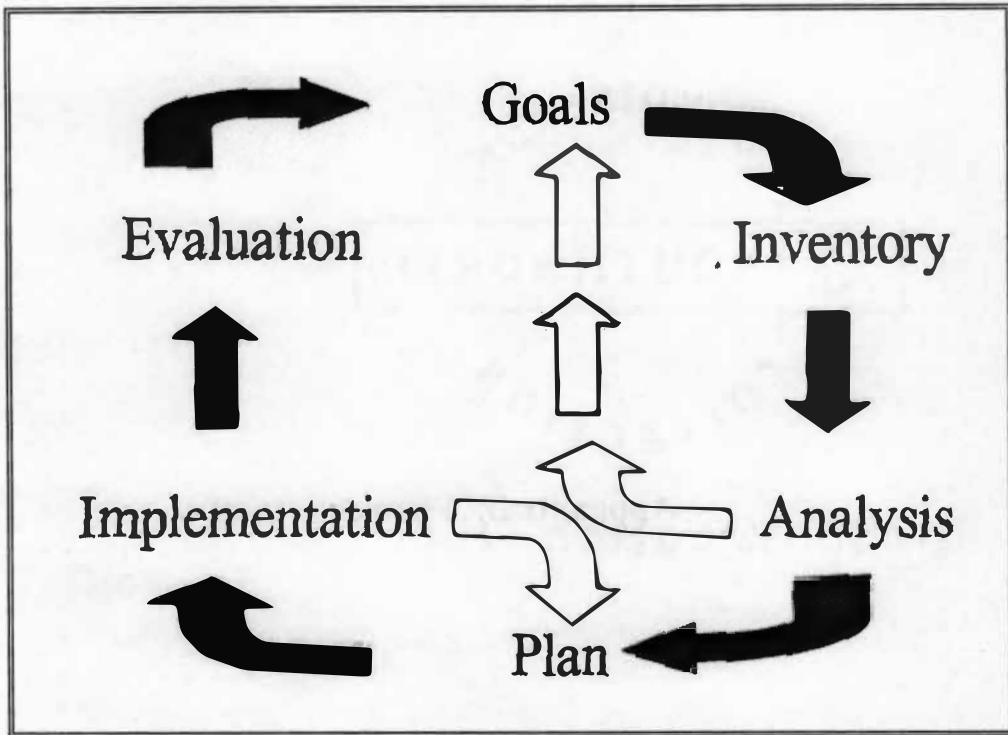


Figure B-1: Simplified Planning Model. Spencer, James A. (1971). *City and Regional Planning*. Guy-Harold Smith (Editor), *Conservation of Natural Resources, Fourth Edition*. John Wiley and Sons, Inc. 624. Reproduced by David Craig Brashier. (2002). *A Methodology for Evaluating the Role and Impact of Planning Support System Technologies and Scientific Information in a Planning and/or Decision-Making Process*. Thesis. University of Tennessee: Knoxville, TN. 106.

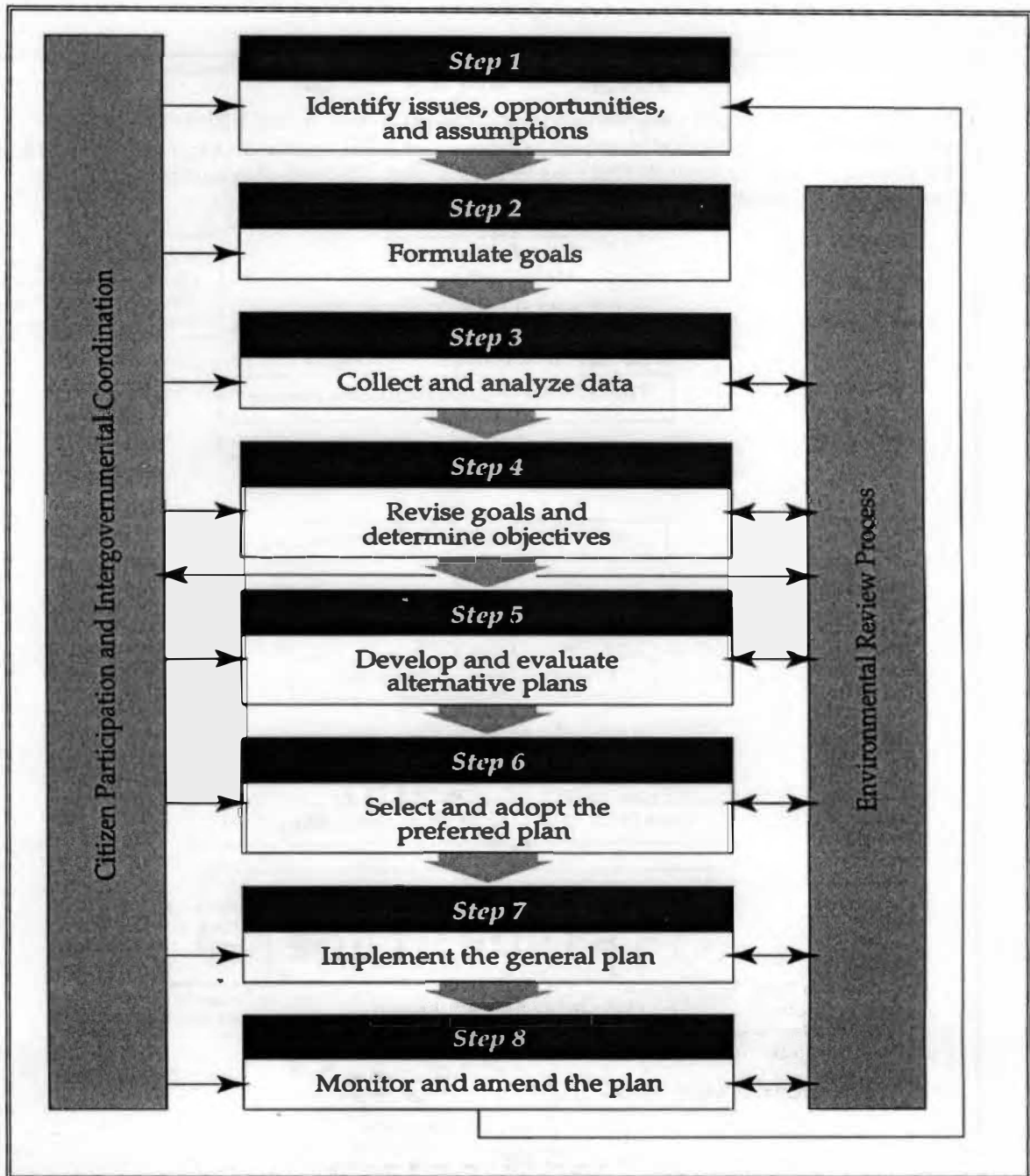


Figure B-2: Comprehensive Planning Model. Hoch, Charles J., Dalton, Linda C., and So, Frank S. (2000). *The Practice of Local Government Planning, Third Edition*. International City/County Management Association. Washington D.C. 25.



### An Overview of the RMP/EIS Level Planning Process

The following chart depicts the planning requirements as well as the NEPA documentation requirements for the EIS-level planning process. (See next page for an explanation of each step). This process is used for new RMPs, Plan revisions, and EIS-level plan amendments. (See Page E-4 for EA-level plan amendments.)

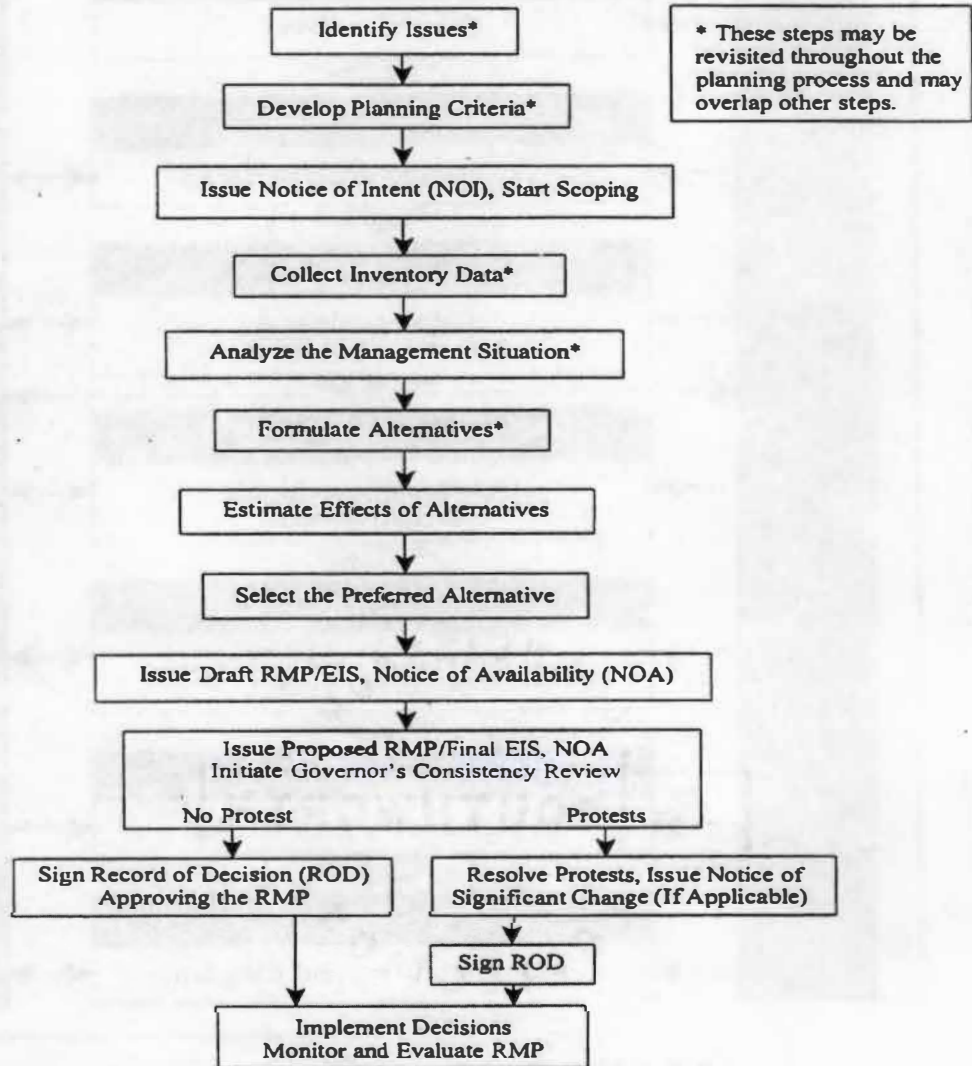


Figure B-3: Bureau of Land Management Land Use Planning Process. Bureau of Land Management. (2000). *Land Use Planning Handbook H-1601-1*. Washington, D.C.: US. Department of the Interior. Appendix E, p. 4

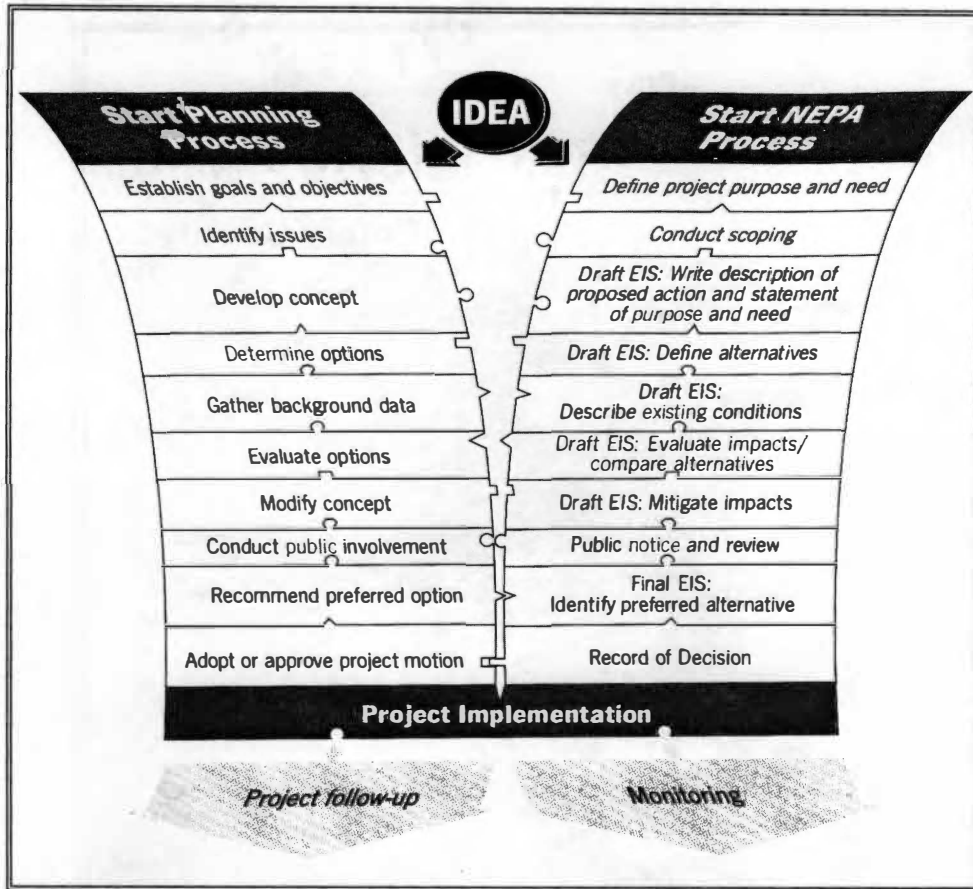


Figure B-4. Integrating NEPA with Agency Planning Model. Bass, Ronald E., Herson, Albert I., and Bogdan, Kenneth M. (2001). *The NEPA Book*, Second Edition. Solano Press Books. Point Arena, CA. 6.

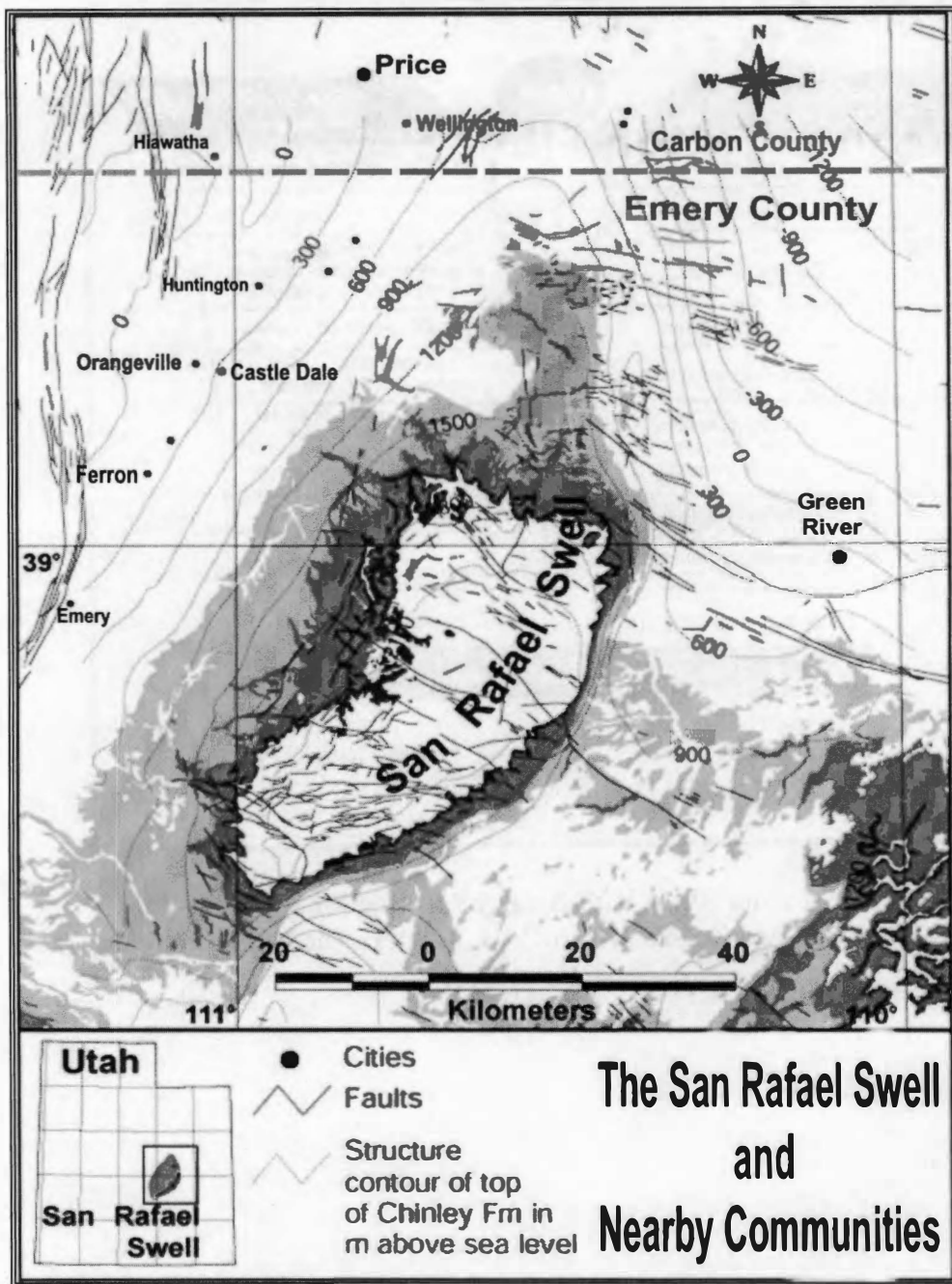


Figure B-5. Map of the San Rafael Swell and Nearby Communities. Amended from Nicholas C. Davatzes map. Stanford University. Retrieved March 22, 2003, from [http://pangea.stanford.edu/~davatzes/media\\_student/images/figures/2loc\\_map\\_v2.jpg](http://pangea.stanford.edu/~davatzes/media_student/images/figures/2loc_map_v2.jpg)

### How the Monument Would Work

The proposal for a national monument would encompass 621,000 acres of the Swell and the language of its management would harken back to the 1998 legislation that Emery County citizens agreed upon in a series of public meetings.

- The monument would be managed by the Bureau of Land Management, not the National Park Service. There would be no federal reserve water right and the state of Utah would continue to manage and administer wildlife as if the monument did not exist. The monument would be wilderness neutral and wilderness study areas in the San Rafael would remain intact. Only Congress can designate wilderness areas.
- There would be established a monument advisory council with local representation. A monument management plan would be established within three years of its designation with local and state input.
- Wildlife in the monument would continue to be managed and administered as if the monument did not exist.
- There would be no federal reserve water right in the monument.
- The primary purpose of the monument would be to protect historic objects in the Swell.
- The monument would be visitor friendly and accessible and allow for multiple use.
- Boundaries of the monument would include the Cleveland-Lloyd Dinosaur Quarry.
- Travel in the monument would reflect the Bureau of Land Management Travel Plan for the San Rafael, which is expected to be released in February. In regards to roads and travel in the Swell, Commissioner Randy Johnson said: "There are only a few roads we differ philosophically with the BLM on and that can be taken care of administratively."
- In regards to grazing nothing in the proclamation would effect existing permits and the BLM would operate as if the monument did not exist as far as grazing was concerned.
- Funding for the management of the monument would come from the federal government with no increase in taxes or requirement for matching funds from the county.
- There would be no air quality standard change for the county with the establishment of a monument.

Public comments for the proposal will be accepted as it moves through the process.

Figure B-6. How the Monument Would Work. Based on the 1998 legislation introduced into Congress by Rep. Chris Cannon. Davis, James L. (2002b, January 29) Public Opinion on Monument Proposal Varies. *Emery County Progress*. Retrieved March 2, 2003, from <http://www.ecprogress.com/index.php?id=5>

## Vita

Matthew Stephen Higdon was born in Knoxville, Tennessee, on June 25, 1972. He graduated from Knoxville Central High School in 1990, and began his university studies at Vanderbilt University in Nashville. In 1992 he came to the University of Tennessee in Knoxville. He spent a year studying in Great Britain at the University of Wales, College of Swansea, before receiving a Bachelors of Arts in History, summa cum laude, from the University of Tennessee in 1995. After a year of service in Knoxville with the AmeriCorps National Service program, he worked seasonally for the U.S. Forest Service in Idaho, and the Bureau of Land Management in Price, Utah, as a Forestry and Recreation Technician, and a Wilderness Ranger. In August 2001, he returned to the University of Tennessee for studies in the Department of Urban and Regional Planning, focusing his coursework on Environmental Planning. In the summer of 2002, Matthew Stephen Higdon completed an internship in Utah with the Bureau of Land Management's Price Field Office, assisting on the Office's Resource Management Plan and Route Designation Plan. While a student in Planning, he served as Graduate Assistant to the University's Programs Abroad Office in the Center for International Education.

