



Town of Bluff

190 N 3rd East – Unit #1
PO Box 324, Bluff, UT 84512
435-672-9990
office@townofbluff.org

February 24, 2023

Representative John Curtis
3549 North University Avenue
Suite 275
Provo, UT 84604

Director Michelle McConkie
Trust Lands Administration
675 East 500 South, Suite 500
Salt Lake City, UT 84102

Delivered via e-mail

Re: Bluff opposition to land exchange parcels in town boundary

Dear Rep. Curtis and Ms. McConkie:

In principle, we support the concept of a land exchange that removes SITLA lands from the Bears Ears National Monument area and trades them for more developable lands elsewhere. Such an exchange should benefit enhanced, cohesive management of Bears Ears that ensures the lands surrounding our town are protected, which also safeguards Bluff's tourism-based economy. At the same time, a land exchange can also deliver income to SITLA's beneficiaries and maximize the value of lands under the Administration's management.

We understand that a land trade of this scale is complex, with many stakeholders. However, we hope our Representative in Congress and SITLA will take the time to work with affected municipalities so that we, especially Bluff, don't become collateral damage in what should be a positive for Utah and our public lands.

Concern over three recently added parcels

Bluff has been tracking the land-trade process as closely as we can from a distance, as our input has not been invited by either of your offices. We have recently learned of updated maps depicting what parcels are proposed to be traded. These maps indicate the addition of three new parcels within the boundaries of Bluff that would transfer from BLM management to SITLA management. We cannot support these parcels being included in the land exchange for the reasons outlined below.



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All three of the parcels have been zoned as agricultural lands under town ordinance. As such, Bluff has determined it is not in our best interest for these parcels to be commercially developed. The easternmost parcel lies along highway 162 on the scenic approach to historic Bluff. The parcel largely consists of sandstone cliffs that are home to dozens of cultural sites, including petroglyph panes and the remains of ancient structures. Developing this parcel would dramatically change the scenic entry to our town from the east.

The two southwestern parcels both lie squarely in the San Juan River floodplain. As such, developing these parcels would be ill-advised, to say the least. These parcels also are adjacent to the San Juan River, frequently boated by Bluff locals and visitors alike. Developing the parcels would change the nature of the river experience for which Bluff is internationally known.

Moreover, both parcels contain segments of the 10.6-mile Bluff River Trail, which was cooperatively developed by the Bureau of Land Management (BLM), the Bluff City Historic Preservation Association (BCHPA), the Grand Canyon Trust (GCT), and town residents. Planning for the trail system began nearly two decades ago, and in 2015 the BLM, BCHPA, and GCT signed a Memorandum of Understanding, outlining a cooperative agreement between all three parties to pursue the trail project in the San Juan River floodplain. In 2021, the BLM finalized an Environmental Assessment (attached) in accordance with the National Environmental Policy Act that authorized the development and maintenance of the non-motorized public use trail system, including on the BLM parcels in question. Construction, which began shortly after the Environmental Assessment was completed, is ongoing.

Establishing the Bluff River Trail required the acquisition of several private land easements that link directly to trail segments on the BLM parcels. If those parcels were transferred, the existing trail system would likely inhibit SITLA from generating maximum revenue for Utah's school children and SITLA's other beneficiaries.

Bluff requests SITLA trade all lands on the Bluff Bench within Bears Ears National Monument

In addition to our concerns about the three new parcels discussed above, Bluff continues to oppose SITLA's plans not to trade parcels north of Bluff out of the Monument.

As you likely know, the town of Bluff has supported protecting our watershed and lands surrounding Bluff as part of Bears Ears National Monument. Our town's economy is largely supported by tourism, and protecting public lands is critical to the future economic health of our community. Likewise, the lands north of Bluff are the watershed for our culinary water supply and development there poses risks to the lifeblood of our community.



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Public reports suggest that SITLA may be desiring to keep lands north of Bluff for a future solar development, which our Town Council has previously raised significant concerns about with SITLA. While we support clean energy development, we contend that better locations exist for such developments. In particular, if proximity to an electrical substation is beneficial, such a substation exists just a few miles east of Bluff in an area that would not create visual or flooding concerns for anyone.

These lands also contain gravel mining operations that have long been a concern for Bluff residents. These concerns have increased with recently dramatically expanded operations at the site, which create new flash flooding concerns, air quality issues, and sound impacts for town residents.

Furthermore, the operator's lease with SITLA requires it to "...obtain a conditional use permit from the applicable local land use authority as part of the plan of operations submitted to SITLA." However, the operator has never approached the town of Bluff for such a conditional use permit since the lease was signed in November of 2021. We have also been told that no reclamation plan has been created for the site, even though parts of the mining operation are proposed to be traded to the BLM to become part of Bears Ears National Monument.

While we understand that mining would continue under current lease terms even if the lands were traded, these lands are not appropriate for long-term mining activities due to their proximity to our town. Superior gravel deposits are located just a couple of miles east on BLM lands outside of Bluff and Bears Ears, which could be traded to SITLA for commercial purposes. Bluff has worked with a professional geologist to map these deposits, which would provide a smart alternative to the current mining operations in the long term. We believe this would be a better result for SITLA's beneficiaries, as well as for the town of Bluff.

Conclusion

Bluff has always appreciated our Congressman's personable, friendly, and open approach to working with Bluff. We certainly hope you will listen to us now when you are running a bill that will have a direct impact on our town. We would love to be able to support a bill run by you to accomplish this trade. However, we cannot do so in its current form.

Likewise, while we have had disagreements with SITLA decisions in the past, we have always strived for a positive working relationship with the Trust Lands Administration, based on open and honest communications. As the negotiations and planning for a historic land trade come to a conclusion, we hope SITLA will consider Bluff's interests so we can continue to build on our common interests (in this case Bluff's interests are aligned with beneficiary interests in that alternatives outside of Bluff likely hold more economic value).



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We believe that common-sense solutions and alternate land trades could produce a win-win for Bluff and the beneficiaries SITLA serves. We would welcome the opportunity to speak with both of you or the appropriate people on your staff regarding these matters.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ann", with a long, sweeping horizontal line extending to the right.

Mayor Ann K. Leppanen

CC:

- Nada Culver, BLM Deputy Director
- Greg Sheehan, BLM Utah State Director
- Mack McDonald, San Juan County Chief Administrative Officer
- Kendall Laws, Utah Public Lands
- Erin Nelson, Bluff Town Manager
- Luanne Hook, Bluff Councilmember
- Brant Murray, Bluff Councilmember
- Jim Sayers, Bluff Councilmember
- Linda Sosa, Bluff Councilmember
- Amanda Podmore, Bluff Planning and Zoning Commission Chair