

Rolly: Don't think Utah has a double standard on public lands? Just ask these unwitting hikers

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Utah government seems to have a double standard when it comes to allowing access to sensitive public lands.

When San Juan County Commissioner Phil Lyman was charged and convicted in federal court with organizing a motorized vehicle ride through Recapture Canyon, a protected area that the Bureau of Land Management had closed, fellow rural county commissioners and a number of legislators were outraged.

BLM officials said the ride caused tens of thousands of dollars in damage, but rural Utah officials, led by Rep. Mike Noel, R-Kanab, cried that the arrest amounted to tyrannical federal overreach.

Noel even tried to commit taxpayer money to a legal defense fund for Lyman. When that didn't work, the Legislature approved \$250,000 for the Rural Utah Alliance, a nonprofit committed to rural issues, including a potential defense fund for the commissioner.

The registered agent for the nonprofit is Lyman's attorney, Peter Stirba.

But when some folks went on a nature walk in Uintah County's Tavaputs Plateau last month, they were met by a state investigator from the Utah attorney general's office.

The A.G.'s cop, along with deputies from the Uintah County Sheriff's Office, arrested 10 hikers and hauled them off to jail in Vernal, leaving their young children at a nearby campground.

Why? They were accused of trespassing on turf administered by the Utah School and Institutional Trust Lands Administration (SITLA) that has been leased to US Oil Sands for a tar sands mine.

Shea Wickelson, a science teacher in Salt Lake City, and her husband, Tom, were two of the 10 people taken to jail. They were held for more than 12 hours, finally being released on bail at about 4 a.m. the next day.

Their two young children remained behind at the campground with others. Wickelson's father drove the 3½ hours from Salt Lake City to retrieve his grandchildren.

During the arrest, the SITLA enforcer threatened to turn over the children to the Division of Child and Family Services and charge the parents with child endangerment, Wickelson said.

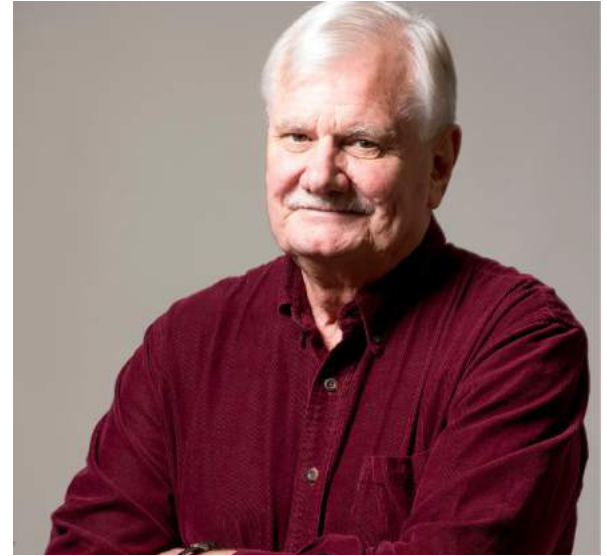
Other groups have been arrested in the area before for organized protests at the tar sands site, but Wickelson said she has camped in the area and taken children and adults on nature hikes to study the diverse plant life several times before and not been busted.

Attorney Trenton Ricks is taking on the case for the hikers pro bono. He says other groups intentionally trespassed and had an expectation of being arrested as a protest against the mining. But these folks were on an educational hike, which they had taken before, and didn't realize they were in a restricted zone.

None of the 10 has been charged yet. A court hearing has been scheduled for August. The potential charges amount to class B misdemeanors, raising the question: Why weren't they just cited rather than jailed and threatened with losing their kids?

I wonder if rural officials standing up for Lyman have any concern about government overreach in this case and, perhaps, will tap some of that Rural Utah Alliance money to defend these folks.

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