VITAL ROLE OF GLEN CANYON DAM AND LAKE POWELL

It is a privilege to be with you today. It is a real pleasure to discuss with you the operation of a structure that is of such great importance to the State of , the Upper Colorado River Basin States, the southwest region, and the United States.

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This structure and its operation are the subjects of our discussion. You will all recognize Glen Canyon Dam and powerplant. Lake Powell is impounded upstream. Glen Canyon Dam and powerplant cost about $250 million. Reimbursable interest costs, costs of fish and wildlife, and of recreation features will bring the total cost to over $300 million. A power transmission line, when completed, will cost another $160 million. About $130 million have already been invested in this line.

Associated with Glen Canyon Dam and Lake Powell, as part of an overall Colorado River Storage Project in the Upper Colorado River Basin, are three other large storage dams that cost about $255 million, Jones Hole Fish Hatchery in Utah, $4 million, and about 25 participating, water-development projects that will cost $1.304 billion, of which almost $1/2 billion will be spent on the Central Utah Project. Another two dozen or more water projects in the four States are also under study for future development. All of the participating water-development projects are made possible because this structure, Glen Canyon Dam, and Lake Powell have the capacity to store waters during years of above-average flows, and to produce revenues for paying the costs of other projects that are beyond the ability of water users to repay.

Why was Glen Canyon Dam constructed? What is its function?
The basic purpose of Glen Canyon Dam and Lake Powell is to make it possible for the States of Colorado, New Mexico, Utah, and Wyoming to continue their economic development by providing water for people in homes, in industries, on farms, and in cities. The simple easy water development projects have long since been accomplished. Increasing populations and increasing uses of water in all categories have caused us to turn to more complex and expensive ways of developing water supplies as the remaining undeveloped resource has diminished, while the per capita demands have increased.

The fact that the annual flows of the Colorado River are extremely erratic from year to year, varying from about 5.5 million acre-feet to 24 million acre-feet further compounds the problem.

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This graph illustrates the variation in annual flows from 1896 to 1970. The top of each vertical bar represents the estimated virgin flow of the river, i.e., what the flow of the river in millions of acre-feet past Lee Ferry would have been for a given year had it remained unaffected by activities of man. Each vertical bar has two components. The lower, black part represents the estimated or measured historic flow at Lee Ferry. The upper hatched portion represents the amount of water depleted or used by man. The flow represented by the total bar must serve seven States. The solid horizontal line (at approximately 15 maf) shows the long-term average virgin flow. Because the Colorado River Compact is administered on the basis of running averages covering periods of 10 years, the curved line is plotted to show the progressive 10-year average virgin flows.
Under the Colorado River Compact of 1922, the Upper Division States must deliver 75 million acre-feet of water at Lee Ferry in every period of 10 consecutive years to the lower basin, plus one-half of any deficiency in water deliveries to Mexico under an international treaty, if a deficiency exists. The compact also apportions to the upper basin the consumptive use of 7.5 maf of water per year.

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This chart shows some very interesting information--facts that are of particular concern to the Upper Basin States.

1. For the period 1896-1921, the average was estimated to be 16.8 maf per year, which is considerably greater than the long-term average. The records for this period were utilized by the compact commissioners when they negotiated the Colorado River Compact of 1922, that divided the use of water between the upper and lower basins.

2. A great majority of the high flows are prior to 1929.

3. In only one period of 10 consecutive years (1941-1950) following 1923 has the progressive 10-year average virgin flow exceeded the average virgin flow. The trend for 47 years has been downward.

4. The average annual virgin flow for 1914-1945 amounts to 15.6 million acre-feet. This is the period of record used by negotiators of the Upper Colorado River Basin Compact of 1948 that divided the upper basin's share of the water on a percentage basis among Colorado, Utah, New Mexico, and Wyoming.

5. For 1922-1970, the total period since the signing of the Colorado River Compact, the annual average is 13.8 maf. Records for this series of years are based upon actual measurements of flows.
at Lee Ferry. The gaging station was not installed there until late in 1921. The general trend through-out almost this entire period has been toward a decreasing 10-year running average virgin flow.

6. Two 10-year periods of minimum flows have occurred since 1930. These are series of years 1921-1940 and 1954-1963 for which the annual average virgin flow for each 10-year period amounted to only 11.8 maf.

7. During one 12-year period (1953-1964) the average annual virgin flow amounted to less than 11.6 maf.

The primary function of Lake Powell, Flaming Gorge, Navajo, and Curecanti reservoirs is to provide long-term, hold-over storage of water from the good water years to be released in the low water years. In other words, Lake Powell was intended to provide over 80% of the storage capacity necessary for the upper division states to deliver 75 maf per 10 years to Arizona, California, and Nevada while at the same time using, by exchange, water from streamflow in the upper basin--in Utah, Colorado, New Mexico, and Wyoming. By the storage, hold-over, and subsequent release from the reservoir, the flows of the river can be equalized on an annual basis. The river's dependable annual yield of water is materially increased, because water uses are not limited by the minimum amounts of water of the driest years as they would be without reservoirs. Remember that the total virgin flow in 1934 amounted to only about 5.6 maf, and that the upper basin has guaranteed by contract never to deplete the flow of the river to the lower basin below 75 million acre-feet in any period of 10 consecutive years.

If Lake Powell can be operated to the full extent of its design limits, i.e., to a full capacity with the water surface at 3700 feet above sea level, the upper basin States can use 6.3 maf of water, assuming a delivery to the lower basin of 75 maf every 10 years, and
not counting any deficiency in water delivery under the treaty with Mexico. Thus, Lake Powell, if operated as designed and constructed, can perform its job very well. Yet, even with Lake Powell allowed to fill to elevation 3700 feet, the upper basin States will still be deprived of about 20% of the water use they thought they would be receiving under the Colorado River Compact. This reduction is due to the vagaries of nature associated with a water supply far less than that apportioned by the compact negotiators in 1922. The graphs of the decreasing trends of virgin flow illustrate this water shortage.

If you were to proceed by boat upstream from Glen Canyon Dam you would see many scenes comparable to this one.

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Lake Powell is a beautiful body of water. Last year approximately 1,000,000 persons enjoyed many forms of water-based recreation there. Before Glen Canyon Dam only a handful of people had enjoyed the region because of its inaccessibility, the difficulties of the trip, and the great expense involved.

If you fly up the lake, when you reach the mouth of Aztec Creek you will see a floating marina operated by the National Park Service.

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Because of the massive rock formations it appears quite insignificant, but it is really a very fine marina where you can dock boats for supplies of all kinds. It is at the mouth of the water channel that leads to Rainbow Bridge National Monument.

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If you walk from the uppermost boat landing on Bridge Creek, which is now less than a mile from Rainbow Bridge, one of your first views of this magnificent sandstone arch might be like this one.

The water in the foreground is actually water of Lake Powell that has been backed up Bridge Creek to within a few hundred feet of the boundary of the Rainbow Bridge National Monument.

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Here is another view of the arch as you proceed up Bridge Creek toward it.

The tree-covered mountain in the background is Navajo Mountain, a sacred mountain to the Navajo Indians, and the source of the water that flows down Bridge Creek and under the Rainbow intermittently during the year.

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The next picture is an aerial view of Rainbow Bridge and immediate surroundings. Don't let this view fool you. The bridge spans 278 feet and rises 309 feet above the creek bed. Its crest has a minimum thickness of 42 feet—equivalent to the distance between the two 30-yard lines on a football field—or enough width for a good highway. According to the National Park Service the arch is "large enough to straddle the Capitol in Washington, D. C." The arch appears relatively insignificant only because massive sandstone cliffs surround it.

This arch and the 160-acres of rocks of the national monument in which it stands constitute the roots of one of the most important
problems currently faced by the citizens of Colorado, Utah, New Mexico, and Wyoming who are interested in their States' future.

In November 1970 a complaint was filed in District Court for the District of Columbia asking that the Commissioner of Reclamation and Secretary of the Interior be compelled:

"(a) to prevent Glen Canyon Reservoir (commonly known as Lake Powell) from invading the boundaries of Rainbow Bridge National Monument, and

"(b) to take adequate protective measures to preclude impairment of Rainbow Bridge National Monument pursuant to their duties under Sections 1 and 3 of the Colorado River Storage Project Act . . . ."

Plaintiffs in this action are Friends of the Earth, New York City; Wasatch Mountain Club, Inc., Salt Lake City, Utah; and Kenneth G. Sleight, Green River, Utah.

Among their background of claims the plaintiffs state:

"Glen Canyon Dam and Reservoir are so constructed that water will be backed up into Rainbow Bridge National Monument when the water level of Lake Powell exceeds 3,606 feet and will be backed under Rainbow Bridge itself when the water level of Lake Powell exceeds 3,654 feet. When Lake Powell is at 3,700 feet, the depth of the water under Rainbow Bridge will be not less than 46 feet . . . ."

These are facts that are exactly as intended by the Congress when it approved the construction and operation of Glen Canyon Dam to impound a body of water to an elevation of 3700 feet. The plaintiffs further allege that:

"Damage to Rainbow Bridge from fluctuating standing water beneath it will occur. The destruction of natural vegetation, the waterlines left on the canyon walls during reservoir drawdown, and the reduction in the height above water of Rainbow Bridge by the height of the water beneath will impair the monument. Constant wetting and drying the foundation sandstone supporting Rainbow Bridge may
over time weaken the structure of the bridge to a point where it may crumble."

During the past year a deluge of emotional propaganda originating principally from officers of so-called conservation organizations and disseminated through the media of magazines, newspapers, television and radio on a nationwide scale has begun to arouse the public. With misinformation, misinterpretation of facts, misleading and emotional statements, and sometimes a complete disregard for the facts, wrong and unfavorable impressions are being created in the public mind by people who call themselves conservationists, but, who in reality are preservationists determined to prevent the use of natural resources by anyone except the elite, privileged few. Here is one example:

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This picture and captions appeared in a newspaper in this area, the Boulder Colorado Daily Camera. According to the explanation in print, Rainbow Bridge "may become covered by the continually rising waters of the lake." This is nothing more or less than a lie. Isn't this a macabre type of program to be presented to a boys' club? Similar propaganda is being spread nationwide, especially in heavily populated areas. I can't help but remember that Adolph Hitler said that if you tell a big enough lie often enough, the masses will believe it! The lie in the Boulder Daily Camera is big enough. If the Arch were barely covered, a wall of water over 240 feet high would be pouring over Glen Canyon Dam. With a flow of water such as that Hoover Dam would be overtopped, dams below Hoover would be washed out, Imperial Valley would become part of the Salton Sea, which, in turn, would become an arm of the Pacific Ocean.

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What are the facts? The following scale diagram of Rainbow Bridge shows that when the reservoir is full with its water surface at elevation 3700 feet the water would be 46 feet deep under the arch and confined within a well-defined rock channel. The water would be 21 feet below one abutment and 33 feet below the other. If the water level could ever get to both abutments—which it couldn't—Glen Canyon Dam would be overtopped by a wall of water about 30 feet high.

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The next slide shows a view of Rainbow Bridge looking down Bridge Creek. Note the creek's inner gorge under the arch that has been cut through solid rock. The channel here is 67 feet deep and 110 feet wide.

Slide #12

The next picture is identical to the last except that an artist has drawn the water surface of the lake at elevation 3680 feet, or 20 feet below a full reservoir level. The white "bath-tub" ring would be formed by depositions of salts on the rocks when the reservoir is full.

Let us examine some other facets of this problem.

The Colorado River Storage Project Act in section 1 directs the Secretary of the Interior to "take adequate protective measures to preclude impairment of the Rainbow Bridge National Monument." The last sentence of section 3 expresses an intent of the 84th Congress "that no dam or reservoir constructed under the authorization of this Act shall be within any national park or monument."
These two provisions resulted from an agreement in 1956 between conservationists and proponents of the Colorado River Storage Project. Conservation organizations had vigorously opposed the CRSP legislation, principally, because its early versions contained authorization of Echo Park Dam on Green River within Dinosaur National Monument. Conservation groups sought (a) protection for Rainbow Bridge National Monument, (b) elimination of Echo Park Dam from the legislation, and (c) a prohibition against construction of any reservoir within a unit of the national park system.

The proviso of section 1 specifically protects Rainbow Bridge by stating that "adequate protective measures" should be taken to prevent damage to it.

Another phase of the development included construction of Split Mountain Dam downstream from Echo Park, also within the Dinosaur National Monument. Echo Park Dam was removed from the legislation prior to passage of the Bill by the Congress in 1956. The language of section 3 was to preclude future attempts to revive either Echo Park or Split Mountain Dams. It does not apply to Glen Canyon Dam. The conservationists wanted this guarantee which was related by the Congress to the elimination of Echo Park Dam.

To effectuate the section 1 proviso to "take adequate protective measures" with respect to Rainbow Bridge National Monument, Congress would have had to appropriate $20 million or more in 1959 dollars. (The figure today would be more like $35-$45 million.) "Protective measures" were understood by witnesses representing both the conservationists and the Department of the Interior at hearings before the Appropriations Committee to be some type of "works," namely, barrier dams and related structures outside the monument. At no time was there a suggestion that "protective measures" embraced a reservoir reduced in size.
The intent of one Congress may be changed by a later Congress. This is exactly what happened. With the full knowledge that water would invade the monument, the Congress for three consecutive years refused to appropriate requested funds for "protective measures," because the "works" were too expensive for the benefits to be received. In fact, in eleven consecutive appropriation laws, Congress has specifically prohibited the Secretary of the Interior from using appropriated funds for construction or operation of facilities to prevent water of Lake Powell from entering any national monument.

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On the screen is a picture showing Rainbow Bridge with the Kaiparowits Plateau in the background. Perhaps Congress did not appropriate funds for barrier dams because its members knew the nature of the terrain? Imagine the cost of building a road, depending upon the route selected, 65 or 110 miles long across country, most of which is as rough as this, in order to deliver men, machinery, and materials to the sites of the barrier dams.

The law says that "adequate protective measures" shall be taken "to preclude impairment of the Rainbow Bridge National Monument." The language does not refer to impairment of the principle that no water from man-made lakes shall encroach upon any unit of a national monument, as many well-meaning individuals fool themselves into believing. Congress effectively and honestly abrogated that principle by its following actions:

First, each year Congress has not only precluded the construction of "protective measures" but has also told the Secretary in Appropriation Acts that he cannot use taxpayers' money to operate facilities to cause the reservoir to stay out of Rainbow Bridge National Monument.
Second, simultaneously with its refusal to appropriate funds for the construction of "adequate protective measures" Congress continued to appropriate funds for completing Glen Canyon Dam to its full design height to impound Lake Powell to elevation 3700 feet, again with the knowledge that water would penetrate through the monument's boundaries.

Third, in recent legislation, Congress in four different Laws has consistently upheld the principle that Lake Powell must be operated to its maximum capacity. Congress has done this by authorizing construction of 12 additional projects costing over $1.3 billion in the four Upper Basin States. The water supply for these 12 authorized projects depends upon Lake Powell filling to elevation 3700 feet.

Fourth, Congress has also authorized feasibility investigations on numerous other water projects in Colorado, Wyoming, and Utah. Congress predicated its authorization of each of these feasibility investigations upon hydrologic data derived from operations of Lake Powell to full condition at elevation 3700 feet.

Fifth, in the Colorado River Basin Project Act of 1968 the Secretary of the Interior was directed by the Congress to operate Lake Powell and Lake Mead in an equitable manner. In the Law, Congress even spelled out definitive guidelines for equalizing storage which require that if the effective capacity of Lake Powell were reduced one-half, the Secretary would have to reduce water stored in Lake Mead one-half. Congress could not have intended such a drastic change, which would waste millions of acre-feet of water annually. Congress does not make frivolous and idle gestures.

What do the conservationists, represented by the plaintiffs in this lawsuit, want now? It is elementary law that a court cannot appropriate money--not even to provide "adequate protective measures" for Rainbow Bridge National Monument. The reservoir is now hovering around elevation feet. The plaintiffs, as outlined in their
claim for relief in their complaint are really seeking a declaratory judgment and injunctive action to prevent Lake Powell from rising above elevation 3600 feet--or feet less than its present level. At elevation 3606 feet the reservoir will cross the boundary of the 160-acre national monument. At elevation 3654 feet it will be under the arch.

It is conceded that there will be some degree of impairment of the aesthetic quality of the monument by the whitish deposits on the walls of the inner gorge, as shown in the picture you viewed awhile ago, when the water level is lower than elevation 3700 feet. Another minor impairment will be to the vegetation within the wetted area of the narrow inner gorge. Plant life in the short reach of channel is sparse; but the particular plant types are widely distributed. Thus, no species of plant is lost. These will be the physical impairments caused by reservoir water. Congress has already decided that the cost of the total impairment is far outweighed by the benefits to the four Upper Division States and the Nation accruing from a full reservoir with water inside the monument.

The effect of raising and lowering the water under the Rainbow within the inner gorge has been subject to considerable speculation. Besides providing a beautiful, blue, reflecting pool with aesthetic qualities, the presence of water could prove to be a benefit to the arch itself in the long run. Wave action by winds in the monument will be minimal because the water will be confined within a narrow, crooked channel. Wave action from boats will not be permitted by the National Park Service. Erosion by the static reservoir will certainly be inconsequential compared to the natural erosion by the dynamics of water rapidly cascading down Bridge Creek with its abrasive rocks, boulders and debris, or, compared to the effects of changes in temperature and wind-blown sands that even now are continually eating away the soft sandstone of the arch. An eminent geologist of the U. S. Geological Survey has reported to the Congress that:
"There appears to be no valid geologic reason to fear structural damage to Rainbow Bridge as a result of possible repeated incursions and withdrawals of reservoir waters to and from the inner gorge of Bridge Creek beneath the bridge. Rocks within this zone consist entirely of sandstone units of the Kayenta formation, which at the bridge is intermittently saturated by ground water under existing conditions and shows no deleterious effects. Intermittent wetting with reservoir water would only duplicate already existing conditions."

Why should you as business men and responsible citizens be interested in this lawsuit? You should be interested as business leaders because you are cognizant of the need to foster the economic development of your State, and the southwest region, and to preserve a dynamic American way of life. You must be interested as responsible citizens because you are aware of the desirability of maintaining the highest possible social and cultural standards for a progressive society. You have to be interested because of the adverse effects of curtailing the operation of a $2 billion investment of taxpayers' dollars on your State, your region, and your country, that would result, if the plaintiffs in this lawsuit succeed in limiting the operation of Lake Powell to one-half the designed capacity.

The primary purpose of the Colorado River Storage Project Act and the construction of the storage units authorized therein (especially Lake Powell) was to make it possible for the Upper Division States to meet their legal obligation to deliver 75 million acre-feet of water in every period of ten consecutive years under the Colorado River Compact, while making use of water allocated to the Upper Basin by that compact. If Lake Powell, which supplies over 80% of the storage capacity necessary, is operated in any manner that precludes utilizing its full capacity the primary purpose of the Law cannot be accomplished.

If Lake Powell were to be operated to not exceed a maximum water surface elevation of 3600 feet above mean sea level, as set forth by the plaintiffs, the consumptive use of water available to the Upper Basin
States would be reduced by a million acre-feet or more. The vagaries of a water-deficient river have already reduced the water available to Colorado, New Mexico, Utah, and Wyoming by 20% under that anticipated when the Colorado River Compact was negotiated. Another reduction would be nothing short of catastrophic.

At the lower elevation New Mexico would be irreparably injured by a shortage of 25% in water supply for the almost completed San Juan-Chama Project that will convey water to Albuquerque, for the under-construction Navajo Indian Irrigation Project, and for two powerplants relying on contracts for water. The economic and social development of the State of New Mexico would be crippled. Economic development would be further injured by the lack of water for the authorized Animas-La Plata Project and for contracts for water for planned municipal and industrial purposes.

Colorado, Wyoming, and Utah, with Lake Powell limited to elevation 3600 feet, would lose almost one-fifth of the water available to them with Lake Powell operated to its design level 3700 feet. Their consumptive use of Colorado River water would be reduced 37 1/2% below their compact apportionments.

Colorado, almost immediately, would be in the untenable position of being forced to decide which types of water developments—municipal, industrial, agricultural, recreational—she would forego. Colorado would face shortages ranging from one-half million to one million acre-feet of water.

Utah would encounter a situation similar to that of Colorado. A water shortage would have to be applied to one or more of the following components of water usage: presently operating projects, projects currently under construction, projects authorized by Congress, and the large Kaiparowits powerplant under investigation. There would be no water left for hundreds of thousands of acre-feet of valid water rights on file with the State Engineer under State Law. Even more serious might be
the fact that many desirable and necessary Utah water developments would be in jeopardy. Included, might be some, such as the Central Utah Project, that are currently under construction. This jeopardy could suddenly become very real. The Indians have agreed to defer the development of their water projects until year 2005, in order to guarantee a water supply now for the Central Utah Project and the Kaiparowits powerplant. Imagine the results on Utah, if you can, if the Indians were to suddenly realize that with Lake Powell limited to elevation 3600 feet they might be left with an empty water trough in year 2005. You could certainly expect them to immediately initiate and develop their paramount federal water rights in order to protect them from encroachment by their white brothers.

Wyoming, too, would face curtailment of her future agricultural, municipal, industrial, and water-based recreational development, but probably not so soon as the other States.

Power production at Glen Canyon Dam would be reduced if Lake Powell is held below elevation 3600 feet. Reduced power revenues could not repay costs of presently constructed and authorized power and water projects within the legal time limit without increasing electric power rates. A projected Basin Fund for future water development in the four States would also be cut by $375,000,000.

We will terminate this presentation with another look at the upstream face of Glen Canyon Dam.

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In this view the water level is at elevation 3623 feet, or 14 feet above elevation 3600 where Friends of the Earth, Wasatch Mountain Club, and Mr. Sleight are seeking to have it limited. Under such a limitation 100 vertical feet of the dam would remain forever unused.
What a waste of taxpayers' dollars, future power revenues, and regional economic development. Furthermore, the dam--and its spillway, were constructed to operate a reservoir to elevation 3700 feet. There is no spillway that would permit efficient operation of the lake under elevation 3600 feet. To install one would require millions of dollars--perhaps as much as $\text{\$} \text{m} \text{illion}$--to modify a dam to penalize the economic future of Colorado, New Mexico, Utah, and Wyoming by $100's$ of millions for every year in the future.

Man is a creature of nature who possesses certain basic appetites that must be fulfilled. The gross regional product, the culture, the social and economic life, and, in fact, the civilization of the Upper Division States have evolved, are dependent upon, and can continue to develop to fill the economic and cultural needs of future populations only if there is an adequate water supply. On a river with a deficient supply of water in relation to its other natural resources the problems become more complex as the last remaining vestiges of that supply are reached. The Colorado is such a river. Fortunately, because of the vast territories involved, it is also a river that can be fully developed with unlimited aesthetic qualities remaining.

I wish now to leave you with this question. Should the States of Colorado, New Mexico, Utah, and Wyoming be forced to endure the disastrous effects of curtailing the operations of Lake Powell to 3600 feet, an elevation 100 feet below that for which it was designed and constructed?
Strictly from a legal point of view, the issues of the case seem to develop around whether Congress, by the subsequent appropriation acts, other Congressional Acts authorizing projects, and by the legal requirement for the Secretary to operate Lake Powell and Glen Canyon Dam with regard to maximum revenues and compact commitments, has changed its intention regarding the protection of Rainbow Bridge as originally expressed in Sections 1 and 3 of the Colorado River Storage Project Act. We contend that such intention has been changed, and that Congress by its later pronouncements has decreed that the Secretary shall operate the facilities without regard to Rainbow Bridge National Monument. The plaintiffs, on the other hand, claim there has been no such change in the intention of Congress, and that the encroachment of Lake Powell into the National Monument will set a dangerous precedent for the future.

Since the filing of the complaint there have been several legal procedural motions filed by both parties. Among them are motions to dismiss on the part of the defendants and motions for summary judgment on the part of the plaintiffs. Because of the great economic impact the case would have on the Upper Basin States of Colorado, New Mexico, Utah, and Wyoming, these States have expressed interest in the suit. The State of Colorado, the Colorado River Water Conservation District, and the Southwestern Colorado Water Conservation District have entered motions to intervene as defendants.

On May 18, 1971, in response to a motion by defendants, the Judge of the United States District Court for the District of Columbia transferred the case to the United States District Court for the District of Utah. The transfer was made pursuant to 28 U.S.C. § 1404 (a) which provides that a district court may transfer a case to any other district in which the action might have originally been brought. The District Court for the District of Utah was clearly a district in which the case might have been brought, because it is where the real property involved in the action is situated. An order to transfer is not an order which a party can appeal to a higher court.
On May 26, 1971, the plaintiffs filed a motion for a special writ of mandamus with the Circuit Court of Appeals for the District of Columbia directing the district court to vacate its order and to retain jurisdiction in the case. The Sierra Club joined Friends of the Earth in the petition for a writ of mandamus, by submitting a brief amicus curiae. The Circuit Court of appeals granted the motion of the Sierra Club to file its brief amicus curiae and denied the plaintiffs petition for a writ of mandamus. The case remains in the District Court for the District of Utah.

Lake Powell has entered the boundary of Rainbow Bridge National Monument. It is not expected to be beneath the bridge for a couple of years.