AN INTERVIEW WITH TERRY TEMPEST WILLIAMS

An environmentalist who writes from the heart

TERRY WAS BORN in 1955 in California into a family of Mormon faith. When she was two years of age, the family moved to Salt Lake City area where she spent most of her growing-up years. It was there that she experienced first-hand the unforeseen impact when the natural world is violated in ignorance and without feeling.

Atomic testing took place at the Nevada Test Site between 1951 and 1962. These tests exposed many to the fall-out from radiation including members of the Tempest family. Nine members of her family developed cancer. Seven died.

Terry knows about loss, not only of beloved family members but about so much in our natural world. “So much has been lost” she wrote in The Hour of Land.1 Then she put it bluntly: “The irony of our existence is this. We are infinitesimal in the grand scheme of things, a tiny organism on Earth. And yet, personally, collectively, we are changing the planet through our voracity, the velocity of our reach, our desires, our ambitions, and our appetites. We multiply, our hunger multiplies, and our insatiable craving accelerates.”

It is not surprising that Terry became an environmental activist who has been on the front-lines of this movement for most of her life. She has especially advocated for the protection of public land. In every one of her seventeen books and other writing, as well as in countless presentations, one theme reverberates: her passion for the natural world. She emphasizes that this planet is the one place we all have in common;

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Cover photo: White Pocket is a small area inside Vermilion Cliffs National Monument area of Northern Arizona. Photo by Karl Mueller
CONSIDERABLE RESISTANCE TO federal ownership and management of land has existed throughout much of U.S. history. As demonstrated in the quote above, various efforts have attempted to turn these public lands over to the states, or even to privatize them, and such efforts continue in the present. But there is long precedent for national public lands, and indeed, they were established from the beginning of the country, even before the Constitution as well as within the Constitution itself. Some of the thirteen colonies that became the original states had declared claims to huge amounts of land all the way to the Mississippi River, but other, smaller states along the Atlantic coast did not condone this. As a compromise and in order even to establish the single republic of the United States under the Articles of Confederation, the states with large claims ceded land to the federal government. Consequently, development of national public lands actually occurred as part of the very creation of the United States.²

Public lands and federal ownership of them was further established in the Constitution in which Article IV, Section 3 states, “The Congress shall have Power to dispose of and make all needful Rules and Regulations” regarding the lands that belonged to the United States. The word “dispose” primarily meant forming new states in which settlement by the country's growing population and expanding economy could occur. But importantly, the “rules and regulations” established by Congress stipulated that when new states were created, lands that were not already privately owned did not transfer to the states but instead remained under federal authority.

Beginning in 1803 with the Louisiana Purchase, lands from the Mississippi River all the way to the Pacific Ocean were acquired by the U.S. through purchase, treaty, or conquest, but note that these were all federal lands. Although much of the land was “disposed” of when new states were established, some land in the western U.S. remained as federal public lands. In more recent times, the narrative has emerged that these lands were somehow wrongfully taken away from the states, but nothing can be further from the truth. Those were federal lands to begin with, and they remain under federal authority even now. Furthermore, Article 6 of the Constitution, which is known as the “supremacy clause,” states that federal law prevails over state law, and the Supreme Court has consistently ruled that if Congress has established a “national regulatory scheme” for something, the states cannot regulate and intervene in that area.³ It is important to note that a robust “national regulatory scheme”
INCREASED VISITATION TO PUBLIC LANDS

Trends, contributing factors, and consequences

A SIGNIFICANT INCREASE in visitation to public lands has become a major issue for the managers of these lands and for the land itself. There are many factors that have contributed to the use and in some places, overuse of public lands. Current trends are continuing to intensify. A closer look at the issues, the trends, and industries involved may help us to understand them better, and hopefully enter into conversations about where to go from here, and action.

“Made in America”

On November 7, 2017, Ryan Zinke, the then U.S. Secretary of the Interior, established a new committee called: “Made in America Outdoor Recreation Advisory Committee.” The committee’s mandate was to advise the Secretary of the Interior on public-private partnerships across all public lands with the goal of expanding access to and improving infrastructure on public lands and waterways. The sixteen members, all representatives of the tourism, travel, and outdoor recreation industries, were specifically selected for their knowledge about and experience with: “utilizing public-private partnerships, providing recreational visitor experiences, developing and deploying infrastructure improvements, or a thorough understanding of recreational equipment.”

Indiana Representative Jackie Waloski (R) was even more explicit about the goals of this committee: “I am pleased Secretary Zinke is launching the ‘Made in America’ Outdoor Recreation Advisory Committee to help achieve the important goals of increasing access to our nation’s public lands, boosting investment in outdoor tourism, and building more American-made products like RVs and boats.”

However the committee’s recommendations “to greater privatize national parks” were met with heavy criticism. As a result the Department of the Interior quietly announced the termination of the “Made in America” Committee, on November 1, 2019. This was more than four months before its charter was to expire on March 13, 2020. No explanation was given.

The committee was terminated; Secretary Zinke has left his position. It may look like the story ends there. But it doesn’t. The trends continue.

As Jayson O’Neill, director of the Western Values Project, a Montana-based public lands watchdog group, says, “that was the beginning of plans to monetize some of the country’s most iconic sites. The pressures on public lands are enormous and we must remember that the value of those shared lands is far greater than the dollars they generate. Increased visitation, and the factors that drive that increase, is a part of the picture.”

The pressures that drive the significant increase in visitation to public lands are varied and complex but can be understood to fall more or less into two main categories:

1) The growth of the outdoor recreation, tourism, and travel industries.

2) People and their motivations, interests, and attitudes

A reciprocal relationship exists between these two categories; i.e. they drive each other.

In the context of our current civilization, economic needs and growth are now the highest priority and therefore...
this reciprocal relationship is encouraged and facilitated by political interests as well.

The Outdoor Recreation, Tourism, and Travel Industries

Outdoor recreation includes many activities such as camping, motorcycling, off-roading, and so on. When the full force of Covid-19 hit and social distancing became necessary, the Outdoor Industry Association did not fail to take note that people went outdoors en masse.

The NPD Group, an organization tracking trends in business, collected data showing significant growth in sales of equipment related to outdoor activities. Cycling related sales saw the largest increase in sales with a 63% increase in June 2020 compared to the same time last year, and reaching nearly $700M in sales.

The Outdoor Industry Association is the lobbying arm of outdoor industries. It states that increasing access and conservation are a top priority. Their policy is as follows: “From recreation access to balanced trade, the issues that affect our businesses and our customers are constantly on the dockets of local, state and federal state houses. Outdoor Industry Association educates and lobbies lawmakers to pass sound policies that support our industry’s growth and viability.”

The outdoor recreation economy generates $887 billion annually in consumer spending. This includes outdoor recreation products, as well as trip and travel spending. It supports 7.6 million jobs. It generates $65.3 billion in federal tax revenue, and $59.2 billion in state and local tax revenue.

The Association acknowledges that outdoor recreation is made possible by America’s public lands and waters. “From our national parks to local green spaces, from alpine lakes to transcontinental rivers, America’s outdoor recreation assets are its citizens’ common trust. Our public lands and waterways belong to every American and they are the backbone of our outdoor recreation economy.”

The growth of these industries raises some serious questions for the future of public lands. Should anyone be worried that public lands are considered to be the backbone of the outdoor recreation economy? And that the outdoor recreation, travel, and tourism industries appear to be positioning themselves to be an important component of the entire U.S. economy?

The problem of too many feet – causes and consequences

Closely tied to the growth of the Outdoor Recreation Industries are the sales of outdoor recreation gear and equipment. The ever evolving technology brings us new and improved camping gear, increasingly capable mountain bikes, e-bikes, vehicles, ATVs, motorcycles and so on.

In the eyes of some, the extractive industries and other commercial developments may be getting too close to the borders of public lands. But the outdoor recreation, travel and tourism industries promote adventures right into the heart of public lands. Touring companies, backcountry guides, ATV groups, Jeep clubs, groups of modified trucks, and motorcycle groups have taken to backcountry roads with enthusiasm.

People want to go to all the interesting places that they have read about on the Internet. They’ve probably seen the endless stream of selfies featuring joyful
INCREASED VISITATION TO PUBLIC LANDS

friends in beautiful places. Among the more recent trends are the travel and tourism bloggers and influencers, two of whom lost their young lives in Yosemite NP, in October 2018, while in the process of taking a selfie for posting on social media.

The amount of information now available on the Internet has exploded exponentially and opened up places that were once known only to locals. A 2018 article in the Guardian tells the story of Horseshoe Bend, near Page, AZ. Bill Diak, a Page resident for 38 years, observed that “With the invention of the cellphone, things changed overnight.” Visitation grew from a few thousand annual visitors historically to 100,000 in 2010 – the year Instagram was launched. Visitation [in 2018] was expected to reach 2 million.14

“Social media is the number one driver,” said Maschelle Zia, who manages Horseshoe Bend for the Glen Canyon National Recreation Area. “People don’t come here for solitude. They are looking for the iconic photo.”15

Yellowstone National Park (NP), Yosemite NP, Zion NP, the Grand Canyon NP, Arches NP and Acadia NP are among the national parks struggling with results of overcrowding. The obvious issues include noise, air and light pollution, increasing numbers of illegal paths and trails in iconic places, fewer places where visitors can experience silence and solitude, and traffic congestion.

The impact of increasing use of mountain bikes and motorized vehicles is eroding some areas at an alarming rate. Narrow trails that used to accommodate the contemplative hiker are becoming points of conflict with mountain bikers. Still another issue is the destruction of cultural and archeological sites that may inadvertently occur when vehicular traffic goes off road or too many people visit a popular site.

Issues that are less obvious to members of the public arise from limited funding for the day to day operations of public lands. Increasing visitation requires an increase in services and staffing. Serious incidents requiring medical intervention, transportation by ambulance, or evacuation by air, are increasing. So are the numbers of Search and Rescue incidents.

Another issue resulting from an increase in visitation is the negative impact on wildlife. In a recent interview, William Sloan, a National Park Service Wildlife Biologist said: “I have studied bighorn sheep in desert parks for many decades and have obtained data showing that when an area gets too crowded with people, the bighorns start to avoid these areas. But that also means they are moving to areas with less suitable habitat for them, which in turn impact their pregnancies, the ewes’ ability to carry and lactate. As visitation increases, it will undoubtedly negatively impact wildlife.”16

Sloan continued, “On lands where ATV use is permitted, the constant din becomes a factor. The sheep do habituate but they are ‘alerting’ more frequently which cuts into their foraging time and that in turn affects their nutrient intake, their health, and their well-being. This will impact the survival rate of the sheep.” With concern and passion audible in his voice, he had one more point to make: “If the visitation continues to increase like this, we are going to lose the parks and their wildlife. I believe that we are past the tipping point. But we need to collaborate and stand up for this.”17

There are many issues that arise when visitors have little knowledge of how to interact with wildlife. Visitors with good intentions enjoy feeding wildlife while not being aware that this is to the detriment of the animals and can lead to their death. Breaching the boundaries of wild animals to take photographs or videos has also led to incidents threatening the safety of both visitors and the animals.

Another rather difficult and often contentious issue involves a segment of the population who view public lands primarily as places to recreate or for entertainment. The prevailing sentiment among some is, “These are public lands, these are our lands, and therefore we are free to do what we want.” In The Hour of Land Terry Tempest Williams asks: “I sometimes wonder whether these special landscapes now appear as ‘pop-up parks,’ a spot of entertainment and commerce instead of an unfolding geography.” (p. 62) A park visitor wondered about yet another issue, “Why does everything need to be taken over for sport?”18

On October 8, 2020, the Washington Tourism Alliance held the Washington State Tourism Conference – using Zoom – that included a panel discussion on The Future of Outdoor Tourism. One of the issues participants grappled with was the importance of recreating responsibly – i.e. being aware of the need to take care of the land – and the pressing need to get that message out to
the public.

One of the panel members, Jon Snyder, Senior Policy Advisor to Washington State Governor Jay Inslee, commented on how pressing this need is, “This summer has been like time travel. We got to see five years in the future about what the demand is going to be.”19

Another member of this panel, Hilary Franz, Washington State Commissioner of Public Lands, commented that, “We’ve seen an unprecedented number of people recreate [this summer]. We’ve also seen an unprecedented number of people recreate who do not know the rules of the roads or trails. As a result we’ve had to deal with more issues and challenges than we’ve ever had – not only the increase in users, which we want, but an increased number of abusers. Our message to the public needs to be that we don’t want you to stop using these lands and enjoy them but we want you to do this in a way to keep you safe, to keep others safe, and help steward these lands for the long term.”20

Carla Jellum, Assistant Professor at Central Washington University, teaches Hospitality, Tourism and Event Management. She echoed the panel’s observations and said “The pressures on public lands, especially those closer to urban areas, are enormous. Many people believe that they have the right to go to public lands but do not know how. There is a brand new generation of people who are not educated about public lands and the use of them.” She continued, “The focus tends to be on the economy and industry. They are seen as the growth industries. That trend is not going away. Education needs to focus on the WHY of preservation and conservation.”21

Politics and Political Winds

Meanwhile it should not be forgotten that public lands are administered at the top by political appointees and are vulnerable to the ideology and dictates of whichever political party is in power at the time.

Large powerful industries and politics walk hand-in-hand, especially when economic growth is seen as a priority. Unfortunately, economic growth frequently results in the degradation of the land, often including public lands. What happened to the National Park System Advisory Board (NAB) in 2017 provides a good example of the public lands’ vulnerability to changes in the administration.

Prior to 2017, the National Park System Advisory Board would provide recommendations about park operations. The Board is “an eighty-year old, congressionally created council with science-backed expertise in public park management.”22 However during 2017 Secretary Zinke refused to meet with them, and recommendations made by the board were ignored.

In January 2018, all twelve members resigned in protest over the Trump administration policies that are destroying the National Park system.”23 Especially frustrating to Board members were “the significant rollbacks and destruction of key policies that the Board helped implement, especially those affecting climate change, science, and funding.”24 The board members were of the opinion that the destruction affects the future of the National Parks.

Dr. Margaret (Meg) Wheatley was one of the board members who experienced changeable wind directions firsthand. She was a board member from 2010 until January 2018 when she resigned.

In an interview with Dr. Wheatley on February 27, 2020, she discussed her membership on another independent commission called the Second Century Commission, and convened by the National Parks Conservation Association. This commission was charged with developing a 21st century vision for the National Park Service, and during one year of work developed a number of recommendations. These included strategies to: “strengthen education, reduce impacts of climate change, provide meaningful opportunities for young people, support a healthier and more interconnected citizenry, preserve extraordinary places that reflect our diverse national experience, and safeguard our life-sustaining natural heritage on land and sea.”25

Dr. Wheatley explained that, “With the election of Trump, the strategies recommended by the Second Century Commission were wiped out in his first month in office. He completely destroyed the initiatives. Now they want to privatize public lands; they are being sold off at a tremendous rate.”26

Such rapid and unexpected changes in plans and priorities impact not only the national parks but the ability of all public lands managers to soundly manage these lands and to deal with significantly increased visitation. In addition when the integrity of public lands is affected, the visitor experience is affected.

Dr. Wheatley expressed serious concern about the significant increase in visitation, “When so many people visit parks and other public lands there are no peaceful experiences or experiences of wilderness. There are only long lines of people. The state of Utah determined two weeks ago that there would be no restriction allowed on the number of visitors to the parks. But they did not provide or suggest additional funding to deal with the influx of visitors.”27

Dr. Wheatley also touched on the need for education, “We need to consider why do people want parks? These are a treasure but when you have a population that only wants to use parks and does not know about stewardship, that becomes an issue.”28

Undercurrents

Considering everything that has been discussed thus far, other but no less significant issues arise.

More than half the human population now lives in cities and urban areas. We have created an artificial human world where it is easy for the residents to conclude that life is about us humans. Consequently we tend to view the natural world through anthropocentric lenses while at the same time having less and less knowledge of the land and of its natural cycles.

We talk about conservation and preservation, but even this is from the human point of view in terms of what is good for us, for our mental and physical health, for our wellbeing, and our economy. Discussion about the needs of the
that this is our home. She sees everything as connected and considers us an integral part of all there is.

On October 17, 2020, I had the opportunity to speak with Terry during a prearranged phone call. From the other end of the line, her gentle, warm voice greeted me with the standard question: “How do you pronounce your name?” We chatted for a few minutes but it wasn’t long before we spoke about public lands, and I asked what she considered the top priorities.

With conviction now audible in her voice Terry stated: “I see three things. “First: we need to ban fracking, and stop oil and gas leasing on public lands. Earlier in the election campaign, Joe Biden promised that he would ban fracking on public lands, but more recently he has backtracked on that promise. We need to keep the pressure on to stop that. The energy extracted from our public lands produces 24 percent of the global warming emissions. Twenty-four percent!”

Terry mentioned that twelve national parks are seriously threatened by extractive industries. One, Chaco Cultural NHP has a methane hot spot above it. The others are Mesa Verde National Park (NP); Theodore Roosevelt NP; How- enweap National Monument; Cannonlands NP; Great Sand Dunes NP; Grand Tetons NP; Big Cypress NP; Sequoia NP; Dinosaur NP; and Carlsbad Cavern NP. They are surrounded by Bureau of Land Management (BLM) lands where oil and gas leases are becoming a growing concern.

The extractive industries threaten: air quality; wildlife; natural and cultural landscapes; public health; and the visitor experience of a natural place to name but a few.

Most importantly, in her book Red: Passion and patience in the Desert, Terry asked, “Who can say how much land can be destroyed without consequence? Who can say how much land can be used for extractive purposes until it is rendered barren forever?”

Terry continued the conversation: “Second: We need to educate people. Education is crucial. When I was teaching at the Harvard School of Divinity during the last four years, I was stunned to learn how few people understand the differences between public lands such as national forests, the BLM lands, refug- es, preserves, and so on, and what these lands are all about. And these are all educated people. But look at where the seats of power are: in the east. They do not have an understanding, like we do in the west, of why public lands matter.

“We need to work to educate people not only on a national level but also on a state level. We need to inform, educate, illuminate as to what these public lands are and why they matter.”

In The Hour of Land Terry added another reason why education is necessary. She wrote, “We have not conveyed our view of a larger community in the Leopoldian sense well enough – a community that includes plants and animals, rocks and rivers, whole communities, not fragmented ones – a community of other species that is indifferent to us but that we are not indifferent to. Wilderness is not a place of privilege but rather a place of probity, where the evolutionary processes of life are free to continue.”

Also in Finding Beauty in a Broken World Terry revisited her focus on the need for a Leopoldian perspective and points out that we do not yet have an ethical approach to our relationship with the land. The land still continues to be regarded in economic terms, as property. We look to how it can be used but do not consider our obligations.

As we continued our conversation she went to the third point she wanted to make: “We need to build bridges connecting people of color, the 71 million Americans who voted for Donald Trump in this last presidential election, and those who have different beliefs than largely white progressives. This shouldn’t be about Republicans or Democrats, right or left, but who we are as human beings in relationship to beauty and the natural world and the places we call home (and all who care about these places). We need public lands to be about all people. The conservation movement is broadening its base to include more people of color and to provide marginalized communities greater access to wildlands adjacent to cities. Public lands are for the public. During the pandemic, open spaces have become even more important. This is about health; the health of the Earth, of all species.

“We also should not forget that before these were public lands they were native lands. As white people, we have to own our violent past where too many national parks displaced indigenous people. In Utah, the fight for Bears Ears led by Indigenous leaders from five Native Nations – Diné, Hopi, Zuni, Ute Mountain Ute, and Ouray Ute – has been a powerful shift in leadership and the beginning of a new collaboration between the tribes, conservationists, and the government. Those of us from organizations like Southern Utah Wilderness Alliance and the Sierra Club became allies, alongside many different groups who came together to advocate for the designation of Bears Ears National Monument. In 2016, President Obama designated 1.3 million acres as protected. It was a handshake across history. Then, less than one year from Obama’s proclamation, Donald Trump gutted the monument by 85 percent, making it vulnerable to oil and gas exploration. This was an enormous set-back.

“I asked Willie Greyeyes, an indigenous elder, ‘What do we do with our anger?’ He looked at me and said, ‘It can no longer be about anger. It has to be about healing. If you have a sliver in the bottom of your foot, and you don’t know where the sources of your pain is, it will only fester, you can never heal.’

“The American government has never apologized for the cultural genocide of America’s Indigenous People. Bears Ears National Monument was seen as an opportunity for healing. That opportunity was severed, but I believe with the Biden administration it will be restored.

“We need to listen to Native People in a deeper way and follow their lead in sacred land protection. We need to deepen the quality of our listening with sensitivity to those who have been marginalized. Marginalized people and people of color have been kept out of the environmental conversation for too long.
Consider the catastrophic forest fires of this past summer. The trees were burning. But even as they burned, they were dropping their seeds. The natural world continues to teach us about regeneration. Terry Tempest Williams

"We can be inspired by the power of the democracy of open spaces. We need to ask ourselves what does it mean to be human? What does it mean to be in relationship with other species? All the issues we are facing from Covid-19 to the ecological and climate crisis to racial injustice and a democracy at risk, all are interrelated. I believe our public lands offer us a breathing space where we remember what binds us together rather than what separates us. It is here we can come to a deeper understanding of our shared humanity, alongside the fact that we are one species among many on this beautiful planet we call Earth."

In addition to the three points she made when we spoke, she wrote in *The Hour of Land*, "Most of the issues confronting our national parks today are political. Our national park management plans tend to blow with the political winds from one administration to another." Elsewhere in *The Hour of Land* she mentioned, “Our institutions and agencies are no longer working for us. It is time to reimagine the wilderness movement as a movement of direct action, time to reimagine our public lands as sanctuaries, refuges, and sacred lands. Time to rethink what is acceptable and what is not."

Nearing the end of our conversation, we talked about the current pandemic: Covid-19 – how could we not? This minuscule virus that pulled the global rug out from under has all of us in its unforgiving grip. Terry had some thoughts on this as well, “I hope that this will create a pause within us as we contemplate how we want to live our lives recognizing the old structures are no longer working for us. What might we create together? How can we approach our lives and each other with more compassion? Can a sense of renewal come out of this? I know personally, I can never go back to my previous life. I want to be home more and traveling less.” Terry and I agreed we need to find a balance between wildlands and our use of them. We have a lot of work to reconcile this inherent tension. Terry added, “I believe that it is our nature to want peace. We must call forth our moral imagination as we rethink our relationship to Nature. The power of the pandemic is a humbling agent – we will have to yield to its power. The Earth will continue. Whether we will continue as a species is more uncertain, is our choice.”

One last question before we signed off: “What about hope Terry, what gives you hope, given the current turmoil?” Terry hesitated then replied softly, “For me it is no longer a matter of hope, but knowing where hope dwells. Consider the catastrophic forest fires of this past summer. The trees were burning. But even as they burned, they were dropping their seeds. The natural world continues to teach us about regeneration.”

_**Interview by Birgitta Jansen**_

* For further information see: National Parks Conservation Association: npca.org/campaigns/parks-in-peril

References may be found in the Notes section of the Desert Report website at www.desertreport.org.
Helping private landowners conserve endemic species in the desert

I LIVE IN NEVADA and work in the Mojave Desert of California and Nevada. When people think of the desert, they think of wide-open skies, a treeless landscape filled with prickly cacti, and a whole lot of federal land. When I tell people, I work with private landowners in Nevada (where 86% of the land is federally managed), they think I must not have much to do. However, the private land in Nevada and the Mojave Desert is located where the water is, which is also where wildlife congregates and biodiversity is highest. The Mojave Desert has many isolated springs and aquatic systems that are separated by vast areas of desert or mountains, enabling the evolution of endemic aquatic and wetland species.

I work for the U.S. Fish and Wildlife Service (Service), a federal agency which manages National Wildlife Refuges and implements the Endangered Species Act (ESA). I work in the Partners for Fish and Wildlife (PFW) Program, which is a voluntary habitat restoration program for private landowners, Native American tribes, and local governments. The program provides funding and technical assistance to landowners and other partners. We provide cost-share funding, where the Service provides funds often used to purchase supplies or equipment, and the landowner or partner provides a match to the funds, often as an in-kind match in the form of labor or equipment. It is a collaborative program where the landowner, partner, and the Service work together to design and implement the project. We often work on mutually beneficial projects such as removal of non-native species, fencing which protects sensitive areas but also helps the landowner manage trespassers or livestock, fuel reduction projects to protect sensitive habitats and landowners’ crops and structures from wildfire, and projects to improve water management, which can range from river restoration to pond rehabilitation. This program helps the Service achieve its mission of working with others to conserve, protect, and enhance fish, wildlife, plants and their habitats for the continuing benefit of the American people.

In the Mojave Desert, my focus has been working with private landowners to restore habitat for endemic aquatic and wetland species. Along the way we have learned much from each other. This is not a quick process, as it takes time to develop human relationships and to build trust in areas where the federal government is often not well liked. I will share with you two success stories: conservation of Amargosa toads (Anaxyrus nelsoni) in Oasis Valley, Nevada, and establishing habitat for a second population of endangered Amargosa voles (Microtus californicus scirpensis) in Shoshone, California.

Oasis Valley is located just east of Death Valley National Park in Nye County, Nevada, and forms the upper part of the Amargosa Watershed. It is a 12-mile stretch of greenness where water flows on the surface for some or all of the year, fed by many springs in the valley. It is the only home of the Amargosa toad, which can be easily seen on summer nights in the town of Beatty. This toad faces many threats including non-native bullfrogs, invasive salt cedar, overgrazing, off-road racing, water development, and ground water.
pumping. It has been petitioned for listing under the ESA twice (in 1994 and 2008), which has caused a lot of anger and worry in the community that does not want another listed species and all the restrictions that come with this. Half of the habitat for this species occurs on private land, so David Spicer, a local rancher and miner, realized he needed to do something. Instead of fighting the government he decided to work with the government, to help conserve this species. He started by restoring breeding habitat for toads on his own ranch and then formed a non-profit, Saving Toads thru Off-road racing, Ranching, and Mining in Oasis Valley (STORM-OV), to work on other private and federal lands. One of my favorite STORM-OV slogans is “Propagate, don’t Litigate”, which is very appropriate for toads, since they readily reproduce given appropriate habitat.

The Partners for Fish and Wildlife Program was ready to help Mr. Spicer when he needed support and funding to create shallow breeding ponds for the toad. We have worked with him for over eleven years, helping to fund six projects, facilitating other projects, and encouraging him to make presentations about his work at local and national meetings. David Spicer has led this local collaborative conservation effort which has resulted in over fifteen spring enhancement projects, restoration of 2.1 miles of river, and enhancement of 149 acres of toad habitat. This helped lead to the Service’s 2010 decision that listing under the ESA was not warranted, since the community was actively implementing conservation projects. Other entities involved in this community effort include Natural Resources Conservation Service, Nevada Department of Wildlife, Bureau of Land Management, The Nature Conservancy, the Town of Beatty, and at least nine private landowners. In 2012, Mr. Spicer received the Service’s Citizen Award for Exceptional Service for his Amargosa toad conservation activities.

Approximately 80 miles downstream of Beatty, Nevada, is the small town of Shoshone, California, where springs feed into the mostly dry Amargosa River. In 1892, the Amargosa vole was first described in Shoshone. Today it is one of the most endangered mammals in north America, with fewer than 500 voles in the wild. Voles are small rodents that look like fat mice with short tails, and this vole is specialized to living in three-square bulrush marshes. Prior to 2020, the vole only occurred in marshes surrounding the small town of Tecopa (near Shoshone) with its well-known hot spring resorts which transport water to the marshes. Threats to this species include disease, fire, non-native species, low population, recreation, lack of habitat connectivity, and water management.

Around 2010, biologists with California Department of Fish and Wildlife (CDFW) discovered that the number of voles had reached critically low levels, increasing the chance of extinction. The Amargosa Vole Team, a multi-organizational group trying to recover this species, identified the need for a second vole habitat isolated enough to protect voles from fire and disease. The group assessed options on where to create or enhance bulrush marshes for a second population and came up with Shoshone. Over the years they had become friends with Susan Sorrells, the owner of Shoshone Village and fourth generation resident of the area. They approached Ms. Sorrells with the idea, and she was excited to help the species. The vole may also help her business (which is based on ecotourism), as voles would increase the biodiversity of the area. The goal of the Shoshone marsh project was to create suitable bulrush habitat interspersed with existing nature trails and the springbrook used by the Shoshone pupfish.

I partnered with Ms. Sorrells, CDFW, UC Davis School of Veterinary Medicine, and the Amargosa Conservancy (a local non-profit) to create a 0.65 acre marsh adjacent to the outflow from the Shoshone Springs. It is an area that already contained some bulrush but needed additional water and lots of removal of woody vegetation and cattails before it could provide suitable vole habitat. Work on the marsh occurred between 2015 and 2020. Concurrent with the habitat enhancement, the Service’s Palm Spring Fish and Wildlife Office worked with Ms. Sorrells on a safe harbor agreement, which protects the private landowner by not holding them responsible for any incidental take of the endangered species. Under the safe harbor, the introduced endangered vole can be removed anytime the landowner no longer wants them there.

By the summer of 2020, the bulrush marsh had built up enough of a thatch matt that it could support voles. On July 7, 2020, CDFW and UC Davis released three pairs of voles from the Tecopa marshes into the Shoshone marsh. They did a soft release with the voles spending twenty-four hours in large cages and opened the door for them the following evening. Ms. Sorrells says, “we hope to monitor and steward the progress of our three ‘couples’ who are making Shoshone their home after 120 years of absence… It is a good beginning and very inspiring that the ‘couples’ are moving in and out of their new homes to explore the ‘hood!’ We all truly have started a ReVOLution in creating a new way to save endangered species …...” She went on to say, “Thanks to all of the Vole Team for your dedication and hard work to make this historic moment possible!!!”

Dear reader, each year we are looking for new habitat restoration projects on private land, so please let us know of any ideas you have or if you know of a private landowner who may want to participate. Also, we are always looking for volunteers who can assist the private landowners with conservation on their land.

Christiana Manville has worked in the Partners for Fish and Wildlife Program since 2009 at the Southern Nevada Fish and Wildlife Office in Las Vegas, Nevada. She enjoys planting native plants in her yard and watching wildlife use them.
exists for the national public lands, and while this system includes a number of federal agencies. Four of these manage a large part of the public lands and exist principally to manage those lands for preservation and conservation purposes: the National Park Service, the U.S. Fish and Wildlife Service, the U.S. Forest Service, and the Bureau of Land Management (BLM). These agencies were all established through legislation passed by Congress and signed by a president, and all such laws outline the missions of the agencies. These laws and others also specify definitions and the purposes of the legislation, for example, the Wilderness Act of 1964 states: “A wilderness, in contrast with those areas where man and his works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain.” But yet, while the legislation provides ideals, purposes, and even guidelines, substantial additional effort is required to accomplish implementation, and those laws authorize federal agencies to promulgate regulations for this purpose. Called “rulemaking,” the process ideally produces regulations that are consistent with the legislation. However, much occurs during rulemaking that can stray from legislative intent, and moreover, since the agencies that make and implement the rules are under the purview of the executive branch, priorities can change with different presidential administrations. In theory, Congress provides oversight of the executive branch agencies and their rulemaking through various committees and subcommittees. But this oversight is also subject to the political process along with lobbying efforts by various constituencies and the sheer magnitude of the task involved in monitoring all that goes on.

With respect to magnitude, it requires a lengthy document to list all of the rules promulgated by the executive departments and agencies of the federal government. Called the U.S. Code of Federal Regulations (CFR), as of 2012, it was 174,545 pages long. It is divided into 50 “titles that represent broad areas subject to federal regulation.” While regulations related to public lands could no doubt be found throughout the CFR, the titles that specifically focus on public lands include: Title 36: Parks, Forests, and Public Property; Title 40: Protection of Environment; Title 43: Public Lands: Interior; and Title 50: Wildlife and Fisheries. This short article provides two examples that illustrate the significance of the rulemaking process.

The first example is the National Environmental Policy Act (NEPA). Enacted in 1970, the NEPA legislation contains three principle parts: declaration of a national environmental policy and its goals; an action-forcing mechanism that must be employed by federal agencies; and establishment of the Council on Environmental Quality (CEQ) in the Executive Office of the President to oversee NEPA implementation. The law mandated that federal agencies (including public lands agencies) take into consideration the potential environmental effects of proposed actions that they carry out, fund, or approve (e.g. by permit) and that those environmental effects be weighed with other factors such as the economic and the social. The law also required annual reports from the CEQ to Congress, but these reports ceased being prepared as a result of the Federal Reports Elimination and Sunset Act of 1995, with the last CEQ report being submitted in 1997. Although the CEQ website states that the council continues to act in accordance with NEPA, there has been considerable variation over the decades as implementation priorities have changed with the shifting winds of politics. Perhaps the most far-reaching proposed changes have occurred recently. On July 15, 2020, the CEQ announced its “final rule” titled Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act. One particular change entails removal of specific reference to “cumulative” effects on the environment. For well over twenty years, the CEQ has ruled that cumulative effects on the environment be taken into account because most environmental effects “result not from the direct effects of a particular action, but from the combination of individually minor effects of multiple actions over time.” While the current chair of the CEQ, Mary B. Neumayr, stated that the changes “modernize, simplify, and accelerate the NEPA process [and] reduce unnecessary burdens and delays,” one wonders if the removal of “cumulative change” from the rules is solely for this end or if it advances political purposes through use (or misuse?) of the rulemaking process. Such word changes are often simple but the effects can be huge, and while the changes are perfectly legal, the motivations may be political.

A second example illustrates that rulemaking begins at the top. On March 13, 2017, the then newly-installed President Trump signed Executive Order (EO) 13781 that is titled Comprehensive Plan for Reorganizing the Executive Branch. The EO states its intention to “improve the efficiency, effectiveness, and accountability of the executive branch” but then specifies that the way to do so is to “eliminate or reorganize unnecessary or redundant federal agencies.” Again, simple words, and words that have broad appeal, but what is the definition of “unnecessary” or “redundant?” A clue lies in an additional statement in the EO that some or all of the functions of federal government agencies may be “better left to State or local governments or to the private sector through free enterprise.” This brings to mind the quote by DeVoto above: “The plan is to get rid of public lands altogether, turning them over to the states, which can be coerced as the federal government cannot be, and eventually to private ownership.” As part of the rulemaking that occurred pursuant to EO 13781, the Department of Interior (DOI) announced plans to move the headquarters of the BLM out of Washington D.C. Despite considerable opposition, DOI moved forward with the plans, and as of this writing, the move has largely been completed. Positive and negative outcomes of the move have been exchanged publicly, but of note is the following observation: the four-story office building into which the BLM has moved in Grand Junction, CO, also contains offices of Chevron Corp., Laramie Energy LLC, the West Slope Colorado Oil and Gas Association, and the
As a result of the coronavirus outbreak, all the Desert Committee outings have been canceled, and none will be scheduled in the future until the situation is clear and the National Sierra Club has given approval. For updated information visit the Outings section of the Desert Report website at desertreport.com. You may also want to consult with other groups that conduct recreational and service outings in the desert.

Desert Survivors: www.desert-survivors.org
Friends of the Inyo: www.friendsoftheinyo.org
Friends of NV Wilderness: www.nevadawilderness.org

The spring meeting of the Desert Committee is now scheduled for March 6-7, 2021, in Shoshone although the Covid-19 pandemic may again require cancellation. www.desertreport.com will carry this information. As well as notices about planned on-line presentations on single topics.

David Rutherford, Associate Professor, University of Mississippi, is a broadly trained geographer, including physical, human, techniques, and educational components of the discipline. This background aids contribution to interdisciplinary topics such as public policy, environmental issues, and major forces of change in the contemporary world.

of offices of a major construction firm. On one hand, BLM sharing office space with the types of organizations which the law mandates that it regulate seems unfitting, symbolically at least and probably in practice as well. On the other hand, as BLM then Acting Director William Perry Pendley stated, perhaps the move is so that “farmers and ranchers and people from small communities and county commissioners” can have easier access to the federal managers of the nearby lands.13 But as Jayson O’Neil, deputy director of the Western Values Project stated, “Now the agency tasked with protecting and standing up for our public lands will be rubbing elbows with oil executives and sharing a water cooler with extractive interest allies.”14

Without doubt, the processes of legislating and rulemaking in the U.S. are complex. Moreover, judicial review plays a role, and lawsuits are pending and being filed at this time with respect to many of the recent changes, including the two illustrated above. Yet behind the complexity lie beliefs and values – the ideologies – of those who write the guiding legislation and who do the implementing rulemaking. While it is certainly essential to understand and utilize the legislative, rulemaking, and judicial processes, the legislation and rules need to be recognized as codification of the underlying beliefs and values that vary among people and over time. In the quote above, DeVoto expressed the belief that states can be coerced by special interests to the detriment of the environment and that he values federal management of public lands as a bulwark against such outcomes. The NEPA legislation seems aligned with this ideology but rulemaking has varied over the years, and in recent months, seems to be advancing beliefs and values that differ. To amplify on the title of this article, the significance of the rulemaking process should not be underestimated.

References may be found in the Notes section of the Desert Report website at www.desertreport.org.

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If you find Desert Report interesting, sign up for the Desert Committee’s e-mail Listserv, Desert Forum. Here you’ll find open discussions of items interesting to desert lovers. Many articles in this issue of Desert Report were developed through Forum discussions. Electronic subscribers will continue to receive current news on these issues — plus the opportunity to join in the discussions and contribute their own insights. Desert Forum runs on a Sierra Club Listserv system.

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IT’S NOT NEWS THAT NATIONAL PARKS in the California desert are more popular than ever. In 2019, Joshua Tree National Park counted a record 2,988,547 visitors to the 800,000-acre park, just one average weekend shy of breaking three million. During that same year, Death Valley saw 1.7 million visitors; another record. Mojave National Preserve, which has no entry fee nor admission kiosks, has a bit more trouble counting the number of visitors it receives each year, but the National Park Service estimates about 871,000 visited the Preserve in 2019.

Compared to truly crowded National Parks, that may not seem like much. Great Smoky Mountains NP, with just three-fourth the land area of Joshua Tree, crammed four times as many visitors onto its roads, pull-outs, trails and campsites in 2019. But the boom is remarkable by desert standards. Established as a National Monument in 1934, Joshua Tree was fifty-four years old before it reached the million annual visitor mark, four years before the California Desert Protection Act of 1994 promoted it to full National Park Status. It was another fifteen years before the park passed two million, in 2015.

Now, Joshua Tree's visitor numbers are pushing into the ranks of “crown jewel” parks like Yellowstone and the occasionally mispronounced Yosemite, which both hosted about four million visitors in 2019. But Joshua Tree's infrastructure, both inside the park and in neighboring and gateway communities on the far side of the kiosk, are capable of handling just a fraction of current visitor numbers. Starting in about 2014, the year the park's visitation started its exponential growth, campgrounds were routinely fully reserved even in summer. The line of vehicles waiting to enter at the Park Boulevard kiosk stretched for miles into adjoining residential neighborhoods.

That year, about 1.5 million visitors came to Joshua Tree. By 2016, with visits reaching 2.5 million people, it was clear that something had changed. Locals had a few hypotheses as to just what it was. Some blamed Instagram. Others pinned the boom on the increasing popularity of the Coachella music festival, or on a post-drought series of moderately wet winters that produced photogenic blooms.

Whatever the cause, life changed in the park's gateway communities. It suddenly became much harder to get breakfast in town, and, more ominously, it became harder for the people serving those breakfasts to find affordable places to live. Between 2015 and 2020, the number of vacation rentals available in the community of Joshua Tree grew about tenfold, peaking at around 1,160 – and this in a town of around 9,000 residents. Some rentals were owned by locals. Other rentals, however, were snapped up by remote investors, sometimes several dozen at a time. The promise of $200-per-night short-term rentals made many landowners reluctant to rent to locals at $800 a month.

That's not to say that the impact of growing visitation has been entirely negative. Visitors’ spending supports local businesses. In 2019, according to NPS estimates, visitors to Joshua Tree spent $150 million while in the area, supporting about 1,900 jobs, which put an estimated $74 million in local workers' pockets. Even those absentee landlords make contributions to local economies, including hiring people to maintain the proper ties and paying commissions to local realtors.

If Joshua Tree is the California Desert's poster child for metastasizing visitor rates, its sister parks, Death Valley and Mojave National Preserve, are feeling the strain as well. In 2016, due in part to a well-publicized spring bloom, Death Valley broke its visitation record with over 1.2 million people entering the park.

Visitors found overflowing campgrounds, with few alternatives nearby; the closest large selection of rooms is in Pahrump NV,
sixty miles from the Furnace Creek campground. That spring, Google Maps indicated something never seen before – traffic congestion on Badwater Road. According to anecdotal reports, vandalism also spiked in 2016, including a very well-publicized vehicle intrusion onto Racetrack Playa. Visitor numbers fell a bit in 2017, likely due to some monsoon flooding, and the fact that concessioner Xanterra was putting lodging facilities through major renovations. 2018 broke the record again, as has every year since.

Though Mojave National Preserve relies entirely on road traffic counters for its visitation statistics, and thus includes drivers who use the Preserve as a shortcut between Southern California cities and Las Vegas, its numbers, too, have climbed. On Thanksgiving weekend, 2018, the informal campsites near Sunrise Rock on Cima Dome – usually sparsely occupied – were packed beyond capacity, with visitors carving their own illegal parking spaces out of the blackbrush and menodora.

By 2019, desert national parks’ gateway communities had seen the effects of the higher visitor numbers, and the positives were becoming less persuasive – especially during the government shutdown of 2019, during which parks were kept open and unstaffed. In the Morongo Basin north of Joshua Tree, locals began to talk about doing something. Some tourism-oriented businesses had been attempting to educate their clientele, but a broader effort was necessary. Following a handful of small meetings, the January, 2020 annual meeting of the Morongo Basin Conservation Association was devoted entirely to the topic: How could the community respond creatively to the influx of visitors? A few good ideas were shared: educating visitors about proper desert behavior, advising against feeding coyotes, and how to keep themselves safe while hiking.

The pandemic changed everything, at least temporarily. Local resentment of visitors, usually sporadic, and confined to things like tourists’ hanging hammocks from Joshua trees, or allowing off-leash dogs to run on trails where even leashed dogs are not allowed, took on a more desperate tone. With just four ICU beds in the Morongo Basin, and fewer near Death Valley and Mojave National Preserve, an influx of incautious visitors from crowded cities posed a very real threat. Visitors with the intention of “holing up” in vacation rentals for the duration found themselves objects of local ire as they stockpiled staples in local grocery stores. In Death Valley, a more “Mad Max” sentiment seemed to possess the pandemic refugees, with some visitors driving well off the road expecting to ride out the pandemic in the badlands. They posed a significant law enforcement issue, especially when fights broke out. Closures of the parks, calmed locals’ tempers somewhat.

Which brings us more or less to the current day. The coronavirus is unlikely to go away anytime soon, and as people grow either accustomed to it, or incautious, or both, it will only add to the impact of crowding in our desert national parks. The dilemma is that many desert park visitors are likely motivated by the same desires that prompted desert protection advocates to make their own first acquaintances with this landscape. The discussion will have to continue. Email cclarke@npca.org if you’d like to take part.

Chris Clarke is Associate Director of the National Parks Conservation Association’s California Desert program. He lives in Twentynine Palms with his wife and their dog.

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Photo by Jim Pompy
A SOLAR ENERGY developer is proposing to build a 9,200 acre solar energy project on top of the Mormon Mesa, near the communities of Logandale and Overton, Nevada, and adjacent to the recently established Gold Butte National Monument.

The project would cover the public lands on top of Mormon Mesa and cut off access to much of the region.

Solar Partners VII, LLC, proposes to construct and operate a solar photovoltaic (PV) power-generating facility, known as the Battle Born Solar Project on Bureau of Land Management (BLM)-administered land located northeast of Overton, NV, on the Mormon Mesa Plateau in Clark County, Nevada. The Project includes an approximately 850-mega-watt (MW) solar photovoltaic (PV) power generating facility, and an 850 MW Battery Energy Storage System on approximately fourteen square miles or 9,180 acres of public lands. The Project would be constructed using photovoltaic solar modules mounted on single-axis, horizontal tracker structures. They like this location because it is close to the Reid Gardener Substation, and it is flat on top of the mesa. This project originates as an application for a solar power tower. The entire application is over 22,000 acres. It is not even known yet where the power would be exported to.

Like all large-scale solar projects, Battle Born Solar would have the full spectrum of negative impacts:

1. **Visual Impacts:** The project would create a huge visual impact for recreational users of the mesa. At fourteen square miles, the project will be so large that it will be visible from almost the entire east boundary of Gold Butte National Monument.

2. **Fugitive Dust:** Construction would disturb so much of the soil on the Mesa, it would create unhealthy fugitive dust that would impact the public health of adjacent communities. Solar projects located in hot, arid regions often fail to mitigate these dust problems. After soils are disturbed, dust is picked up by strong wind.

3. **Public Access:** The Mormon Mesa is valued by public land users from the community and all over the world for its network of recreational roads and

Mormon Mesa. Photo by Kevin Emmerich
trails. The trails are used and valued by off-roaders, horseback riders, and hikers. Much of the mesa is undeveloped and undisturbed. Recreation contributes greatly to the local economy of the adjacent communities.

4. Biological and Cultural Resources: The Mormon Mesa is home to several species of plants and animals. Just to the north is the Mormon Mesa Critical Habitat for the desert tortoise. The developer has surveyed the site for tortoises and has claimed that there is a low number on the site. But they did create a map of desert tortoise sign which shows multiple signs of tortoises throughout the entire proposed project site. Local people have reported multiple sightings of Gila monsters on the mesa. These are the largest and only venomous lizards in the USA. The mesa is located between the Virgin and Muddy Rivers. The Moapa National Wildlife Refuge along the Muddy River is used by hundreds of species of birds. A solar project built directly between these two rivers will create an avian “lake effect,” which is believed to be the cause of mortality for thousands of birds that fly over and live near large-scale solar projects. Birds mistake the water-like appearance of solar panels for water and hit them. The sandy habitats on top of the mesa also support rare plants like the Las Vegas Bear Poppy and the Threecorner Milkvetch. The location contains Native American cultural sites and is located about two miles from the Old Spanish National Historic Trail. The project would also be built on top of the Huntsman Trail, a route that Mormon pioneers took across the Mesa to settle the Muddy River valley.

A rather different cultural resource on the Mesa is the Double Negative, one of the first examples of “earthwork” or “landscape” art. Double Negative was constructed by artist Michael Heizer in 1969. Double Negative is essentially two long straight trenches, 30 feet wide and 50 feet deep, that were cut into the top of Mormon Mesa. Approximately 240,000 tons of sandstone were removed. The trenches highlight the “negative” space between them.

There are other issues as well. Water would be needed for dust mitigation during construction and operation, and little to no water is available from the adjacent communities. It would all have to be trucked in. Lack of water makes it more difficult to mitigate dust problems. The developer plans to mitigate the damage by avoiding some washes and mowing vegetation. Vegetation mowing has become a common mitigation for large-scale solar projects. Vegetation would be shredded to the roots and only allowed to grow back from 18 to 24 inches tall. The idea is that leaving the roots would allow the area to recover faster while wildlife could live under the solar panels. But vegetation mowing eleven to fourteen square miles creates many of its own problems. Returning vegetation is dominated by non-native species that can spread fire and be less nutritious for species like the desert tortoise. Vehicles mowing vegetation weigh tens of thousands of pounds. These damage fragile biological soil crusts, desert pavements, plants and crush animals by direct contact.

What can be done about this?

In 2019, Nevada passed legislation that requires utilities to obtain fifty percent of their power from renewable sources by 2030. This has created a land rush for speculative green energy projects on much of Nevada’s public lands. Battle Born Solar would be built in BLM’s Southern Nevada District. The BLM canceled their update to the Las Vegas Resource Management Plan in 2018. It has not been updated for twenty-two years. Had that plan been approved, the Southern Mormon Mesa could have been designated as a Special Recreation Management Area and Solar Energy Exclusion Zone. The Visual Resource Management Class could be upgraded to a designation that does not allow such a visually intrusive development in this location. But since it was canceled, the solar developer has moved in this region and is trying to take it for their one use.

The BLM could easily amend the Southern Nevada Resource Management Plan (RMP) to create a Special Recreation Area and Solar Exclusion Zone. The BLM could also delay this project review until the RMP can be updated. The use and love for the South Mormon Mesa has significantly grown in the last two decades. The BLM clearly can make the choice to keep a large-scale solar project off of the mesa.

Solar energy need not be so destructive. The urban region of Las Vegas is growing so rapidly that built environment alternatives can and should be considered for such a destructive project.

Kevin Emmerich is a former park ranger and field biologist. He has lived in the Mojave Desert for thirty years. Together with his wife, they founded the non-profit conservation organization Basin & Range Watch. They now live on an old ranch surrounded by a nature preserve in Nevada near Death Valley National Park.
CONGLOMERATE MESA IN LIMBO

Temporary benefits, permanent damage

RESTING SOUTH OF THE INYO Mountains and north of the Malpais Mesa Wilderness is Conglomerate Mesa, a landscape rich in life and history. This area is the ancestral homeland of the Paiute (Numu) and Timbisha (Newe) indigenous people. The Timbisha Shoshone and Paiute-Shoshone people are the first stewards of Conglomerate Mesa and often utilize the area as a traditional pinyon nut harvesting site. The historic Keeler-Death Valley trade route runs directly through Conglomerate Mesa and was undoubtedly a Native American trade route before European settlers and miners came to use it.

Many Desert Report readers know this area through past issues (December 2017 and Summer 2020) or trips with the Inyo County grassroots environmental group, Friends of the Inyo. We’ve come to learn how the land is rich in rare plant life, critical for wildlife migration, and steeped in 1800-era charcoal production relics. While learning about what makes the land special, we’ve also learned about the international mining companies pursuing mineral development at Conglomerate Mesa.

This year, Conglomerate Mesa is seeing its largest amount of mining development since global mining giant BHP built a road into the area in the late 1990s. This new work is being done by K2 Gold, a gold exploration company based in Vancouver, Canada, and a member of the powerful “Discovery Group.” Building on their exploration in the Yukon of Canada, K2 Gold scanned the globe for their next mineral exploit and landed on Conglomerate Mesa. This immediately drew the ire of the local community.
K2 Gold is the 11th company to pursue mining at Conglomerate Mesa, and they are currently drilling under a plan approved by the Ridgecrest Bureau of Land Management (BLM) in 2018. This plan allows for helicopter-access-only gold exploration at four sites at Conglomerate Mesa. K2 Gold has titled this Phase 1 of “The Mojave Project.” K2 Gold has also set up a subsidiary under the name Mojave Precious Metals and leased an office in Lone Pine. They are likely to finish their current drilling before the end of the year while also preparing Phase 2 plans, which include many miles of road construction and roughly 120 drill holes.

Readers of the Desert Report understand that the California Desert is quick to be damaged and slow to recover. The Conglomerate Mesa road scar from BHP’s exploration in the late 1990’s is still evident, even though the road is technically restored, re-contoured, and closed by BLM’s records. After 20 years, this four-mile road scar continues its long journey to desert recovery. But this is the road that K2 Gold would like to re-plow and open for their Phase 2 drill program. Many questions remain with their proposal.

Will BLM allow or deny more drilling access at Conglomerate Mesa? Will BLM propose a different and new access road? After this drilling, when will we see an open-pit mining proposal? Will Inyo County supervisors reinforce the opposition of their constituents? Will the newly State-protected Joshua Trees impact the BLM’s decision? Will the designation of Conglomerate Mesa as an Area of Critical Environmental Concern and National Conservation Lands stop the project? Will K2 Gold respect the local majority that are opposed to their exploration at the Mesa?

Indigenous leaders, citizen activists, and environmental groups are giving K2 Gold every reason to leave. Even Senator Feinstein went on the record opposing K2 Gold’s exploration and supporting the conservation values of Conglomerate Mesa in October this year. Toward the end of October 2020, indigenous leaders, local activists, business owners, and environmentalists came together in a stand of solidarity for the protection of Conglomerate Mesa. The message was simple: Respect sacred indigenous lands and protect Conglomerate Mesa. K2 Gold, go home.

The question of when and where we develop minerals is a complicated dialogue that Inyo County battles with daily. When speaking about Conglomerate Mesa, proponents of mining often raise this question, turning the discussion from a site-specific debate to a philosophical one. Long time Lone Pine resident Mike Prather, provides a rather sagacious perspective on this philosophical question:

“Mining is accepted by most of us in Inyo County. There’s pumice mining near Olancha, cinder mining near Little Lake, borate mining east of Death Valley National Park, soda ash mining on Owens Lake, geothermal energy extraction at Coso, gold mining on the west slope of the Panamint Mountains. Opponents of mining at Conglomerate Mesa are not opposed to all mining. They are opposed to the permissiveness that allows any and all types of mining in any and all places. Supporters of wildlands cannot honestly be criticized as being against all extractive activities on our public lands. It is not true... It is in the interests of Inyo County, in the long run, to oppose open-pit mining at Conglomerate Mesa. Supporting such an environmental, cultural, and recreational loss is a mistake; plain and simple.”

Saying the landscape would be forever scarred by an open-pit mine doesn’t do the destruction justice. Open-pit cyanide heap leach gold mining at Conglomerate Mesa would be a full amputation of land in the California Desert. It would be gone forever; irreplaceable and unreclaimable...

If K2 Gold moves forward with their Phase 2 explorations at Conglomerate Mesa, there will be a BLM comment period in the Winter or Spring of 2021. Follow along with Eastern Sierra and California Desert environmental non-profit Friends of the Inyo for all relevant updates and news.

Bryan Hatchell has been with Friends of the Inyo since the start of 2019, working as the Desert Lands Organizer. In his spare time, Bryan enjoys finding obscure peaks to summit, wailing on his vintage Fender Stratocaster, serving in Rotary Club, and climbing rocks of all shapes and sizes.
THE LAST TIME WE SAW our friend Jim he was riding off into the horizon, that delicate line where the never-ending blue sky meets the muted colors of the panoptic desert. In my memory now, he simply fades into a poof of bone colored dust and becomes one with the landscape.

In reality, the ambulance that carried him turned left just before the narrow dirt road would have crested on the horizon. Then it traveled onward, producing the little dust cloud that persists in my mind. Jim, eighty-five and being consumed from within by end-stage metastatic cancer, waved to us through the little back window as long as he was able, and we, my son and I, stood in the road waving back while the dust settled around us.

We knew we would never see him again. The pandemic, that invisible wall separating us from so much that is familiar and sacred, kept us from climbing aboard the ambulance or meeting him at the hospital. Instead the EMTs, in worn out crew shirts and rough work pants, with good hearts and firm hands, escorted him like boat pilots on the River Styx to a land where we could not go.

They handled him with reverence and care. He had been one of them once, and a community volunteer. In this little outpost, where less than 200 souls are scattered among the creosote and mesquite to the southwest of Death Valley National Park, it takes all of us to keep the volunteer emergency service district going.

The old ambulance would travel onward, creeping along the rutted road, moving faster when it reached the pavement, then hitting the poorly maintained two lane highway, and finally carrying our Jim across state lines to a hospital where they could relieve his pain with medications we couldn't get for him here. Here, in a pocket of silence and majesty so pure that it humbles and refreshes the overburdened soul. Here, where we are alone with our thoughts, our horizon, our stillness and our sky. And here, where, for better or for worse, we are also alone with our pain.

It’s the reason many of us came here, to find our salvation in a land where everything is stripped away and nothing comes between us and our creator. We wrestle with our spiritual pain out under the wide open sky, deep in the canyons, and along the banks of the elusive Amargosa River. We wrestle with our physical pain in the legendary mineral waters and in the benediction of the warm sunshine.

In the stillness we are uplifted, but we pay a price for the choice to live away from the world, those of us who give ourselves to it completely, who have no second home, no welcoming hearth in an easier place. We move slowly throughout the long summers, when temperatures fall off the ends of standard 120 degree thermometers. We give up easy access to everything, including health care and groceries. We give up pizza delivery, effortless socializing, high paying jobs. We give up home health and hospice visits. When one of our EMTs goes on vacation or moves away and there are too few volunteers to respond, we even give up prompt emergency aid.

We do this willingly, for the gift of walking out the front door and into the Resting Springs Range and Nopah Range from Shoshone.

Photo by Molly Hanson
wide open spaces. When the pandemic came and the virus plowed mercilessly through cities all over the world, I could look out at the Nopah Mountains and say with certainty, there is no Coronavirus here. It was a luxury not many had, and it was, for me, a moment of deep awareness of the benefits of sheltering under the desert sky.

Then our Jim lost his appetite. On Sundays, when we sat outside his trailer watching the sun go down over those mountains, he talked of the spirits he could feel all around him, waiting. A visit to the doctor, a diagnosis that came as no surprise, the doctor alarmed and nonplussed that we could get no home hospice visits, urging Jim to consider a nursing facility. Jim was at peace, ready to go. All he wanted was to die at home, in that chair, looking out at the view if he could. It went without saying, as long as we’d been friends, that I would be there to do whatever was in my power.

On his last night here in this landscape we both loved, his suffering became acute. Through the long hours I struggled to find a way to relieve it, moving his frail body, a taste of water, a pillow, all futile. He could barely speak, moving his frail body, a taste of water, a pillow, all futile. He could barely speak into the kitchen, he talked of the spirits he could feel all around him, waiting. A visit to the doctor, a diagnosis that came as no surprise, the doctor alarmed and nonplussed that we could get no home hospice visits, urging Jim to consider a nursing facility. Jim was at peace, ready to go. All he wanted was to die at home, in that chair, looking out at the view if he could. It went without saying, as long as we’d been friends, that I would be there to do whatever was in my power.

Finally, at daybreak, we surrendered to the inevitable. I went home, woke my son and called my dear friend, an EMT who would start the chain of waking and alerting the other EMTs. We would not rely solely on a dispatch call that would, if all the repeaters were working, go out from a transmission center four hours away.

Then, in the full morning sun, we said our goodbyes and watched our Jim drive off into the horizon.

Three days later, again at daybreak, when I heard the phone ring I knew that Jim had gone home. I ran out into the desert, as I always do when my heart is too full. The greatest sorrows and the greatest joys of my life have been mourned or celebrated on my knees in the dirt, under this vivid blue sky. It’s where I go to weep, to pray, to walk and sing.

In the summer, in the heat, as the pandemic wore on, we were very much alone out here, but we congratulated ourselves on this boon of removal from a world that seemed to be falling apart. Here on the hottest days, we met up outside without masks, confident that the oven-like air would kill off any particles just as it absorbed any hint of moisture.

Then the weather began to cool and I watched the visitors return, crowding the little restaurants, riding over the protected hills in their ATVs, leaving trash for me to find on my morning walks out into a world that used to feel like it was mine alone. They seem to be coming now in larger numbers than they have in years. As the Coronavirus death toll mounts, people are hemmed in on all sides by restrictions, sorrows, worries, and deadly droplets that hang in the very air we breathe. I imagine we all want somewhere we can feel free again, somewhere we can breathe fearlessly, where social distance is built in.

I get that. The deep need and relentless search for those things has defined most of my life experience. And yet, I confess, there are days when I feel a kind of rage that people are seeking it here with so little apparent regard for those of us who are already planted in this soil. When I find those cigarette butts and half finished cans of Coke in my wilderness, when in my mind’s eye all I can see when I drive past the clusters of unmasked visitors milling about in public spaces is a big cloud of Coronavirus droplets imported from the towns and cities these people are trying to escape. I give in to the evil of othering.

I have always felt a little edgy about the ways in which people trying to leave the city behind often end up bringing it along with them, but I also had a deep love for all who sought communion with this land, in whatever form. Jim’s passing dented me. It was a deeply profound experience to be alone with the agonies of death, to be impotent in the face of it, to be unable to fulfill my best friend’s dying wish.

In the void of loss that followed, I began to feel self righteous. I had paid my dues, I felt, and earned the right to all the solace of this desert as it is. These outsiders, people who would cloud and defile, who come to party and then go home again, who talk casually of bringing their crowded, glamorous Burning Man festivals here, have not.

I do not don and shed this desert like a garment, I live in it like a skin. I was born less than a hundred miles from this very spot, and however far I travel in the world, this is the place to which I will always return. My son was born here and has walked with me in my arms or on his own small legs, under this sky from the first day of his life, when I carried him outside at daybreak and introduced him to the land we call home. For the gift of waking every morning in this clean, clear landscape, of being able to walk for miles without encountering the noise of civilization, I have made many tradeoffs over the years. The hardest of these was relinquishing a kindred spirit to die among strangers.

Somehow, I want these things to...
FEDERAL BILL PROPOSED FOR CENTRAL NEVADA PUBLIC LANDS

For the past four years, activists in Nevada have been trying to fend off two separate proposals to expand military bases in Nevada. One would allow the Air Force’s Nevada Test and Training Range to take over a million acres of Desert National Wildlife Refuge; the other would allow the Navy’s Fallon Naval Air Station to take over more than a half million acres of public land in central Nevada.

After some high-stakes action in the House of Representatives this summer, including a valiant emergency amendment to the National Defense Authorization Act by Rep. Steven Horsford (D, NV-04), it appears that the Desert Refuge has been saved and the Air Force has been bested, at least in this round.

However, the prospects for central Nevada’s wildlands are currently dimmer due to legislation proposed by Senator Catherine Cortez Masto (D, NV). The Senator’s proposed Northern Nevada Rural Lands Management, Conservation, and Military Readiness Act would give the military primary control over 382,000 acres and secondary control over another 326,000 acres. This is almost everything the military asked for. These currently public lands could be bombed, have infrastructure constructed, and be subject to irregular warfare exercises. In addition, the flight floor for supersonic flights would be reduced from 30,000’ to 11,000’, likely greatly increasing the disturbance to wildlife from sonic booms.

Additionally, the bill has four county-based lands bills associated with it, for Churchill, Pershing, Douglas, and Lander Counties. These bills would allocate a minimum of 108,000 acres of public land for conveyance to counties or sale to developers, with a potentially unlimited additional amount in Pershing County. The bill would also release over 190,000 acres from protections as Wilderness Study Areas. In exchange, the bill would designate 485,000 acres as Wilderness or National Conservation Area, and remove more than 300,000 acres from leasing for oil and gas in the Ruby Mountains.

In sum total, the bill would result in the loss of over 1,000,000 acres of public land. The Center for Biological Diversity and twenty-nine other groups submitted a letter to congress opposing this bill. We are strongly opposed to the expansion of military bombing ranges onto public land, as well as to the unfettered sale or conveyance of public land for development.

The bill is being considered for inclusion in the National Defense Authorization Act. It remains to be seen whether lawmakers will include it in the must-pass defense funding legislation.

Patrick Donnelly for the Center for Biological Diversity

Robin Flinchum has lived in Tecopa, California, for over twenty years and has written for the Pahrump Valley Times, Inyo Register, Nevada Magazine, the Desert Report and several other local outlets.
To receive Desert Report please see details on the back cover. Articles, photos, and original art are welcome. Please contact Craig Deutsche (craig.deutsche@gmail.com, 310-477-6670) about contributions well in advance of deadline dates: February 1, May 1, August 1, and November 1.

OUR MISSION
The Sierra Club California/Nevada Desert Committee works for the protection and conservation of the deserts of California, Nevada, and other areas in the Southwest; monitors and works with public, private, and non-profit agencies to promote preservation of our arid lands; sponsors education and service trips; encourages and supports others to work for similar objectives; and maintains, shares, and publishes information about the desert.

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