

DESERT REPORT

BY BIRGITTA JANSEN

Climate Change Is Here

Rain events in Death Valley National Park

On Thursday, August 4, Law Enforcement Ranger April Stiltz looked up at the sky and noticed “a high, light grey cloud ceiling; the light was soft and diffuse. There was a slight drizzle but that just made for a pleasant day in the desert. Nothing looked ominous.”

In the early hours of Friday August 5, darkness almost imperceptibly receded giving way to the gentle light of dawn. Not even a hint of the brash summer sun colored the sky. Instead the low hanging cloud cover was dense and grey. The temperature was in the low 90s and rain was light.

Five members of the Death Valley Run Club met shortly before 6 a. m. at their usual spot by the Oasis at the Death Valley Ranch golf course. Among them were

Superintendent Mike Reynolds and Interpretation Park Ranger Elyscia Letterman. The rain didn't bother the runners. It all felt very pleasant and they looked forward to an energizing start of their day. As they ran, however, they noticed that the rain was gradually increasing, but still, nothing alarmed them.

At around 6:30 a. m., Elyscia finished her run, retrieved her car from the parking lot, and left to return to Cow Creek. She did not expect what came next: “Water was running across the road. I was able to safely make it through several areas until I came to a section which looked deeper. Then I stopped. After watching a maintenance truck drive through with water up to its running boards, I realized I could not go on.” Because conditions

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The entrance to Salt Creek the morning of August 5, 2022. April Stiltz, NPS

BY RUBEN PACHECO

A New Model For Public Lands

Tribal collaborative management at Bears Ears National Monument



Bears Ears Commissioners and leadership from the BLM and USFS unveil the new Signs at the Bears Ears National Monument. Tim Peterson

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The Bears Ears National Monument (BENM) remains one of the most cherished landscapes in North America. The entire Bears Ears region contains spectacular paleontological remnants, palatial geological formations, biodiverse and breathtaking plant and animal life, world-class recreation opportunities, and archaeological evidence of tens of thousands of years of human habitation.

The Bears Ears Inter-Tribal Coalition (BEITC) is invested in protecting these “resources,” but we contest the idea that this landscape’s value can be reduced to its parts. To think about this landscape in terms of the potential resources that humans can extract from it is an act of commodification and simply recreates a colonial attitude towards this sacred place. The sacred and cultural sites are too numerous to mention, and the entire landscape is culturally and spiritually significant. To rehash an old cliché, the Bears Ears landscape is, indeed, greater than the sum of its parts.

For the five Tribes of the BEITC, the value-added from protecting Bears Ears is not derived from these resources, rather this sacred landscape is worth protecting because it is the ancestral homelands of the Coalition Tribes. It remains a place of worship, and all its elements – from the minerals in the ground to clear night skies – are sacred.

The Coalition Tribes have made significant strides towards ensuring that Bears Ears will be stewarded by Indigenous perspectives. Throughout 2022, the Coalition held nine in-person meetings with Tribal leaders and the Coalition’s Cultural Resources Subcommittee; many of these meetings were with our collaborative management partners from the US Forest Service (USFS) and the Bureau of Land Management (BLM).

These important meetings provide the opportunity for the Coalition Tribes to educate agency personnel about Traditional Indigenous Knowledge and have proven to be a place for Tribes to come together to heal, promote inter-Tribal relations, and allow for better understanding of one another. These meetings have also created space to strategize and collaborate for the protection of the Bears Ears cultural landscape.

A brief history of the Monument

The five Tribes, along with grassroots activists, have been working for decades to secure protections for the

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Disadvantaged Communities In The Imperial Valley

Neglect Is not an option

Center of our universe

Growing up in the Northend of the Imperial Valley in California, in a townsite called Niland, my family along with fourteen other families lived in railroad section homes. My father worked for Southern Pacific, and my mother was a homemaker and worked part time picking tomatoes locally and grapes in the Coachella Valley. My parents had thirteen children with my twin being number ten and I number eleven in the pecking order. Both parents are gone now leaving fond and happy memories in our “center of our universe” with the natural everyday scenery of the Salton Sea, Chocolate Mountains, and agriculture fields, as we crossed the railroad tracks to go to and from school. All Niland kids are transported to the city of Calipatria located eight miles away to the feeder schools for grades 5 through 12. Many of our K-12 students from Niland and Calipatria that attend Calipatria Unified School District will eventually move away once they complete college, stay in the big cities, and never return to their home towns. This exodus is in addition to a decline of population due to lack of jobs, economic opportunities, and housing development to sustain the families, especially in our Northend communities.

Another major struggle is that Niland and Calipatria homeowners pay much higher property taxes than other residents of the Imperial County. These are among major factors that contribute to the Northend communities becoming ghost towns. We are the fence line communities closest to the Salton Sea. Today, it is so sad to witness the Sea becoming toxic with fish dying off. Years ago, there were recreational activities at the Salton Sea that attracted fisherman, ski boats, and families camping out over the weekend. It attracted people from near and far including snowbirds. Today, many abandoned single homes and trailers remain on both sides of the sea, where people who had bought homes or business properties decided to no longer invest or live around or near the sea. Yet, to this day, many who live here have hopes that someday the sea will be restored.

The City of Calipatria will be the most impacted municipality due to its close proximity to the Lithium Valley Area. The City of Calipatria is located in the northeastern end of the Imperial Valley, contiguous to the Salton Sea Known Geothermal Resource Area. The City of Calipatria has among the highest poverty rates in the nation with a median household income (in 2020 dollars) of \$37,196,

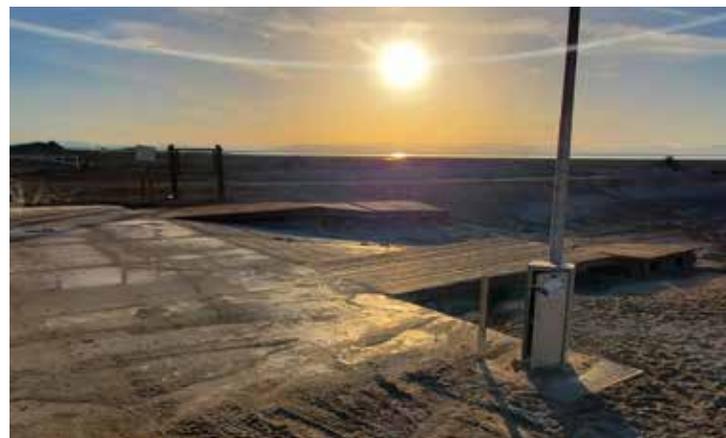
compared to County \$46,220 and State \$80,440. Both nearby Niland as well as Calipatria have been negatively affected by a lack of jobs, higher tax rates than some larger cities, and by several forms of environmental pollution.

Game changer

The prospect of recovering lithium from brines that power the geothermal energy facilities at the south end of the Salton Sea has received a great deal of study. The recently released Imperial County Lithium Valley Economic Opportunity Investment Plan (the Plan) outlines the local, statewide, and national benefits of local lithium extraction. It also prescribes the specific activities we believe are necessary in order to best capitalize on those benefits. We believe this is definitely a game changer that can help the whole Imperial County.

As one of several disadvantaged communities in Imperial County, the City of Calipatria supports this Plan. The citizens of Calipatria believe that it will enable the responsible development of an industry that has the potential to improve the economic future of Calipatria and Niland residents for generations to come. Specifically, the plan stipulates that 20% of excise tax revenues be assigned to restoration of the Salton Sea with the remaining 80% going to Imperial County of which 30% would be

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Receded Salton Seas shoreline at Red Hill Marina boat ramp. Photo by Christian Froelich

Desert Triage: Large-Scale Solar On Public Lands

Can better planning limit the damage?

On December 8, 2022, the Bureau of Land Management (BLM) announced it is revising the Programmatic Environmental Impact Statement (PEIS) for the BLM's utility scale solar energy planning that was first adopted in 2012. (87 Fed. Reg. 75284) The BLM may expand the scope from six (6) to eleven (11) western states and expand the types of land considered for utility scale solar planning. Importantly, this process is intended not only to continue the pace of development we have seen in the recent past, but to “*accelerate* solar energy development on public lands in the west.”¹

The push for new planning is consistent with legislation passed in 2020 as part of the Appropriations package which set a minimum production goal of 25 gigawatts (GW) of solar, wind, and geothermal energy to be developed on public lands, with permitting to be completed by 2025. (43 U.S.C. § 3004[b])

Whether we like it or not, more big industrial solar projects are coming to public lands across the west. Many individuals and organizations focused on conservation will be participating in this process to try to steer projects away from the most sensitive resources.

Engaging in scoping on round 2 solar PEIS process

Good planning based on robust data and information can help steer large industrial solar facilities to the “least” damaging areas which could be designated as solar energy zones (SEZ) with incentives for development in those zones. Unfortunately, the BLM intends to continue its previous planning and again designate much larger areas as “variance areas” where development can also occur. These areas, by definition, include more sensitive ecological and cultural resources than the SEZs. <https://blmsolar.anl.gov/solar-peis/variance>

For the scoping period which just closed on March 1, BLM asked for input from the public on several overarching issues such as which states to include, whether to include areas within California's Desert Renewable Energy Conservation Plan (DRECP) in the new planning, how to address transmission proximity, and on more specific exclusion criteria. Conservation groups and others who worked closely on the DRECP are pressing BLM not to reopen that robust planning process. There are more than enough other areas of public lands that need updated planning efforts, and BLM should *not* reopen the DRECP planning.

In undertaking this planning, BLM intends to again rely on existing land use designations under existing plans and other available data to first exclude areas such as areas of critical environmental concern (ACECs), designated critical habitat for listed species, exclusions for certain types of sage grouse habitat, lands with wilderness characteristics, wild and scenic rivers, historic properties, etc. See <https://blmsolar.anl.gov/solar-peis/exclusion/> This list could be changed in the new planning. Across different states and BLM planning areas, relying on these types of exclusions can have widely varying results because some areas have very old plans that did not update ACEC designations, lands with wilderness characteristics inventories, etc. while other areas have more robust and more recent conservation planning.

In 2012 the BLM exclusion criteria also included lands with over 5% slope and lands with lower solar energy potential – those two exclusions may be revised in this next round of planning. Including areas with lower solar energy potential also affects which states could be included in the planning.

From the areas that are not excluded, BLM will then propose several SEZ in each state and the rest of the lands that are not excluded would be designated as variance lands.

SEZ are intended to be large enough for multiple projects of 20 MW or more (but could include smaller areas of public lands.) Lands “adjacent to private, State, or other Federal lands that are suitable for solar energy development may . . . be appropriate for consideration as SEZs if they can be used in conjunction with adjacent areas.” If these areas of public lands are near load centers or have more degraded and fragmented habitats, it is possible that including these areas in SEZs could result in less new disturbance overall.

BLM also says it “will seek opportunities to locate new or expanded SEZs in degraded, disturbed, or previously disturbed areas” which would include brownfields, areas type converted by grading or repeated fire, and co-location of solar with wind or oil and gas development. This could also reduce the amount of new disturbance from large-scale solar.

2012 solar PEIS – lessons learned, more planning is better, transmission is key

As we saw in the first round of this type of planning,

Whether we like it or not, more big industrial solar projects are coming to public lands across the west. Many individuals and organizations focused on conservation will be participating in this process to try to steer projects away from the most sensitive resources.

some of the SEZs were developed quite quickly, particularly where there is available transmission, and other SEZs were all but ignored while further large-scale projects were built on variance lands. For details on the 2012 decision see <https://solareis.anl.gov>.

What happened in Nevada is a good example of this phenomenon. The Dry Lake SEZ was quickly developed and even expanded, while other SEZs were ignored by industry – largely due to lack of available transmission. Because new transmission is very costly and can take up to a decade to permit and build, BLM will consider in this next round whether transmission is available when it evaluates new proposed SEZs.

Nevada also shows the risks of designating large areas as “variance areas” for solar development. Rather than go to one of the SEZs, industry set its sites on other areas for new large scale solar project applications, resulting in large projects in highly sensitive areas such as the Gemini and Yellow Pine projects with more proposals in the pipeline (Rough Hat, Golden Currant [like the berry], and Cooper Rays). Unfortunately, the variance areas allowed these projects to go forward outside of the zones, and they now sprawl across the landscape in Southern Nevada.

In contrast, in the California desert, additional planning was done as part of the Desert Renewable Energy Conservation Plan (DRECP), which refined the SEZs into Development Focus Areas (DFA) and limited the “variance areas” where large-scale solar could be developed without a new plan amendment. That process, while far from perfect, took into account updated data sets, movement/migration corridors, and climate change impacts on existing habitats. As a result, all of the *new* large scale projects that have been developed in the DRECP area are confined to the SEZ/DFA areas with no projects approved on variance lands. (There were older projects that continued to move forward outside these areas but no new projects.) While these large-scale solar projects still have significant impacts to resources, they are being

developed in concert with robust planning that involved conservation groups, industry, local counties, and many others in reaching a compromise that increased conservation in some areas to help off-set the impacts for large scale solar projects. While it is far from perfect, it is better than continuous sprawl fragmenting large intact areas of public lands.

Many conservationists do not agree with the BLM’s current path to increase utility scale solar development in remote public lands and oppose any new projects being developed on intact habitats. Smarter planning that could steer industrial scale project to utilizing public and private lands that have been previously disturbed/ type-converted (such as degraded agricultural lands and mining sites and other brownfields) along with a robust program to increase community solar, parking lot coverage, storage, and microgrids would go a long way to meeting the needed demand. Nonetheless, to the extent that the new PEIS process can help steer large-scale projects away from the most sensitive areas including climate change refugia, engaging with this planning process is imperative.

As some of the leading scientists put it in a recent article about the conflict between conservation and renewable energy in the Mojave desert context of a changing climate:

“Saving Joshua trees and other Mojave Desert species will require weighing the value of preserving specific sites against the larger benefits of renewable energy production and the reality that further development is inevitable. Balancing this trade-off necessitates identifying areas that have the highest conservation value and sadly agreeing to sacrifice populations where a focal species is doomed to extinction. Some new developments could occur in retired farmlands and industrial sites, but to the extent that new developments must be located in wild lands, these should be concentrated in areas already impacted by human disturbance or likely to be rendered unsuitable by climate change.”²

Lisa T. Belenky is a senior counsel at the Center for Biological Diversity, working out of the Oakland, California office. Her work focuses on the protection of rare and endangered species and their habitats under state and federal law on public and private lands. For more than a decade, Ms. Belenky has spent much of her time on legal and policy issues related to siting large-scale renewable energy projects on public and private lands.

Footnotes can be found at the end of this article posted at www.desertreport.org.

Climate Change Is Here: Death Valley Rain Events

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were changing so rapidly the situation was becoming even more dangerous and unpredictable. Elyscia explained, “I was able to quickly back up a little to reach a section of the road that was higher. The water was now carrying grapefruit size rocks and rising in front of me as well as behind me. This meant I couldn’t turn around and go back either. I was trapped. I waited for about an hour for the water level to drop. Eventually another employee in a truck came by and gave me a ride. The water was still flowing across the road.”

Meanwhile it had not escaped the remaining runners’ attention that it was raining harder and that it was time to leave. However, Mike Reynolds couldn’t believe his eyes when the little group reached the parking lot, “There were rivers of running water! It was exciting to watch. The whole parking lot was a lake!” We took a few photos to capture the crazy moment – little did we know how much more we’d see in just a few minutes.”

They rushed to their vehicles and managed to drive out to the highway, but once there they struggled to go even a short distance. The water was flooding the road and had already deposited so much debris that they could not take their cars through. The amount of water was increasing. Four foot wide waterfalls started to pour over normally dry desert hillsides.

They had to abandon their vehicles by the roadside and wait for an employee with a truck to pick them up and take them to Cow Creek. What they encountered there was, as Mike described it, “beyond insane.” There was so much water, more than knee deep. Mike continued, “It was one of the most amazing sights to see the

desert transformed in minutes to a raging river! I felt honored to get to experience it.”

Meanwhile April had started her shift at the Stovepipe Ranger Station when she received a text from her supervisor asking her to go and check out North Highway and a few other places. There were reports coming in of vehicles stuck in various areas, so the roads in the central and northern parts of the park needed to be checked out. Once she had done that she was to make her way to the office at Cow Creek.

April started her truck and drove east on CA Highway 190. The first four miles were uneventful. The rain was light. April felt it was, “a nice, peaceful, somewhat gloomy desert day.” She checked out the parking lot at Mesquite Flat Dunes, and all looked well. She proceeded to North Highway, and that is when the situation changed dramatically. With emotion now audible in her voice, she continued, “There was so much water and debris flowing over the road. It was intimidating to drive through because it was hard to see the road or how deep the water was.” April knew how dangerous this could be.

Slowly she made her way north and turned into Mud Canyon. Water was now flowing on both sides of the road. She proceeded with extreme caution. Then she started seeing chunks of pavement. “Oh boy, this doesn’t look good,” she thought.

April, a 15 year veteran of the National Park Service, with previous service in Sequoia and Kings Canyon NP and Yosemite NP, explained, “In Yosemite we had rain, avalanches, rockslides, and high river floods, but nothing like constant water and debris flows covering the roads everywhere.”

Meanwhile she had also heard that other staff members, including the Law Enforcement’s Deputy Chief who was now Incident Commander, were unable to reach the office or venture out on the road due to high flood waters at Cow Creek. This meant that she was one of the only Law Enforcement (LE) officers out on the road. That is when she understood, “There would be no one to come and help if I needed it.” April also realized that the situation was becoming serious when she heard over the park radio that all the main roads in the park were closing due to flooding.

When she started seeing bigger pieces of pavement, she knew that the water had surged and jeopardized the integrity of the road. The hope had been that the road to Daylight Pass was still open and could be a way for people to go in and out of the park. But things were not looking good.

As she came around the first bend in the road, she saw that the road was no longer there. Instead she found herself on a narrow peninsula of pavement surrounded by massive amounts of dun colored water forcefully streaming on both sides. She felt frightened but also in awe of these sudden and powerful rivers. She took a few seconds to video what she saw and then “I got out of



Mud Canyon location after the storm. Abby Wines, NPS

there as quickly as I could.”

Part of her assignment was to check out Salt Creek. She turned her vehicle south as she drove through water that was now even deeper than before. She made it to the Beatty Cut-Off, but somewhere between there and Salt Creek, the water was up to the bottom of the truck door. This meant it was two feet deep. A sedan could be set afloat in less water than that. She continued on, knowing that there might be people stranded and frightened ahead. April commented, “I had never been this scared heading into unfamiliar and unknown conditions. I am trained on swift water rescues. But this is different. The forces at work here are different. I couldn’t really tell where the road was or if the road was even still there. It wasn’t safe to stop or turn around. I had to keep going. At some point my engine flooded and caused my alternator to fail. Fortunately, I found a maintenance employee near Beatty Cut-Off who helped me jump start. He had to do this four times as I limped down to Cow Creek.”

Meanwhile, Mike Reynolds made it through the flood debris to his office at Furnace Creek, and with the Chief Ranger they started gathering as much information as they could to determine how to deal with the situation. However, one thing was clear: their first priority was the safety of visitors and staff. Helicopters from both the California Highway Patrol and China Lake were requested to check for stranded visitors in the backcountry and engage in rescues if needed.

Beyond that, as Mike explained, “In the midst of a rain event such as this, there is usually much confusion and a distinct lack of clarity. It’s unavoidable. Staff

can only know what they can see, and we have to rely on many reports that come in from different locations before we can determine what we’re dealing with.” The park radio was monitored constantly. They may not have had many of the details yet, but they already understood that this was a major incident.

All park roads were closed. Nearly 1000 visitors and staff couldn’t leave the park. Most were in the Furnace Creek area, and a few were at the small community of Stovepipe Wells, which was also completely isolated. At the Oasis at Death Valley, approximately 60 vehicles in the parking lot had been partly buried in debris and shoved into each other by dumpsters and debris. Fifty hotel rooms at the Ranch at Death Valley had flooded. The Cow Creek water system was destroyed.

Part of the problem was that the park had already experienced two significant rain events. The first rain storm on July 29 was followed by a more serious one on July 31. A visitor’s car had been swept off Highway 190 just east of Towne Pass, and the highway was closed for a day and a half for clean-up. There had also been pavement damage on North Highway, and Cow Creek’s water system sustained serious damage. Because the August 5 rain event was the third in a relatively short period of time, the ground was already saturated, and this contributed to the large amounts of water coursing over the surface.

But that was not the end of it. Three more storm systems followed on August 16, 18, and 25. The remnants of Hurricane Kay came along on September 10 and 11. Then one more arrived on September 13 bringing the total to nine serious rain events, one after another. That’s a lot of water in one of the driest places on Earth... Death Valleyites had had enough. April said, “We were all exhausted and tired of the rain. We put the barricades up to close roads that were no longer passable. Then road crews would work hard to clear the roads. When they were done we would open the roads and take all the stuff down, only to do it all over again, and again, and again. There is no doubt we needed rain, but this just didn’t stop. Unfortunately one of the problems we encountered was that a few people drove around the closures and created illegal roads where there had not been any. This resulted in more damage to the landscape.” Elyscia commented on another issue: some people blindly followed navigation devices which directed them onto unsafe dirt roads in an attempt to bypass closed paved roads and enter the park anyway. There were dozens of visitors in rental cars that became stuck in a remote area near Chloride Cliff – with many of them abandoning the vehicles in the desert after getting multiple flat tires.

After all that, rain events weren’t the whole story. Between August 30 and September 7 another record was set. For nine consecutive days, temperatures soared over 120 degrees Fahrenheit setting new records each



Clean-up at Mesquite Flat Sand Dunes parking lot.
Abby Wines, NPS

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Ninety Miles From Needles

Could a podcast help protect the desert?

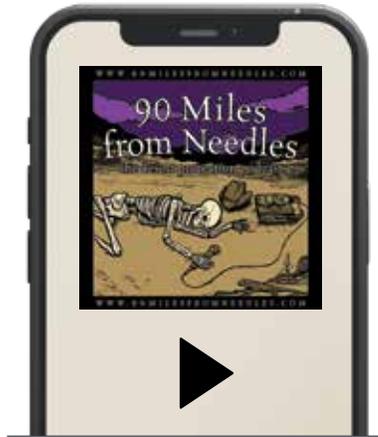
There are in the neighborhood of 5 million podcasts in the world. Something like 500,000 of them released at least one episode in 2022. In the United States, nearly 80 million people listen to podcasts on a weekly basis. Half of those listeners are younger than 35. The barrier to starting a podcast is surprisingly low: you probably have everything you need to record an entry-level podcast in your pocket right now. A more sophisticated setup not limited to a smartphone might require a couple hundred dollars in equipment.

So, we wondered back in 2021, why was no one using podcasts to promote protection of our unique and irreplaceable ecosystems? Ken Layne's popular podcast *Desert Oracle*, which does generously promote desert causes, is primarily focused on folklore and philosophizing. There are other fine podcasts that cover specific aspects of desert protection in specific places: native plants or border politics or sustainability in specific desert cities. But a thorough search of our podcast libraries revealed nothing devoted to covering environmental issues throughout the arid lands of the American Southwest.

What kind of effect on newcomers to the desert can a podcast have? Both of us have long found that sharing even a small nugget of information about the desert can transform not only the way we see the desert but how we interact with it. Learning about cryptobiotic soil crusts keeps us walking on the trail. Learning about the tendency of mylar balloons to land far from any paved road and shatter into microplastics prompts us to keep trash bags in our backpacks so that we can remove the balloons we encounter on hikes. Finding out the true impacts of development projects gets us standing in line to deliver comments at agency meetings.

And if that's true for us, it is probably true for normal people as well.

So in January 2022, we launched *90 Miles from Needles: The Desert Protection Podcast*. Since launching, we've published just shy of 18 hours' worth of audio in 24 episodes, on topics ranging from wildflower tourism etiquette to coexistence with coyotes to rampant water wastage in Utah shrinking the Colorado River and the



Scan the QR Code with your smart phone camera for 90 Miles from Needles

Great Salt Lake. We talk about endangered and endemic species that need our attention and about places that need our protection. Because no one wants to listen entirely to bad news, we have dedicated the occasional episode to lauding individual desert species such as mesquite, creosote, and ironwood.

Our backgrounds are diverse. Chris has some three decades of experience in journalism and environmental activism focusing on the desert, while Alicia has been an evangelist for the desert on a more directly personal level, sharing knowledge with hikers and other desert visitors in an upbeat, accessible way. We like to think that

combination creates some nice on-air chemistry. If we were to boil down our guiding philosophy to one soundbite, it would be this: activism cannot be left up to professional activists. Protecting the desert requires that people who don't think of themselves as activists take a stand and make their own voices heard.

And listeners are responding. We reached a milestone of 10,000 downloads sometime in November and expect to more than double that by late summer. Alicia has always used the adage that word of mouth is both free and priceless; that word of mouth has driven an increase in distribution of the podcast. *90 Miles from Needles* now has about 500 devoted listeners, about 100 of whom have decided they like the project enough to support it financially through regular donations. We're hoping to grow that financial support significantly during 2023. That would allow us to do things like travel to important desert places more than a morning's drive from our home base in Twentynine Palms, or pay freelance reporters to cover specialized topics in depth.

Though financial support does allow us to reach more people to share the importance of protecting desert ecosystems, the reason we put *90 Miles from Needles* together is that we love the desert. When something you love is threatened, you react. In this time when mass extinctions, climate change, and the disintegration of civil society are headline news, humanity collectively needs to change how we interact with nature, especially in the desert.

Death Valley Rain

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day and resulting in the hottest September ever. For a few nights the temperature never dropped below 100 degrees. In the recorded history of Death Valley temperatures, the month of September had never seen temperatures like this until 2022.

The humidity was excruciating. At Cow Creek, where the offices and maintenance yard are, there was no running water due to the storm damage to the water system. Water had to be trucked in. Porto-potties were installed, although these were rather challenging to use in temperatures of 120 degrees F. The water system was out of commission for approximately six weeks. Simply put, there was a lot to deal with.

Unlike the disastrous floods of 2015 which completely destroyed Scotty's Castle infrastructure, this time the park service had an advantage. Five members of its management team had been involved with the 2015 storms occurring over a two week period. Lessons learned then were now effectively put into practice.

When the sequelae of the August 5 event became clearer, the park declared an emergency and was placed under an Incident Command protocol. This meant an "all hands on deck situation," and regular duties were suspended for many staff members. All-staff meetings were held every morning to exchange information and organize tasks. Assistance was also requested from other parks, and approximately 75 employees came to help.

These rain events were so big and so relentless that the full extent of the damage was unknown for weeks. It took time to compile the information because staff had to access various areas to survey the damage in different places. In many locations that was much easier said than done. "It was interesting," said Mike. "For instance, we had not known until a week later that the boardwalk at Salt Creek had been completely destroyed. If you were not familiar with the area, you would have never known that there had ever even been a boardwalk."

These events were unusual even for Death Valley National Park, but they are also part of climatic conditions that are in the process of changing. There is now a significant body of research to understand and track these changes and the increasing volatility of our weather systems. It is impossible to know what other events will occur in the future, but it is essential to acknowledge their reality. Wisdom suggests that we need to take steps to deal with the causes of climate change and to prepare for extreme events, such as the ones described here, that will become unavoidable.

Birgitta Jansen has been an active volunteer in Death Valley National Park. Currently residing in British Columbia, she is a managing editor of the Desert Report, has written previously on a number of environmental topics, and has completed a book about the October 2015 flash floods in Death Valley NP.

We want to help that change along with 90 Miles from Needles. Through our podcast we can flick those priceless nuggets of desert information to a wide, relatively young audience, thus driving change on a macro level. At the same time, we're also creating a permanent and easily accessible archive of our shows, a reference resource that is easily shared for free.

For those *Desert Report* readers working on individual campaigns, we want to hear from you. We want to help you promote your campaigns and draw attention to the special desert places you're working to protect. You can reach us at (760) 392-1996 and leave a voicemail. You can also listen to our episodes at 90milesfromneedles.com, or via your favorite podcast outlet. And if you are moved to support our work financially, the attached QR code will take you to the right place.

Upcoming episodes in the works will feature the fight to save Tiehm's buckwheat from Lithium mining, how people are putting the 30 by 30 initiative to work in the deserts, the campaign to establish the Avi Kwa Ame/Spirit Mountain National Monument, and a critical look at the onslaught of solar projects in Western Nevada. We've got about two dozen more episodes to fill: your campaign could be one of those episodes. We've put together a tool for desert activists to use for free. Let's work together to get the word out to a whole new crowd of potential supporters.

Alicia Pike is a lifelong advocate for animals and the land. Born and raised in San Diego, she has lived in the high desert / in the Morongo Basin for 10 years.

Chris Clarke joined National Parks Conservation Association in 2017. As California Desert Associate Director, he works with desert communities to protect national parks, monuments, and other protected places. He lives in Twentynine Palms.



Creators of podcast: Chris Clarke and Alicia Pike.
Photo by Courtesy 90 Miles from Needles works

Bear Ears NM: A New Model For Public Lands



Bears Ears is a living landscape and an opportunity for us to all come together. Indigenous people go to Bears Ears to connect with their ancestors.

Photos this spread by Michael A. Estrada

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Bears Ears landscape. In 2015, the Tribes petitioned President Obama to recognize 1.9 million acres as a national monument. In December of 2016, under the authority granted by the Antiquities Act, President Obama created a 1.35-million-acre national monument and recognized the five Tribes' role in its management. The mechanism President Obama used is an Inter-Tribal Commission of five members, one from each Tribe. As described in the Proclamation, the Bears Ears Commission's role is to manage the Monument collaboratively with the Forest Service and the BLM. To the dismay of the Tribes and their allies, however, the first iteration of the BENM was short-lived. In December of 2017, the Monument was reduced by 85%, and the Tribes' role as collaborative managers was undermined by (twice impeached) President Trump.

Trump's reductions were challenged in litigation, which is yet unresolved. In 2021, President Biden restored the BENM and reestablished the Bears Ears Commission's role as a collaborative management partner overseeing the Monument. With greater protections now in place, the five tribes of the BEITC are actively engaged in collaborative management alongside federal counterparts at the BLM and the USFS.

A new model for tribal management of public lands

Federally managed lands are adjacent to, and intersecting with, the ancestral homelands of tribal nations across the west. On these public lands, some Tribes hold treaty rights, reserving the rights to access and use these lands and resources. These treaties are an express acknowledgement that native nations were here first and their sovereign authority still extends to the resources on the lands their ancestors were removed from. The Obama and Biden Proclamations recognize Tribal sovereignty using a different mechanism - the Antiquities Act - but because the Coalition Tribes have used a sovereignty model to select their Commissioners, the result is similar.

Late in 2022, Interior Secretary Deb Haaland and U.S. Secretary of Agriculture Thomas J. Vilsack wrote a letter to the people of the United States introducing the First Annual Report on Tribal Co-Stewardship. Their joint letter states, "At its core, the Order recognizes the Federal Government's unique nation-to-nation relationship with Tribal nations and that public lands and waters are the ancestral homelands of Native American and Alaska Native Tribes and the Native Hawaiian community. Indigenous people have stewarded these places since time immemorial, predating the formation of the United States and its land management agencies."¹

What Bears Ears represents is the ability of tribes to exercise their sovereign authority over their ancestral homelands and territories, which gives them a meaningful role in the management of their off-reservation ancestral homelands. Collaborative management in Bears Ears has reconnected the Coalition Tribes with their lands and resources, legally, politically, and on the ground. The moment has finally arrived in which Tribes are starting to have this opportunity to build a future for public lands management that looks much different than it has over the past 200 years.

On a sunny Saturday morning in June of 2022, just outside of the Monument boundaries at the White Mesa Community Center, located on Ute Mountain Ute Tribal lands, the five Tribes signed an agreement with federal agencies codifying the collaborative management of the BENM, further securing and clarifying the role of the Coalition Tribes and the Bears Ears Commission in the areas of planning and implementation level decision making in the BENM.

Since signing this agreement, the Coalition Tribes have been advancing principles of Indigenous Stewardship and applying their Traditional Knowledge for the collaborative management of the BENM. The agreement obligates each of the five Tribal nations and both agencies to work together to achieve the multitude of goals and commitments in the Obama and Biden Proclamations establishing and restoring the BENM, as well as many of the goals of the Tribes.

Because of this extraordinary agreement, the Bears Ears National Monument will be managed differently than

other federal lands. The Coalition hopes that other Tribal Nations will, also, become meaningfully involved in the management of their ancestral homelands and sacred places on public lands across North America through collaborative arrangements and agreements.

Tribal land management plan

In 2022 the Coalition released their Tribal Land Management Plan (LMP)² to the public and submitted the plan to the USFS and BLM. This plan represents the culmination of four years of coordination, hundreds of hours of inter-tribal collaboration, and extensive efforts to document the cultural and historical expertise of the five Tribes by the Coalition's Cultural Resources Subcommittee (CRS). The CRS is composed of Tribal Historic Preservation Officers and staff, Cultural Resources Officers and subject-matter experts on staff, Tribal archaeologists, Tribal Elders, and other Traditional knowledge-holders from each of the five Tribes. The LMP was also ratified by each Tribal Government before being released to the public and federal agencies.

Increased tribal “co-stewardship”

Those who follow the Coalition's work may know that the BENM is unique because it was the first National Monument to be established at the request of five sovereign Tribal Nations and the first to formally incorporate the Traditional Indigenous Knowledge in its planning mandates. When the Coalition submitted its original proposal in 2015, the Tribes requested to be included as collaborative managers of the Bears Ears living landscape. This first-of-its-kind proposal was grounded in the nation-to-nation relationship, and President Obama's proclamation recognized this relationship by creating the Bears Ears Commission. President Biden's proclamation restoring the Monument in 2021 re-recognized the Commission as a collaborative partner for managing Bears Ears. This represents a significant step towards a co-equal land management model and away from the consultation model, which has been ineffective and frustrating to so many Tribes and their leadership and staff.

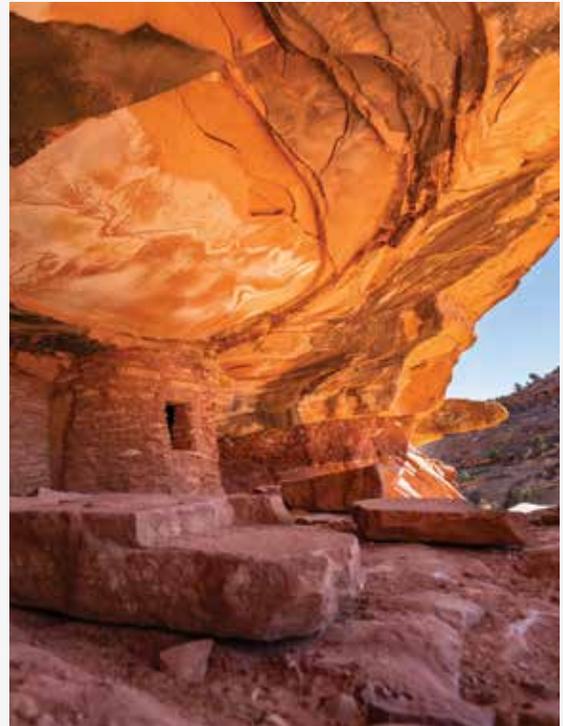
In 2022, as part of the White House's effort to include more Indigenous Knowledge in federal decision making, Federal Agencies released specific guidance³ and memoranda for its implementation.⁴ In September, when the Department of the Interior released their guidance about implementing new co-stewardship agreements, the Bears Ears National Monument was included as an example of this new guidance and new direction from the Biden-Harris Administration and the cabinet Secretaries of Interior and Agriculture.⁵

Shortly after this, the Forest Service issued a press release about the eleven new agreements to advance Tribal co-stewardship of national forests.⁶ The Bears Ears National Monument was included among the highlights in their press release. We are honored to be active partici-

pants of these innovative policy advancements and, what is likely to be policy and intergovernmental reform, and we sincerely thank you for joining us on this journey.

Ruben Pacheco is the Communications and Partnerships Director of the Bears Ears Inter-Tribal Coalition. He graduated from the University of New Mexico and lives in Albuquerque. His work is motivated by a commitment to inclusive institutions that promote well-being and justice.

Footnotes can be found at the end of this article posted at www.desertreport.org.



Desert Website

The Desert Report website has been rebuilt to feature material in a more timely manner than the three-month interval between printed issues. The material that appears on the Home page will also be more action oriented than has been customary in the past. The archive of past issues will be largely unchanged. The Index to past issues and References provided in articles can be accessed from the bottom of any page.

www.desertreport.org

Disadvantaged Communities In Imperial Valley

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earmarked for the Northend communities. The Plan also has the potential to severely impact the natural and built environment in and around the incorporated boundaries of Calipatria. Questions remain about where the water needed for the lithium extraction will come from and about health impacts from chemicals used during the Lithium extraction. This plan is still developing and is currently in the Programmatic Environmental Impact Report Phase.

The City of Calipatria welcomes the economic and global environmental benefits this Lithium Valley Industry will achieve. The city also recommends that a *Calipatria Lithium Valley Disadvantaged Communities Economic Development Plan* be written and adopted to directly support the economic and environmental needs of the communities that will be most directly affected by the newly created industries. Problems which might be anticipated include increased operational activity, toxic emissions, required public services, infrastructure upgrades, and potential annexation. Such a plan should follow the State of California Clean Energy Act of 2018 as well as the Federal Government Green Act of 2021. This community plan should zero in on the relevant social, economic, and environmental factors affecting the communities adjacent to the project site and would reveal those factors which will have the greatest influence on the successful implementation of the lithium extraction project and the final impact on the Northend.

The disadvantaged communities plan should provide Quality Assurance

- An Environmental Impact Report specifically for the Lithium Valley and Salton Sea Geothermal Basin area.
- Efforts and increased funding to improve air quality to the impacted communities.
- Quality control funding for the lithium extraction and mining testing within the Lithium Valley project.

Community Needs

- Economic, environmental, and public health benefits to the Calipatria and Niland communities, particularly from the Salton Sea receding shoreline.
- Job creation for locally impacted communities within the Lithium Valley and Geothermal Basin Area.
- Infrastructure funding for State Highway 111 and local streets, for acquisitions for the water system, sewer, public safety, and services for the redlined communities of Calipatria and Niland.
- Educational funding assistance to locally impacted Calipatria Unified School District, Imperial Valley College, and funding assistance for a higher institution of learning specializing in minerals and green energy curriculum and degrees, such as San Diego State University.
- Funding for the Calipatria and Niland Impact Severance Tax for the immediate impacts on infrastructure, job training, community enhancements, and environmental mitigation.

- Funding for increased and improved medical services to our local hospitals, including a children's hospital.
- Immediate funding for improvements to the Calipatria State Prison wastewater collection system.
- Direct investment toward the most immediately impacted disadvantaged communities and households within the redline community of Calipatria and Niland of the Lithium Valley project.
- Opportunities for business, public agencies, nonprofits, and other community institutions to participate in and benefit from statewide and national efforts to promote green clean energy.

The question of water

As an active advocate of the community, it's my fear that California's current water shortage is going to become a local (county) emergency, and will become especially acute if and when the Lithium extraction becomes a reality and becomes fully operational as proposed by the lithium industry.

In explaining my fear, mining large amounts of lithium will require huge amounts of water to extract it. Imperial County can go years without rain, and the people and the local communities depend on fresh water from the Colorado River. Regardless of the extraction method, the process where lithium chloride is turned into Lithium carbonate requires water, and the Northend communities worry about how much fresh water will be required and used in the final stages of the process.

Living beside the Salton Sea

The Salton Sea depends on untreated and polluted water from Mexico (via the New River) and from the farming community (agriculture run-off) via the Alamo River. Conditions at the Salton Sea are getting worse, and now with climate change upon us, state-wide drought, the COVID-19 pandemic, and high asthma rates in the Imperial Valley, stakeholders in the area need to come together and strengthen the plan for the Sea. The California Natural Resources Agency has conducted community updates regarding the restoration projects that are underway and the proposed long-range plan. Many local community organizations are working for better education on the environmental exposures of the Salton Sea and for social justice to be included in the effort.

Down the road, and before the economic benefits begin to trickle in, I fear that the current water shortage will become worse as a result of the water usage and needs of the proposed lithium plants. I visualize restricted daily water access in the future. Many states are also suffering moderate to severe droughts. Can the reader imagine the cut-backs of water during the heat and humid summer months here in the Imperial Valley? Here, where we have poorest residents, high unemployment, and medically underserved people, the Northend will be forced to reduce their water usage. Eventually, the



Abandon mobile home in Niland.
 Photo by Christian Froelich

amount of water used by the local farming industry coupled with the water that will be required by the lithium plants will create unequal and unfair access to the basic needs of water. The Northend communities have been neglected and deprived for many years, therefore the water distribution network cannot be looted for unlimited use by the commercial/industrial projects that do not benefit our indigenous people in the Northend of the Imperial County.

The Imperial County and the State of California in collaboration with the Northend and the Lithium industry have developed a partnership. All parties must agree to treat water, food, jobs, and energy as human rights.

Besides having more community meetings and more state or federal government funded studies of the Salton Sea, the State, Federal and local stakeholders need to work as a cohesive group and exercise flexibility and develop and fund a “Wetlands” Strategy to start the hard work of restoring the Salton Sea. During the interim period of planning long term solutions to save the sea, further development and implementation of wetland remedial projects are absolutely essential and beneficial to our local ecosystem. Wetland projects are needed before the Salton Sea becomes more laden with toxic minerals and agricultural runoff and before it becomes a super-saline body of water (dust bowl). It’s anticipated that such projects should bring tangible benefits to our long underserved Northend communities because of the close proximity to the Salton Sea.

On a positive note, although the effects of the Lithium Project are still uncertain, it is possible that over the long haul strong economic growth will help the Northend so that this section of the Imperial County be “saved” as a visible and self-sustainable and self-sufficient region.

Maria Elena Nava-Froelich graduated from Calipatria High School in 1980 and Imperial Valley College in 1986. She became a city council member in Calipatria in 2011 and as served several terms as Mayor in 2023, 2019, 2016 and 2014. The list of local community organizations for which she has worked is long and varied.

Outings

As a result of the coronavirus outbreak, there are currently no Desert Committee outings scheduled. For updated information visit the Outings section of the Desert Report website at www.desertreport.org. You may also want to consult with other groups that conduct recreational and service outings in the desert.

Desert Survivors: desert-survivors.org

Friends of the Inyo: friendsoftheinyo.org

Friends of NV Wilderness: nevadawilderness.org

Future Committee Meetings

The next Desert Committee meeting will be held by Zoom on Saturday, May 13. The link to join the meeting and a tentative agenda will be posted in late April on the Desert Forum, on the website www.desertreport.org, and by email to those who have signed in for meetings in the past. Meeting chair will be Craig Deutsche.

Unless unexpected circumstances intervene, the following meeting will be in-person, on Aug 5-6 in the White Mountains. Meeting chair will be John Hiatt.

Join Us On The Desert Forum

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.

SIGNING UP IS EASY

Just send this e-mail:

To: Listserv@lists.sierraclub.org

From: Your real e-mail address [very important!]

Subject: [this line is ignored and may be left blank]

Message: SUBSCRIBE

CONS-CNRCC-DESERT-FORUM

YOURFIRSTNAME YOURLASTNAME

[this must fit on one line.]

By return e-mail, you will get a welcome message and some tips on using the system. Questions? Contact Stacy Goss, stacy.goss@comcast.net, (408) 248-8206.



Desert Updates

Gold Mining Threatens Sacred Desert Lands In Imperial County

Last year, the Quechan people successfully stopped a gold mining project from destroying their sacred site at Indian Pass. Now, another company has come to search for gold on desert lands sacred to the Quechan Tribe in Imperial County, California. Southern Empire Resources Corp. is proposing to build 8 miles of roads, drill 65 holes down to 800 feet, and use 2,000 gallons of water per day as part of their Oro Cruz exploration project. This proposed exploration, and the large-scale mining operation that would follow, would irreversibly damage an ancient trail network that connects the Quechan people to their sacred site at Indian Pass, and to their place of creation, Avi Kwa Ame. Furthermore, the Oro Cruz project would harm threatened species, such as the desert tortoise, and destroy intact desert habitat in the Picacho Area of Critical Environmental Concern. The BLM and Imperial County are currently reviewing comments on a draft Environmental Assessment and Mitigated Negative Declaration, deciding whether or not to approve the project or require more detailed environmental review. For more information and ways to get involved, visit www.earthworks.org/IndianPass

Alabama Hills National Scenic Area Management Plan

Located immediately west of Lone Pine, CA, the Alabama Hills National Scenic Area was designated in 2019 with the Dingell Act, making it the first (and only at this point) National Scenic Area managed by the Bureau of Land Management (BLM). Groups like the Alabama Hills Stewardship Group and Friends of the Inyo had worked

for more than a decade to get community and stakeholder input and, ultimately, their support. The Resource Management Plan (RMP) was completed in the spring of 2021. Some of the difficulties the RMP addressed were user conflicts, particularly on the west side of Movie Rd, human waste, trash, and inappropriate campsite development. Since the implementation of the RMP in early 2022, six restrooms have been placed in two popular areas, 150 campsites have been closed and revegetated, fifty-two semi-primitive campsites have been designated, two new informational kiosks have been put in, and the west side of Movie Rd is now day use only. As a result, there are fewer user conflicts, less trash, less human waste, less trampled vegetation, and more people staying in the existing developed BLM campground. For more information on what's changed or on the history of the area, please visit <https://www.blm.gov/visit/alabama-hills>.

Joshua Trees in California Nearing Protected Status

On February 8, 2023, the California Fish and Game Commission voted unanimously to postpone a decision on whether to permanently protect western Joshua trees under the California Endangered Species Act (ESA). This decision was prompted by a new law proposed by Governor Newsom, an addition to the State Fish and Game Code titled: Chapter 11.5. Western Joshua Tree Conservation Act. This proposal would provide much the same protection for the Western Joshua Tree as it would have as a California threatened species, although there would be additional provisions for permitting of renewable energy and housing projects. Because the Fish and Game Commission did not issue a decision about listing under the ESA, Joshua trees will continue to be protected as if

listed until a final commitment is made.

The petition for listing was brought by the Center for Biological Diversity, and a news release by that organization on February 8th included the following;

“Western Joshua trees are an irreplaceable and highly threatened part of California’s natural heritage,” said Brendan Cummings, the Center for Biological Diversity’s conservation director and a Joshua Tree resident. “We’re pleased the Newsom administration recognizes their importance and has proposed groundbreaking legislation to ensure these wonderful trees forever remain part of California’s Mojave Desert landscape.”

The bill is the first legislation in California specifically focused on ensuring the protection of a climate-threatened species. It requires the department to prepare a range-wide conservation plan for the species by the end of 2024, periodic reviews to ensure the effectiveness of the plan, and consultation with affected Tribes.

Avi Kwa Ame National Monument

By Alan O’Neill

After years of hard work by a very diverse coalition, we are close to having the 450,000-acre Avi Kwa Ame National Monument in Southern Nevada designated. President Biden announced his intention to designate the Monument under his Antiquity Act authority at the Tribal Nations Summit on November 30, 2002. We expect the actual declaration to be signed soon. This has truly been a grassroots, citizen driven process, one of the most impressive and effective public land campaigns I have seen in my 56 years working professionally on public lands issues.

Avi Kwa Ame, the Mojave name for Spirit Mountain and the surrounding landscape, is sacred to over a dozen tribes, including the ten Yuman-speaking tribes who pay reverence to Spirit Mountain as the center of their creation. The Monument landscape contains significant natural and historic resources as well, including some of the most visually stunning and biologically diverse lands in the Mojave Desert. The Monument will be managed by the Bureau of Land Management, and the tribes will be playing a mayor role in how the area is planned and stewarded.

Over 100 conservation, outdoor recreation, sportsman, artists, and business organizations across the country representing millions of members have expressed support. This is in addition to the strong support from Indigenous leaders and local governments who have expressed support through formal resolutions. More than 170,000 individuals have signed a petition calling for the designation.

The Monument’s designation can also serve as one

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A Poem Presented at the February 12th meeting of the Desert Committee

No More Delays

Another vote postponed,
'Til February '23 this time.
The matter remains unsettled,
In Tahoe, in Los Angeles, where to next?
A deadlocked commission,
No decision is coming to fruition.
How many Joshua trees,
Must be “doomed”?
Fated to perish?
The desert’s getting hotter,
Not cooling down like it used to,
Extremes exacerbated.
And yet an iconic symbol,
Is left by the bureaucratic wayside.
Named after a prophet.
Treated as expendable.
It is a tree to me.
But more than that,
It stands for the Mojave,
For a world changing rapidly,
Due to our own selfish desires,
That we cannot yield to fairness.
I implore the California Fish and Game
Commission,
List the western Joshua tree under CESA,
And take one measured step towards
progress.
No more delays.

By Cameron Mayer

Desert Updates

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of the key centerpieces to President Biden's American the Beautiful initiative. Nowhere in Nevada can you link so many existing protected areas by one single action. By connecting the protected area on the California side of the border to Lake Mead National Recreation Area and the Boulder City Conservation Area, you are also essentially connecting the East Mojave Desert to the Colorado Plateau, providing an even larger connected and resilient landscape in the face of climate changes. The Monument serves as the connective tissue tying them all together.

Alan O'Neill is a Retired Superintendent, Lake Mead National Recreation Area and is an Advisor for the National Parks Conservation Association.



Red Rock Canyon State Park. Photo by Christine Warner via Creative Commons

The Old Dutch Cleanser Mine in Red Rock Canyon State Park

In the June 2022 issue of *Desert Report*, I introduced readers to the looming conflict between the grandeur preserved within Red Rock Canyon State Park and the desire to reinstate mining at the long idle Old Dutch Cleanser Mine. Faced with several mining compliance issues, the owners of the mine, the Matcon Corporation, petitioned the Kern County Planning Commission to recognize a newly asserted claim that the Mine retroactively qualified for “vested rights” under the Surface Mining and Reclamation Act (SMARA) of 1976. If approved, past compliance transgressions would be erased, and future mining would be exempt from many SMARA regulations.

After two postponements, on June 9, 2022, the Kern County Planning Commission voted against the request to recognize “vested rights.” Matcon then appealed the decision to the Kern County Board of Supervisors who heard Matcon’s request on October 11, 2022, voting unanimously that Matcon was not entitled to “vested rights”.

I and several others provided Kern County with four State of California mining publications documenting that the mine became idle in 1947 and that most mining equipment was removed by 1958 - proving the mine was long idle and abandoned by the time of SMARA implementation.

We are extremely thankful to the Kern County Planning and Natural Resources Department for their unwavering position that “vested rights” were not applicable. Matcon still possesses a permit to mine 20-acres at the site, if long standing compliance issues are rectified.

The June 2022 article concluded with the notion that acquisition by California State Parks was the most prudent long-term solution for all involved. Numerous communications with California State Parks followed. The acquisition process for California State Parks is lengthy, detailed, multilayered and mostly confidential. We are happy to report that acquisition is under consideration and has passed several early hurdles. We are optimistic about future resolution, but until this process plays out fully the ultimate conflict of preservation juxtaposed to resource extraction still remains a possibility.

Mark Faull, retired State Parks Ranger

Tule Springs Paleo Survey

The proposed Greenlink West electrical transmission corridor (see *Desert Report*, September 2022 and September 2021) has been contentious for some time and now appears to be facing yet another obstacle in the permitting process. The project has been promoted by its sponsor (NV Energy) and by both the Bureau of Land Management and its parent agency, the Department of the Interior. Opposed to the construction have been a number of environmental groups as well as the city councils of Pahrump and Beatty in Nevada. A principal argument against the proposal has been that it will inevitably serve adjacent solar energy facilities that will be destructive of pristine desert ecosystems. That the proposed route goes through the Tule Springs Fossil Beds National Monument complicates the matter still further.

A survey of paleontological resources along the route through the Monument was released February 16, 2022, by Public Employees for Environmental Responsibility (PEER). Ground penetrating radar found the “strong likelihood of ‘vertebrate skeletal elements’ in areas along the proposed right-of-way for the planned “Greenlink

West' high-voltage system to transmit power between Las Vegas and Reno." Previous comments submitted by the National Park Service had warned about damage to world-class fossils, such as mammoths, bison, camels, and ancient tortoises. Federal law governing the Park Service forbids the impairment of resources, and the Paleontological Resources Preservation Act generally forbids the destruction of fossils on federal lands.

A minimum conclusion would hold that much better planning should be done before energy proposals get to the permitting stage. More information is available on the PEER website: <https://peer.org/tule-springs-fossils-block-power-line/>

Border Bureaucracy – Who Deals with a Trash Fire?

On February 3, 2023, a fire began burning along the U.S.-Mexican border. At the particular location, the bollards which form the border wall are on U.S. land about three feet north of the surveyed international boundary. The fire occurred on the south side of the bollards on both U.S. and Mexican soil. The location is in western Imperial County, south of State Highway 98, and immediately east of the Jacumba Wilderness Area. The location is shown by the blue dot in the Google Map image here.



On February 5th, Edith Harmon became aware of the fire and reported it to the Bureau of Land Management, to the Border Patrol, and to the Imperial County Fire Department. Because smoke was thick and the odor was noxious, she notified the California Department of Toxic Substance Control on the following day. Heavy rains in September 2022 had washed huge piles of plant debris along with plastic bottles and other trash against

the bollard wall on the Mexican side, and it was this material that burned and smoldered for over a week. The question became "Who is responsible for putting the fire out and cleaning up the potentially hazardous residue?"

In addition to the four agencies already named, the California Environmental Protection Agency was notified. The fact that the fire extended across the international border only complicated the situation. Perhaps predictably, each of the agencies argued that someone else, not they, should take the lead. As of this writing, February 20th, the fire continues, and air quality remains compromised.

Conglomerate Mesa Update

In a press release in March 2022, K2 Gold and its subsidiary Mojave Precious Metals said that it would not be pursuing an Environmental Impacts Statement for the 120 drill-hole gold exploratory proposal on Conglomerate Mesa (named Mojave Project). Since then K2 Gold has changed its mind. The federal register notice and the start of the public comment scoping period are expected in the first half of 2023. Since this is a new NEPA process, previous comments submitted for the Environmental Assessment will need to be resubmitted when the EIS comment period opens. The Conglomerate Mesa Coalition will be hosting mining education events in the Eastern Sierra during the comment period. Here is the Bureau of Land Management's ePlanning page for the EIS: <https://tinyurl.com/bdh9f2ww>



Approaching Conglomerate Mesa. Photo by LaurelWW via Creative Commons

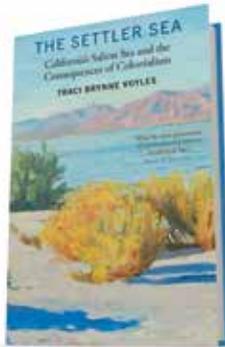
The Settler Sea

California's Salton Sea and the consequences of colonialism

In an important and aesthetically intoxicating book, *The Settler Sea: California's Salton Sea and the Consequences of Colonialism*, author Tracy Brynne Voyles wastes no time digging into the major problems facing southern California's Salton Sea. She also makes it clear that this book is a celebration of the ongoing beauty and resilience of life – and a dedication to environmental problem solving for the Salton Sea and for the Cahuilla and other Native people who have lived here for at least 10,000 years.

The opening chapter, "A World on the Brink," is a wake-up call announcing the environmental and social justice crises afflicting the human-ecologic fabric of the 15-mile wide, 45-mile-wide inland body of water situated in a rural, extremely hot landscape below sea level not far from the U.S.-Mexico border.

The book title derives its name from the fact that the history and original character of the Salton Sink have been largely commandeered by Anglo-European settlers who, upon arrival beginning in the 17th century, imposed their patterns of large-scale resource extraction with little if any understanding or concern for the possible consequences inflicted on the environment and the Native American people. In addition, the settlers grossly marginalized, both physically and in decision-making, these indigenous people with their deep historical and cultural knowledge of the Salton Sea and the surrounding landscapes. The resource extraction – lithium production,



large-scale renewable energy development, and rapid urbanization – comes with debilitating environmental and cultural consequences that we are witnessing today, here and across the neighboring Mojave Desert.

Throughout the book, Voyles powerfully suggests that finding solutions to the glaring problems call for a decolonization and restructuring in the environmental movement. She makes it clear that there is far more

about the Indigenous diaspora as related to the life and legacy of the region than has previously been presented in much of the literature and public image-making about the Salton Sea. This book does much to establish the depth and complexity of these deep eco-cultural relationships that have shimmered across the desert as beautifully and invitingly as the sparkly sea itself under a hot desert sun, a true mirage come to life.

Voyles outlines how the ongoing environmental and social justice crisis at the Salton Sea has arisen from a colonial mentality which assumes that everything, absolutely everything in the desert, was placed there for short-term economic gain of the new arrivals at the expense of both the environment itself and the cultures and involvement of the Native people. This marginalization has not only displaced Native communities, but has also failed to include Native people in the conversation at all.

As Voyles says, "The questions of *whose environmentalism* we follow when it comes to the Salton Sea – as well as when it comes to myriad other environmental challenges – matters." This urgent call for a re-structuring, even decolonization of how we approach environmental problems, may be the most important message in the book. (p. 264)

Such "decolonized" approaches to solving the Salton Sea crisis and creating an ongoing existence in more sustainable ways – ways that directly involve the voices and the lives of the Native and other non-Anglo communities (particularly those of Latinx people) who live here – can also be implemented in addressing the severe environmental and social justice disasters playing out across adjacent parts of eastern Riverside and Imperial counties as well as huge swaths of the Mojave deserts subject to the construction of massive large-scale renewable energy projects on once-pristine wildlands.

The voices and amplified presence of Native people



Attendees at the Salton Sea Vigil and Rally held October 12, 2022, on Indigenous Peoples' Day. Photo by Ruth Nolan



**Torres Martinez
Desert Cahuilla Tribal
Secretary Altrena
Santillanes at the
Salton Sea Vigil and
Rally held last
October 12, 2022,
on Indigenous
Peoples' Day.
Photo by Ruth Nolan**

– including Shoshone, Serrano, Mojave, Cahuilla and others whose homelands these have been for at least 10,000 years – are essential in a landscape of decolonized environmental activism.

In eloquent detail and with an inviting narrative style, Voyles shares stories of the region's Cahuilla and other Native people. Once a vast inland sea much larger than today's present-day incarnation, Ancient Lake Cahuilla was a temporal body of water shaped and formed by changes in weather, rain, and flood, as well as by periods of extended drought.

In her book, Voyles also goes far beyond presenting another chronology of the Salton Sea and its presence, formed by mishaps in irrigation efforts by Anglo settlers and coupled with epic Colorado River flooding. She extensively examines the heavy impacts of settler colonialism on the formation and the shrinking of the Salton Sea that have steadily been creating a massive environmental disaster and furthered "Indigenous dispossession and racial capitalism" in this region.

Today, the Sea exists in a precarious conundrum between degradation, dispossession, beauty, life and abundance – a shadow but also a mirror of its former come-and-go, ancient lake-self in one of its many historically changing incarnations. This is a book that savors the richness of the magical and miraculous world of the Salton Sea and Ancient Lake Cahuilla, as it has existed and been a deep and critical part of the fabric of a relational and adaptive way of life for the Cahuilla and other Indigenous people. This book also starkly outlines the influences that western settlement and colonial-capital influences have had in radically altering this harmonious eco-human balance in the past several hundred years.

For example, in the section titled "In the Lowlands of Southern California," Voyles writes that "the state's inland body of water teeters between worlds. Every year less water flows in to replenish that which the sun dries up. The shoreline recedes....mudflats dry and crack.... (but) it would be a mistake to see *only* the dead fish, dusty shoreline, and a flat slate of water stretched toward a hazy horizon. Turn around. Creosote bush and salt brush thrive in thin, alkaline soil...An impressive range

of legume trees furnish valuable protein for human and nonhuman dwellers: blue palo verde, ironwood, honey and screwbean mesquite, and catclaw, among others.... Notice the birds. They are everywhere. Eared grebes, white and brown pelicans, terns, cormorants, herons and egrets all congregate here, splashing in the shallows and hunting for food." (p. 1-2).

The table of contents clearly outlines the over-arching scope of this book and its purpose in serving as an anthem call for a revision of decolonization and re-structuring of the contemporary environmental movement and also as a beautiful evocation of the stories and cultures of the Cahuilla and other people living near the Salton Sea and Ancient Lake Cahuilla.

Part 1 has two sections: Desert and Flood. Part 2 contains the sections Birds, Concrete, and Bodies. Part 3 includes Bombs, Chains, and Toxins. This brings us into the mid 20th and early 21st centuries. Voyles's conclusion packs a compelling and urgent punch: "A How-to Guide to Saving the Salton Sea."

In a section towards the end of the book, titled "Lake Cahuilla: An Unsettled Sea," Voyles points to a 2020 poster project, "The Past, Present and Future of the Salton Sea," sponsored by the Torres Martinez Cahuilla tribal council to honor the sea and its role in Cahuilla life. Art was created and submitted by children and adults depicting a diversity of images of life along the Sea, including "blue water coursing under rich brown mountains that glowed in pink and purple sunsets." In another poster, "...mesquite trees dotted the foreground, their leaves rendered as fish along a cracked shoreline, suggesting both a fish die-off and a resurgence of bountiful mesquites with full overstories" (p. 261.) The book concludes with a discussion of how, with Native input and action, the brightest hope for problem solving is perhaps evident.

Living and celebrating the beauty and richness of life along the Sea, whose remaining blue waters shimmer and invite and foster life, may help us find a more balanced narrative. It is a vision that includes a diversity of voices and possible solutions to problems along with ongoing celebrations of life and what it means to live in a unique desert place where neither disaster or perfection dominate the view but make their presence always known.

Previous, shorter versions of this book review have been written by Ruth Nolan and published in 2022 in News from Native California and Inlandia Literary Journeys.

Ruth Nolan is Professor of English, Creative Writing and Native American literature at College of the Desert. She is author of After the Dome Fire (Bamboo Dart Press) and editor of No Place for a Puritan: the Literature of California's Deserts (Heyday.) She is currently serving as Mojave Desert Literary Laureate.

Bright Star And Kiavah Wilderness Areas

Are cattle grazing leases appropriate?

In September 2022, the Bureau of Land Management (BLM) published an Environmental Assessment (EA) for a proposal to issue new 10-year cattle grazing leases which include portions of the Bright Star and Kiavah Wilderness Areas. Managed respectively by the Ridgecrest and Bakersfield Field Offices, these Wilderness Areas are at the junction of the Mojave Desert, Sierra Nevada Mountains, San Joaquin Valley, and the Transverse Range eco-regions with elevations ranging from 3,000 to 5,000 feet resulting in a diverse assemblage of habitats and species. Both areas were severely burned in 2008 and 2016 and have been affected by recent drought conditions with native grasses and shrubs in the early stages of recovery.

Included within the boundaries of these Kern County grazing allotments are: 1) the 8,775 acre Bright Star Wilderness, located in the Piute Mountains of the Southern Sierra Nevada; and 2) a 8,831 acre portion of the Kiavah Wilderness², located in the Scodie Mountains of the Southern Sierra Nevada. BLM's portion of the Kiavah Wilderness is located northeast of the Bright Star Wilderness and west of the Scodie Mountains. These two wilderness areas were designated in 1994 under the California Desert Protection Act. The Bright Star Wilderness has an even longer conservation history. It was included

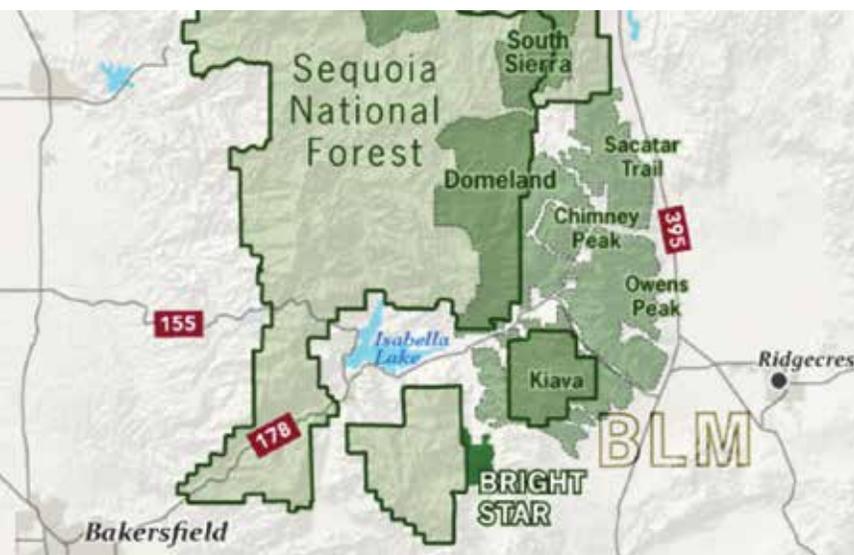
in the California Desert Conservation Area under the Federal Land Policy and Management Act (FLPMA) in 1976 and was designated by BLM as part of the Jawbone-Butterbredt Area of Critical Environmental Concern (ACEC) in 1980.

Effects of the Piute and Erskine fires on wilderness

In 2008, the Piute Fire burned about 30% of the Bright Star Wilderness. Eight years later in 2016, the Erskine Fire burned and destroyed all the native vegetation in over 60% of Bright Star. According to the EA, the Kelso Peak grazing allotment, which includes the Bright Star Wilderness, was “ravaged by fires at an unusually high fire interval rate” and that the “Erskine Fire severely impact[ed the] natural quality of wilderness.”

The EA also states that “Grazing at the maximum allowable intensity could have a profound effect on the naturalness of the Bright Star Wilderness, given that the vegetation community is still in the early stages of recovering from two large fires in relatively quick succession. Livestock grazing would introduce additional trammeling impacts that could disproportionately influence the outcome of fire recovery in this wilderness for years to come.” The BLM's Wilderness Character Report for the Bright Star Wilderness stated, “[T]he 2022 data show a marked increase in the extent and frequency of non-native plant species and a decrease in naturalness within the Bright Star Wilderness since the 2016 Erskine Fire. Key forage species are no longer sufficient within the burned area to support both livestock grazing and fire recovery.”

The fires also affected the Kiavah Wilderness, but the EA provided little information of the fire's effects on soils, vegetation, and wildlife. Instead, the EA focused on range improvements (e.g., fences) that were burned and are now non-functional. The EA states, “The 2016 Erskine fire burned over 48,000 acres to the east and northeast of the project area. Over 5,500 acres of the Woolstalf Creek, High Enough, Cane Canyon, and Nicoll Spring pastures were affected by this fire. The Piute Fire of 2008 burned 37,000 acres of which 573 acres of the Upper Cortez Canyon pastures burned. The effects of these fires on the landscape have not yet been analyzed.” The EA is largely silent on the current condition of the wilderness area and merely states, without evidence, that “impacts to the Kiavah Wilderness are not expected



Map by Wilderness Character Monitoring Report



Kelso Peak Grazing Allotment before the Erskine Fire (left) and after the fire (right). Photos by Wilderness Character Monitoring Report

to occur” as a result of cattle grazing. This statement is highly questionable given the effects of the Erskine Fire that resulted in the loss of native grasses and shrubs which have not fully recovered.

Alternatives considered and analyzed in the EA

Under the National Environmental Policy Act, the BLM is required to consider and analyze the effects on the environment that would occur from a reasonable range of alternatives that would accomplish the underlying purpose and need of the proposed action. The analysis of the effects of alternatives and their implementation must avoid alternatives depending upon speculation or which are unsupported by evidence. Furthermore, alternatives cannot be similar or substantially the same as another alternative. Generally, for an externally generated proposal the no action alternative would mean rejecting the grazing permit application and not issuing any new 10-year grazing leases.

BLM states in the EA that “The BLM’s purpose for the action is (1) to process term grazing authorizations on the affected grazing allotments; (2) to address changes needed to the livestock management units, practices, and resource improvement project authorizations resulting from the partial relinquishment of grazing privileges on the Rudnick Common allotment; and (3) to continue to meet, or make significant progress toward meeting, the Standards of Rangeland Health, objectives of the Resource Management Plans, and other pertinent multiple use objectives for the affected allotments.”

BLM has so narrowly construed the purpose that all alternatives (the no action, the proposed action, and the single alternative) must include cattle grazing. The only way BLM could satisfy the stated purpose and need is to issue the proposed grazing leases. It is notable that the proposed action and the single alternative analyzed in the EA would allow essentially the same level of grazing. Absent from the EA are alternatives that would suspend

grazing until the burned areas recover and alternatives that adjust grazing seasons (e.g., fall and winter seasons) to avoid plant periods of native plant germination, growing and maturing.

In response to the grazing applications, the BLM should have stated the correct purpose and need and acknowledged all of its legal obligations. These include managing the public lands for multiple uses, which includes grazing in a sustained yield manner, maintaining environmental quality, managing and protecting ACECs, and managing wilderness under provisions of the Wilderness Act. BLM should have also stated that its legal obligations include FLPMA’s multiple use and sustained yield requirement. Beyond this, the Wilderness Act mandates that BLM manage wilderness for the public use and enjoyment in a manner that will leave it unimpaired for future use and enjoyment by protecting and preserving its wilderness character.

Rangeland health assessments

The EA includes a summary of the Rangeland Health assessments based on BLM’s regulations for Fundamentals of Rangeland Health and Standards for Livestock Grazing. One assessment covered the proposed allotment pastures, and the other focused on wilderness character in the Bright Star Wilderness. Cattle have not grazed within the Bright Star Wilderness or the Kelso Peak Allotment as a whole since 1998.

A multidisciplinary team of BLM staff members performed assessments in the proposed allotment pastures in 2021 and reported that all components of the rangeland ecosystem met the recognized health standards. The fires that affected the proposed pastures were noted as “natural disturbances” even though both were human-caused.

The 2022 Wilderness Character Report covering the Bright Star Wilderness rated it as non-functional within

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areas burned by two fires within the middle elevations, where 95% of Joshua trees and California buckwheat and nearly 100% of pinyon pine and big sagebrush was eliminated. Perennial bunch grasses were found in several isolated, small patches, and current ground cover is dominated by annual forbs and grasses, including non-native cheatgrass, splitgrass, and filaree. The report concluded the burned area is in the early stages of recovery from the fires. The report stated, "This area is in danger of transitioning to a less diverse, more degraded (exotic) vegetation type community under additional stressors posed by drought and the possible resumption of livestock grazing. It could transition from an open Joshua tree-California Juniper woodland with a mixed Mojave scrub understory to a California Juniper annual forb and grassland dominated almost exclusively by serial and invasive species (such as cheat grass and red brome)."

For the Bright Star Wilderness, the Wilderness Character Report recommended that "Grazing should be suspended in areas severely burned and impacted by the 2016 Erskine Fire for another 5-10 years. These areas have not recovered sufficiently to support the resumption of livestock grazing without adverse and potentially irreversible impacts to the native vegetation communities." It recommended that "Cortez Creek should not be used for livestock watering purposes whatsoever. It is the only source of water and shade in the area. Currently, it supports the most prominent expanse of green (wet, verdant) vegetation found within the area, along with a few relatively large monotypic stands of bunch grasses. These green areas are embedded within large expanses of mostly brown, dried-up stubble (spent annual grasses and forbs) in this period of extended drought. It anticipated that the creek bottom and isolated bunchgrass stands will be especially hard hit, selectively (over-

grazed by cattle (should they be reintroduced) in the absence of much of anything else. We should not allow cattle to have unfettered access to the spring and riparian areas and to monopolize these areas during the critical spring growing season or later in the year, when dwindling water resources become especially critical for native wildlife species." The concluding recommendation was to allocate perennial forage only from the unburned portion of the area, or with very limited AUMs for both the burned and unburned areas only during years of higher precipitation and increased forage production.

Conclusion

The BLM's EA for issuing new 10-year grazing leases and forage allocation for cattle fails to account for the severe impacts of two human-caused fires that eliminated nearly all perennial vegetation over significant portions of the Bright Star and Kiavah Wilderness Areas. The EA fails to include a reasonable range of alternatives, as the proposed action and the single alternative propose essentially the same level of grazing. Absent are alternatives that would suspend grazing until the burned areas recover from the effects of the two fires and another that would reduce the forage allocation and limit grazing to the fall and winter seasons.

On December 29, 2022, the Ridgecrest Field Office Manager issued a proposed decision to issue new 10-year grazing leases, including allowing grazing within the Bright Star Wilderness. The proposed decision called for suspending a portion of the livestock forage allocation due to the impacts of the Piute and Erskine fires. Mandatory monitoring by BLM every three years will assess the effectiveness of this action to protect rare plants and to restore and maintain wilderness characteristics. The Bakersfield Field Office Manager issued a proposed decision to issue new 10-year grazing leases for allotments under his jurisdiction on January 6, 2023, with no suspension of forage allocation. There was a 15 day protest period of the proposed decisions, and it is likely that protests will be submitted.

Readers can find additional information on BLM's actions and decisions for proposed livestock grazing in the affected area at: <https://eplanning.blm.gov/eplanning-ui/project/2019518/570>.

Working as a wildlife biologist and supervisory natural resources specialist with the Bureau of Land Management and the National Park Service, Jeff Aardahl has spent the greater part of his professional life engaged with outdoor conservation issues. Now retired, his work with Defenders of Wildlife is focused on wildlife and habitat conservation, endangered species recovery, land use planning, and similar conservation matters.

Footnotes can be found at the end of this article posted at www.desertreport.org.



Cortez Creek, 05/05/2021. Photo by Wilderness Character Monitoring Report



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