The East Mojave National Scenic Area: Multiple use or national park?

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THE EAST MOJAVE NATIONAL SCENIC AREA:
MULTIPLE USE OR NATIONAL PARK?

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CHAPTER 1
INTRODUCTION

America's wilderness has been steadily disappearing. For over a century, rapid economic growth and development have steadily eaten away at our nation's mountains, forests, prairies, and deserts. In recent years encroachments have been severe, and it appears likely that further reductions in wilderness lands will take place since they hold significant economic and ecological resources in the form of minerals, energy reserves, timber, watershed, fish and wildlife, and recreational value. At present there are approximately 357 million acres of public domain in the United States under exclusive jurisdiction of the Bureau of Land Management (BLM). The question of how wilderness resources should be utilized is a matter of public interest and public management. It raises several difficult political and administrative issues.

A major problem lies in the way in which public lands have been traditionally administered. According to the Federal Land Policy and Management Act of 1976, Congress has embraced a doctrine of multiple use. The aim is to balance resource uses while maintaining environmental quality. However, the legislation provides scant guidelines for measuring resource values and balancing conflicting uses.

The ambiguity of the multiple use doctrine for managing
public lands has left federal agencies with little guidance on how to implement policies. As a result, agencies have considerable discretion in carrying out the multiple use mandate. This ambiguity has given rise to conflict concerning the management of public land resources. Environmentalists charge that policies do not provide adequate protection against environmental destruction. Proponents of economic growth charge that policies obstruct resource utilization. These arguments seem to be at a perpetual stand-off as no one has determined where the best public interest lies. In short, policies waver and fluctuate, actions taken under them are often inconsistent, conflicts are unresolved, and conservation of finite, irreplaceable resources is seriously and perhaps irreversibly impaired.

The California desert is a prime example of the difficulties involved in measuring resource values and balancing conflicting interests on public lands. It is a large area, primarily in the hands of the federal government. From one point of view it is a wasteland—useful only for grazing, mining, and other resources for which it may be exploited. From another it is an area for recreation, a huge sparsely settled land resource close to one of the nation's largest metropolitan areas, whose inhabitants have moved steadily outward in pursuit of suburban living, diversion, and profit. From yet another, it represents primeval wilderness, long gone from most of the United States, which should be preserved in trust for future
generations to appreciate and enjoy. The proponents of all of these views muster private resources to achieve their goals, but the key to gaining their end lies in government.

The federal government not only owns and administers most of the California desert, but its policies influence its economic value and the feasibility of any potential use whether as wilderness, agricultural land for grazing or crops, suburban development, dumpsite, mining, or recreation site. Small wonder that federal administration has become the focus of a variety of interests, and that it has found it impossible to act as a neutral arbitrator.

The focus of this research project is on the 1.4 million acres of land located within the California Desert Conservation Area (CDCA), designated as the East Mojave National Scenic Area (EMNSA) in 1980 and administered under the multiple use policy of the BLM. The objective of this study is to evaluate the management of the EMNSA, and specifically, to determine whether the multiple use classification should be replaced by a national park designation in the form of a Mojave National Park. The study illustrates the difficulty of finding acceptable administrative solutions in a politically charged area where criteria for evaluations are influenced by divergent and uncompromising views and interests. The problem focuses on the interpretation of the multiple use doctrine and its application within the EMNSA. Before analyzing the national park proposal, therefore, it is necessary to examine the concept of multiple
use doctrine and summarize previous research on its validity and worth.

The EMNSA and the Mojave National Park Proposal

The BLM's policies regarding the EMNSA have been subject to a steady stream of criticism, which has found particular focus in the organization of Friends For Mojave National Park. The idea for the establishment of Mojave National Park was originated in 1976 by a small group of citizens concerned with the protection of the east Mojave Desert resources. From this idea, the organization of the Friends For Mojave National Park was formed. Their efforts have since been endorsed by numerous environmental, historical, and cultural organizations including Sierra Club, The Wilderness Society, California Native Plant Society, Desert Protective Council, San Bernardino Valley Audubon Society, and San Bernardino County Museum Society.[1]

The Friends For Mojave National Park argue that BLM's past record and multiple use orientation indicate that inadequate management for the preservation of natural, historical, and cultural resources is provided within the EMNSA and that it should be replaced by the National Park Service's management policy of preservation.

The EMNSA extends from Baker on the west to U.S. 95 on the east, and is bordered on the north by Interstate 15 and on the south by Interstate 40. It is approximately 2 hours driving
time from Las Vegas, Nevada, and 5 hours driving time from Los Angeles.

The U.S. Department of the Interior has recognized the unique natural, scenic value of the EMNSA. The EMNSA has such geologic attractions as cindercones, lava flows, sand dunes, caverns, mountain ranges, and a granite dome. The Mojave desert ecosystem is rich in botanic and wildlife resources. Surrounding Cima Dome is the world's largest joshua tree forest, and within the region are pinyon-juniper forests, yucca, cacti, sagebrush, grasses, creosote, and wildflowers. The east Mojave Desert supports nearly 300 species of wildlife. Within the EMNSA is the second densest area of desert tortoise (gopherus agassiz) in the world. The Mojave Chub, protected at Soda Springs, is an endangered species of fish that is a remnant of the pleistocene age.[2].

The EMNSA is rich in historical and archaeological features. There have been many historical and archaeological finds: fossils, petroglyphs, artifacts; also there are the remnants of Indian villages, a nineteenth century fort, mines, ghosttowns and railroads. This area is a popular study site for colleges, high schools, and other groups.

The area provides many recreational opportunities. It attracts nature lovers, photographers, hikers, campers, rock climbers, and off-road vehicle enthusiasts. It offers the visitor solitude, challenge, and variety.

The arguments of Friends For Mojave National Park are
straightforward. The group contends that the EMNSA is a unique and fragile desert ecosystem that contains irreplaceable national treasures. They further contend that the multiple use classification fails to protect these values and that only a national park designation would provide adequate protection.\[3\]

This issue is especially acute because the EMNSA is estimated to have vast economic value. The area is particularly valuable because of its present and potential mineral and energy resources.\[4\] Cattle grazing within the region has been active since 1894. Due to its geographical position and proximity to major urban centers, it has attracted interest for development as a communication and utility corridor.

The multiple use designation was an attempt to balance these kinds of economic interests with environmental preservation. Advocates of the Mojave National Park proposal, to the contrary, assume that public interest requires that environmental preservation should take precedence. Furthermore, they contend that the ambiguities and ineffectiveness of the EMNSA administration under the BLM should be replaced by the clear-cut and straightforward policies of the National Park Service.

Approach to the Problem

Any evaluation of the proposal for the Mojave National Park has to come to grips with the problem of weighing economic
values against ecological values. The EMNSA issue seems to represent a clash of values with no apparent common ground. Although previous studies for measuring these values were researched in relation to the EMNSA issue, there were still particular difficulties in setting up criteria for evaluation. Finally, in order to resolve the evaluation problem, the criteria set forth by the National Park Service for reviewing potential national park entries were utilized to evaluate the proposal.

Gaining access to first hand research presented another problem. The EMNSA does not represent a controlled environment in which an unbiased scientific evaluation of claims could be directly conducted. It was therefore necessary to rely primarily on available secondary research.

Time was also a limitation. A long term study of the EMNSA was not feasible. Although potential impacts can be predicted, they cannot be scientifically measured in the present. This imposes limitations in evaluating future benefits and costs. Although potential impacts may not be presently quantifiable, they have been discussed to provide a better understanding of the EMNSA issue.

This study does not attempt to resolve the multiple use controversy nor to provide a "right" solution. It does attempt to bring information to bear on the multiple use controversy with particular attention to the EMNSA issue. The approach finally taken was to examine the record of the EMNSA in the
light of the criteria set up by the National Park Service and analyze the justification for the Mojave National Park proposal. It also identified the assumptions of the proposal's advocates and the probable implications of the proposal's implementation. In this way, it is hoped that the study will contribute to a deeper, more informed understanding of the EMNSA issue.

Project Approach

The first step was to gather and review secondary research on the EMNSA controversy. The BLM provided copies of the California Desert Plan and Plan Amendments, and background information pertaining to the EMNSA. The Friends For Mojave National Park provided copies of the proposal and newsletters with updated information. A two-day seminar/tour of the proposed park, presented by the Sierra Club, was attended to acquaint myself with the EMNSA and the concerns of the park proponents. Previous literature and legislation pertaining to the EMNSA issue were researched and reviewed.

The main argument of the proponents of the Mojave National Park proposal is that current management policy does not provide adequate environmental protection of the EMNSA. Establishment of criteria to evaluate the current administration involved asking several pertinent questions. Is the multiple use classification system effective in balancing multiple uses with environmental preservation, assuming that agreement could be
reached on what is meant by the term "balance". Furthermore, does the multiple use classification system adequately weigh economic values against ecological values? Finally, what measures does the multiple use classification system offer to ensure that multiple use activities are carried on without promoting severe degradation of desert ecology?

The study is thus an evaluation of an existing policy and its implementation as well as an evaluation of the potential results of a proposed change in policy. It is an administrative problem, but it is also a political problem, because it involves the question of allocation and distribution of finite public resources and is the focus of sharp disagreement by competing interests. At the time of writing the issue is unresolved. It may be that one set of interests will win out; it may be that the current compromise will go on and that political issues will continue to be worked out in the administrative arena. For these reasons the study is incomplete.

The study starts with the existing situation and moves on to discuss the national park proposal. Chapter 2 reviews historical background, literature and legislation relating to the multiple use doctrine. Chapter 3 provides background information regarding the BLM and its management of the EMNSA. In Chapter 4, the National Park Service management policy, criteria for national park designation, and the Mojave National Park proposal are discussed. Chapter 5 identifies multiple interests affected by the national park proposal. The potential
impacts of the proposal are reviewed in Chapter 6. Chapter 7 provides an overview of the proposal, and the conclusions of the research.
Many studies have reflected the difficulties of administering a multiple use policy for public lands. To better understand these problems, it is necessary to review some of these studies along with the historical background and federal legislation pertaining to the multiple use policy.

The Public Domain

After the American Revolutionary War, Congress approved legislation to administer the public domain. The public domain was created when the original 13 states ceded 237 million acres of their unsettled land to the newly established federal government. The federal government immediately began transferring these lands to private owners as a means of gaining operating funds.

In 1803, the nation's land area was doubled by the Louisiana Purchase. The federal government continued to acquire land. After the purchase of Alaska from Russia in 1867, America's public domain increased to 1.8 billion acres.

During the 1800s, the federal government's policies promoted the settlement and development of the newly acquired territories. In 1841, Congress passed the Preemption Act which
allowed settlers to stake claims upon public surveyed land. Later, the Homestead Act of 1862 granted individuals the right to acquire 160 acres providing that they would farm and live on these lands for 5 continuous years and pay a fee less than fifty dollars. In the early 1900s three additional homesteading acts were passed.

In 1934, the Taylor Grazing Act closed the remaining public domain to private settlement and established grazing districts within the Department of the Interior. By this time, more than one billion acres of public domain had been transferred to private or local ownership. The Federal Land Policy and Management Act of 1976 reasserted the federal government's intent to retain the remaining federal lands as public domain.

The BLM

Prior to 1812, the newly established public domain was administered by the Secretary of the Treasury. In 1812, Congress established the first Departmental subagency, the General Land Office (GLO), to take over the responsibility of administering the public domain. The GLO was transferred to the newly established Department of the Interior in 1849.

During the 1800s the GLO transferred public lands to farmers, ranchers, and miners to encourage settlement across the west. During this time, there was little control over the distribution and utilization of the public domain and its
resources.

By 1934, severe problems from overgrazing and competition for lands led Congress to enact the Taylor Grazing Act and to establish the U.S. Grazing Service. The GLO and the U.S. Grazing Service shared responsibilities for public domain management until Congress combined these two agencies into the Bureau of Land Management (BLM) in 1946. The BLM now manages approximately 357 million acres of remaining public domain.

The Development of Legislation

The Multiple Use and Sustained Yield Act of 1960, was enacted to provide a management policy for the national forests. This Act provided that relative values of various resources and their uses be taken into account to maximize the annual flow of benefits without impairing the productivity of the land. It called for consideration of both commercial and noncommercial values. This legislation also called for consideration of long term impacts of resource uses on public lands. However, it did not provide criteria by which to implement this policy. This responsibility was left to the administering agencies.

The Classification and Multiple Use Act of 1964 directed the Secretary of the Interior to develop criteria for evaluating resource values and determining the priority of use. As a result of this legislation, the Public Land Law Review Commission was established to help resolve the conflicting
demands being made on public lands. The commission conducted a comprehensive examination of public land resources and the present and potential uses of these resources. The report issued by the commission in 1970 concluded that Congress had not:

"...provided adequate goals for lands not having a clearly defined primary purpose. It is on these lands, primarily those managed by the Forest Service and the Bureau of Land Management that the absence of goals has led to major problems."[5]

A primary problem pointed out by the commission was that of ambiguous criteria for choice in decisions affecting the public lands. Associated with this problem was the difficulty of obtaining information for use in weighing choices between economic uses or preservation of environmental values.

The Environmental Policy Act of 1969 required that environmental impact assessments be prepared for providing information by which to weigh public land use proposals. This Act also provided for public participation in this decisionmaking process through public hearings on land issues. Yet the problem of evaluating the relative value of alternate resource uses remained, and has been the subject of several studies.

Krutilla and Fisher(1975) emphasized the difficulty of weighing monetary benefits of environmental preservation. Their study was concerned with the valuation of opportunity costs of economic activities that could be expressed as loss of amenities
otherwise available from natural environments. A major point that their study focused upon was the significance of irreversibility of certain land use decisions. They concluded that irreversibility may represent a severe cost—the loss of option value. They also noted that although consideration of irreplaceable costs to natural environment helps to estimate long range impacts, a land use decision will ultimately be based on law and policy modified by public choice. Their analysis demonstrated the difficulty of weighing economic values with environmental values, but it failed to come up with a viable means of balancing those values against each other.

In 1976, Congress passed the Federal Land Policy and Management Act to further direct the management of public lands throughout the United States. Section 103 called for a multiple use policy that would provide for the:

"...management of the public lands and their various resource values so that they are utilized in the combination that will best meet the needs of the American people...a combination of uses that takes into account the long term needs of future generations for renewable and non-renewable resources, including but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural, scenic, scientific and historical values...harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output."[6]
the development of operational criteria for public land use decisions was left to the administering agencies.

An Attack on Multiple Use Policy: Privatization

In the early 1980s, environmentalists became concerned with what appeared to be a dramatic change in policy toward public land administration. Under the Reagan administration, a five year program to sell 35 million acres of federally owned lands to the private sector was announced. Secretary of the Interior, James Watt, was quoted as saying, "What better way to raise some of the revenues we so badly need than by selling land and buildings that we don't need?"(7) The Reagan administration argued that "surplus" federal lands would be more economically productive in private hands. As a result, several studies have focused on the issue of privatization versus multiple use policy.

John Hooper(1983), criticized privatization of public lands. In his words,

"Managers of privately owned lands are in business to make money; they must pay close heed to the stockholders and the annual report. But public land managers are required by law to regard the consequences of their policies and actions from a broader perspective...Public managers must also weigh values that are not easily quantifiable such as wilderness, wildlife and aesthetics, against commodity values."(8)

Hooper argued that efficiency should not be the determining
factor of public land use decisions. Hooper concluded that although methods of efficient land use might be learned from the private sector, this did not mean that the private sector should take over ownership of public lands and resources. He supported public land management because it was guided by laws to protect environmental values, but again, there was little guidance for balancing public and private interests in the fate of the public lands.

Marlon Clawson (1983) set out arguments for both the retention of and disposal of federal lands. The study brought up many pertinent issues affecting the implementation of the multiple use policy for public lands. He pinpointed a major conflict in public land management: efficiency vs. equity. According to Clawson, private land management focuses on the efficient use of resources. In addition to efficiency, public land management must also consider the equity issues of resource uses. Although acknowledging the difficulties, he supported the multiple use doctrine as it attempted to balance efficiency with equity, but provided vague guidelines as to how this might be achieved.

Clawson summarized the arguments for retention of federal land ownership as follows:

Those who administer the federal lands can best consider the national--as opposed to regional or local--interest.

Public ownership of land and its associated resources requires a longer view of resource management and resource
needs than does private ownership.

Conservation methods of resource development and use are more likely to be executed under public ownership.

The multiple uses of land can be achieved more easily under federal than under private land ownership.

The protection and use of the intrinsic but nonmarketed outputs and values of the land is greater under federal than under private land ownership.

The values arising from land use, but accruing to persons and groups not resident on the land, can be more readily realized under federal than under private land ownership.

But to this summary, Clawson added his observation that:

"The issue of who gains from federal land ownership and who pays the costs is rarely raised in retentionist literature. No mention is made of the fact that the national forests run an annual cash deficit of nearly $1 billion, and that the Forest Service plans that such deficits will continue more or less indefinitely. The BLM does proportionately as poorly on its grazing operations, but its very large revenues from mineral leasing overwhelm its deficits from grazing management."[10]

The case for retention, in his eyes, was therefore not unqualified.

The case for disposal of federal land ownership was summarized by Clawson in the following points:[11]

The disposers claim that federal land ownership is not only wasteful but unduly costly.

Any talk of a longer planning horizon for the federal than for private land is sheer bunk due to the changing government system.

Public participation in federal land management,
required by recent legislation, does not truly involve the general public—rather it proves to be a means whereby various specialized interests can pressure federal agencies.

The alleged values of many nonmarket outputs of the federal lands, such as wilderness and wildlife, are grossly exaggerated since those that allege these values do not pay directly for the values obtained.

The option demand is misleading, for the demand by nonusers of a resource is never put to the test of their willingness to pay.

The argument that special concern must be given to intergenerational demands and needs for natural resources is, at best, an exaggeration. There are so many uncertainties in resources supply, resource demands, and resource technology, that postponing use is unwise.

To this summary, Clawson added an observation in support of federal land ownership:

"The disposers make their case primarily on the basis of comparative efficiency. It may also be pointed out that the case for greater private than public efficiency is more asserted than it has proven to be. I, too, value efficiency in resource use highly, and I think that for many operations private actions are more efficient than public ones. But we should recognize that many advocates of federal land ownership base their argument on equity—on who gets the benefits—not on how great or how costly those benefits are. Regardless of one's personal position on the equity issue, one must recognize that this is one basis for support for federal land ownership and thus one should face this point in arguing for disposal."[12]

These arguments parallel those pertaining to economic development of natural resources in the EMNSA and preservation of its natural values. The multiple use policy was initiated to
provide for equity in land use decisions. However, can a multiple use policy be implemented to balance efficiency with equity? Can there be a balance without significant trade-offs between natural resource development and environmental preservation? Or should a primary purpose for managing the EMNSA be determined?

Nathaniel P. Reed (1983) defended the multiple use policy. He argued that the BLM had not had adequate time to demonstrate its effectiveness as a conservation agency. As he pointed out, the BLM was created 30 years after the National Park Service was established; and until the Federal Land Policy and Management of 1976, the BLM did not have a clear statement of legal authority. According to Reed:

"One result of the BLM's impotence was that its holdings became fair game for bureaucratic raids. The park service, for one, acquired a large percentage of its western lands by simply removing parcels from BLM's holdings in the public domain. I don't mean to imply that there was anything dishonorable about this technique. Congress sanctioned it, and its use led to the establishment, virtually free-of-charge, of some magnificent national parks...I'm only saying that the practice didn't do the BLM any good as an agency."(13)

Reed supported the BLM's continued control of its most scenic and valuable lands for two reasons. First, he suggested that the BLM would be more likely to manage all of its holdings more wisely if "preserving the best of them is one of its primary duties."(14) Second, he argued that taking the best lands away from the BLM would undermine its conservation mission and would encourage it to "treat the remainder as an exploiters'
paradise."(15) Other writers were less sanguine.

Walter A. Rosenbaum(1983) criticized the ambiguity of the multiple use mandate and how it is responsible for placing resource management agencies at the center of political conflicts over public domain. He pointed out that the multiple use policy offers something to recreationists, conservationists, and resource developers without really settling competing claims. He also discussed how administrative decisions are influenced by organized interests with a stake in resource management and that public resource management is often an arcane issue:

"In such circumstances specialized private groups, such as environmentalists and resource users, tend to operate almost invisibly to the public; the outcome of policy struggles depends particularly upon their own organizational resources, technical expertise, and political adeptness in the administrative infighting and legal wrangling that often characterize resource policy making."[16]

Rosenbaum commented further that organized environmental groups often represent "the only expression of viewpoints not associated with resource users or administrators" in the political area.(17)

Similarly, Dennis and Simmons(1986) discussed the public policy-making process concerning environmental and natural resource allocation issues. They criticized "interest group liberalism" in which policy decisions may be determined by voter ignorance, political "logrolling", and misinformation rather
than economic reasoning. In particular, they attacked political irresponsibility:

"Public sector managers cannot internalize costs and benefits so they must seek other forms of information. But the information does not give clear guidance to action. Without the reinforcement and discipline of responsibility, government managers can adopt policies which exacerbate problems rather than resolve them."[18]

As a solution, they suggested privatization or a restructuring of public land administration in such a way that the authority for decisionmaking is not separated from responsibility or relevant information.

According to Baden and Lueck (1986), the federal government has proven to be incapable of effectively regulating environmental and resource allocation. They support privatization, stating:

"The best reason for the private management of natural resources is to promote economic efficiency. Since economic efficiency can be defined as the allocation of scarce resources so that no one can be made better off without making someone worse off, it is not difficult to see how increased efficiency is a worthy goal. When property rights are well defined, well-enforced, transferable, and privately held, resources tend to be efficiently allocated via the market process."[19]

Baden and Lueck also suggest that private management of natural resources would force both environmentalists and developers to consider the opportunity costs of their actions and would depoliticize decisionmaking. As they explained:
"When resource allocation is determined through the market, compromise is the rule and adversarial relationships are minimized. With political avenues blocked, conservationists could get on with the real business of conservation—conducting research, educating citizens, preserving natural areas, and advising developers. Not only would we expect environmental quality to improve, but the ultimate conservation goal of establishing a societal land ethic would become more realistic."[20].

They suggested that the case for privatization is strongest where lands are valued primarily for commodity production; and, they believe that innovative programs that utilize compensation, preemption, and protective covenants could be implemented to manage amenity resources within the private sector.

Howard McCurdy (1986) favors the representation of multiple interests in environmental and resource allocation decision making. Rather than privatization, he argues that a much better solution would be to "build balance into the system". He explains:

"One payoff is political: the sense among different groups that their interests have been represented in the decision-making process and, even if they lost one, they have a chance to win the next. Another payoff is an improvement in the quality of information available for making decisions about natural resources. Better information for decision making is an important first step toward improved management of environmental programs."

McCurdy also stresses the need for increased intergovernmental cooperation.
Summary

Several points have been emphasized in literature concerning the multiple use doctrine. First, there is a lack of clear criteria for decisionmaking. Second, the multiple use criterion leaves the issue open, and in particular, pits efficiency against equity, short term impacts against long term impacts, and productivity against conservation. Third, criteria are often political, shaped by legislation and the strength of political groupings.

The Friends of Mojave National Park are one such specialized group. They see the multiple use policy of managing the EMNSA as inadequate in providing for the maintenance of environmental quality. Their alternative is to designate the area for a primary purpose: Mojave National Park. Before discussing what this proposal would entail, it is necessary to examine the current status of the EMNSA and the California Desert Plan under which it is administered.
CHAPTER 3
THE CALIFORNIA DESERT PLAN

In 1980, the U.S. Department of the Interior designated the EMNSA as the nation's first national scenic area. This special designation was established to provide management that would allow the continuation of traditional uses, yet preserve the national scenic qualities of that portion of the California Desert Conservation Area (CDCA). The management guidelines for the EMNSA fall under the existing policy of the BLM in accordance with the California Desert Plan. Therefore, it is essential to discuss the California Desert Plan and its ramifications in the administration of the EMNSA.

The California Desert Plan

In 1976, the FLPMA was enacted by Congress to provide direction in the management of federal lands. Section 601 of this Act gave special instruction to:

"provide for the immediate and future protection of the public lands in the California desert within a framework of multiple use, sustained yield, and the maintenance of environmental quality."[22]

This section referred to those resources located in the 25-million acre CDCA. Nearly half of the CDCA is public land administered by the BLM.
The California Desert Conservation Area

Map courtesy of the Bureau of Land Management
In order to develop a management plan, a desert planning staff was selected to study and take inventory of the CDCA resources. As a result of 5 years of studies, planning, and public hearings, the California Desert Plan was developed to provide guidelines to administer the 12 million acres of public land within the CDCA.

The 1980 California Desert Plan provided the guidelines established for multiple use class designations of land within the CDCA. All land use actions and resource management activities in the CDCA were defined by these class designations. Four multiple use categories were established:

Class C (Controlled Use): lands which are being "preliminarily recommended as suitable for wilderness designation by Congress." Wilderness Study Areas.

Class L (Limited Use): protects sensitive, natural, scenic, ecological, and cultural resource values. Managed to provide for lower intensity of use, carefully controlled multiple use of resources to ensure that sensitive values are not significantly diminished.

Class M (Moderate Use): provides for a wide variety of present and future uses such as mining, livestock grazing, recreation, energy/utility corridor development; designed to prevent damage to those resources which permitted uses may cause.

Class I (Intensive Use): provides concentrated use of lands and resources to meet human needs.

In this plan, the EMNSA was given its special designation and its management was defined by Class L guidelines. Therefore, multiple uses within the EMNSA are managed to provide a lower
intensity of use and are controlled to protect the natural, scenic, ecological, and cultural values within its boundaries.

The FLPMA also directed the BLM to study its entire land holdings and select areas to be considered for wilderness designation. The wilderness review process was set up in two phases. The first phase, which was completed in 1981, involved an inventory study to identify wilderness characteristics defined by the Wilderness Act of 1964. Those areas identified as potential Wilderness Areas were set up as Wilderness Study Areas and became protected by the Interim Management Policy. This policy was established to protect the Wilderness Study Areas from degradation until a decision regarding their wilderness status is made by Congress.

In the 1980 California Desert Plan, the following Wilderness Study Areas were designated within the EMNSA:


Granite Mountains (29,646 acres): Mountains of fractured granite, bighorn sheep habitat.

Providence Mountains
North (54,257 acres), South (5,985 acres): 350 plant species, wildlife, chiseled canyons and peaks.

New York Mountains
Castle Peaks (32,209 acres) and an area of critical environmental concern (54,750 acres): Jagged spires, densely forested range, habitat of golden eagles, prairie falcons and owls. 100 species of birds nest

Wilderness Study Areas are managed in the EMNSA by Class C guidelines in accordance with the Interim Management Policy. If the Department of the Interior determines these areas as nonsuitable for wilderness designation, these areas would lose this protected status. They would then be managed under the Class L status of the EMNSA.

The second phase of the wilderness review process was the study phase. This phase has not yet been completed. All designated wilderness study areas are being evaluated for their wilderness values. Also being evaluated are the potential conflicts that would interfere with the BLM's administration of those areas as a result of multiple interests such as mining, livestock grazing, energy/utility corridor development and recreation. From these evaluations, the BLM will make wilderness suitability recommendations. These recommendations will be given to the Secretary of the Interior who will present them to the President. The President will then submit an official recommendation to Congress.

There are other special designations within the EMNSA. These are Areas of Critical Environmental Concern (ACEC) and Special Areas. These special designations were also established in the 1980 California Desert Plan.
Map courtesy of the Bureau of Land Management
The FLPMA defined Areas of Critical Environmental Concern as public lands where special management attention is required:

"to protect and prevent irreparable damage to important historic, cultural or scenic values, fish and wildlife resources, or other natural systems or processes, or to protect life and safety from natural hazards."[25]

The ACEC designation was set up to recognize unique areas, for determining the special management these areas will require, and for following through with an appropriate management program. Areas included in the 1980 California Desert Plan included: Clark Mountain, New York Mountains, Piute Creek/Fort Piute and Fort Soda.

A program for "Special Areas" within the CDCA was established in the 1980 California Desert Plan to:[26]

"1) Recognize significant natural and cultural resources found on BLM administered lands in the CDCA;

2) Provide for other uses in the designated Special Areas, compatible with the protection and enhancement of the significant natural and cultural resources; and,

3) Systematically monitor the qualities of the significant natural and cultural resources on BLM administered lands and the compatibility of other allowed uses with these resources."

The EMNSA falls under this category. Other Special Areas have been designated within the EMNSA. The Kelso Dunes and Cima Dome have been designated as "National Natural Landmarks". The Old Mojave Road has been designated both as a "National Natural
"Landmark" and as a "National Historical Trail". The Granite Mountains have the designation of "Research Natural Area" and "Man and the Biosphere Reserve".

These special designations in the CDCA are subject to change. The California Desert Plan provides for changes due to unanticipated demands or unforeseen future events through the plan amendment process. A plan amendment may be initiated by the BLM Desert District Manager in response to public or private requests or in response to new findings under the BLM's monitoring program. The BLM Desert District Manager must determine if the proposed amendment is in accordance with the laws and regulations governing the CDCA. If the proposed amendment is initiated, there must be public notification and public hearings. Once this process is complete, the BLM Desert District Manager makes a final decision of the proposed amendment.

The BLM best describes the intent of the California Desert Plan:

"to ensure as nearly as humanly possible, that the recognition brought by Congress and into law—that the California Desert is not a wasteland but a precious public resource—is effectively guaranteed in its management, that the users of today do not preclude the users of tomorrow, and that we preserve and develop these assets wisely with full regard for their social and environmental as well as economic values."[27]

Although the FLPMA directed the BLM to manage the CDCA under the principles of multiple use, sustained yield, and the maintenance of environmental quality, it was up to the BLM to design the
management guidelines. However, balancing resource use and development with preservation of the desert's natural, scenic, and cultural values often involves conflict and compromise. To further illustrate this, the next chapter discusses the major multiple interests within the EMNSA.
Providence Mountain State Recreation Area, Visitor Center
Photograph by J. Herr

Providence Mountains
Photograph by J. Herr
Indian Petroglyphs
Photograph courtesy of B. Beck

Kelso Dunes and the Devil's Playground
Photograph courtesy of B. Beck
Mining at Mountain Pass
Photograph courtesy of B. Beck

Kelso Depot
Photograph by J. Herr
CHAPTER 4
MULTIPLE INTERESTS IN THE EMNSA

The East Mojave National Scenic Area

The area of the Mojave desert located between Las Vegas, Barstow, and Needles has been called "the lonesome triangle" because relatively few people live there. Most of the area's residents are miners, ranchers and railroad employees. The EMNSA makes up the largest portion of this triangular area. Although it may be sparsely populated, there are several major interests on public lands within the EMNSA that would be affected by the proposed Mojave National Park. To better understand the EMNSA issue, it is necessary to review those interests.

Mining

The diverse geologic region within the CDCA is rich in mineral and energy resources. Although the quest for gold and silver originally attracted early miners to the east Mojave Desert, the area is a vast reserve for other metallic and nonmetallic minerals.

The period between 1900-1919 has been called the "Great Years" because more miners were operating profitably in San
Minerals mined from the east Mojave Desert included gold, silver, magnetite, copper, tungsten, zinc, lead and iron ore. During the 1940s, the Vulcan Mine in the Providence Mountains supplied iron ore to the Kaiser Steel plant in Fontana.

In more recent years, nonmetallic minerals such as sand, gravel, limestone, talc, borates, gypsum, specialty clays, and zeolite have attracted mining interests. There are currently approximately 3,000 mining claims existing in the EMNSA. Rare earth minerals are presently being mined by Molycorp near Clark Mountain. These rare earth minerals are used in many high technology products such as computer chips, television tubes, radar, supermagnets, and solar cells. Deposits near Mountain Pass are the only known North American source of one of these rare earth elements.

Grazing

Cattle ranching in the east Mojave Desert began in the late 1800s. The Cima Dome area and Lanfair Valley provide plentiful grasses for foraging livestock. The Rock Spring Land and Cattle Company, founded in 1894, was the forerunner of the Ox Cattle Company which is still in operation today.

Although the intensity of use is declining, domestic livestock grazing has taken place over a hundred years within the area now designated as the CDCA. In 1980, 4.5 million
acres (36 percent of public lands within the CDCA) were being leased for cattle and sheep grazing. There are currently 11 ranching operations within the EMNSA.

Off-Road Vehicle Recreation

Off-Road Vehicle (ORV) enthusiasts are drawn to the California desert because of its open terrain, its surface texture, and terrain variations. ORV use in the EMNSA is now regulated within the framework of the multiple use class system. There are no "open" or "play" areas within the EMNSA. Vehicle access is restricted to existing roads or approved routes of travel.

Perhaps the most controversial issue involving ORV recreation in the EMNSA is the annual Barstow-Las Vegas off-road motorcycle race. The race course crosses into the EMNSA south of Baker, then travels north to Interstate 15 where it then continues outside the EMNSA boundaries. The race originated in the 1960s and has become an annual event. The course begins outside of Barstow and continues through the Mojave Desert for 155 miles with its destination just outside of Las Vegas. In 1974, the BLM monitored the Barstow-Las Vegas race and followed up with an environmental impact assessment of the race on the desert environment. The BLM's findings indicated significant negative impacts had occurred as a result of the desert race. Because of these findings, the BLM called for a halt of this
annual event.

Although the BLM had called a halt to the race in 1974, there remained interest in the event, and participation continued. In 1982, a Los Angeles Federal District Court decision approved an amendment to the California Desert Plan establishing the course area. The BLM faced legal battles with both ORV enthusiasts and environmentalists. There were also commercial interests in the event. The American Motorcycle Association and local ORV groups argued that the BLM was denying the ORV enthusiasts' rights. The environmentalists battled the BLM for allowing the race to continue.

In 1983, the BLM reauthorized the Barstow-Las Vegas race. The BLM was concerned that since the event was taking place without authorization, there was no monitoring of the race. In addition to environmental impacts, this unmonitored event posed additional safety problems within the remote 155 mile stretch of desert. The BLM set up guidelines for the race in an effort to reduce the environmental impacts observed in prior years.

After the Barstow-Las Vegas race of 1983, the BLM assessed the subsequent impacts. The assessment indicated that although there were negative impacts to soil, vegetation, and wildlife habitat, the impacts showed a definite decrease from those observed in the race of 1974. In October 1985, a federal appeals court rejected a challenge by environmentalists to halt the race. The federal appeals court affirmed the district court decision on the 1982 amendment to the California Desert Plan.
Energy/Utility Corridor Development

The 1980 California Desert Plan pointed out:

"The passage of the 1972 coastal initiative, adoption of air quality standards, and existing regulatory policy severely limiting the siting of nuclear powerplants in seismically active or heavily populated areas have encouraged utilities to look to the desert and places east of California as major siting areas for energy production and utility corridors."[30]

During the desert study phase of the California Desert Plan, inventories of existing and potential energy resources and utility corridor areas were made. Within the EMNSA several areas were determined as potentially valuable for oil, gas, and geothermal resources. Several communication site facilities, transmission lines and cables existed in the EMNSA at the time of the desert inventory. The 1980 California Desert Plan proposed future corridor development outside the boundaries or on the perimeter of the EMNSA along the transportation corridors.

There have been efforts recently by MCI Telecommunications Corporation to install additional microwave towers from Las Vegas to Los Angeles. One such tower was proposed for the top of Marl Mountain, which is located within the EMNSA. An appeal was filed by the Citizens For Mojave National Park in an effort to thwart this proposal. The microwave tower proposal was
ultimately denied.

Major Inholdings

There are portions of the EMNSA that are not federally owned lands. One major inholding is owned by Southern Pacific Railroad. Southern Pacific Railroad has owned sections along the Needles-Barstow railroad line since 1883. Another inholding within the EMNSA is the Providence Mountain State Recreation Area, administered by California's State Park and Recreation Department. The State of California also owns two State school sections--numbers 16 and 36 of a township. Smaller private inholdings are interspersed throughout the EMNSA.

Summary

These multiple interests represent the demands upon resources within the EMNSA. The BLM's multiple use class system was developed to balance these interests. The Mojave National Park proposal would change the management emphasis to that of preservation. In the next chapter, the National Park Service and its administrative policy will be examined and compared to that of the BLM.
The Mojave National Park Proposal

In 1976 concern for the preservation of the east Mojave Desert sparked a proposal for a "Mojave National Park". By 1977, an organization called "Citizens For Mojave National Park" had formed to promote a national park in the area. As a result of their efforts a bill was introduced to Congress in 1978 to establish a 1.5 million acre Mojave National Park. The following year the bill was again introduced. Although these bills were not passed, they did not go unnoticed. In 1980 the Secretary of the Interior designated 1.4 million of these acres as the East Mojave National Scenic Area to be administered by the BLM.

The Citizens For Mojave National Park and their supporters are still working to establish a national park that would include the EMNSA. They see such activities as mining, grazing, energy/utility corridor development, and off-road vehicle recreation as being detrimental to the scenic and environmental qualities of the area.

Establishment of a national park would involve the transfer of public lands from the BLM to the National Park Service. This is not the first time this kind of transfer has taken place. A
similar transfer of public lands within the Department of the Interior occurred when the Canyonlands National Park in Utah was established in 1964. The majority of land within the proposed Mojave National Park is already public land.

The proposed transfer does not project major expenditures. Anticipated park expenses include ranger salaries, a park headquarters, and campground conveniences. The Citizens For Mojave National Park have suggested that the Kelso Depot, an existing two-story structure built in 1924, would serve well as the park headquarters.

The Citizens For Mojave National Park argue that the BLM's multiple use orientation conflicts with the preservation of the natural, scenic, and cultural values within the EMNSA. The National Park Service's policy, on the other hand, would severely limit some of the interests in the east Mojave Desert such as mining, grazing, off-road vehicle access, and energy/utility corridor development.

The National Park Service

In 1872, Congress established Yellowstone as the nation's first national park. This legislation set forth a public land policy affirming that "some of the public domain lands should be held in public ownership, perpetually, for other than material gain or riches."[31] The purpose of the National Park Service, established by Congress in 1916 was:
"to conserve the scenery and the natural and historic objects and wildlife therein and to provide for the enjoyment of the same in such a manner and by such means as will leave them unimpaired for the enjoyment of future generations."[32]

National parks are established by an act of Congress. William C. Everhart described the process:

"A bill to establish a new park may originate in the Department of the Interior and be introduced as an administration bill. It may also be prompted by local people through their representative or senator or may result from the personal interest of a member of Congress. Regardless, the bill, which must pass both Houses, is referred to the Interior and Insular Affairs committees of the House and Senate. The department of the Interior is requested by committee to comment, either favorably or in opposition to passage of the bill, and the Park Service prepares this report, although the Secretary of the Interior may not always except the conclusions."[33]

National Park Service recommendations are generally presented at Congressional hearings; however, these recommendations are not binding on Congress. Public hearings are also scheduled to allow public response toward the park bill. Once land has been designated as a national park, any enlargement or reduction of its boundaries are possible only by an act of Congress.

Each session, Congress is approached with numerous proposals for additions to the National Park Service system. Some of these proposals are new and some are re-introduced. William C. Everhart described the National Park Service's role in the establishment of new national parks as:
"a professional consultant to the Congress, identifying areas worthy of consideration, preparing extensive study plans, evaluating the proposal in relationship to the other areas of the system, and making final recommendations. As in the case of all consultants, the Park Service's advice may be disregarded."[34]

According to Everhart, one of the greatest dangers to the integrity of the National Park Service system is the entry of substandard areas. As he explains:

"If the park system began to include these areas, which are pleasant and moderately attractive, the distinction between truly national significance on the one hand and local pride on the other would be increasingly blurred, and the original idea of national parks would steadily erode toward mediocrity."[35]

Therefore, the National Park Service has established criteria for evaluating proposed areas.

The following criteria were set forth to consider proposals for new park lands in the 1975 National Park Service's "Management Policies":[36]

"1. An area must be nationally significant in terms of portraying those natural and historical themes identified in the National Park System Plan; or if a recreation area, it must serve significant regional recreation needs on a scale which cannot reasonably be met by others;
2. It must be feasible of administration and protection."

If the foregoing criteria are met, then the National Park Service considers:
"1. Whether the area is assured of being adequately protected outside the system; and
2. Whether under such protection, it could be available for public appreciation and use."

If the latter two criteria could be met by other means, the National Park Service would not recommend the addition of the area to the system.

There are two existing laws that provide entry into the National Park Service system without an act of Congress. First, the 1906 Antiquities Act, authorized the President to establish by proclamation public lands as national monuments. Although a national monument can be enlarged or reduced by presidential proclamation, only Congress can abolish the designation. Second, the 1946 Cooperative Agreement Act, authorized the National Park Service to enter into cooperative agreements, working with other agencies to manage the lands of these agencies for park purposes.

The National Park Service has several basic and long range objectives which include:[37]

"1. To provide for the highest quality of use and enjoyment of the National Park System by increased millions of visitors in the year to come;

2. To conserve and manage for their highest purpose the natural, historical, and recreational resources of the National Park System;

3. To develop the National Park System through inclusion of additional areas of scenic, scientific, historical, and recreational value to the nation;

4. To communicate the cultural, inspirational, and recreational significance of the American heritage as represented in the National Park System;"
5. To increase the effectiveness of the National Park Service as a "people-serving" organization dedicated to park conservation, historical preservation and outdoor recreation."

Clearly, the establishment of the Mojave National Park would require a change of management emphasis. The emphasis would shift from balancing multiple interests to the primary purpose of preservation. This change could limit those multiple interests that conflict with the National Park Service's goals.

Comparing Policy Emphases

The BLM's management guidelines reveal how the BLM has interpreted its responsibilities. Its efforts to balance multiple interests contrast with the type of guidelines generally adopted by the National Park Service. A major difference in policy emphasis between the BLM and the National Park Service may be readily identified. The National Park Service focuses on preservation of scenic, natural and scientific values within the park boundaries. Therefore, it is important to examine how this difference in policy emphasis might affect multiple interests within the EMNSA.

Mining, Exploration, and Development

Although the California Desert Plan does allow for the
development of mineral resources within the EMNSA, it also requires that reclamation of disturbed lands will follow. These guidelines also apply to leasable minerals, oil, gas, and geothermal reserves.

All mineral exploration and mining operations on lands within the EMNSA are subject to the BLM's surface mining regulations under 43 CFR 3802 and 43 CFR 3809. Regulation 43 CFR 3809 states that "surface-disturbing mining operations will be regulated to provide adequate environmental safeguards in the conducting of surface-disturbing operations."[38] Regulation 43 CFR 3802 applies to Wilderness Study Areas and prohibits "permanent impairment of wilderness suitability".[39] In Class L areas, ACECs, and Special Areas, an environmental assessment must be prepared and a 60-day public review period is required.

The National Park Service restricts mining operation and development on national park lands except:

"where authorized by law or when carried on pursuant to valid existing rights or as part of an interpretive program, mineral prospecting, mining, and the removal of soil, sand, gravel, and rock will not be permitted."[40]

These restrictions would also apply to mineral leasing and energy development.

Energy/Utility Corridor Development

The 1980 California Desert Plan approved utility and
telecommunication corridors along transportation corridors on the perimeter of the EMNSA. However, requests for possible sites inside the EMNSA boundaries may be considered under the plan amendment process. Projects requiring plan amendments must be coordinated with local governments, the Public Utilities Commission, the California Energy Commission, and utility companies in accordance with the National Environmental Policy Act and the President's Council on Environmental Quality regulations.

The National Park Service guidelines pertaining to utility corridors state, "Utility lines should be placed underground except when to do so would cause excessive damage to the natural ecological associations of the area." [41] The guidelines further state, "when placed above the ground, utility lines and appurtenant structures should be carefully planned and located to minimize their impact on park resources and visitor enjoyment of the natural esthetic scene." Utility line rights-of-way are not permitted within the national parks, and whenever possible, utility lines are located in the transportation corridor.

Grazing

Grazing domestic livestock within the EMNSA is a traditional use that is regulated in accordance with specific range management prescriptions. These management prescriptions take into account such factors as the type and condition of the
range, its carrying capacity, seasonal use, and effects of native wildlife and plant species.

Livestock grazing is permitted in national park areas "only where it is sanctioned by law, is incidental to visitor use, or is desirable to preserve and interpret historical resources of the area."[42]

Off-Road Vehicle Recreation

With the exception of the Barstow-Las Vegas Race, ORV access within the EMNSA is limited to existing roads and approved routes of travel. In national park areas, motor vehicles are "confined to designated park roads or other designated overland routes of travel exclusive of foot trails or bridle trails."[43]

Major Inholdings

For the inholdings of Southern Pacific Railroad, there would likely be additional environmental restrictions upon railroad operations in this area if it is designated as a national park. The Providence Mountain State Recreation Area would retain its status and continue as a State Park component within the Mojave National Park. The two State school sections owned by the State of California have been considered as compatible with the proposed national park.[44] Unlike the BLM, it is the National
Park Service's policy to acquire private inholdings when available, and to include these additional lands in the park system.

Summary

The proposed Mojave National Park, if established, would provide a new management emphasis for preservation, visitor use and enjoyment. Under the National Park Service's administration there would be stronger guidelines that would limit multiple uses within the park. These guidelines would have direct, indirect, short term and long term impacts on several important interests. These impacts will be discussed in the following chapter.
Map courtesy of Friends For Mojave National Park
CHAPTER 6
IMPACTS OF THE PROPOSAL

The Mojave National Park proposal would provide for a more uniform protection of the EMNSA and those unique natural, scenic, and cultural values within its boundaries. It would also ensure long range protection since any changes to the national park boundaries or its status would have to be authorized by an act of Congress. Multiple use interests would be severely limited by the national park designation since they would not be afforded the plan amendment process as they are now under the California Desert Plan. In reviewing the impacts of the Mojave National Park proposal, it seems that they fall into two main types: 1) existing, or immediate impacts, and 2) future, or potential impacts. This chapter will consider the environmental impacts and the impacts of the proposal in regard to multiple use interests within the EMNSA.

Outdoor Recreation

The Mojave National Park proposal provides additional land for outdoor recreation. A study by Clawson (1960) indicated that the demand for outdoor recreation will steadily increase by the year 2000 as a result of population growth, shorter work weeks,
and more leisure time. The Mojave National Park could help meet future demand for outdoor recreation in a natural, desert environment.

Off-road vehicle recreation would be curtailed under the National Park Service's administration. Within Park boundaries, vehicle access would be limited to designated roads or overland routes of travel. These restrictions would limit ORV enthusiast's recreational opportunities within the park. The Barstow-Las Vegas motorcycle race would not be permitted within national park boundaries.

The EMNSA is located between two major transportation routes, Interstate 15 and Interstate 40. The Mojave National Park could potentially attract tourists traveling on these highways, as well as attract day-use and overnight visitors. According to Peter Burk of Citizens For Mojave National Park, "an economic analysis of national parks show they add millions of tourism dollars to the local economy in increased employment, sales taxes, and local business."[45] However, this is questionable. For example, at the time the Redwood National Park proposal was being reviewed, supporters argued that the creation of the park would increase tourism and local incomes. After the Redwood National Park was established, employment actually decreased and tourism was increased by only two percent of the projections.[46]

Although increased tourism might benefit the local economy, it could bring about different kinds of environmental and
management problems. Problems might develop due to crowds of
visitors, inadequate facilities, and inadequate funds for
administration. Increased visitor use might also detract from
the natural, scenic character of the area.

Mining, Exploration, and Energy/Utility Corridor Development

Under the National Park Service's administration, mining
exploration and development would be severely limited,
especially in long range perspective. Only existing mining
claims would be permitted within park boundaries. Those
existing claims would have to comply to strict mining
regulations in accordance with the National Park Service
policies.

Since the EMNSA contains a vast reserve of mineral
resources, mining interests have much to lose from the Mojave
National Park proposal. As Russ Hartill noted:

"The Clark Mountain resource area is the most
mineralized area of its size in the entire California
desert. The total estimated value in known deposits
of mineral commodities in this part of the Mojave
Desert is 19.99 billion dollar(as of 1978) and include
rare-earth elements, thorium, limestone-dolomite,
gypsum, gold, copper, silver, tin, tungsten, lead,
sand and gravel."[47]

In addition to severely limiting mining activity, the proposal
would also restrict energy/utility corridor development within
park boundaries. This could have an economic impact on the
federal government as it would limit taxes and revenues from
mineral and energy leases that might otherwise be accrued. Restrictions on mining, exploration and energy/utility corridor development could also indirectly affect industries that rely on the products from these resources.

Grazing

Although livestock grazing could continue under the National Park Service's administration, the preservation emphasis would provide stronger requirements to prevent overgrazing or adverse effects on native wildlife.

Preservation

Under the multiple use policy, the BLM must strive to balance economic values with aesthetic, natural, and cultural values. This often raises the political issue of determining the priority of these values. Present policy does not provide clear-cut answers to this dilemma and has given rise to all kinds of similar and conflicting designations within the EMNSA. These designations are subject to change through the plan amendment process.

Since the 1980 California Desert Plan was adopted, there have been plan amendments to reduce the size of the EMNSA. In the 1982 Plan Amendments, Plan Amendment 18 removed the scenic area designation from the Clark Mountain portion of the EMNSA.
This change involved 147,000 acres, which represented 10% of the EMNSA. In the 1985 Plan Amendment process, the BLM is planning to reduce the EMNSA by another 440 acres. To the Friends For Mojave National Park, these changes signify the precarious future of the EMNSA under the current administration of the BLM. The Mojave National Park proposal would offer long-range protection to the area, preventing changes in designation currently permitted through the Plan Amendment process.

Summary

The Mojave National Park proposal would protect the EMNSA against the potential threats of further reduction of the EMNSA, resource depletion, and environmental degradation from multiple use activities. The National Park Service's policy focuses on preservation, visitor use and enjoyment of the park, and would promote these long term goals. On the other hand, such multiple use activities as mining, energy/utility corridor development and off-road recreation would be immediately and strictly limited by the establishment of Mojave National Park. The national park designation would also have significant impacts by locking up potential mineral and energy reserves. However, in some respects, impacts would be slight. For example, grazing and inholdings currently within the EMNSA may be compatible with the Mojave National Park proposal.
In April 1985, Gerald Hillier, desert district manager for the BLM was quoted as saying that the Mojave National Park proposal was only "a dream of a small group."[48] However, this small group has remained steadfast in its efforts to make their dream a reality. At the time this statement was made by Mr. Hillier, Senator Alan Cranston and Representative George Brown were considering its introduction in Congress. In October 1985, Senator Cranston expressed his concern for the protection of the California desert at the California Wilderness Conference in Visalia, stating, "we will work to establish a new national park in the Mojave Desert."[49] Although small, this group has been making sure its message is heard.

It is this kind of determination that has brought new areas into the National Park Service system in the past. There are two National Park Service administered areas within the California desert in relative proximity to the EMNSA. North of the EMNSA is Death Valley National Monument, and south of the EMNSA is Joshua Tree National Monument. Both of these areas represent the Mojave Desert ecosystem and its unique natural, scenic, and cultural values. Both of these national monuments were established as a result of a similar "dream of a small group". Currently, the annual visitation rate in each of these
Recent Developments

On February 6, 1986, Senator Cranston introduced a comprehensive bill entitled the "California Desert Protection Act of 1986". The bill designates approximately 4.5 million acres of desert lands as wilderness to be administered by the BLM; redesignates both Death Valley National Monument and Joshua Tree National Monument as national parks; and creates the Mojave National Park. The bill also transfers 20,500 acres of the BLM's lands to the California Department of Parks and Recreation to enlarge Red Rock Canyon State Park.

In his introduction of the bill, Senator Cranston commented:

"Lying between Death Valley and Joshua Tree is the vast Mojave Desert, an area of outstanding natural, cultural, historical, and recreational values now afforded only impermanent administrative protection as the East Mojave National Scenic Area. This area also has been evaluated by the BLM Desert Plan Staff for its park potential and found to be highly qualified."(50)

The bill designates the existing EMNSA and an additional 6,000 acres near Soda Springs as the Mojave National Park. The Clark Mountain area, removed from the EMNSA as a result of the 1982 Desert Plan Amendment 18, would remain outside the proposed park boundaries.

The bill includes in its provisions a comprehensive
management plan and a visitor center for the Mojave National Park. Of the multiple uses within the EMNSA, only those with valid existing rights will be allowed to continue. Although no purchase of private lands within the proposed park boundaries are contemplated at the present time, acquisition authority will be provided by legislation.

Opposition to the bill has already been expressed. Currently there are several multiple use interest groups forming a coalition in opposition to the bill. This coalition has chosen to be called "Friends of the California Desert", and its criticism is direct. It argues that the bill will lock up the public lands from viable multiple use activities. The American Mining Association, Los Angeles Department of Water and Power, San Bernardino County Farm Bureau, American Institute of Mining Engineers, California Wildlife Federation, and National Rifle Association are some of those interests represented by this coalition. Kaiser Steel, Pfizer, Riverside Cement, and American Borate are mining companies that have joined the coalition as individual members. The Friends of the California Desert's motto is "Its everybody's desert, lets keep it open."

Some Criteria for Decisionmaking

As discussed in Chapter 4, the National Park Service has set up criteria for evaluating potential park areas. Could the EMNSA qualify as a national park according to the National Park
Service criteria?

One of the first criteria set forth by the National Park Service related to national significance in terms of portraying those natural and historical themes identified by the National Park Service. The Mojave National Park could readily qualify under this criterion. The area has already been recognized for its unique natural and historical values. This is evidenced by the designation of the EMNSA as the nation's first national scenic area.

Another criterion is related to the feasibility of administration and protection of the area. The proposed Mojave National park would meet this criterion also. The majority of the land included in the proposed park is currently public land administered by the BLM. The establishment of this national park would merely require a transfer of these lands to the National Park Service.

Since these criteria could be met, there are two additional criteria to be considered: 1) Under current protection, is the area available for public appreciation? and 2) Is the area assured of being protected outside the National Park Service System?

The EMNSA represents the majority of land included in the proposed Mojave National Park. The EMNSA is currently available for public appreciation and use. However, the one question remains: Is the area assured of being protected outside the National Park Service system?
The proponents of the Mojave National Park have argued that the BLM's multiple use class system does not provide adequate protection of the EMNSA. They feel that the continuation of such activities as mining, grazing, off-road vehicle recreation, and energy/utility corridor development will encroach upon the natural, scenic, and cultural values within the EMNSA, and could lead to resource depletion and environmental degradation. They also fear that the California Desert Plan amendment process could jeopardize the existing status of the EMNSA. If this viewpoint is confirmed, the proposed area would meet the National Park Service's criteria for recommendation into the National Park Service system.

Even if the proposed park does meet the National Park Service criteria for recommendation into the system, there is still the political issue of setting priorities in this decisionmaking process. Should priority be given to the preservation of the natural, scenic, and cultural values within the EMNSA, or should priority be given to its economic resources and potential economic benefits?

Specific Management Plan for the EMNSA

One alternative to the Mojave National Park proposal might be to develop a specific management plan for the EMNSA that would provide stronger guidelines for preservation and the maintenance of environmental quality. The California Desert
Plan was developed to provide management for the 12.5 million acres of public land in the California desert. The EMNSA might benefit from a management plan that focuses on its unique status as the nation's first national scenic area.

A specific management plan for the national scenic area could provide more appropriate guidelines for its unique status. The specific management plan would be subject to the multiple use policy as defined by the Federal Land Policy and Management Act. Any change to this multiple use policy would have to be authorized by Congress. However, a specific management plan could provide stronger guidelines for the preservation of the natural, scenic and cultural values within a multiple use framework.

The BLM has considered this approach. A management plan for the EMNSA is to be developed by the BLM and the Desert Advisory Council. The Desert Advisory Council is composed of 15 individuals that represent the interest groups within the EMNSA. Therefore, in this planning effort, there will be representation for such interests as mining, grazing, off-road vehicle recreation, energy/utility development, cultural and environmental preservation.[52]

Summary

The Mojave National Park proposal challenges the BLM's
multiple use policy for the EMNSA. The multiple use class system developed in the California Desert Plan was an attempt to balance economic interests and environmental preservation. The establishment of Mojave National Park would require that a political decision be made giving precedence to environmental preservation.

In one sense this issue also seems to challenge the BLM's role as a conservation agency. It questions whether the BLM can provide adequate protection for areas such as the EMNSA without having a preservation emphasis.

Although the Mojave National Park proposal may again fail to pass in Congress, it serves an important purpose. The Mojave National Park proposal brings attention to public concern for environmental preservation. It keeps preservation interests in focus with those multiple use interests present in the EMNSA. In this way, public concern will help to reinforce the principle of "maintenance of environmental quality" that was also included in the Federal Land Policy and Management Act.
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