

Preservation

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Stealing Beauty

The West's common lands need real defenders.

BY JAMES CONAWAY

COAL MINERS' MOUNTAIN

THE DATING GAME

BRUTALISM AND BEYOND

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magnificent possession

THE VERMILLION CLIFFS ARE A SPECTACULAR GEO-logical continuum extending all the way from the Grand Canyon in northern Arizona to the Escalante Mountains in southern Utah. Imagine a vast arc of flaming rock with the Colorado River at one end and the Utah border at the other, the cliffs' deep crimsons and magentas running along 25 miles of eternally stressed sandstone.



The cliffs can be seen from state highway Alternate 89, which takes the low road from Page, Ariz., to Kanab, Utah, once the southern hub of the Mormons' land of Deseret. This is the so-called Arizona Strip, cut off from southern access by the millennial crack of the canyon, as rich in prehistory as it is in geology, with distant plateaus with old Piute names—Shivwit, Uinkaret, Kaibab. Wind and water shaped them, the broad valleys silver-green with sagebrush and juniper, and the high forested tablelands of confusing, sometimes frightening aspect.

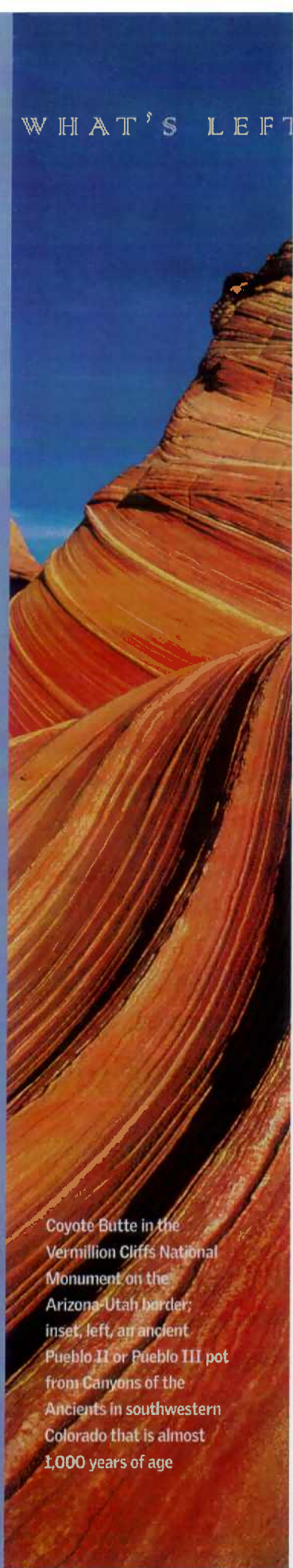
Atop the Vermillion Cliffs sits the Paria Plateau, named for the ancient occupiers of this back pocket of the West. The Paria have been gone from this landscape for roughly a thousand years, but they and other Native Americans left behind artifacts and ghostly remains of dwellings that serve as a palimpsest of ancient civilizations, if only you have eyes to see them.

Peter W. Bungart, an archaeologist, does. He explained that the Ancient Puebloans, once referred to as Anasazi ("ancient enemies" in Navajo), arrived c. 300 B.C. and introduced agriculture. "They made pottery," he said, "because they were growing squash, corn, and beans, which required pots."

He was standing on a sloping shoulder of the plateau, still under the Vermillion Cliffs. In shorts and brimmed canvas hat, a pack on his back containing lunch (bread and avocados), topo maps, a battery-run global positioning system (GPS) device, and other tools of the itinerant student of the long gone, Bungart looked like a day hiker. All around us, in red sand under blue sky, lay some of the pottery shards as well as knapped flint and smooth stones used as tools that had been cast in their millions by the elements and by various peoples across thousands of square miles.

Bungart could pick up any one of those artifacts and tell you its provenance. However, much of this reliquary lies in the midst of impromptu tracks of all-terrain vehicles. He was employed by the Wilderness Society to "inventory" this part of the vast, arid Southwest that has drawn hundreds of archaeologists to the hottest research turf on earth. The Paria Plateau and Vermillion Cliffs form part of the relatively young National Landscape Conservation System (NLCS), some 26 million federal acres in large, scattered parcels in

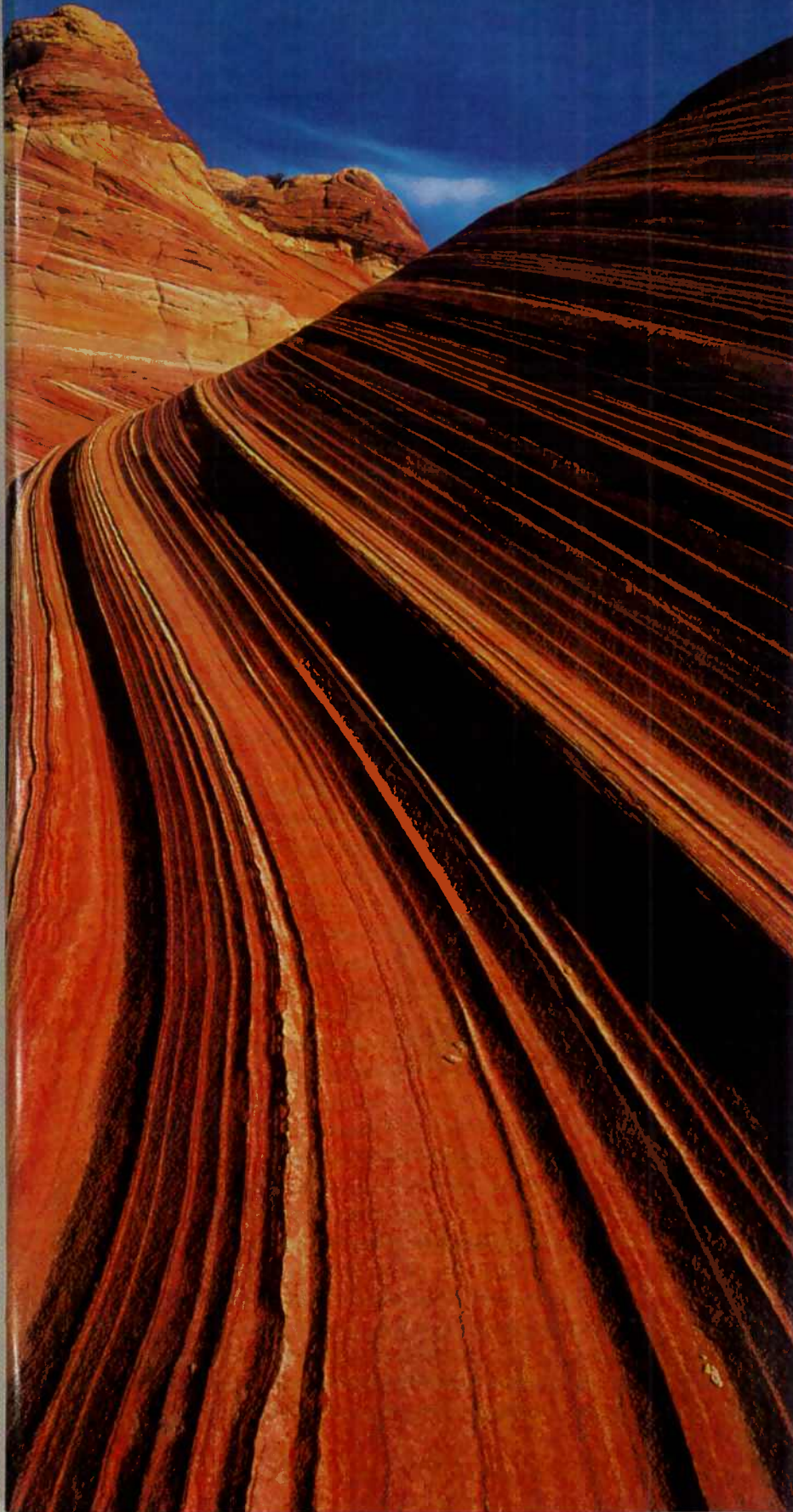
BY JAMES CONAWAY



Coyote Butte in the Vermillion Cliffs National Monument on the Arizona-Utah border; inset, left, an ancient Pueblo II or Pueblo III pot from Canyons of the Ancients in southwestern Colorado that is almost 1,000 years of age

ELM. CORBIS

OF THE WEST?



the West, kept intact not as national parks but as spectacular public space. The NLCS—bureaucracy's uninspired name for a heroic vision—was established back in 2000 by President Clinton's secretary of the Interior, Bruce Babbitt, to provide extra protection for whole landscapes. But most Americans have still never heard of it. The system's sheer size and complexity—more than 200 separate parcels from New Mexico's Kasha-Katuwe Tent Rocks to Oregon's Cascade-Siskiyou range, from the Upper Missouri River Breaks in Montana to California's Carrizo Plain—defy easy description.

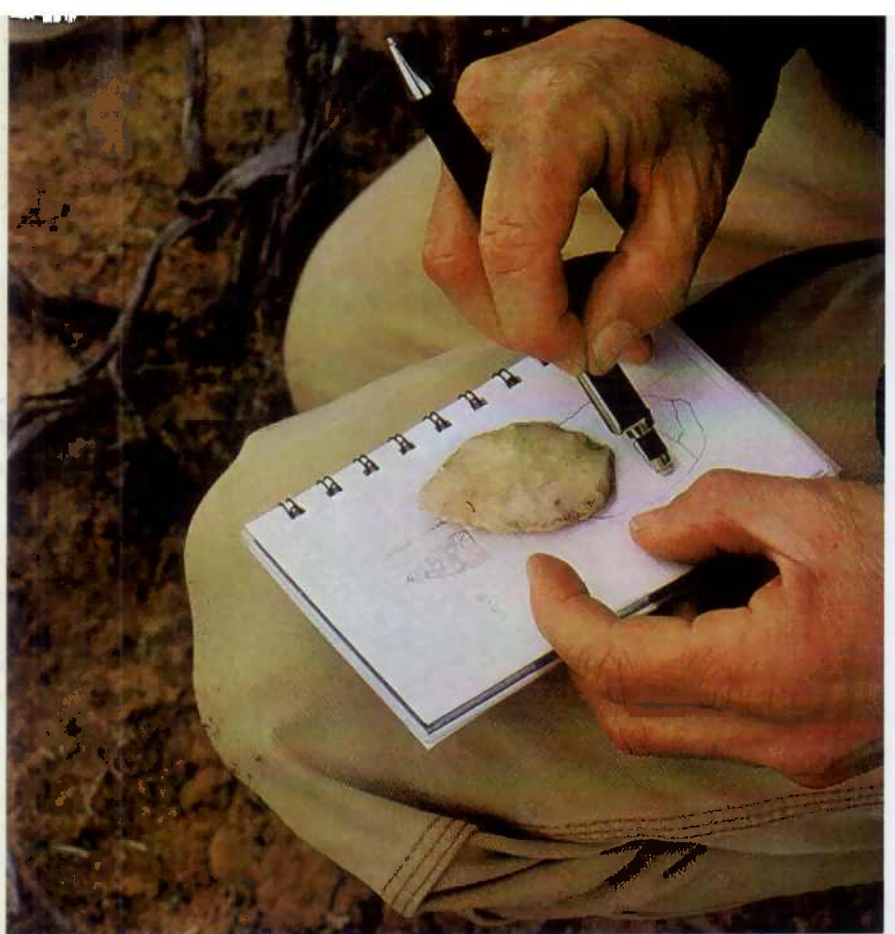
In short, the NLCS embodies, in the West, the last and best of old-time America. And locked within its gorgeous, commodious confines are answers to some of the country's most fascinating cultural and scientific mysteries. One way to ensure continued protection is to compile lists of the prehistoric structures and objects of what could liberally be construed as a kind of American Mesopotamia. Extensive evidence of ancient cultures is required for inclusion in the National Register of Historic Places, the main mechanism for protection. But there are useful laws other than the National Historic Preservation Act—the source of the National Register—including the Archaeological Resources Protection Act and the Native American Graves Protection and Repatriation Act. Recording evidence of prior habitation by *Homo sapiens* puts some brakes on business as usual—energy exploitation, mining, lumbering, and grazing—and the more evidence, the better.

We walked on through a scatter of painted pottery shards, then plain, ridged ones from broken cooking utensils. Decades of off-road vehicle use and looting have wiped out large settlements of departed Natives. But by chance we found ourselves standing next to an abandoned house site, the tumbled, mostly buried stones faintly outlining the shape of rooms lived in before the Renaissance. The subtlety of the arrangement added to its poignancy. This site would also attract those who steal artifacts from public lands, either for sale or for a private collection, far from the gaze of officialdom. "Pot hunting's a way of life around here," Bungart

said. "The BLM needs to close some roads."

He meant the Bureau of Land Management, a lesser *satrapy* within the Department of the Interior responsible for 260 million federal acres. Created in 1946 by combining the General Land Office with the Grazing Service, BLM must manage for multiple uses of these lands but tilts heavily toward development. The agency professes to lack sufficient funds to properly police areas like the Paria Plateau, which is true in part, but as Bungart said, "They lack the will, too. They're always working on management plans, and meanwhile the resources are trashed."

On the way back to the highway, we stopped to watch condors, successfully relocated from California, soaring above the Vermillion Cliffs. This was just one instance of nature prevailing with the help of science, on land that belongs to everyone but without pavement or posted lectures on geology, history, and "sponsorship"—land that could be experienced much as it was a century ago, with few people and regulations, and much still to be discovered.



Archaeologist Peter Bungart was hired by the Wilderness Society to help inventory the Vermillion Cliffs National Monument in northern Arizona. Here he records a stone tool, one of innumerable artifacts found in areas heavily used by all-terrain vehicles.

THE NATIONAL LANDSCAPE CONSERVATION System has narrowly survived despite the fact that "locking up" western resources on public land is frowned upon by privatizers both inside and outside government, denounced by western congressmen, and nibbled at by lobbyists and industry functionaries appointed to fill crucial slots within Interior. Of the units included in the NLCS—15 national monuments, 13 national conservation areas, 38 wild and scenic rivers, 175 wilderness areas and 600-plus wilderness study areas, more than 5,000 miles of national historic and scenic trails, a forest reserve in northern California, and a mountain in southern Oregon—most remain imperiled despite their official status. (National parks are not included.)

Last year the National Trust put the collective system on its list of America's 11 Most Endangered Historic Places. "The NLCS harbors artifacts from the first Americans that are among the most significant of our cultural resources," said Trust President Richard Moe. "The Trust is the only national nonprofit committed to protecting the NLCS's great cultural resources that are increasingly subject to the ravages of man." The ravagers include not just resource exploiters but also careless visitors, cowboys manqué on all-terrain vehicles, and latter-day desperados with shovels who steal not only pots, cacti, rocks, and arrowheads but also human skeletons.

These are the kinds of problems facing Utah's 1.7 million-acre Grand Staircase-Escalante National Monument, which abuts the Vermillion Cliffs. It was named for a series of rising cliffs and plateaus and for the Escalante River, which has carved up much of the landscape, and it has some 4,000 recorded archaeological and historical sites, most of them eligible for the National Register. But these amount to only an estimated three percent of the monument's total number of sites. Culturally, they span 10 millennia and include a smorgasbord of treasures, from lithic scatters to can piles, from petroglyphs to old corrals. And most of Grand Staircase-Escalante is unsupervised and therefore unprotected.

Administered out of Kanab, the monument has been resisted locally since its inception. Its workers have been ostracized in town; one who wore his uniform to the supermarket was advised that he might be shot. "The primary fear," he told me, "is that citizens are being shut out by the federal government. My barber is one of 15 kids, and they made a living cutting cedar posts on the monument. They're afraid they're losing some of their heritage, and their sense of ownership."

The fact is, they never owned it or the cedar posts. Utahns, like residents of other western territories with significant public lands, petitioned the federal government in the mid-19th cen-



tury for inclusion as states in the United States of America, formally accepting the reality of public ownership of much of their surrounds. The federal government then gave each state public land to help support its school systems. Since this bargain was eagerly entered into by westerners, local claims of ownership—or “rights,” as they are viewed by revisionists of history—represent attempted takings by locals from the rest of the nation.

Kanab, a town of about 4,500 and the seat of Kane County, is the threshold of much off-road driving on public lands. Most evenings, outside the Mexican restaurant on the main drag, all-terrain vehicles can be seen sitting on trailers attached to pickups, everything covered with a patina of mud and dirt. Kanab and Kane County have a reputation for resisting federal mandates, particularly those limiting access to public lands and conduct upon them, with all-

terrain vehicles providing a persistent, destructive means of political expression.

In 2003, county officials went so far as to tear down inside the monument 31 fiberglass stakes with signs restricting vehicle use; last year, they set up more than 200 of the county's own, inviting off-roaders to drive wherever they pleased. The BLM did nothing either time, and left the signs standing. Asked why, BLM's acting director in Utah, Gene Terland, said, after a long pause, “It goes back to a question of valid rights. There are different approaches to different problems, and various options, administrative and legal.” He wouldn't say the signs were legal, but neither would he say they were illegal.

In late 2005, Kane and neighboring Garfield counties went to federal court challenging BLM's resource management plan, an attempt in part to get ownership of the hundreds of miles of federal roads and trails in the monument. That change in jurisdiction, if granted, would open it to official anarchy, dis-

rupting wildlife, threatening untold archaeological sites, and radically altering the character—and the experience—of the land.

The National Trust, in cooperation with the Wilderness Society, the Sierra Club, and the Southern Utah Wilderness Alliance, joined in on BLM's side. “We thought it a bogus suit,” said Mike Smith, an attorney for the Trust, “and thought the BLM might try to settle too leniently.”

Rewarding the county would set a disastrous precedent, although backdoor legal settlements are an increasingly common maneuver for transferring public property to private, and local public, ownership. Terland denied that any such settlement was BLM strategy: “We're looking to resolve this in a way that meets federal standards and respects both interests.” But the fact that the county's unlawful actions were tolerated by the agency said a lot about the way public lands are viewed and dealt with at Interior.

I asked the monument's manager, Dave Hunsaker, a 32-year veteran of BLM, why people weren't arrested when they broke the law on federal land. Caught between the requirements of stewardship and the demands of politics—he was subsequently transferred to Washington to be deputy director of the NLCS—he only affirmed that BLM, Interior, the state, and the two counties were in negotiation, “and there's some progress.” (The suit had still not been settled in March.) He added that the roads and signs dispute “was a Utah issue,” acknowledging that people often asked

him why Utah wasn't subject to the same federal laws as the rest of the nation.



Rock art in Grand Staircase-Escalante NM, Utah, has been cut and then broken into sections and carried away by thieves. Such cultural treasures on BLM land need more federal protection.

LESS PUBLICIZED BUT NO less unlawful incursions onto NLCS lands are common in other western states and exacerbated by oil and gas operations, rural sprawl, and grazing. In the southwest part of the Arizona Strip, near the Colorado River, is the remote Grand Canyon-Parashant, a national monument with sites dating from perhaps 10,000 years ago to the late 1800s. There's no official presence there to discourage defilers of

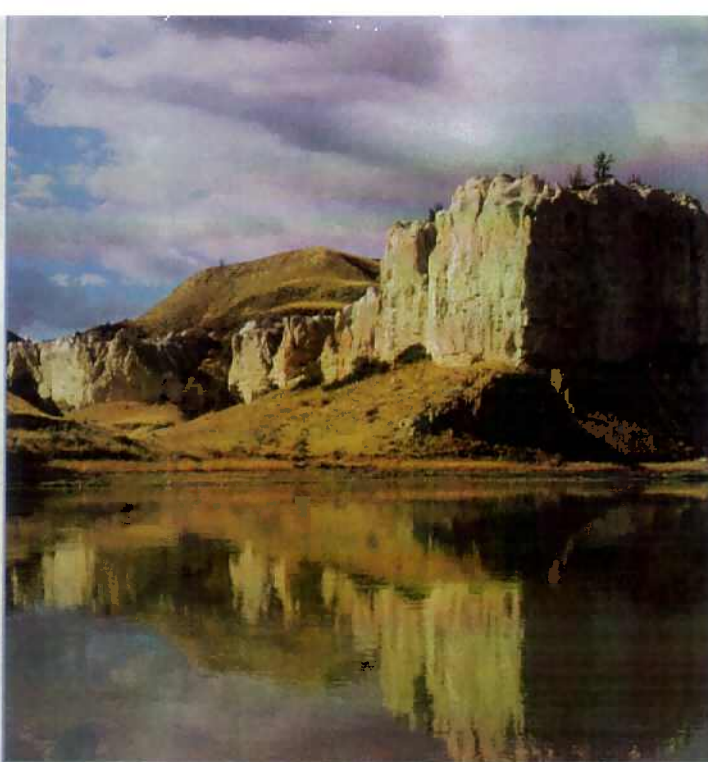
sites that include Piute camps with metal and glass artifacts from their mid-19th-century contact with the U.S. Army and white settlers. Fences to keep out trespassers have been torn down.

The ranks of motorized joy riders in Agua Fria National Monument are fed exponentially by the citizens of nearby Phoenix; that monument contains more than 400 recorded sites, among them multi-roomed pueblos and complete, interre-

lated Native communities (the Perry Mesa Tradition) dating from 1250 to 1450 that could provide crucial archaeological pieces to the Southwest's historic puzzle.

Grave robbers and pot hunters persist in the Canyons of the Ancients National Monument in southwestern Colorado, with its large concentration of Native American artifacts. Close to Mesa Verde National Park, Canyons of the Ancients has seen continued defacement and destruction of BLM signs even though the Sand Canyon trail mostly attracts people interested in outdoor recreation with minimal impacts—some 20,000 hikers, mountain bikers, and horseback riders annually.

Farther afield, in Wyoming, what's left of the Mormon Trail, an entity in the NLCS, suffers similar abuse, in addition to a typical increase in mineral exploration, for which inspections are notoriously lax everywhere. Industry and development impose upon Pompey's Pillar in Montana, on the multistate Lewis and Clark Trail (see "Still Looking for Paradise,"



Left, Little Blitzen Gorge in Steen Cooperative Management and Protection area in Oregon; above, Upper Missouri Breaks NM, Montana



Preservation, September/October 2003), in Oregon's Cascade-Siskiyou range, and in Ironwood Forest in southern Arizona's Sonoran Desert.

There are only three law enforcement officers responsible for almost two million acres in Grand Staircase-Escalante, and only one full-time archaeologist. His name is Matt Zweifel, and he drove me onto the monument east of Kanab, unabashedly wearing his BLM T-shirt, and spoke enthusiastically of the work he and other scientists—geologists, botanists, hydrologists, ecologists—were doing on the monument.

Entomologists had found 40 species of bees on the lovely lavender bee weed lining the road, he said; paleontologists had located unique fossilized dinosaur tracks on the ridge just west of us. "The breadth of research is one of the main pluses of preserving the monument. We can get universities and private individuals to put money in and produce real science, unlike other BLM offices. We're lucky." But last year, the number of BLM scientists doing

pure research on the monument was reduced from four to two.

Zweifel thrust his GPS device out the window to get his bearings. We pulled over and hiked through sagebrush to an Ancient Puebloan site that had been plundered years before, still scattered with the dark shards turned up by a bulldozer driver casually searching for artifacts. "Here he put the blade down and went right through," said Zweifel. "These used to be substantial masonry walls." Damage on this scale was rare these days, he added; more common were the quick, discreet digs in places few people visit, by raiders on ATVs who "find a little rock shelter and in an hour can destroy it."

At another site Zweifel picked up a piece of pottery with three dots on it. "Basketmaker III," he said. "If we find a projectile point, it will be a tiny triangle with a small stem at the bottom." He would later return to Kanab to record this site on the U.S. Geological Survey map, a process requiring a couple of hours' work, including filling out several forms.

We found stones marking the boundaries of what had been a house with a storage unit. I would have passed it by without noticing. "This is late Kayenta," he said, one of four types of the Ancient Pueblos, toward the end of the occupation. They left roughly 800 years ago, for reasons still in dispute (drought perhaps, or warfare, or both). Three holes had been dug by pot hunters. "This is the trash heap where people, and pots, were buried. That's what they're after." The various cultures often buried their dead with utensils, tools, weapons, and clothing, all valuable today.

We climbed to the base of a canyon wall and made a significant discovery of our own: prehistoric paintings of hunters and some indecipherable symbols. Unfortunately, part of the wall

was covered with bovine excrement that had hardened. "Cows like to shelter up here," Zweifel said. He had been trying to document the effect of grazing on cultural resources, and "this is a pretty good example of the problems we have in managing this area." He planned to return with a camera and document it.

State BLM acting director Terland's predecessor had asked ranchers to remove some cattle from the monument during drought and supported efforts by environmentalists to buy out grazing rights. Some ranchers within the monument had agreed to give up their grazing interests if compensated by a subsidiary of the Grand Canyon Trust, an action that would also have benefited cultural resources. That director was transferred, and BLM announced that it could open any lands to grazing it saw fit, even if those with the rights didn't want to use them. When I asked about this, Terland said, "The decision is the bureau's. Grazing is a right, not a privilege." Non-grazing, he added, is not a right.

We climbed to another canyon wall, where rock shelters and granaries for storing corn had been built almost a thousand years before, the handprint of a builder still clearly visible in the dried red mud. The view was of a landscape where little prehistoric field houses had once stood, surrounded by crops on the valley floor. Here smoke would have risen in the evenings from many fires in the houses on the flats and in the canyon walls, under an immense sky. "Imagine sitting here then," Zweifel said, "looking out over all this, listening to the corn rattle in the wind."

THE NATIONAL LANDSCAPE CONSERVATION SYSTEM IS one of the most audacious visions for public lands in American history, one recognizing the commonality of large, if disparate, iconic spaces and a sense of national well-being inherent in them. Bruce Babbitt told BLM employees in 2000, when the NLCS was created, that the agency could "set the standard for protecting landscapes ... and bringing people together to live in harmony with the land ... or, it can become a relic."

Six years after Babbitt's pronouncement, it seems to me that harmony could hardly describe what is taking place. BLM throws up its excessively bureaucratic hands in the enforcement battle and tacitly acknowledges—never specifically—that it is unequal to the task. The NLCS has never received its own, independent budgeting within BLM and is forced to seek funding from about 20 different BLM accounts. This started at \$36 million in 2000 and reached \$41.6 million



Lowry Ruin in Canyons of the Ancients NM, Colo. The National Landscape Conservation System has great cultural, natural, and geographical diversity.

last year, an anemic sum considering the size of the system.

When I asked about the budget, I was directed to BLM's published—and somewhat inscrutable—figures for 2005 on its Web site. There I found that the agency had plenty of money for management of, say, oil and gas (\$87 million), energy and minerals (\$107 million), grazing (\$69 million), recreation (\$44 million), and mining (about \$33 million). Of last year's \$3 billion BLM enchilada, law enforcement received only \$17 million—\$22 million less than the wild horse and burro program—and cultural resources only \$15 million. Most programs, including the NLCS, received small increases in 2006, but the NLCS operating budget for 2007 has been cut by \$4.7 million. Despite obvious need, there has been no increase in funds for law enforcement.

Local jobs created by gas and oil extraction and mining tend to disappear once the resources are exhausted, often taking scenic beauty and good water with them. The primary beneficiary of these policies is the extractors, who [Continued on page 70]

MAGNIFICENT POSSESSION

[Continued from page 33] generally pay unrealistically low fees—or none at all. According to *The New York Times*, the Interior Department failed to report all natural gas taken from public lands by energy companies in 2005. This deprived the agency of some \$700 million in unpaid royalties, more than enough to pay for decades of law enforcement at current levels. And audits of energy companies that owe billions in royalties are being cut back by this administration.

Secretary of Interior Gail Norton declined to discuss any of these topics and so did BLM Director Kathleen Clarke. (Norton resigned in March.) Obtaining the opinion of anyone in authority at Interior, or hard facts about money and priorities, involves a drawn-out, ultimately fruitless process of requests, issue “clarification,” and official avoidance that would be comical if Interior weren’t a public agency. The director of the NLCS, Eleana Daly, did agree through a spokesperson to be interviewed but then canceled; rescheduling, I was told, would have to wait indefinitely.

Many career BLM employees are dedicated to preserving the NLCS, and the neglect of cultural and natural assets remains a sore subject indeed within the agency. Last year, a career employee and director of Carrizo Plain National Monument in California killed herself with a .38 caliber revolver. Marlene Braun had been in charge of the 200,000 acres bisected by the San Andreas fault, the largest surviving bit of the San Joaquin River grasslands, crucial habitat for unique species and part of the NLCS. Braun’s attempts to limit grazing on the monument had aroused the opposition of both ranchers and Interior officials, and she was apparently in despair over conditions within her bailiwick.

Last April, the state of New Mexico, in a highly unusual move, charged in court that BLM had failed to comply with the National Historic Preservation Act before allowing oil and gas development on Otero Mesa, a part of the ecologically sensitive Chihuahuan Desert that is scattered with some 50,000 archaeological and historic sites. (The National Trust filed an amicus brief along with the Ysleta del Sur Pueblo and the Association on American Indian Affairs.) And in June a federal

district judge in Montana ruled that the BLM violated the National Historic Preservation Act for not consulting in good faith with the Northern Cheyenne tribe before allowing massive coal bed methane natural gas development, using the word “misleading” to describe the agency’s tactics.

TWENTY YEARS AGO, DURING PRESIDENT RONALD REAGAN’S administration, I toured public lands in the West—mostly BLM’s, many of them now part of the NLCS—and wrote a book about the experience. Development was aggressively pursued then, too, but without today’s more sophisticated blend of ideology and raw commerce. Officially sanctioned “privatizing” attempts, unrestrained exploitation of resources (and inadequate returns from them), and the lack of responsiveness to inquiry are considerably greater today.

BLM’s history, like its current modus operandi, indicates that unlimited access to land, resource extraction, development, and grazing are absolute values. In my opinion even a change of administration would not compel BLM to do an adequate job of conservation, and therefore some draconian solution should be found. Although highly unlikely, a super-

agency could be created by congressional fiat to override the authority of the resource dispensers and gather the assets into a single basket—a kind of National Landscape Conservation Administration modeled on Depression-era efforts. More likely would be a radical reshuffling of BLM’s management policies and a direct subsidy from Congress to ensure protection of—and investment in—these exceptional legacies.

The original designation of vast communal lands in the West was a blessing for the country, and an example for the world. Now the challenge is to preserve what’s left of them. This will require an enlarging of the national perspective—figuratively and literally—and living landscapes are vital to this task. For at the moment the nation denies itself nothing, including squandered resources requiring the abandonment of whole cultures and the destruction of the very ground upon which America was built. ■



Top left, BLM site stewards piece together a broken pot found near Black Rock Mountain in the Grand Canyon-Parashant National Monument by BLM firefighters; right, a BLM archaeologist and helpers examine a crime scene near Bridger, Mont.; lower left, evidence of unlawful all-terrain vehicle use in Paria Canyon-Vermilion Cliffs NM