



## WILDERNESS WATCH

*Keeping Wilderness Wild*

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RE: WILDERNESS WATCH COMMENTS: Salt Tram Fire Hazard Reduction Project Notice of Proposed Action (NOPA) and Environmental Assessment (EA)

Dear Mr. Symons:

Wilderness Watch submits these comments on the Notice of Proposed Action (NOPA) and Environmental Assessment (EA) for the Salt Tram Fire Hazard Reduction Project. Wilderness Watch is a national nonprofit wilderness conservation organization dedicated to the protection and proper stewardship and administration of the National Wilderness Preservation System. The Bureau of Land Management's (BLM's) proposed action represents a troubling migration from sound wilderness stewardship and, should it be implemented, would adversely affect Wilderness Watch's organizational interests, as well as its members' use and enjoyment of the Inyo Mountains Wilderness.

The proposal indicates BLM will clear trees within a 50'-100' radius of 11 tram structures to buy time to respond to approaching fires "and avert total catastrophe." To justify the action, the proposal takes the rather mind-bending position that the tram complex—an "electric aerial tram," powered by the Edison Power Plant, which transported 800 pounds of salt at a rate of 20 tons per hour and "bumped operations up to an unprecedented industrial scale and contributed to substantially to the development and expansion of local and regional economies"—"is an important contributing element to the wilderness character of the Inyo Mountains Wilderness."

Congress enacted the Wilderness Act "to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection

in their natural condition”. 16 U.S.C. 1131(a). Congress found that areas where “man and his own works dominate the landscape” are offensive to the idea of wilderness, and made clear that, in contrast, wilderness is an area “of undeveloped federal land retaining its primeval character and influence, without permanent improvements” where “the earth and its community of life are untrammelled<sup>1</sup> by man” and “man himself is a visitor who does not remain.” *Id.* at 1131(c). Congress expected that these areas would be “protected and managed so as to preserve its natural conditions”. *Id.* at 1131(c). And, Congress prohibited structures in wilderness because they are fundamentally incompatible with these ideals. *Id.* at 1133(c).

Far from being a “contributing element to the wilderness character of the Inyo Mountains Wilderness,” the tram system is a scar—a lingering reminder of industrial expansion, growing mechanization, development, exploitation, and economic pursuit at the expense of nature. The proposal to perpetually fight nature and its natural processes by cutting trees and suppressing fire adds insult to injury and only ensures that this landscape’s scar will never heal. BLM should be clear—this project is about the preservation of man’s works—not the preservation of wilderness.

In a further attempt to justify this action, the proposal indicates that a purpose of wilderness designated in the California Desert Protection Act (CDPA) is to preserve “the mining, ranching and railroading history of the Old West,” but this is inconsistent with a reasonable reading of the CDPA. The above quoted passage is found within a list of general findings explaining why Congress was designating various National Park System units as well as wilderness areas. It is not specific to wilderness designations.

The proposal does not mention that Title I of the CDPA, which designated the wilderness administered by BLM, explicitly excludes reference to the history of development—mining, railroading, and ranching—as applying to wilderness. That section states:

- (1) Wilderness is a distinguishing characteristic of the public lands in the California desert, one which affords an unrivaled opportunity for experiencing vast areas of the Old West **essentially unaltered by man’s activities**, and which merits preservation for the benefit of present and future generations;
- (2) The wilderness values of desert lands are increasingly threatened by and especially vulnerable to impairment, **alteration**, and destruction by activities and intrusions associated with **incompatible use and development**; and
- (3) Preservation of desert wilderness necessarily requires the **highest forms of protective designation and management**.

Emphasis added. Further, there is nothing in the administration section of Title I (Section 103) that makes special exceptions for the Salt Tram or mining structures in wilderness designated by the CDPA. However, the designation of Death Valley National Park (Title III), the expansion of Joshua Tree National Park (Title IV), and the designation of Mojave National Preserve (Title V)

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<sup>1</sup> The BLM Manual acknowledges that “‘untrammelled’ refers to wilderness as essentially unhindered and free from modern human control or manipulation. This quality is impaired by human activities or actions that control or manipulate the components or processes of ecological systems inside wilderness.” BLM Manual 6340 (Management of Designated Wilderness Areas), *available at*: [https://www.blm.gov/style/medialib/blm/wo/Information\\_Resources\\_Management/policy/blm\\_manual.Par.22269.File.dat/6340.pdf](https://www.blm.gov/style/medialib/blm/wo/Information_Resources_Management/policy/blm_manual.Par.22269.File.dat/6340.pdf)

all explicitly refer to “historical” resources.<sup>2</sup>

## NEPA

### **Public Involvement**

The incredibly short comment period on the EA violates the spirit of BLM’s policy about activities in wilderness. (BLM Manual 6340 1.6(D) 3 and 4).

### **Reasonable Alternatives**

Wilderness Watch supports historic preservation efforts that are compatible with wilderness preservation. Historic preservation laws are a “planning tool,” and an agency may “adopt any course of action [for preservation of a listed structure] it believes is appropriate” so long as it follows proper procedures. 36 C.F.R. § 60.2(a); *see also* 54 U.S.C. § 306103. Regulations contemplate various preservation actions that are generally compatible with wilderness preservation, including written and photographic curation as well as relocation of a structure outside of wilderness if more intensive maintenance and rehabilitation actions are desired. *See* 36 CFR §§ 60.2(a), 60.14(b); 54 U.S.C. §§ 300315, 306103, 306108. Allowing the structures to fade into the wilderness, and the allowing this scar to heal, is a valid alternative that should be adopted.

## SUMMARY

The perpetual trammeling of wilderness by cutting trees to preserve an artifact of human industrial expansion is antithetical to any definition of wilderness. Saying a dog is a duck does not make it so. We urge you to withdraw this project and instead commit to preservation of the Inyo Mountains Wilderness as Congress intended. At a minimum, BLM should be honest about what it is seeking to protect—it certainly is not wilderness.

Sincerely,



Gary Macfarlane  
President

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<sup>2</sup> However, the wilderness designation portion of the CDPA that applies to the national park units excludes any reference to historical values.