

San Pedro River Blues

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It was my privilege to be part of the committee appointed by Gov. Babbitt to start drafting language that would become, with the help of Reps. Mo Udall and Jim Kolbe and Senators McCain and DeConcini, the SPRNCA enabling Act of 1988 (PL 100-696).

That law brought to a generally satisfactory conclusion the efforts to Save the San Pedro that began in 1981. That was when Natalie Danforth (chair of the then-existent Huachuca Audubon Society, Jerry Pratt of the then-existent Cochise Conservation Council, and myself (then conservation chair of the Sierra Club's Grand Chapter), decided that the San Pedro needed to be saved from the rampant growth of Ft. Huachuca and the surrounding bedroom communities.

You can find some of all that on my website michaelgregory.org (all one word, lower case), in the introduction to the "Drops in the Bucket" chapter in the collection of papers called *Looking at the Planet*; that chapter also includes my testimony to the House of Representatives advocating creation of the SPRNCA.

I said "generally satisfactory." Like all laws, PL 100-696 is the result of a sausage-making process of compromises arm-twisting, horse-trades and the like. Much of the land that became SPRNCA was owned by Tenneco Corporation, and scheduled either for more industrial agriculture, especially cotton, or subdivisions. We had originally wanted to set it aside as a Wildlife Refuge, but Fish and Wildlife Service was cash-poor. Its sister DOI agency, BLM, however, wasn't; and in addition, BLM already was in charge of some of the riparian area lands, and its new State Director in his previous position had just stepped up the bureaucratic ladder towards Washington by spearheading creation of the Birds of Prey NCA in Idaho. In addition, BLM had lands in the White Tanks area NE of Phoenix that Tenneco was willing to trade for their San Pedro lands.

So, after a lot of wheedling and head-bumping with local real estate, ranching and military interests, we ended up with the SPRNCA we have.

Now the SPRNCA's most immediate threat is the Draft Resource Management Plan (or **DRMP**, for short) proposed by the federal agency that's supposed to protect it.

The DRMP is primarily about Vegetation Management, and the most obvious problem with it is that BLM is trying to turn the SPRNCA into what in effect would be a massive cattle ranch. The original SPRNCA did not allow grazing, but the DRMP preferred alternative (Alt C) would allow it on almost half of the SPRNCA; and **under all alternatives (even Alt D, the so-called conservation alternative: see Table 2.5.4), BLM would manipulate existing vegetation on over 40,000 acres, some 70% of the total SPRNCA, to favor growth of so-called "palatable" grasses, i.e., palatable to livestock.**

Greta will be talking in some detail about the cattle problem, so in the few minutes I have left, I'll just point out how the DRMP overall conflicts with the enabling legislation (which is reproduced in Appendix B of the DRMP, if you want to follow along while I talk).

Like so much coming from the Trump administration, the DRMP is largely about commodification. It wants to reduce the **natural resource values** of the riparian area to market terms, rather than recognize them as values in themselves. The enabling Act, however, is not about **using** the riparian area, but **protecting** it.

Specifically, the establishment clause of the enabling Act, the opening sentence, says that the SPRNCA is established “**in order to protect the riparian area**” and its associated natural resources. “**Protect the riparian area,**” that’s the primary purpose.

A few paragraphs later, the Act talks about management of the SPRNCA and says that the Secretary of Interior, the parent agency of BLM (currently Mr Ryan Zinke), shall manage SPRNCA in a manner that “**conserves, protects, and enhances the riparian area**” and its associated aquatic, wildlife, archaeological, paleontological, scientific, cultural, educational and recreational resources.

Then, in the next paragraph, the law says that “the Secretary shall **only** allow such uses. . .as will further the primary purposes for which the conservation area is established” — which is, as we have just seen, **protection** of the natural resources.

The DRMP confuses protection, conservation and enhancement of the resources with their use, especially commodity uses like grazing, hunting and trapping. For instance, instead of protecting the recreational resource from people, the DRMP, again **under all alternatives**, would manage the SPRNCA for what they call “**Extensive Recreation Management**” (ERMA; see Table 2.5.12, p. 2-38), and would drastically increase human traffic in all parts of the SPRNCA, in effect “loving it to death.” BLM pretends that enhancing the value of the recreational resource means increasing the number of recreationists, but **the “recreational resource” is neither the people nor the use they make of it, but the natural system itself.**

The BLM tries to justify its focus on use by reference to the Federal Land Policy and Management Act of 1976 (FLPMA), which sets up the concept of multiple-use as the agency’s guiding principle. But the SPRNCA law was written twelve years after FLPMA; in drafting it we were well aware of FLPMA and specifically intended the SPRNCA to escape multiple-use requirements. The SPRNCA’s purpose is **singular, not multiple: to “protect”, period.** As the Act specifically says, SPRNCA management shall be guided by FLPMA only “where not inconsistent” with the conservation, protection and enhancement of the riparian area and its resources.

Grazing, hunting, trapping, converting thousands of acres to palatable grasses, building more miles of roads and fences, and heavy recreational traffic are clearly inconsistent with the primary purpose of the SPRNCA.

