JEFFREY PINE

journal

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IN THIS ISSUE

FRIENDS OF THE INYO CARING FOR THE PUBLIC LANDS OF THE EASTERN SIERRA

Friends of the Inyo would like to thank **Conservation Lands Foundation** for their longstanding and critical support.

CONSERVATION LANDS FOUNDATION

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FRIENDS OF THE INYO SINCE 1986

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In October 2023, the California Fish and Game Commission voted to permanently protect the Inyo Rock Daisy by granting it threatened status under the California Endangered Species Act. Photo by Duncan Bell.

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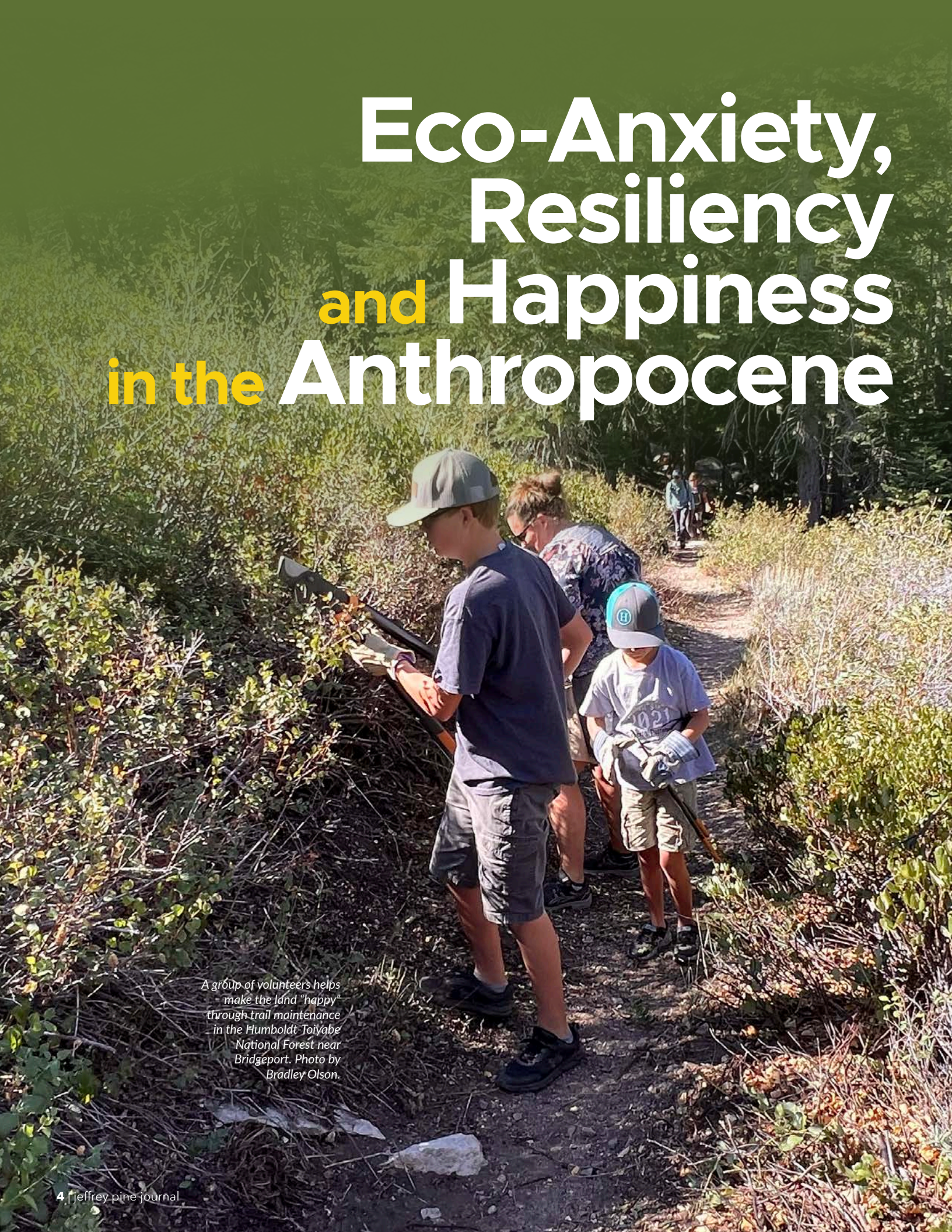
LAND ACKNOWLEDGEMENT

At Friends of the Inyo, we work to protect and care for lands that have been, for over ten thousand years, and still very much are, inhabited by the Paiute (Nüümü), Shoshone (Newe) and Timbisha peoples. Many of these lands are now known by names recognizing people who never set foot here. These lands are called Payahuunadü or Panawe by the Nuumu and Newe peoples, respectively. This land acknowledgement is a recognition of the original inhabitants of the Eastern Sierra, and is intended as a show of respect for Native peoples and to surface the often-suppressed colonial history of our country.

This mural, painted in 2022 by Bishop Paiute artist Weston Maddox with collaborator Andrew Thomas, depicts such values as Tribal autonomy, nature, family and "paya" (water) in "Payahuunadü" (the Land of Flowing Water). It is visible to motorists on northbound Highway 395 (Main Street) in Downtown Bishop, as it graces the south side of the building that houses the Meat House. Photo by Louis Medina

Eco-Anxiety, Resiliency and Happiness in the Anthropocene



A group of volunteers helps make the land "happy" through trail maintenance in the Humboldt-Toiyabe National Forest near Bridgeport. Photo by Bradley Olson.

By Louis Medina, Communications and Philanthropy Director

Every major climate event—whether impacted by human activity or not—marks the end of the world as we knew it up until that point.

That can be said of Lahaina in Maui following the Hawaii Firestorm this summer, and Paradise, California, after the 2018 Camp Fire; New Orleans and the Gulf Coast in the wake of Hurricane Katrina in 2005; and Death Valley after heavy flooding in 2022, and again almost exactly one year later when Pacific Hurricane Hilary made its way inland to Inyo County as a tropical storm this summer.

In national and international news, we find innumerable examples of so-called hundred-year disasters that are now becoming more frequent and fierce, like intensifying labor pains. Birthed with each crisis, in addition to changed landscapes and upturned lives, is a greater understanding of the human-impacted climate reality of our times. And with that understanding come two things: new terminology, because it is by naming things that humans make sense of the world around us, and troubled emotions, ranging from fear to grief, as we mourn our losses to climate change and worry about possibly worse disasters to come.

The Language of the Anthropocene

The Anthropocene is a proposed geologic epoch that references the effects of human activities on the planet's geology and ecosystems, including climate change. Some scientists say the Anthropocene Epoch began with the first atomic bomb test, code named "Trinity," conducted on July 16, 1945, near Alamogordo, New Mexico. Others date the start of the Anthropocene back to the Industrial Revolution of the mid-18th to the mid-19th centuries.

New geological and environmental developments in the Anthropocene Epoch include deforestation and its accompanying problems such as biodiversity loss and erosion; severe changes in sediment flux from the damming up of rivers and the ubiquitous construction of water diversion canals; extensive contamination of air, water, and land resulting from human activities ranging from manufacturing to war; atmospheric temperature rise due to the increase of carbon dioxide emissions from the burning of fossil fuels; and sea level rise caused by the rapid melting of glaciers and ice sheets and the expansion of sea water as the planet warms up.

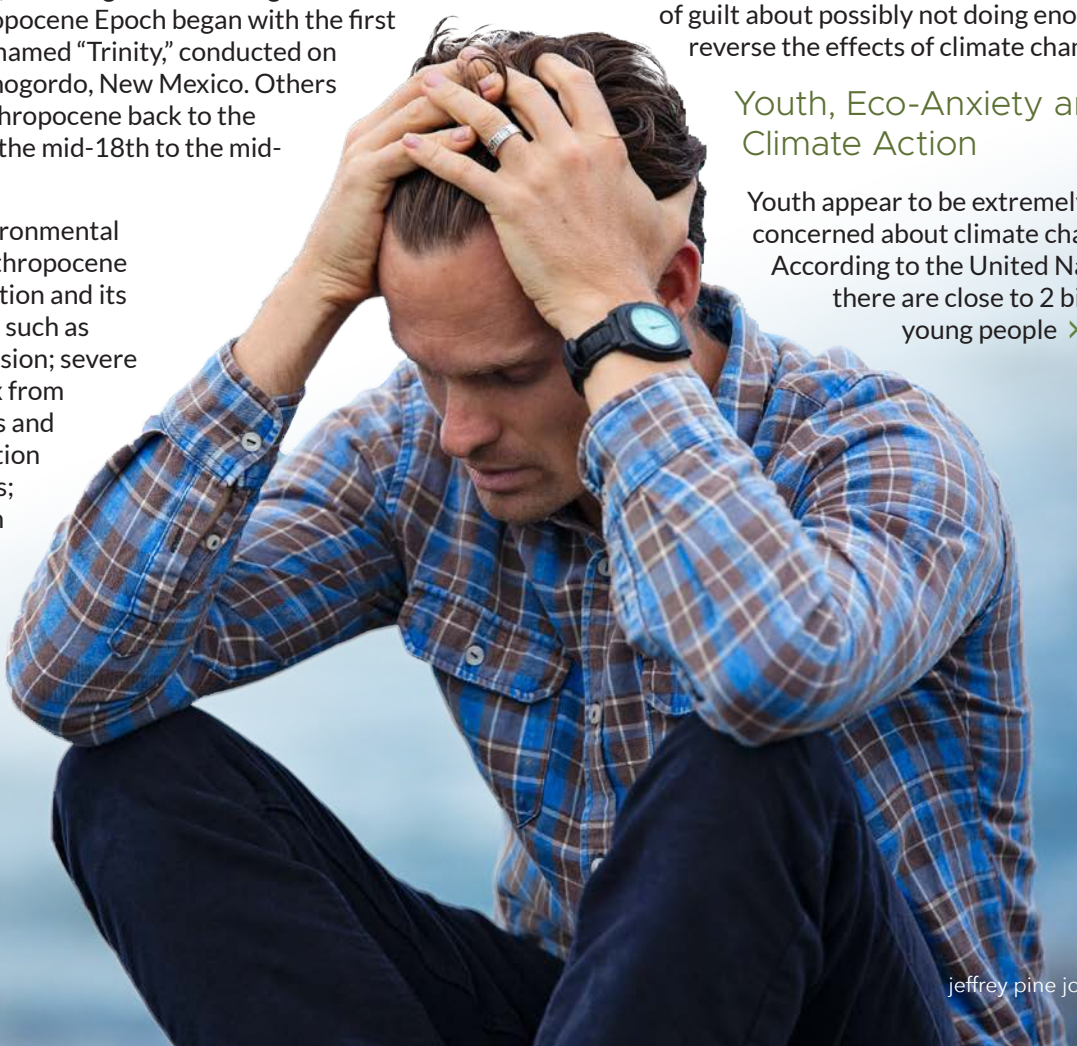
Scientific terms like these pepper everyday conversations about climate (we don't just talk about local weather anymore); and through the internet, social media, and the 24-hour news cycle, we can vicariously experience the angst of climate emergencies on the other side of the world right here at home.

Constantly thinking and talking about the climate crisis can wreak havoc on our minds.

Eco-Anxiety

Also referred to as climate anxiety and climate doom, eco-anxiety is defined by the Oxford English Dictionary as the "unease or apprehension about current and future harm to the environment caused by human activity and climate change."

Climate anxiety is real. It is a mental health concern recognized and addressed publicly or written about by the American Psychiatric and Psychological Associations, the National Institutes of Health, Scientific American, and The Earth Law Center. It was the focus of a three-day online event, The RITA (Resilience in the Anthropocene) Summit, organized by the University of Wisconsin-Madison this summer. Especially for people who work in environmental protection and conservation, and those who support such efforts, eco-anxiety can be psychologically draining and cause existential dread, hopelessness, and a sense of guilt about possibly not doing enough to reverse the effects of climate change.



Youth, Eco-Anxiety and Climate Action

Youth appear to be extremely concerned about climate change. According to the United Nations, there are close to 2 billion young people »

between the ages of 10 to 24 in the world today — the largest generation of youth in history. The UN, which has formed a Youth Advisory Group on Climate Change, says youth feel that older generations of decision-makers have failed to protect them and the planet from the effects of climate change. But youth don't just see themselves as victims: They are agents of change and contributors to climate action.

That is certainly the case of 20-year-old Swedish environmental activist and 2019 *Time Magazine* Person of the Year Greta Thunberg, who, at the young age of 16, rebuked world leaders at the UN Climate Action Summit in New York that year in her famous "How dare you?!" speech, where she exposed their greed and complacency in the face of Earth's imminent climate apocalypse.

"People are suffering. People are dying. Entire ecosystems are collapsing. We are in the beginning of a mass extinction, and all you can talk about is money and fairy tales of eternal economic growth," she said, tearful and breathless with emotion. "How dare you?!"

While Thunberg grabbed the world's attention by boldly speaking truth to power in our time, it is easy to imagine those same words as applicable to the lived experience of an Indigenous or oppressed person of color in a colonized country at any point in the last 200 or more years. The difference is that a person of color living under oppressive circumstances would most likely not have had the platform Thunberg, as a European citizen with democratic privileges, has to get her message out to a worldwide audience.

Forging Resiliency – A Native American Perspective

Like many other Native Americans, Friends of the Inyo's Indigenous Community Relations Coordinator, Joseph Miller, a member of the Big Pine Paiute Tribe, has dealt with eco-anxiety his entire life, albeit in a resigned, understated way.

"Native people in the Eastern Sierra and elsewhere have been cognizant that there is a perpetual destruction of the Earth that's been ongoing," he said. "We want it to stop, but we're not up in arms about it because the story that we tell has been going on since colonialism."

In North America, Indigenous people have had hundreds of years to deal with eco-anxiety over environmental degradation that includes the near or complete extinction of species such as the American bison and the California grizzly; the taking away of ancestral lands for the benefit of settler activities ranging from grazing to mining; and the banning of sustainable land stewardship practices such as cultural burns, which have made entire forest ecosystems vulnerable to wildfires, especially in our era of global warming.

So, what gives Miller hope and resiliency for dealing with eco-anxiety? "Every time our communities come together to show that we can do something on our own," he said. "We're not looking for big victories. We look to strengthen connections between the Tribes, between people and the Earth."

Thinking of local Tribes specifically, he said, "We cannot get complacent with the idea that all we have is within our reservation boundaries." Tribes have a great opportunity today to become more involved in public land stewardship and management thanks to a change in social conscience around Tribal sovereignty, he said.

His advice for anyone suffering from eco-anxiety is brilliant in its simplicity: "Pick one small piece of land somewhere, public land or wherever, build a connection with it, and make sure that piece of land stays ok, happy." Happy?! As in the land being able to express that and other emotions? "For sure!" he exclaimed. "It's all alive!"

Friends of the Inyo, Eco-Anxiety and Resiliency

At Friends of the Inyo, we can neither offer a cure for eco-anxiety nor pretend that we have the wherewithal to solve the climate crisis. But with the help of our partners and supporters, we can attenuate the effects of both. Since 1986, we have been working to make sure the land and water of the Eastern Sierra remain protected, cared for, and, as Miller might say, happy.

In the pages that follow, you will find out about how FOI and other partners in conservation are using environmental laws such as the Endangered Species Act, the Public Trust Doctrine, California Water Rights and The Wilderness Act in our work to protect the beautiful lands of the Eastern Sierra and the biodiversity that calls them home. You will learn about how we are tapping into educational resources to create even greater opportunities for the public's engagement with us in our organizing work. You will consider the call of Wilderness to help make a small piece of land happy by joining FOI's many volunteering and educational opportunities to "Get Out" and create healing people-Earth connections.

The Land of Flowing Water, as Native Paiute people call the Owens Valley region, is resilient. We witnessed that resiliency when raging waters from the bounteous snowmelt of the winter of 2022-23 found their way back to Owens Lake. For a while, the shimmering sight of "paya" (water) in what for more than a century has mostly been a dry lake due to excessive water diversion, has provided a glimpse of the world as the Ancients knew it. This should give us hope, as it signals that a reprieve from eco-anxiety and a reversal of the harmful effects of human activities on nature in the Anthropocene are possible.

The solution to our hurling dangerously toward the end of a threatened world as we know it, is a return to the world as it should be: protected, cherished, happy. Hopefully, enough of us will want to change course, through advocacy and action, and head in that direction. Join us! ■

"Friends of the Inyo's mission to preserve and conserve these lands is truly a legacy that my wife and I are honored to contribute to." - Paul & Marjorie Shock

Make this your Legacy

You, too, can protect the Eastern Sierra through your will or trust and leave a legacy of conservation by becoming a Friends of the Inyo Legacy Gift Donor!

Our endowment honors legacy donors' wishes by investing contributions from their estate, including real estate or cash assets (like a portion of a 401k or IRA account), in the protection and care of the Eastern Sierra for generations.

Visit **FriendsoftheInyo.org/legacy**
or write to **info@friendsoftheinyo.org**
include "Legacy Giving Program" in the subject line, and let us help you set up your legacy gift today

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There is a Method to Our Madness: Tools for Protecting Special Lands

By Wendy Schneider, Executive Director

The Importance of Preserving Natural Ecosystems

Healthy ecosystems are a vanishing resource of immense significance: They are pivotal in mitigating the effects of climate change, acting as carbon sinks, cleansing our air and water, and providing vital habitat for countless species, thereby preserving biodiversity. Beyond their ecological importance, they provide humanity with the opportunity to witness the raw energy of natural systems in action, unveiling the magic and mystery of Mother Nature.

Safeguarding healthy ecosystems is more important now than it has ever been. To ensure the survival of healthy ecosystems, conservation organizations like Friends of the Inyo employ a number of tools. Three of these are:

- Getting species listed as "threatened" or "endangered" under state or federal law;
- Establishing protected designations like National Monuments and Areas of Critical Environmental Concern (ACEC); and
- Actively participating in the amendment and updating of federal land management plans.

Endangered Species Laws and Listings

Conservation organizations seek to get species listed as "threatened" or "endangered" under state or federal law because this creates a legal basis for protecting the ecosystems that are home to them. The Endangered Species Act (ESA) of 1973 is a cornerstone of conservation in the United States. It empowers the federal government to designate species as either "endangered" or "threatened" based on their risk of extinction. Once a species is listed, it triggers a range of protections. For instance, the ESA prohibits the "take" of listed species, which includes harming, harassing, or killing them. Furthermore, the law requires the development of recovery plans outlining actions necessary for the species' survival and the designation of critical habitats.

Could the petal be mightier than the drill? *In October 2023, the Inyo Rock Daisy gained permanent protection as a threatened species under the California Endangered Species Act. Friends of the Inyo is hopeful that this frail desert flower's status will help protect the land to which it is endemic, Conglomerate Mesa, from destructive mining. Photo by Duncan Bell.*

FOI and other partners in conservation play a vital role in advocating for the listing of threatened species, conducting scientific research, and engaging in legal actions to ensure the enforcement of the ESA. By obtaining these listings, conservation organizations secure the legal framework to protect not only the species themselves but also the lands and waters where these species are found.

Protected Designations: National Monuments and ACECs

In addition to species-specific protections, conservation organizations also work to establish protected designations like National Monuments and Areas of Critical Environmental Concern to safeguard special lands from inappropriate development and extraction. These designations offer a broad umbrella of protection for unique and ecologically significant areas.

National Monuments are land or marine areas designated by the President of the United States under the Antiquities Act. These designations grant a high level of protection to natural, cultural, and historical resources within their boundaries. Conservation organizations often advocate for the creation of National Monuments to preserve ecosystems, geological features, habitats for endangered species, and cultural resources.

ACECs are specific land areas managed by the Bureau of Land Management (BLM) that are deemed to have critical environmental values. Conservation organizations actively engage in the designation and management of ACECs, often bringing the need for greater protection in an area to the attention of the BLM and working with the agency to study the ecological needs of the area, and to put an appropriate management plan in place. These designations are focused on maintaining ecological integrity, and are effective in excluding ecologically harmful activities like mining, logging, or energy development within these areas.

Amending and Updating Federal Land Management Plans

Another tool that conservation organizations use to protect land is engagement in the amendment and updating of federal land management plans to ensure that conservation values are prominently featured. Federal land management agencies, such as the BLM and the National Park Service, develop these plans to guide the management of public lands, including their use and protection.

We actively participate in the public comment process during the development or revision of these plans, advocating for conservation-oriented policies and practices. Through legal actions, lobbying, and collaboration with government agencies, conservation organizations work to influence land management plans to protect ecological integrity.

Federal land management plans can incorporate various protections for special lands, including:

- **Limited access:** Plans may restrict access to particularly sensitive areas to minimize human impact on fragile ecosystems and species habitats.
- **Resource management:** Conservation organizations often push for sustainable resource management practices within federal land management plans, such as sustainable logging or grazing practices that minimize harm to ecosystems.
- **Fire management:** Plans may outline strategies for controlled burns and wildfire management to preserve ecosystems that depend on periodic fires.

How Does Friends of the Inyo Choose Which Lands to Protect?

Consideration of these tools, which comprise some of the ways that conservation organizations like FOI protect the lands in their working area, might spark the question: How does FOI decide whether and when to deploy these and/or other protection tools? How does FOI choose which lands to protect? To decide whether and how to engage on a particular project, Friends of the Inyo considers many factors, including:

- The level of negative impact the project will have on the ecosystem of the area, including wildlife, plants, soil, air and water;
- The level of negative impacts on cultural resources, especially those important to the Indigenous community;
- Whether there exists sufficient legal basis to prevent the negative impact;
- Whether another organization will likely engage to prevent the negative impact;
- The resources likely to be necessary to prevent the negative impact (Do we have enough funding to win?);
- The attitude of our members and supporters regarding the proposed project and the area it will affect; and
- The position of the community with respect to the negative impacts the project will have, i.e., does the community believe the detrimental effects of the proposed project outweigh any benefits it might have?

Threats to the landscapes of the areas we now refer to as Inyo and Mono Counties arise regularly in the form of inappropriate extraction projects (for example building roads, constructing pads and performing deep drilling to determine the viability of gold mining), proposals to increase water extraction, and proposals for recreation development that detrimentally impact wildlife and/or nearby communities. As it has since 1986, FOI will continue to monitor proposed projects, assess their impact and decide whether and how to engage on a case-by-case basis.

Visit **FriendsoftheInyo.org/Policy** to stay up to date with developments in our policy campaigns and actions in defense of the Eastern Sierra. ■

ENDANGERED SPECIES

Listing Process

CA ENDANGERED SPECIES ACT

Submission and Acceptance of Petition

Written Evaluation 90 Days from Acceptance

Emergency Listing

Story and Inyo Rock Daisy Photos by Kayla Browne, Policy Associate, Desert Lands Campaign Manager

What comes to mind when you think of endangered species? Maybe you're picturing polar bears, desert tortoises, or even the giant Sequoia. But did you know that there are different ways for a species to be protected from the threat of extinction? In the United States, it can be protected at the federal, state, or even international level. For our purposes, we'll focus on US federal and California state listing processes. Having a species listed as threatened (at risk of becoming endangered in the foreseeable future) or endangered (at risk of becoming extinct in the foreseeable future) can provide protection to the species and to the natural environment where it lives.

The Endangered Species Act

In 1973, the US Congress enacted the Endangered Species Act (ESA) as a means to protect and recover plant and animal species at risk of extinction. The ESA also promotes the conservation of ecosystems and habitats as necessary to protect at-risk species. ESA protections mean that listed species can't be killed, harassed, harmed, pursued, hunted, shot, wounded, trapped, captured, or collected, collectively known as "taken." While the ESA has been updated since 1973, its purpose remains unchanged.

The ESA gives the Secretary of the Interior the authority to list terrestrial and freshwater species as threatened or endangered through the US Fish and Wildlife Service (FWS), and the Secretary of Commerce to do the same for marine species through the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS).

The steps to list a species as threatened or endangered under ESA are as follows:

- First, either a petition is submitted to FWS or NMFS by an individual or organization, or the agencies can choose to examine a species in an internal process. FWS/NMFS will have 90 days to determine whether or not the petition is warranted. If warranted, the species is now considered a candidate species.
- After the 90-day review, FWS or NMFS begins a status review. This involves collecting and analyzing the best available scientific and commercial information on the species, including its biology, ecology, abundance and population trends, and threats, to evaluate the species' current status and extinction risk. These status reviews then undergo peer review.
- Then, the agencies are required to make a determination on the petition. This is referred to as the 12-month finding. If the determination is positive, meaning the species warrants protection, then the finding will be published in the Federal Register, and at least one public hearing will be held for the public to provide comment.
- A final decision is made on the petition to list a species as threatened or endangered and is published in the Federal Register.

The process from start to finish typically should take two years but can often take much longer.

The California Endangered Species Act

The California Endangered Species Act (CESA) was enacted in 1970 but was repealed and replaced in 1984. CESA and ESA have similar goals: to

protect and conserve plant and animal species at risk of extinction. CESA protections mean that a species or any part of a species cannot be imported into or exported out of the state, taken (the act of or attempt to hunt, pursue, catch, capture, or kill), purchased, possessed, or sold without proper authorization.

CESA gave the ability to list a species to the California Fish and Game Commission (the Commission). The Commission works closely with the California Department of Fish and Wildlife (CDFW). The Commission decides if a species gets added to the threatened or endangered species list based on the recommendation from CDFW, which is also tasked with implementing protection efforts for the species.

The steps to list a species as threatened or endangered in California are as follows:

- First, a petition is submitted to the Commission by either CDFW, an individual, or an organization. The Commission will determine if the required information is present. If it is, the petition is accepted.
- Then, CDFW prepares an evaluation report and its recommendation for the Commission. The evaluation report is made available to the public.
- The Commission reviews the evaluation report to determine if enough scientific evidence exists to warrant the species to be a candidate for CESA listing. The candidacy decision takes place at a public meeting and serves as the first time the public can provide comments on the petition and the species and provide more information. If the Commission determines there is enough evidence that warrants further investigation for listing, the species becomes a candidate species.
- CDFW then prepares and submits a status review report and recommendations to the Commission. The status review process involves CDFW gathering all of the available science by talking to the petitioners and other experts, doing research, conducting site visits, and studying the species in question. The status review usually takes a year, but often more time is needed.
- The Commission will then review the report. At their next meeting, the public will be able to provide comments once again. The Commission will take final considerations on the candidate species and will vote on whether the petitioned action is warranted or not. If the Commission votes yes, the species will be added to the threatened and endangered species list through regulation change.

The entire process, from receiving a petition until the regulation change becomes effective, usually takes about two years.

ESA vs CESA

The biggest difference between ESA and CESA is that if a species becomes a candidate species under CESA, that species receives full endangered species protections immediately and holds those protections through the listing process. If the Commission determines that a listing is not warranted, then the species will lose its protections. With the ESA listing process, the petitioned species does not receive any protection until the determination has been made that the species warrants protection. The downside to the ESA process is that the at-risk species will still face threats and could continue to decline while the determination process is taking place, which can sometimes take many years. With CESA, the at-risk species receives protection so the species can be evaluated at its current state without the risk of losing more members of the species in the process. While there are other differences, most are more nuanced, such as classification levels of rare plant inventories.

A Local Listing

To apply examples of both the US Endangered Species Act and the California Endangered Species Act to a local species close to home, we can look at Conglomerate Mesa's own Inyo rock daisy *(Perityle inyoensis)*. This small plant is endemic to the limestone of Conglomerate Mesa in Inyo County. The petition to list the Inyo rock daisy was put together by an Inyo County botanist, the Center for Biological Diversity, and the California Native Plant Society.

Petitions were submitted to both the US Fish and Wildlife Service and the California Fish and Game Commission on February 2, 2022. With the USFWS, the 90-day finding was completed on March 25, 2023, with a positive finding, making the Inyo rock daisy a candidate species. The petition is currently in the status review process. The petition will still need to have a completed status review report peer-reviewed and receive a 12-month finding; then, if the finding is again positive, there will be a public hearing before the official adoption of the Inyo rock daisy onto the US Endangered Species List.

With the CA Fish and Game Commission, the petition was accepted as having met the requirements in May 2022 and was accepted as a candidate species (gaining full listing protection) on August 18, 2022. CDFW finished its status review report and released the results in August 2023, recommending the Commission list the Inyo rock daisy as threatened. The Commission took public comments and cast a unanimous vote to list the Inyo rock daisy as a threatened species at their October 11, 2023, meeting.

These listings are important not only to the preservation of the Inyo rock daisy but also to the preservation of the landscapes in which it exists. Conglomerate Mesa is under threat of destructive gold mining activities, including the building of access roads in areas where there are Inyo rock daisies. Because this species has CESA protections, additional considerations will need to be given to projects that are planned near the plant populations, including gold exploration on Conglomerate Mesa. Hopefully, this means the next time you think of an "endangered species," the Inyo rock daisy will come to mind, too.

Resources:

Learn more about the California Endangered Species Act and see the list of protected species on the website of the CA Fish and Wildlife, **wildlife.ca.gov**, and the CA Fish and Game Commission **fgc.ca.gov**.

Learn more about the US Endangered Species Act and see the lists of federally protected species at **fsw.gov** and **fisheries.noaa.gov**. ■

Sierra Nevada Bighorn Sheep. Photo courtesy of California Department of Fish and Wildlife.

Working in Wilderness. **Learning** from Wilderness.

By Lindsay Butcher, Stewardship Director

Every summer, Friends of the Inyo hires a crew of Trail Ambassadors to work the trails in an effort to help maintain the "Wilderness Character" of the Inyo and Humbold-Toiyabe National Forests. TAs perform routine trail maintenance and tackle seasonal trail damage, thus bolstering local US Forest Service efforts, in addition to leading guided interpretive hikes on the many "ologies" of the Eastern Sierra: They make contact with visitors, ensuring folks are safe and abiding by Leave No Trace ethics where they are recreating. Their work requires a pretty diverse "toolkit" of skills and knowledge that the average Joe might not possess. To ensure a well honed set of skills for all TAs, Friends of the Inyo sends the whole team to an immersive Wilderness Ranger Academy (WRA) training at the beginning of the season. This year, the training took place at the Heart Bar Search and Rescue Facility in San Bernardino.

At the WRA, registrants could choose from topics ranging from Wilderness first aid, backcountry navigation, and pack stock safety. An unexpected nugget of knowledge-gold was learning what "Wilderness" and "Wilderness Character" really mean. We combed through The Wilderness Act of 1964, which was written by Howard Zahniser of The Wilderness Society, and is famous for its succinct definition of wilderness:

A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain.

Zahniser dedicated close to a decade of his life to The Wilderness Act, going through more than 60 drafts of it, but sadly did not live to see it pass: It was signed into law by President Lyndon B. Johnson in September of 1964, just months after Zahniser's death in May of that year.

The Wilderness Act established America's National Wilderness Preservation System, which today permanently

Top Left: The crew of USFS, FOI, and Volunteers on day one of our 20 Lakes Basin Restoration Work Week. Photo by Lindsay Butcher.
Bottom Left: Trail Ambassador Jean Redle with a crosscut saw. Photo courtesy of Jean Redle.

protects more than 111 million acres of federal public land for the benefit of future generations of people and wildlife. Although the act didn't explicitly outline how to maintain and manage designated areas, it set the groundwork for expectations. Today's definition mandates that Wilderness must be:

1. Untrammeled: unhindered and free from intentional actions of modern human control or manipulation;
2. Natural: substantially free from the effects of modern civilization;
3. Undeveloped: without structures or installations, the use of motors, or mechanical transport; and
4. Able to provide Outstanding Opportunities for Solitude or primitive and unconfined recreation.

These qualities mean that once within the Wilderness boundary, crews cannot use motorized or mechanized tools; bikes are not allowed; structures or roads cannot be built; and the natural state of the land is preserved to the best of our abilities. But one can imagine that with rising numbers of visitors in recent years, maintaining the "pristine" or "untouched" character of a place is increasingly difficult.

Understanding the foundational concept of Wilderness helps our Trail Ambassadors get a better grip on the nature of the work we do. Beyond the "philosophical" concepts they learned, the TAs left this year's Wilderness Ranger Academy with tangible new skills, such as how to cross-cut downed trees; how to perform campsite inventory and rehabilitation; how to conduct trail maintenance triage, prioritizing repairs from most to least essential; how to ensure safe interactions with visitors; among many other useful—and potentially life-saving—trail tips.

This knowledge especially comes in handy during FOI's Backcountry Work Weeks, where TAs, USFS staff, and wonderful community volunteers tackle multi-day, immersive and remote projects to restore severely impacted, trammeled, or problematic areas back to a more natural state. This year we continued our work tearing down defunct cattle grazing enclosures and structures, targeting the Golden Trout Wilderness. Additionally, we launched the first season (with many more to come) of restoration in the 20 Lakes Basin in the Hoover Wilderness.

Here are some practical and philosophical musings from three of our TAs about their expanded knowledge of Wilderness, and how they implemented it in their work this spring and summer.

Working in the backcountry constantly teaches me that we are not in control. This spring, we learned how forceful the power of nature is through snow and water moving. We witnessed twisted steel bridges, toppled lodgepole pines, displaced boulders and destroyed structures everywhere we went. At the start of the season, I kept saying, 'I didn't get very far, but I got somewhere.' We literally cut open the trails by sawing through downed trees and lopping overgrown willow. It was like unwrapping a package tied up in knots, but one branch at a time, the beautiful gifts of nature were revealed. – Jean Redle

Sometimes the hardest part about spending time outside is getting to a lake or a rock outcrop for a snack and seeing that humans have been there. If it's noodles on the edge of the lake, or sunflower and pistachio shells, or broken eggs shells, trash, apple cores, all the above–it takes me out of the moment. I want to sit and enjoy the fresh mountain scenery around myself in Wilderness, away from the presence of others. I struggle to find ways to communicate with others about having a smaller presence out in Wilderness. For me, Wilderness means self-reliance: Be prepared to be outside on your own and know yourself and your skill set. Wilderness also means WILD. From wild animals, to wild weather, to people being wild outside, it means everything can be a little rougher and harder and colder and you can be hungrier. For myself and others, I know we often seek out the 'softness' of the wilderness, the ultra quiet moments, the clear water, the animals out there 'animaling,' the stillness of being present on the rocks or with the trees. The soft side of Wilderness is what I envision when I think about those in the past who wanted to protect it and give others a chance to experience it. But with the softness, comes the toughness, and I think a lot of others forget about the toughness of it. – Kelly Kish

Although the average person may not have a deep understanding of the concept of Wilderness, most visitors will feel the magic and importance of wild places. Using manual tools may take more time [as the use of mechanized tools is not allowed in Wilderness], but it connects us to time and place with an intimacy that a chainsaw moves too fast to convey. While one weekend of work may have a small impact overall, the sense of being a part of something greater than oneself sends out ripples that can change everything. Wilderness is a concept full of difficult questions and paradoxes. What exactly do we mean by 'wild?' Is it a policy of non-interference, or is it skillful intervention? Is there a final point called 'Wilderness,' or is it always a process of negotiating human and non-human needs? Working in Wilderness has shown me that it is not only a pristine experience that we're after, it is a vision of what is right and what is possible. – Colt Russell

"Wilderness" is a finite and sometimes dwindling resource. Protecting wild places – keeping wilderness wild – is the only way the hearts and minds of tomorrow will have the opportunity to experience the vast wonder of existing in it. Even if only for a moment.

If you love Wilderness and would like to join Friends of the Inyo on a multi-day Backcountry Work Week or a more manageable half-day volunteering opportunity in the front country, please visit ***Friendsofthelnyo.org****. The Events and Stewardship sections of our website allow you to RSVP for individual events, or to sign up to receive alerts via our Volunteer Mailing List.* ■

GET OUT

Explore, Volunteer AND Discover with Friends of the Inyo

The Sierra Nevada range contains one of the longest stretches of protected wilderness in the lower 48.

There is so much Wilderness to explore in the Eastern Sierra! Why not "Get Out" and discover our region with Friends of the Inyo? Visit **FriendsoftheInyo.org/Events** to stay abreast of FOI's outdoor educational and stewardship events throughout our entire service area, which encompasses all of Inyo and Mono Counties.

We offer:

- Free interpretive hikes;
- Half-day family-friendly volunteering activities in the front country;
- Multi-day backcountry volunteering opportunities for heartier souls;
- Dark desert skies campouts twice a year in Southern Inyo; and
- Our much-loved Owens Lake Bird Festival, one of the few Friends of the Inyo events that we charge a fee to attend, in late April, on the weekend closest to Earth Day.

The bulk of our outings and volunteering opportunities take place in spring through early fall. We have something happening almost every weekend between July and September.

But be sure to visit our online events calendar often at other times of the year as well, as we sometimes also host online and live showings of documentary films related to Eastern Sierra land and water protection, panel discussions featuring local leaders in conservation, and even daylong or multi-day online summits in partnership with other conservation organizations.

All of our events are designed to enhance your experience of getting out and learning about or exploring the magical lands of the Eastern Sierra. They allow you the opportunity to make connections with other like-minded lovers of our region, FOI board and staff members, including our seasonal Trail Ambassadors during the summer season, US Forest Service and Bureau of Land Management staff, and other conservation partners.

Work with Us as a Trail Ambassador

If becoming a seasonal Trail Ambassador with Friends of the Inyo calls out to you, consider applying to work with us during the busy spring-summer season. You will have an opportunity to make an impact on the stewardship of the Inyo and Humbold-Toiyabe National Forests in partnership with U.S. Forest Service Staff, and to educate visitors to the Eastern Sierra about *The 7 Principles of Leave No Trace*, while helping them discover the wonders of the geology, biology, climatology, history, and cultural richness of our region. Visit **Friendsoftheinyo.org/Jobs** during the first quarter of every year for Trail Ambassador job postings.

See you out on the trails! ■

***SierraWild.Gov** is a joint effort of the US Forest Service, National Park Service, and Bureau of Land Management. These three agencies manage the more than two dozen designated wilderness areas along the spine of the Sierra Nevada. The website is intended to foster awareness of, knowledge about, and passion for these designated wilderness areas.*

Lessons in Organizing

Harvard, Early Mornings, and the **Art of Never Saying "No"** for Others

Organizing and engaging our supporters at a variety of volunteering and educational events is part of our Policy Team's job throughout Friends of the Inyo's coverage area of Mono and Inyo Counties.

Story and Photos by
Allison Weber, Policy Associate,
Water and Forest Campaign Manager

Nonprofits, which must respond to a wide variety of community needs while operating on a shoestring budget, are notorious for making their employees wear many hats. It's just par for the course. However, it can be really refreshing when one of those hats turns out to be a tassel and mortar—from Harvard of all places!

At the beginning of this year, a representative from the Harvard Kennedy School of Public Policy reached out to Friends the Inyo's Executive Director, Wendy Schneider, asking if she would like to nominate any of her staff members to participate in a semester-long executive education course on organizing. Thanks to FOI's emphasis on professional development and education, I was given the opportunity to apply and was accepted with a scholarship.

From February through June, I was in class every Tuesday morning at 6 sharp, thanks to Harvard's location on the East Coast and the three-hour time difference. I studied with over 100 other students from more than 60 countries across the globe. Thirty of us within the cohort made up the course's first-ever environmental track. This opportunity could not have come at a better time for me. In December of last year, I was promoted to the position of Policy Associate, juggling various campaigns. I went from being a Coalition Organizer for Keep Long Valley Green to leading multiple efforts, including the Bodie Hills Conservation Partnership. And this class gave me the tools to be able to design campaign plans, tactics, and timelines for organizing efforts happening concurrently.

While I may not have been in the campus' hallowed halls (which sure would have taken the "local" out of local organizing), there were plenty of opportunities to take advantage of office hours and one-on-one meetings with my mentor. I got to pick the minds of several experienced organizers and campaign managers, and commiserate on the same issue that appears at every level of organizing: While diverse voices make us stronger and coalitions are the key to generating action in any sphere – be it environmental, social, or political – it is no easy feat to get everyone on the same page, in a timely manner, so that, together, we can effect meaningful change in our communities. Much of the course was designed to help us fledgling organizers in navigating this, the greatest challenge and greatest strength of community movements.

Some of the material was what you might expect from a course on organizing. We studied philosophical ideas on what makes movements work, and listened to moving speeches by famous civil rights activists such as Nelson Mandela and Dr. Martin Luther King, Jr. We studied the critical moments of campaign plans as if they were the plots of a novel: While diverse voices make us stronger and coalitions are the key to generating action in any sphere – be it environmental, social, or political – it is no easy feat to get everyone on the same page, in a timely manner, so that, together, we can affect meaningful change in our communities.

We then learned how to tell our stories to inspire others to join us: To effectively share our own testimonial of why each of us as individuals cares and why we have joined together in coalition to create change. Less expectedly, we learned how to coach: Not in the sense of coaching a sports team, but rather learning to identify opportunities and problems to be worked through with our teammates in organizing, be they coworkers or volunteers. My teammates in this were my fellow organizers: We worked through our testimonials and campaign plans, swapped success stories and sought advice from one another on what was not working for us. The biggest question we had for one another was how to get folks away from the doom scroll on social media—the endless cycle of negative climate and conservation news—and into creating change in the environmental arena. We know people are interested, but how do we involve those who are not professionals, just passionate volunteers, in the issues we care about? We walked away with all sorts of answers, the biggest being this: Stop saying "No" on behalf of others. In a busy world, it is easy to write off ideas and assume others won't have the time or interest to get involved.

I first put this idea into my work for Keep Long Valley Green. I made a simple Google Forms survey for volunteers asking if they were interested in joining us and if so, what they might be interested in doing, and popped it in that month's edition of the Coalition's e-newsletter, *Every Last Drop*. I assumed it probably wouldn't get much attention, but decided to take a chance and, as I had just learned, to stop saying no for others. It paid off! A small group of people with interests as disparate as grant writing, art, and volunteer coordination responded, and I got my first taste of organizing volunteers for advocacy work in the Eastern Sierra!

At the end of the semester, I got a certificate with the Harvard logo on it – pretty cool! But even cooler than that was the knowledge I knew I would gain, but best of all was the confidence I walked away with. I am far from knowing all the answers, but thanks to a lot of early winter mornings, a predictably large number of readings and homework, and patient coworkers who dealt with my schedule, I know where to start. One of those places is with our amazing Friends of the Inyo, our supporters who make this work possible: Whether you want to make art, work on our campaigns, write grants, get out in the community for tabling events, or just help in any way you can, we have a place for you as a volunteer.

If you, or someone you know, is looking to get involved in the work of protecting and caring for the lands of the Eastern Sierra, this is the place to start. Reach out to me by writing to **allison@friendsoftheinyo.org**, to learn how you can become a part of our team who volunteer not only out on the trail, but in the community too. ■

California Water Rights

Key Terms and Eastern Sierra Examples

For decades, the Mono Lake Committee and its supporters and partners have used the Public Trust Doctrine, which states that the government has a duty to protect navigable bodies of water for people and wildlife, in defense of Mono Lake from excessive diversion of water by the L.A. Department of Water and Power. Photo by Louis Medina.

By Ellen Wehr, California Water Rights Attorney and Friends of the Inyo Board Secretary

California has a complex water rights system that has evolved with changing times and changing values to serve different periods of history: from the booming years of the Gold Rush in the middle of the 19th century, to the era of expanded grazing and agriculture that followed, to the explosive urban growth of the 20th century, to the reckoning in recent decades that includes a hard look at threatened ecosystems and upended cultural lifeways. These laws are neither simple nor always equitable; but we can examine fundamental concepts of water rights and apply them in the Eastern Sierra.

Fundamental Water Rights Terms

Appropriative Water Rights

This is the most common type of right to divert and use surface water. If claimed before 1914, the State Water Resources Control Board only requires a Statement of Water Diversion and Use. If claimed after 1914, the State Water Board issues a permit, then a water right license. The main features of an appropriative water right to consider are: Who is the permit/license holder? What volume of water can be diverted? When and where is water diverted from (or what is the season of diversion and the point of diversion)? And where is the water to be used, and for what purpose (the place and purpose of use)?

Changing appropriative water rights requires a petition to the State Water Board. Appropriative rights can be subject to challenge if they are unused for five or more years. Earlier rights have a higher priority, so when flows are low, junior appropriators can be curtailed. Because California has several big water projects, 80% of the water obtained by appropriation is controlled by 1% of appropriative water rights holders.

Riparian Water Rights

Riparian refers to land adjacent to a natural water course, such as a river or stream. A property with a waterway running through it comes with a riparian right to share in the use of that water with other riparian owners and appropriators. The use must be reasonable and cannot unduly harm downstream water rights holders. The State Water Board does not issue permits or licenses for riparian rights, but requires each diverter to file a Statement of Diversion and Use. These rights are always attached to the title of the land, unless a property transfer severs it from the waterway or expressly cuts off riparian rights. Riparian rights can lay dormant until they are used, and are not lost by non-use.

Fully Appropriated Streams

When there is too much demand on a stream or river, the State Water Board or a court can declare it to be fully appropriated. If a river or stream is so listed, the State Water board no longer accepts applications for new water rights. A stream can be deemed fully appropriated only for a portion of the year, or only in critical stream segments. State and Federal Wild and Scenic River designations increase the likelihood that a river will be listed as fully appropriated.

Overlying Groundwater Rights

All property owners in the same groundwater basin have overlying rights to use a fair share of that groundwater. Similar to riparian rights, these rights are "correlative," meaning they have a mutual relationship with all other groundwater users in the same basin. In 2014, California enacted the Sustainable Groundwater Management Act (SGMA, pronounced "sigma"). The law requires many basins in the state to adopt groundwater sustainability plans to avoid long-term overdraft by achieving a balance between groundwater extractions and recharge by 2040.

Adjudicated Rights

If a water user or group wants to challenge other users, or formally establish the extent of their rights, they can bring a court action calling for an adjudication, or judicial decree. Anyone who claims a water right can participate, and adjudications take decades to resolve. Some watersheds and groundwater basins have been partially or comprehensively adjudicated by a court. Adjudicated streams and basins remain under the ongoing jurisdiction of the court, and many are closely overseen by a designated water master.

The Public Trust

This legal doctrine states that the government holds some natural and cultural resources in trust for society as a whole, and therefore has a duty to preserve and protect them. Resources that are held in trust include navigable waters and wildlife species that depend on those waters. In California, public trust arguments are frequently raised before agencies and courts. When they occasionally succeed, the result can lead to reduced water diversions, and even reduced groundwater pumping, that adversely affect navigation or wildlife.

Tribal Water Rights

In 1908, the U.S. Supreme Court established the "Winters" doctrine of tribal water law. The doctrine provides that when the United States created reservations, it also reserved water rights to fulfill the purposes of each reservation (for example irrigation, hunting and fishing, and development of a homeland). These rights include the future needs of a reservation, and cannot be lost by non-use. Due to their age, tribal water rights often have seniority over others, with the oldest priority being "time immemorial."

Federal Reserved Rights

The doctrine of federal reserved water rights is larger than the Winters doctrine, and holds that when the federal ››

government sets aside land for any particular federal purpose, it also reserves water rights to support that purpose. These rights have a priority based on the date the federal land was designated, and the scope of the rights can change over time to support the established federal purpose.

Contracts and Regulations

Many water rights are influenced by agreements, such as contracts or settlements, that place limits on how a water right can be exercised. Water rights are also subject to state or federal regulations, including environmental mitigation requirements under the California Environmental Quality Act (CEQA, pronounced "see-qua") and water quality regulations designed to protect beneficial uses of water.

Bringing the Principles Home to the Eastern Sierra

Through extensive land ownership and long-established diversions, the Los Angeles Department of Water and Power (LADWP) is the largest water rights holder in the Eastern Sierra. It has filed more than 100 Statements of Diversion and Use in the Owens Basin, and more than a dozen in the Mono Basin, documenting pre-1914 appropriative water right claims. LADWP also has thirteen post-1914 appropriative water right licenses, including for Long Valley Reservoir/Crowley Lake, and for the tributaries to Mono Lake: Lee Vining, Parker, Rush, and Walker Creeks. (The Forest Service and Bureau of Land Management have also filed numerous rights for their federally reserved lands in the Eastern Sierra.)

The State Water Board designates most of the tributaries to Mono Lake as fully appropriated streams (including Lee Vining, Mill, and Parker Creeks). LADWP's water rights in that basin are limited by State Water Board Decision 1631, which imposes protections for Mono Lake under the public trust doctrine, following a 1983 court decision in the case of *Audubon v. California*. To protect nesting gulls and other fish and wildlife that depend on the lake and its tributaries, LADWP must balance its diversions for municipal supply with maintaining and restoring those natural resources.

LADWP is the largest landowner overlying the Owens Valley Groundwater Basin, and is also the largest groundwater extractor. Its groundwater pumping is monitored under a 1991 Long-Term Water Agreement with Inyo County, and a 1997 Memorandum of Understanding with several environmental groups and state agencies. These court-approved settlements were reached after lawsuits claimed that LADWP's groundwater pumping lacked CEQA mitigation measures. Even though a court has not comprehensively adjudicated groundwater rights in the basin, the state essentially considers the matter to be adjudicated because of these settlement agreements, and LADWP is currently exempt from preparing a groundwater sustainability plan under SGMA.

In the 1910s, Congress initially reserved a larger area of land for the Nüümü people in Payahuunadü/Owens Valley, but withdrew those reservations in the 1930s in favor of protecting the watershed that supplies Los Angeles. The United States acquired 1,391 acres from LADWP in 1939, in exchange for about twice as much federally reserved land traded to LADWP. These 1,391 acres became the Bishop, Lone Pine, and Big Pine Paiute Reservations. Water rights were not included in the land exchange, and the matter of tribal water rights was deferred to a later time. The Tribes still claim rights to water that have not been settled, including a contractual right to receive water from LADWP, a right to develop federally reserved water rights still attached to the traded reserved land now owned by LADWP, and water rights dating back to time immemorial, as evidenced by irrigation canals and ditches that already existed when settlers first arrived.

The Future Is Now

Even though California's water rights system is more than 150 years old, we exist in the most recent layer of that history, and it remains dynamic. More severe drought and flood cycles cause us all to rethink what the future of water management should be. Renewed efforts are underway to achieve water justice for Tribes and the environment in the Eastern Sierra, and Friends of the Inyo is proud to be a partner in these important efforts. Everyone deserves a chance to participate in the evolution of our water rights system. Hopefully this overview sparks some curiosity about a favorite watershed. The world of water rights is always flowing, if one cares to dive in!

To stay informed on Friends of the Inyo's water advocacy work, please subscribe to our email listserv from the home page of our website, **FriendsoftheInyo.org**.

Resources:

Explore the State Water Resource Control Board's website, including its database and map of water rights: **waterboards.ca.gov**. (Search for "Owens" or "Mono" watersheds in the database for a list of most Eastern Sierra water rights.)

Subscribe to California water news website Maven's Notebook for daily or weekly emails with California water news: **mavensnotebook.com**.

Track the progress of the Los Angeles water agreement at Inyo County Water Department: **inyowater.org**.

Review a history of tribal water rights from the Owens Valley Indian Water Commission: **oviwc.org**.

Learn about how the application of the Public Trust Doctrine helped keep water in Mono Lake, and how the Mono Lake Committee's work to safeguard the viability of the Mono Lake Basin and the ecosystems it sustains continues: **monolake.org**. ■

Tufas, sedimentary rock formations along the shores of Mono Lake, provide nesting sites for osprey and owls, and underwater habitat for alkali flies—to say nothing of the scenic beauty they add to the lake for human visitors to enjoy. Photo by Louis Medina.

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