

Preservation

THE MAGAZINE OF THE NATIONAL TRUST FOR HISTORIC PRESERVATION

California Dreaming

Can Seabiscuit's ranch survive?

BY JAMES CONAWAY

Nine Mile Canyon

America's Built Treasures

Eastern Shore House

Ken Burns' Uncivil Wars

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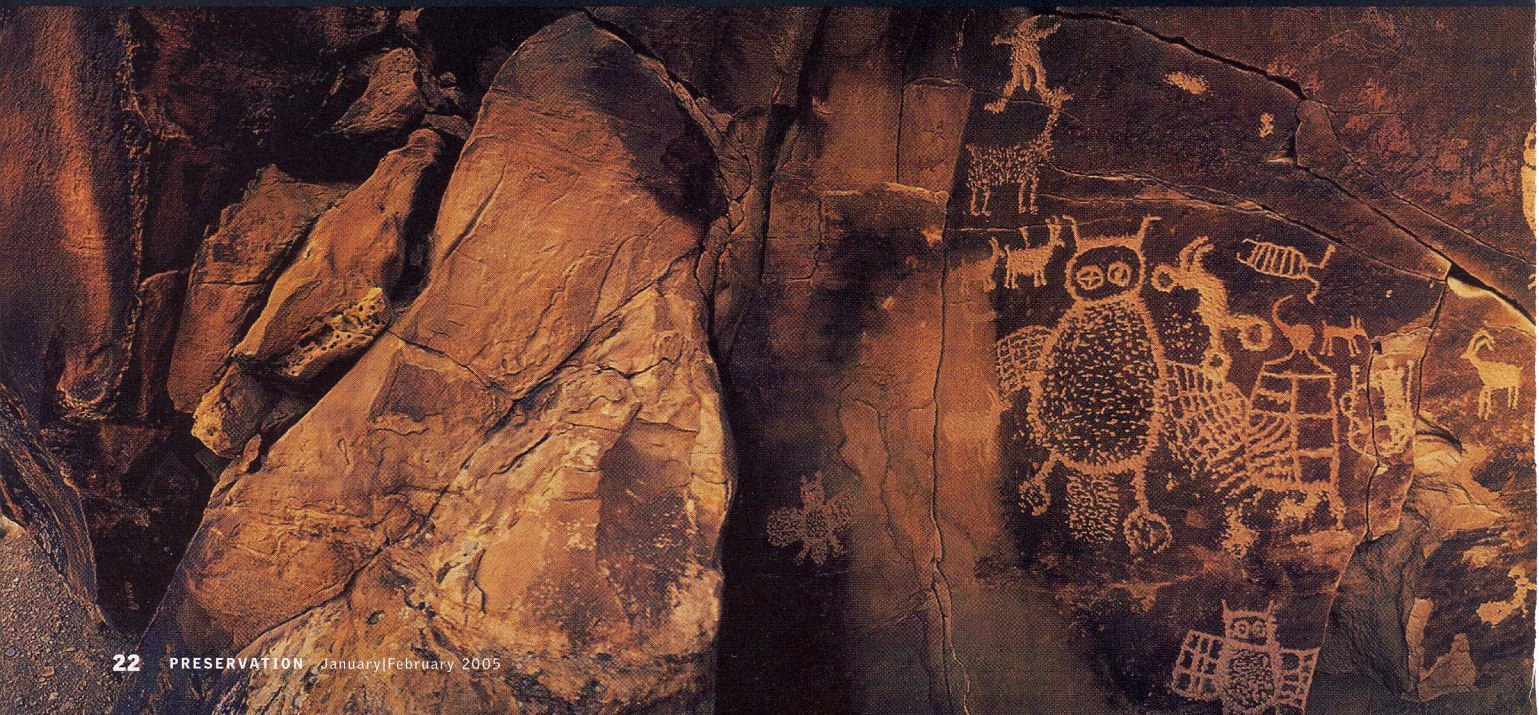


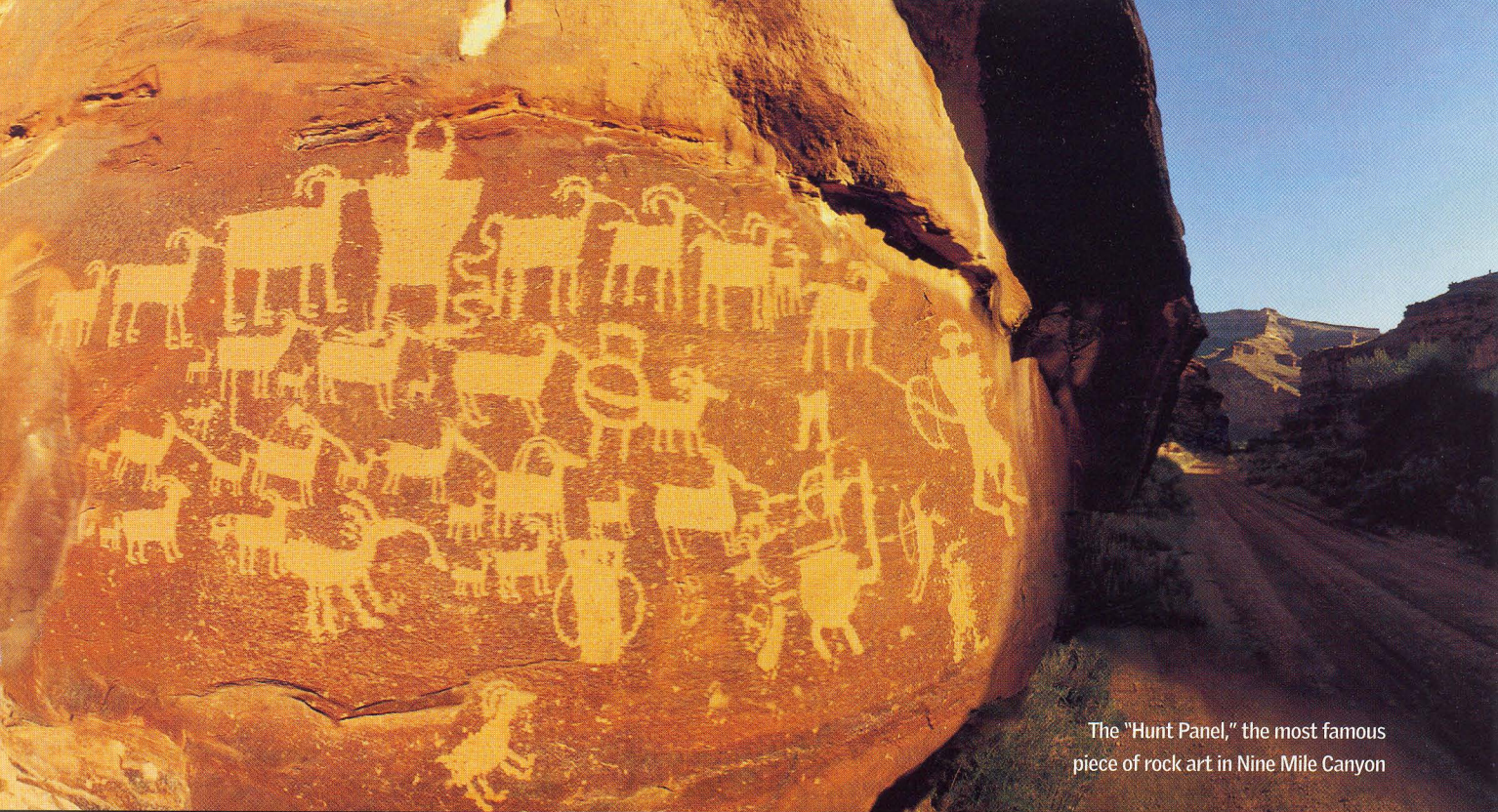


The Art of Survival

An incalculably precious national resource is threatened in Utah.

BY REED KARAIM  PHOTOGRAPHS BY DIANE ORR





The "Hunt Panel," the most famous piece of rock art in Nine Mile Canyon

A CANYON IN THE DISTANT RECESSES OF CENTRAL UTAH IS an odd place to discover breathtaking works of art. At first glance, Nine Mile Canyon, not far from the city of Price, seems largely untouched by human hands. A small ranch operates on the canyon floor, and a few cabins sit on private land off a dirt road that was constructed by the Buffalo Soldiers 130 years ago. The road doesn't feel as if it has been improved much since. Other signs of civilization intrude here and there. But most of the canyon is a place out of time, empty and wild, feeling much as it must have for thousands of years.

Yet this little-visited place is also one of the world's great open-air museums, a meandering gallery of prehistoric ruins and, most astonishingly, art. For thousands of years Native American artists worked in Nine Mile Canyon, carving and painting the flat sandstone panels of its walls, leaving images of disturbing power and mystery—carefully wrought abstract symbols, as well as scenes of men, animals, and creatures like horned snakes and floating, demonic figures. These artists created elaborate hunting scenes, sweeping battle landscapes, and even what appear to be family portraits.



The "Owl Panel" is one of more than 1,000 sites catalogued since 1892.



The art may have served as ancient pictorial narrative.

Thousands of such sites can be found in the canyon, which winds for about 50 miles. "I've been looking at rock art for 25 years, and there's nothing else like Nine Mile Canyon on the North American continent," said Layne Miller, president of the Utah Rock Art Research Association, which consists of amateur enthusiasts and professional anthropologists.

The canyon and its trove of art, however, are threatened by an energy project that is considerably less unique. Last summer, with the approval of the U.S. Interior Department's Bureau of Land Management (BLM), Bill Barrett Corp. began searching for natural gas on public land on the plateau above Nine Mile Canyon and in some of its finger canyons. The Denver-based firm used underground dynamite charges and special trucks that vibrate the earth to conduct its exploration. Now it's going ahead with plans to drill up to 38 test wells in the canyon area. Barrett believes there's a good chance sizable gas reserves will be found.

If so, large-scale drilling in the area could follow. The BLM won't identify companies that want to lease public lands for drilling until the bureau decides whether to allow it. But the bureau was asked by an unnamed private interest to put several new plots of land in or near Nine Mile Canyon on the block in December, for an auction of mineral rights. The bureau decided to auction some, but not all, of the leases, and interest in the oil or gas that may lie beneath the canyon remains high.

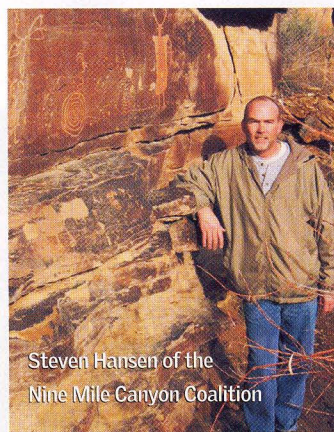
How much of the art might be damaged by energy development is a matter of intense debate. That Nine Mile Canyon will be changed seems beyond argument. The canyon road—a federally designated "back-country byway"—carried significantly more industrial traffic last summer and fall during

the Barrett exploration. Even before that, an expanded industrial presence tied to oil and gas was visible, including a new compressor that hums in the heart of the canyon. Last May the National Trust placed Nine Mile Canyon on its 2004 list of 11 Most Endangered Historic Places, citing threats from "increased tourism, recreation and demands for domestic energy production." Of these concerns, energy development is the most immediate.

The project echoes others planned in the West by administrators within Interior and the BLM, who have reoriented federal policy to make oil and gas drilling a priority on public lands. Nine Mile Canyon may be like no other place on the continent, but its story is distressingly familiar.

LAST SUMMER I SPENT A COUPLE OF DAYS EXPLORING NINE Mile with Steven Hansen, chairman of the Nine Mile Canyon Coalition, a group committed to preserving the canyon. Hansen, who works in Provo, owns land about 30 miles into the canyon. An inveterate hiker, he has spent many hours poking around Nine Mile and is unnervingly at ease on the narrow ledges that jut from the strata of the cliffs, visible from below like layers in a cake.

Those cliffs seem inhospitable, yet their crevices and caves have likely provided shelter to humans for 8,000 to 10,000 years. The first petroglyphs, which are engraved drawings (pictographs are painted on rock), date back thousands of years. The most prolific artists were the Fremont people, who lived in the region from about A.D. 900 to 1300, when they mysteriously disappeared. But archaeologists have identified art by several other Native American peoples, the most recent of which, the Ute, still live in Utah.



Steven Hansen of the
Nine Mile Canyon Coalition



I was shown haunting shamanistic figures tucked away on hidden rock faces, and the "Hunt Panel," the best-known work in the canyon, which depicts an amazing array of hunters, spirits, and bighorn sheep. The art was a revelation. I had seen pictographs and petroglyphs by other ancient cultures in Arizona, but nothing so elaborate, nothing that felt so immediate, so full of life. "You kind of wonder if Nine Mile Canyon was used as a school for fine rock art," Hansen said.

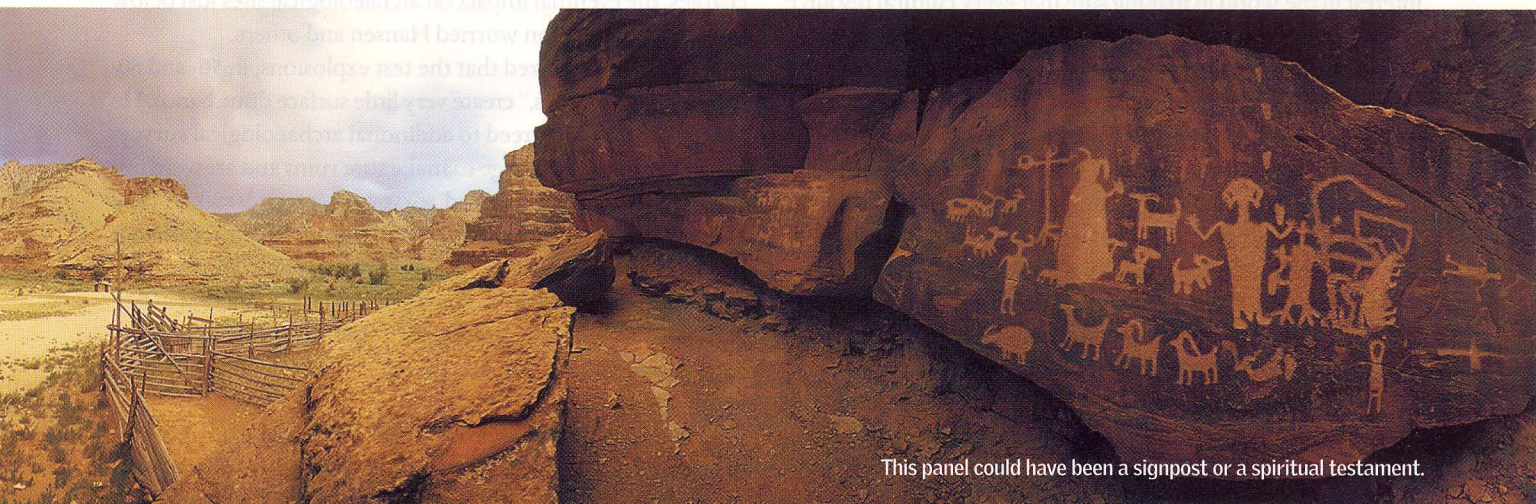
Contemplating the many unearthly figures, I found myself thinking of the canyon as a kind of Native American Sistine Chapel. But why so much art? And why here? Both questions confound the experts. I later met with Jerry Spangler, who coauthored *Horned Snakes and Axle Grease: A Roadside Guide to the Archaeology, History and Rock Art of Nine Mile Canyon* with his wife, Donna. A journalist and archaeologist, Spangler wrote his master's thesis on the canyon. "We've only just started to understand the cultures that lived there," he said.

Attempts to decipher the art have been made, but Spangler

suggests that the works may have served as signposts, historical records, and spiritual testaments. The art probably had a narrative function, as well. More than 1,000 sites with more than 10,000 figures have been catalogued since about 1892, along with dozens of ruins. But Spangler said there's much more. "Every level up, there's something," he noted. "Way up on the cliff walls is all kinds of amazing stuff. We've just scratched the surface of what's there."

Nine Mile's geology is beautiful but unstable. The bands that color the canyon are primarily sandstone and shale, all relatively soft. The art panels are susceptible to damage both from dust and vibration. Blaine Miller, a BLM archaeologist who used to oversee oil and gas development at Nine Mile Canyon, saw signs last summer of dust "marking and sticking" to the rock art. "And there have been cliff failures," he said.

Miller and his wife, Pam, the curator of the College of Eastern Utah Prehistoric Museum in Price, have surveyed dozens of sites in Nine Mile. Besides the dust, Pam also worried



This panel could have been a signpost or a spiritual testament.



about BLM's conclusion that 60,000-pound trucks could safely pass within a few dozen feet of ancient rock panels. "What kind of vibrations do you have when those things are rumbling down the road?" she asked. Her husband believes that the BLM has failed to take into account the cumulative effect of all the new activity: the traffic, a gas pipeline, and the compressor station.

While I was in Nine Mile, I had found the station hard to ignore. ("We call it the factory," Steven Hansen had said as we gazed at its stark metal buildings and listened to its hum.) "Some people view the canyon as a series of discrete rock art sites, and you can put a compressor station between them and it's all right," Pam Miller told me. "But the overall ambiance and feeling of the site matter. They're part of what makes it special." After a moment's hesitation, she added, "I'm convinced Bill Barrett Corp. sees Nine Mile as a crevice in the ground and that's about it."

Duane Zavakil, manager of government and regulatory affairs for Barrett, insisted that's not the case. "We have every interest in the world in making sure that every cultural resource out there is protected," he said. "We've spent considerable time and money making sure they are." However, the company resisted several steps proposed by groups seeking to protect the canyon. Critics of the project wanted to see Barrett bring its equipment up a road on the other side of the plateau, avoiding the canyon completely. "The bottom line," Hansen said, "is they're taking a national scenic byway and turning it into an industrial thoroughfare when they don't have to."

Zavakil said that rerouting the road was too expensive, although the company would consider it if "there's a success, so we're talking about 200 to 250 wells up there."

Hansen and others are still lobbying for Barrett to take the alternative route when it moves from seismic testing to drilling test wells. They believe upgrading the alternative route now could prevent significant damage to the canyon at a cost that's

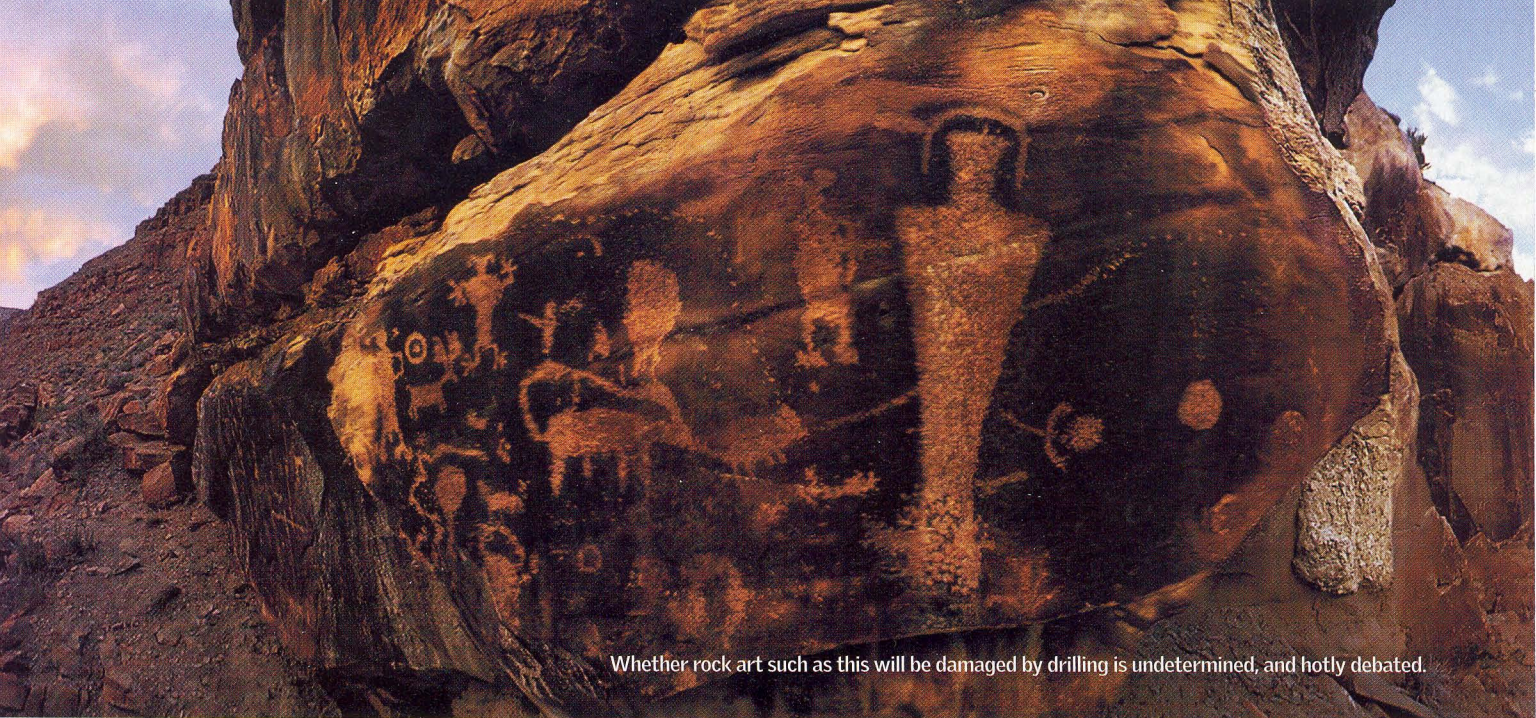
modest compared with the size of the project and its likely rewards. (Barrett spent roughly \$40 million on exploration in 2004, and the company's financial appraisal suggests there are 50 million to 500 million cubic feet of natural gas in the 57,500-acre project, worth hundreds of millions of dollars.)

Barrett has a dust abatement program, spraying the road with water and magnesium chloride—a chemical dampening agent. But those efforts have failed to impress Blaine Miller. "The water stays wet for about five minutes," he said. "And the magnesium chloride just makes the road slippery," then rises with the dust and accumulates on the nearby rocks. While I was in the canyon, dust plumes from vehicles could be seen for miles from some sections of the road.

The long-term effects of the dynamite charges on the plateau are also cause for concern. Barrett conducted nearly 5,000 of those explosions over the course of last summer and fall as part of the seismic testing, known as the Stone Cabin Project. Though no immediate rockslides were reported as a result of the charges, the eventual impact on archaeological sites just below the rim of the canyon worried Hansen and others.

Zavakil emphasized that the test explosions, in 50- and 60-foot-deep "shot holes," create very little surface disturbance. He noted that Barrett agreed to additional archaeological surveying along the plateau edge to make sure ruins and art were not disturbed. But the expanded surveys were undertaken only after environmental groups and the National Trust found that Barrett had overlooked significant cultural resources. The environmental groups then sought a preliminary injunction in federal court to stop the Stone Cabin Project, withdrawing the request only after Barrett and the BLM agreed to make changes in the testing.

The BLM, which approved Barrett's initial plan, believes the company took adequate measures. "I think we've mitigated any concern about the shaking of archaeological sites and rock



Whether rock art such as this will be damaged by drilling is undetermined, and hotly debated.

art sites,” said Fred O’Ferrall, associate field manager of the BLM’s Price office.

IN SEPTEMBER 2003, BLAINE MILLER WAS REMOVED FROM oversight of oil and gas development in the canyon despite more than 25 years of experience there. He subsequently became the subject of a lengthy *New York Times* article about the loss of that authority. Zavadil is frank about what happened to Miller. Barrett initially proposed seven test wells to search for gas, he told me, including some on the canyon floor. He said Miller failed to get the proper paperwork filed with the Ute tribe and the state historic preservation office, delaying approval. Convinced Miller was trying to “sabotage the project,” Zavadil “complained extremely loudly” to the Price BLM office. “I didn’t request that he be removed,” Zavadil said, “but you could certainly interpret it like that.”

I met with Blaine and Pam Miller on a Sunday in the Price museum, where they were still dressed for church, a sober Utah couple carefully measuring their words. It was hard to imagine either at the center of any controversy. Miller explained that he couldn’t send the required letters to the Utes or to the preservation office because the underlying environmental assessment on which they were to be based wasn’t ready.

O’Ferrall told me that he and other officials at the BLM couldn’t comment on personnel matters, but according to published reports one of those officials initially said Miller’s involvement in the Nine Mile Coalition (he and his wife are members) was a conflict of interest. Whatever the reason for Miller’s reassignment, he was never told directly what it was. The BLM official who raised the conflict-of-interest charge later

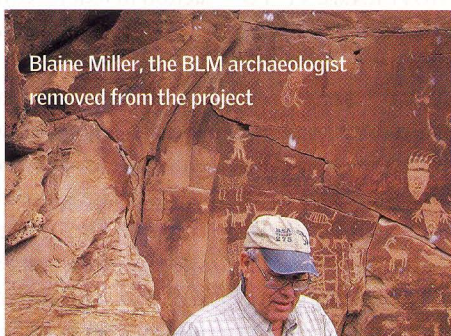
retracted it, but Miller still has no involvement in oversight of the exploration and drilling projects in Nine Mile Canyon.

The coalition has been careful not to take a position opposing drilling on the plateau. (“We’re not against them exercising their leases,” Hansen repeated several times. “We’re against them destroying a national treasure to do it, when there are alternatives.”) Miller said he was not opposed to exploration or drilling, but he believes that the canyon merits a comprehensive impact study. “Special places need to be treated specially,” he said. “It doesn’t mean you can’t have other uses, but you’ve got to try harder.”

The incident reflects the pressure the BLM has been under to expedite oil and gas drilling projects. A series of directives and policy statements from Washington has made it easier for the energy industry to operate on public lands. Last July, a memorandum sent out by the Price BLM office declared the Barrett project the number-one priority.

Another internal Price memo, made public by the Southern Utah Wilderness Alliance, indicates that the state BLM office was determined to see the Stone Cabin seismic tests proceed quickly. This memo mentions the internal debate among BLM staff in Price over whether the project required a full-blown environmental impact statement or a considerably less stringent environmental assessment. The staff was divided, but the memo records the end of the debate: “This has been discussed and the State Office has said” that only an environmental assessment would be done.

According to O’Ferrall, the Stone Cabin Project was approved after a thorough BLM review. He also said it was not out of the ordinary for Miller to be replaced on the project by an archaeologist operating out of the state BLM office in Salt Lake City.



Blaine Miller, the BLM archaeologist removed from the project



Nine Mile Canyon's case is hardly exceptional. Plans for oil and gas development near Dinosaur National Monument and in the Desolation Canyon Wilderness, both in Utah, along with lesser-known sites in Colorado, Wyoming, and Montana, have attracted varying degrees of opposition from environmental and preservation groups.

Supporters of opening more public lands to the energy industry stress the importance of America's energy independence. But according to an analysis by the Wilderness Society, the oil and gas industry already has more drilling permits on public land than it is using. Some 67 percent of the 34 million acres in the Rocky Mountain states leased for oil and gas are not in production, and although BLM has issued more than 25,000 drilling permits, only about 19,000 have been used. According to Suzanne Jones, head of the Wilderness Society's Four Corners office, there's a surplus of at least 1,600 permits in Utah alone. "That's years' worth of drilling," she said.

Barrett's interest in finding natural gas around Nine Mile Canyon was of immediate significance to the company. In April, Barrett registered a \$172 million initial public stock offering. The greater its proven gas reserves, the higher its value on the stock market.

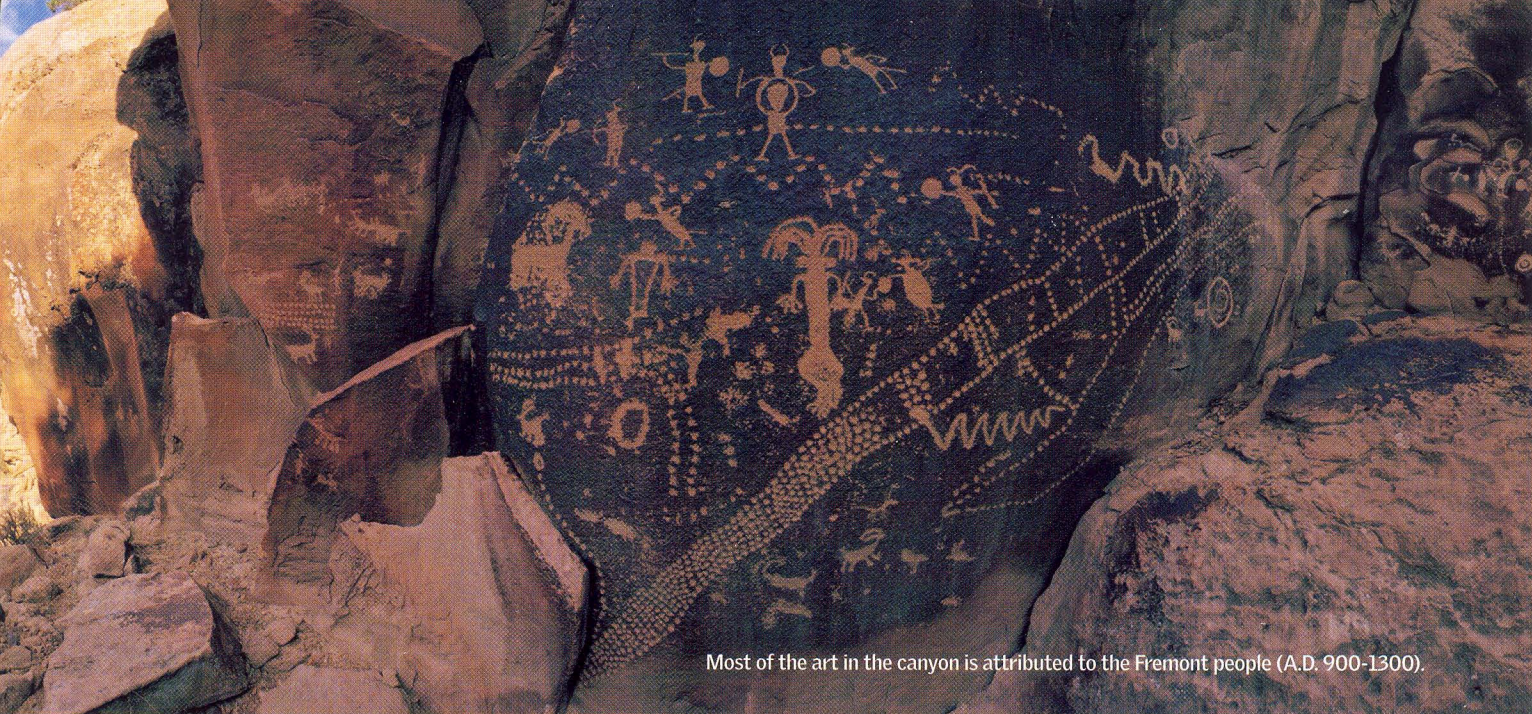
THE WILLINGNESS OF THE FEDERAL GOVERNMENT TO allow exploration and drilling near the rock art in Nine Mile Canyon stands in contrast to the approach taken to comparable sites in other countries. In France, the government went to the trouble of sealing off the famous caves of Lascaux and controlling the environment within to protect prehistoric paintings. An exact copy of the principal caves, with replicas of their ancient art, was then built nearby for the public. In England, when traffic threatened the monolithic ruins of Stonehenge, the British government made plans to move two major roads underground to preserve the setting.

Four years ago, the College of Eastern Utah hired John Veverka to develop an interpretive plan for Nine Mile Canyon, but a BLM spokesman said the agency didn't have the funds to implement it. Veverka has spent nearly 30 years as an interpretive master planner and heritage tourism consultant around the globe, working at Stonehenge and other cultural treasures significant enough to be designated World Heritage Sites by the United Nations. "I've seen World Heritage Sites less spectacular than Nine Mile Canyon," he said. "I certainly thought it belonged as one. It's unique, and irreplaceable." Yet as of this writing the BLM had not even completed the process of nominating Nine Mile Canyon for the National Register of Historic Places.

Conflicts are built into the mission of the BLM—it is charged with managing public lands to accommodate all values, including historical, recreational, and economic—but even on cultural sites the government is keenly interested in protecting drilling rights. Frustrated environmental groups have increasingly turned to the courts in an effort to halt energy projects they consider out of step with the laws governing public lands. Last summer the Southern Utah Wilderness Alliance, the Natural Resources Defense Council, the Wilderness Society, the Sierra Club, and the Utah Rock Art Research Association brought action in federal court against the Stone Cabin Project.

The groups objected to the seismic tests on several grounds, but the heart of the case for an injunction was the decision by the BLM to allow testing to proceed without a full environmental impact statement. Last July, a federal district court ruled the project could proceed.

The case exposed fault lines in the relationship between environmentalists and preservationists in the West, where both groups often collaborate to protect historic landscapes and cultural sites. The National Trust did not join in the lawsuit, hoping instead to keep open lines of communication with the



Most of the art in the canyon is attributed to the Fremont people (A.D. 900-1300).

BLM and Barrett, to try to mitigate the impact of development. Richard Moe, president of the National Trust, pointed out that the Trust litigates when necessary, but that in this case the organization decided "to take a more direct approach, working with the various parties involved."

Trust officials have met with Barrett officials about the canyon. "Litigation brings a focus on the issue and definitely serves a purpose," said Anita Canovas, associate general counsel for the Trust, which also pursued the issue within BLM administrative channels. "At the same time, I think it was really necessary for the National Trust to take the route we did. I think the combination of both pressures increases the chances of success."

Success has proved elusive, Canovas admitted. The Trust has yet to reach agreement with Barrett on how things should proceed. "The lawsuit didn't work. We're still trying the administrative approach," she said late last year. "But so far, not much progress has been made. It is frustrating."

Despite losing in court, Stephen Bloch, staff attorney for the Southern Utah Wilderness Alliance, believes the lawsuit succeeded in getting the BLM and Barrett to agree to additional archaeological surveying and larger buffer zones around cultural sites. "If it hadn't been for the lawsuit," he said, "I don't think there's any way they would have addressed these issues. It's important to draw a line in the sand."

Although environmental groups charged Barrett with being uninterested in the sites, it did take steps at its own expense to protect two of the most significant. The "Hunt Panel" is perched only a few feet from the road that heads up Cottonwood Canyon, a finger canyon that will be the main thoroughfare for Barrett trucks. Recognizing that the panel is in a precarious spot, the company moved the road to protect the art. Barrett purchased Rasmussen Cave, a Native American burial site and private inholding close to the road, and was taking similar steps to

protect it. The company also agreed to eventually remove the compressor at the end of the project.

The Trust wanted a full environmental impact statement for the next step in exploration: the West Tavaputs Plateau Drilling Program, which would include directional wells under parts of Nine Mile Canyon in the search for gas. However, the BLM allowed the drilling to proceed without the impact statement. "Essentially, whatever the company wanted has been rubber-stamped by the BLM," Bloch said.

Canovas said that the most significant impact on the canyons lies ahead. "We think it's critical," she said, "to be talking to Barrett about the consequences of the kind of future in which gas reserves are discovered and extensive drilling begins. Our plan is to continue working with the BLM and Barrett, to make sure development doesn't result in the loss of cultural resources."

After the seismic tests and test wells, Nine Mile Canyon is likely to present the country with a final test. Natural gas has an easily quantifiable value, but what is the value of rock art or cultural ruins? What's the worth of the knowledge scholars might someday gain from the petroglyphs and pictographs? Finally, what is the measure of the fragile beauty of these panels?

Those questions aren't easy to answer, but if we get them wrong today, we will deprive everyone who comes after us. The art in Nine Mile Canyon hangs tantalizingly on the edge of meaning, the product of intentions we have yet to comprehend. But in another way it's not obscure at all. There is a power and palpable joy in it that anyone can understand. It's the eternal satisfaction of having made something well.

Of all the people I spoke to about the canyon, Donna Spangler was closest to my own heart. "I just appreciate the art as art itself," she said. "Sure, I look at it and wonder, 'What does it mean?' But I also look at it and just go, 'Wow.'"

Tucson-based Reed Karaim writes frequently about the West.