

PURPOSE OF AND NEED FOR ACTION

The Saline Valley Warm Springs Area is in the northwestern portion of Death Valley National Park (the park) and is bounded by the Saline Range of mountains to the north, the Last Chance Range to the east and the Inyo Mountains to the west (appendix A, figure 1). The Saline Valley Warm Springs Area is a unique portion of the park that is important to several user groups for various reasons. Visitors or recreation users travel to the Saline Valley Warm Springs Area to enjoy backcountry camping, a backcountry airstrip, and soaking tubs created by diverting water from natural source springs in a remote area of the park. Inyo County considers Saline Valley Warm Springs Area as a place with a unique legacy, which is part of the history of tourism and development of Inyo County.

The Timbisha Shoshone Tribe (the Tribe), whose homelands encompass the entirety of Death Valley National Park, has a deep affinity for the Saline Valley Warm Springs Area due to the existence of long-lived historical and ethnographic connections. The Timbisha Shoshone Homeland Act of 2000 (Homeland Act; Public Law 106-423) transferred more than 7,000 acres of ancestral homeland to the Tribe, including 314 acres at Furnace Creek within the park, and specified designated special use areas. Saline Valley is one of these special use areas in which tribal members are “authorized to use these areas for low impact, ecologically sustainable, traditional practices pursuant to a jointly established management plan mutually agreed upon by the Tribe, and by the National Park Service or the Bureau of Land Management (BLM), as appropriate.” The warm springs of Saline Valley (the warm springs) are a source of *puha* for the Tribe, a life force energy. Although the development of the area by Euro-Americans degraded *puha* and other ethnographic resources, Tribal leaders still seek these cultural connections from historic times until the present and will continue to do so in the future.

The Saline Valley Warm Springs Area is distinctive, both in the setting of the site and in its geology. Saline Valley is a closed basin, which means that the water does not flow to another body of water. Water in closed basins only leaves the system by evaporation or diversion. The warm springs are among the highest-flow springs in the park; the other high-flow springs are located at Furnace Creek in central Death Valley and Saratoga Springs in the southeast portion of the park. However, these warm springs are the only springs in the park that are located in a valley. The mountain ranges surrounding this valley, the Saline Range, the Last Chance Range, and the Inyo Range, have elevations ranging from 7,000 feet to over 10,000 feet, which result in spectacular views from the Saline Valley Warm Springs Area.

The Death Valley National Park General Management Plan (GMP) (NPS 2002a) provides the overall management strategy for the park. In the GMP, the National Park Service identified Saline Valley as one of several areas that would require a site-specific management plan; hence, this current planning effort. This Saline Valley Warm Springs Management Plan and Environmental Impact Statement (plan/EIS) provides direction for the National Park Service to make decisions regarding the future use of the Saline Valley Warm Springs Area. The plan/EIS analyzes the impacts of management of the developed features, the natural and cultural resources, and the diverse uses of the Saline Valley Warm Springs Area. This plan/EIS has been prepared in accordance with the National Environmental Policy Act of 1969, as amended (NEPA), the Wilderness Act, the Homeland Act, and other legal mandates governing decision making by the National Park Service.

PURPOSE OF ACTION

The purpose of the federal action is to develop a management strategy for the Saline Valley Warm Springs Area that will supplement the 2002 GMP (NPS 2002a). The purpose of the plan/EIS is to:

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- Provide a framework for the management of natural and cultural resources and visitor use at the Saline Valley Warm Springs Area.
- Provide a framework for administration and operations at the Saline Valley Warm Springs Area.
- Provide guidance for park managers as they work with the various stakeholders of the Saline Valley Warm Springs Area.
- Promote the partnership between the National Park Service and the Tribe to ensure the Saline Valley Warm Springs Area is protected and enhanced by cooperative activities.

NEED FOR ACTION

The federal action is needed to supplement the GMP and address visitor use and development at the Saline Valley Warm Springs Area. Past visitors of the Saline Valley Warm Springs Area have altered the natural aspect of the area through diversion of water from the natural source springs and through construction of soaking tubs and other amenities. People who seek this type of recreational experience continue to visit the Saline Valley Warm Springs Area, and during certain holiday weekends, visitation can be concentrated. However, the Saline Valley Warm Springs Area is also part of the Timbisha Shoshone Natural and Cultural Preservation Area, and the ethnographic uses by the Tribe and recreational uses by other visitors can be in conflict. This plan/EIS has several goals:

- Fulfill the direction of the 2002 GMP, which calls for a site management plan for the Saline Valley Warm Springs Area as a planning need.
- Ensure cooperation and coordination with the Tribe to understand existing issues and future planning opportunities in accordance with the Homeland Act.
- Create a management strategy for park resources and maintenance requirements.
- Evaluate visitor use and experience and provide a basis from which to respond to future conditions at the Saline Valley Warm Springs Area.
- Provide for public health and safety at the Saline Valley Warm Springs Area.

Cooperating Agencies

The National Park Service formally invited the Tribe, the Inyo County Board of Supervisors, the Inyo County Planning Director, the BLM Ridgecrest Field Office, and Inyo National Forest to participate as cooperating agencies in the plan/EIS process. The Tribe, the Inyo County Board of Supervisors, and the BLM Ridgecrest Field Office accepted the offer. Correspondence with the cooperating agencies is available in appendix B.

BACKGROUND OF THE SALINE VALLEY WARM SPRINGS AREA

Saline Valley is a large desert valley located in the northwest portion of Death Valley National Park. The National Park Service has defined the Saline Valley Warm Springs Area as approximately 1,100 acres of backcountry surrounded by designated wilderness. It has not been formally or systematically developed for use by the National Park Service but does have a number of user developed and maintained structures and facilities and is considered a backcountry campground. This backcountry area, along with several additional features, comprises the Saline Valley Warm Springs Area (appendix A, figure 2). People have been using or visiting the Saline Valley Warm Springs Area since prehistoric times. The first developed recreational soaking tub is estimated to have been installed between 1933 and 1947 (New South 2015). Subsequent modification and expansion of the soaking tub complex occurred over the years until it

reached the present state of development with multiple soaking tubs, camping areas, and toilets. Additional descriptions, photographs, and figures of the features of the Saline Valley Warm Springs Area are available in appendix C.

RELEVANT PLANNING DOCUMENTS

Death Valley National Park General Management Plan

The 2002 GMP for Death Valley National Park deferred specific management of the Saline Valley Warm Springs Area to a future site-specific management plan; however, the GMP did include some changes to the management of the Saline Valley Warm Springs Area (NPS 2002a). These changes included closing the Crosswinds Strip, closing the informal small arms shooting range, enforcing a 30-day per year stay limit for the area, the removal of property after 10 days if it was abandoned, removal of several trailers, and the installation of three vault toilet restrooms by the National Park Service.

Wilderness and Backcountry Stewardship Plan and Environmental Assessment

The National Park Service prepared a separate Wilderness and Backcountry Stewardship Plan and Environmental Assessment (NPS 2013a) which also supplements the GMP and provides a framework for managing the majority of lands and resources around the Saline Valley Warm Springs Area. This plan/EIS has been prepared separately to address the issues specific to the Saline Valley Warm Springs Area, and with consideration of the Wilderness and Backcountry Stewardship Plan so as not to conflict with the values and desired conditions set forth in that plan.

Special Regulation for Designation of the Chicken Strip Airstrip

The National Park Service is proposing a special regulation to designate the Chicken Strip airstrip as a location available for the operation of aircraft, consistent with the preferred alternative in this plan/EIS. The proposed rule would authorize an exemption to 36 Code of Federal Regulations (CFR) 2.17(a)(1), which prohibits operation or use of an aircraft on lands or waters within national parks other than at locations designated pursuant to a special regulation. The proposal was posted on Regulations.gov on September 20, 2018 and was open for public comment until November 19, 2018. The National Park Service received 461 pieces of correspondence. This special regulation did not result in any changes to the preferred alternative in the final plan/EIS.

ISSUES AND IMPACT TOPICS RETAINED FOR DETAILED ANALYSIS

To focus the environmental analysis, the issues identified during scoping were used to derive a number of impact topics. Impact topics identify resources of concern that could be affected, either beneficially or adversely, by implementing any of the proposed alternatives. The issues and potential impacts associated with the alternatives are discussed in the following sections. Details on the existing conditions for each resource topic are presented in the “Affected Environment” chapter, and the anticipated impacts are presented in the “Environmental Consequences” chapter. The issues and impact topics dismissed from detailed analysis are presented in appendix D.

Soils

Recreation activities could impact the soils of the Saline Valley Warm Springs Area. Visitors of the Saline Valley Warm Springs Area often travel by foot or by vehicle to areas surrounding the Saline

Valley Warm Springs Area. Traveling outside of the roads and trails, especially using off-road vehicles, can cause compaction of the soils, which alters the space between soil particles and water infiltration, often resulting in a reduction in root penetration and therefore, decreased plant growth. For these reasons, soils will be analyzed in this plan/EIS.

Vegetation

Plant species in the Saline Valley Warm Springs Area are typical of desert scrub but also include a variety of nonnative species, some of which have been introduced by the users of the Saline Valley Warm Springs Area. Many of the nonnative species at the Saline Valley Warm Springs Area are dependent on continued watering and fertilizing by the Saline Valley Warm Springs Area users. The abundance of native and nonnative species could change based on activities associated with the plan; therefore, impacts on vegetation will be fully analyzed.

Wetlands

The majority of the wetland areas currently at the Saline Valley Warm Springs Area were created artificially from tub runoff. However, the wetland at Upper Spring is considered a naturally occurring wetland, as there is no diversion of water. There are also several naturally occurring wetlands at Lower Spring. Wetlands could be reduced in size, eliminated, or even created by the actions of this plan. Because wetlands, both artificial and natural would be affected by the plan, impacts on wetlands will be analyzed fully in this plan/EIS.

Wildlife

A variety of native and nonnative wildlife exist near the springs. Native species in the Saline Valley Warm Springs Area include a variety of mammals, birds, amphibians, and reptiles, such as desert pocket mouse (*Chaetodipus penicillatus*), silver-haired bat (*Lasionycteris noctivagans*), greater roadrunner (*Geococcyx californianus*), red-spotted toad (*Rhinella rubropunctata*), and desert spiny lizard (*Sceloporus magister*). Feral burros (*Equus asinus*) are frequent visitors of the springs. Introduced aquatic species exist in a settling pond at Lower Spring. Given the presence of a variety of wildlife in the Saline Valley Warm Springs Area, this topic will be carried through impacts analysis.

Cultural Resources

Archeological Resources. Prehistoric archeological sites are present throughout the park at all elevations and in all environments. Historic archeological sites in the park are largely associated with transportation corridors, water sources, and mining and ranching operations of the late 19th and early 20th centuries. The research and information potential of archeological sites is an important aspect of their National Register of Historic Places (NRHP) eligibility (NPS 2002a).

There have been impacts to archeological resources in the Saline Valley Warm Springs Area. For example, the archeological sites around Palm Spring have been heavily damaged by visitors through years of use, dating from the time before the National Park Service assumed management of the area. Continued damage to archeological resources could occur if visitor use of the area continues; therefore, this topic will be carried through impacts analysis.

Historic and Prehistoric Resources. In 2014, the National Park Service completed a Determination of Eligibility (DOE) to identify and evaluate historic resources in the Saline Valley Warm Springs Area and to determine if the site is eligible for nomination to the NRHP (New South 2015). The “historic” DOE considered the potential significance of the site from the perspective of the Euro-American use and

development from the 1930s to the present. The historic DOE recommended that portions of the Saline Valley Warm Springs Area is an NRHP-eligible Historic Site that has a period of significance from 1955 to 1978 and is eligible at the local level of significance. The site is significant under Criterion A for Recreation as a campground established around a hot springs site, and for Social History as a site that typifies the ideals and principles of the countercultural movements associated with Hippie and Beat movements, along with the social trends that influenced them in the early to mid-1900s. Criteria Consideration G applies as some contributing resources are less than 50 years of age. It is recommended that as several other noncontributing resources reach 50 years of age, they should be reevaluated to determine if they maintain their significance and integrity and should therefore be reclassified as contributing. The historic DOE also recommended that a Cultural Landscape Inventory and possibly a Cultural Landscape Report be prepared for the Saline Valley Warm Springs Historic Site¹ (New South 2015). For this plan/EIS, the National Park Service treats the Saline Valley Warm Springs Historic Site as eligible for listing in the NRHP and is carrying this topic forward through impact analysis. For purposes of discussing the historic resources in this plan/EIS, the Saline Valley Warm Springs Historic Site is referred to as an “area of historic significance for the recreational users.”

Ethnographic Resources. Ethnographic resources are the cultural and natural features of a park that are of traditional significance to traditionally associated peoples and can include sites, structures, objects, traditional landscapes, or a natural resource feature assigned traditional legendary, religious, subsistence, or other significance in the cultural system of a traditionally associated group. These peoples are the contemporary park neighbors and ethnic or occupational communities that have been associated with a park for two or more generations (40 years), and whose use began before the establishment of the park (NPS 2006).

The National Park Service contacted the Tribe and other affiliated tribes during the scoping phase of the project. The Tribe responded to the scoping request and expressed interest in the management of the Saline Valley Warm Springs Area; however, the National Park Service will continue to communicate with the other five tribes throughout the EIS process and beyond. The warm springs were highly valued, and widely used by the older generation of contemporary tribal members of the Tribe for healing and medicinal purposes (Fowler et al. 1995, 29–30). The National Park Service is directed by the Homeland Act (Public Law 106-423) to accommodate access to and use of the Saline Valley Warm Springs Area by the Tribe for traditional, cultural, and religious activities in a manner consistent with the American Indian Religious Freedom Act (Title 42 of the United States Code (USC), section 1996 et seq.). Saline Valley Warm Springs Area is identified as a special use area for the Tribe in the *2000 Final Legislative Environmental Impact Statement: Timbisha Shoshone Homeland* and the Homeland Act. The Tribe has a historic relationship with Saline Valley Warm Springs Area; the area has been used by the older generation of contemporary tribal members for healing and medicinal purposes. The *2000 Final Legislative Environmental Impact Statement* also calls for the Tribe and National Park Service to establish a greater tribal presence at the Saline Valley Warm Springs Area and develop and conduct a pilot demonstration project regarding management of the Saline Valley Warm Springs Area.

One way that ethnographic areas of importance are identified is through Traditional Cultural Property (TCP) designation. The TCP process is completed through the NRHP program. National Register Bulletin 38 (Parker and King 1990) describes the evaluation process. Generally, TCPs are identified as areas having “... association with cultural practices or beliefs of a living community that (a) are rooted in that

¹ In the historic DOE, the area of significance does not include all portions of the Saline Valley Warm Springs Area, as addressed in this plan/EIS. The historic site does not include Upper Spring or the upper peace sign; therefore, the National Park Service is using the term “Saline Valley Warm Springs Historic Site” to clearly distinguish the historic site from the area addressed in this plan/EIS.

community’s history, and (b) are important in maintaining the continuing cultural identity of the community” (Parker and King 1990).

The National Park Service completed an “ethnographic” DOE that considered potential significance from the perspective of the Tribe and documented that the Saline Valley Warm Springs Ethnographic Site² is eligible for listing on the NRHP under Criterion A as an area of significance to the Tribe. The warm springs are a source of *puha*, or sacred knowledge, and were sought by Tribal spiritual leaders for *puha* and by Tribal elders for healing (Rucks 2016). *Puha* is defined as a life force energy that is at once everywhere yet concentrated in particular geographic features, such as the warm springs (Rucks 2016). Despite the development of the Saline Valley Warm Springs Area, the warm springs have retained their cultural significance to the Tribe. As stated above, the National Park Service submitted a consultation package to the State Historic Preservation Officer (SHPO) on February 15, 2018. The SHPO did not provide a formal response. The National Park Service is treating the ethnographic resources at the Saline Valley Warm Springs Area as eligible for listing in the NRHP and is carrying this topic forward through impact analysis. For purposes of discussing the ethnographic resources in this plan/EIS, the Saline Valley Warm Springs Ethnographic Site is referred to as an “area of ethnographic significance for the Tribe.”

Wilderness Character

Recreation activities, including visitor-created art, at the Saline Valley Warm Springs Area have the potential to expand into the surrounding designated wilderness areas and some activities are prohibited in wilderness (e.g., use of motorized vehicles). Impacts on wilderness are expected; however, the impacts could range from beneficial to adverse, depending on the alternative and the level of mitigation. For this reason, wilderness will be fully analyzed for all alternatives.

Visitor Use and Experience

Recreational use could be affected by the proposed action and alternatives. The Saline Valley Warm Springs Area has been managed by recreational users of the area since before it was acquired by the National Park Service. This plan has the potential to change the way the Saline Valley Warm Springs Area is managed for recreation. The existing visitor experience, including use of the Chicken Strip airstrip for recreation and large group gatherings, could be affected by the proposed plan.

Human Health and Safety

Human health and safety would be impacted differently depending on the level of management selected for the Saline Valley Warm Springs Area. For example, the method of cleaning or treating the tubs, or the practice of washing dishes at a single station, with resulting gray or black water discharges, would also influence the level of impact to human health and safety. Additionally, there is a risk of flood events at the Saline Valley Warm Springs Area. Although the alternatives would not affect the floodplains (as described in the “Floodplains” section of appendix D), visitors could be affected by flash floods. For these reasons, this topic will be fully analyzed.

² In the ethnographic DOE, the area of significance is called the Saline Valley Warm Springs or the *Ko o’* Warm Springs (preferred by the Tribe). The geographic extent of the ethnographic site varies from the Saline Valley Warm Springs Area in this plan/EIS; therefore, the National Park Service is using the term “Saline Valley Warm Springs Ethnographic Site” to clearly distinguish the area of significance to the Tribe from the area addressed in this plan/EIS.