Fire Assistance Act was rolled into a continuing resolution to keep the government funded, which became law at the end of September.

Given that this country has so far done little to protect its citizens from the dangers of climate change, it is some consolation that, in this instance, the victims of that growing tragedy will at least receive restituiton for the cash equivalent of their losses. Their nightmare of paperwork, however, is just beginning.

IF THE THUNDER DON'T GETCHA…

We prayed for rain to stop the fire and ease the record-breaking dryness. When the rain finally came, it filled us with dread as much as gratitude. Severe burns produce "hydrophobic" soils, which absorb a downpour no better than a parking lot. The resulting floods can be orders of magnitude greater than normal runoff. In addition, sometimes the detritus of the fire—downed trees, mud, ash and unmoored boulders—mixes into a "debris flow," a sort of gooey, fast-moving landslide.

A record monsoon this summer brought blessings to the west side of the mountains and sometimes weekly floods to the scorched east side. Shortly after the flames died down, part of the village of Rociada (which means "dew-laden") was inundated by a flow of hail and ash two feet deep. Not far away, several people were drowned when they tried to drive across a normally tame creek. Many others, who live beyond the fire's periphery, including 13,000 residents of Las Vegas, New Mexico, depend on water drawn from valleys now choked with ash. The taste of the fire, both literally and metaphorically, will be with them indefinitely.

And thanks to climate change, there will be plenty more fire. Our dawning new age, shaped by human-wrought conditions, has been called the Anthropocene, but historian Steve Pyne offers yet another name: the Pyrocene, the epoch of fire. This year, it was New Mexico's turn to burn. Last year, an entire Greek island combusted, along with swaths of Italy, Turkey, large chunks of the Pacific Northwest and California. Fires in Siberia, meanwhile, consumed more forest than all the other areas combined. When it comes to ever more powerful fires, we New Mexicans are hardly alone.

On my side of the mountains, the county sheriff ordered us to prepare to evacuate. Fortunately, the flames halted a few miles away. We never had to leave. But packing our "go" bags and securing our houses now seems to have been a useful dress rehearsal. The drought and winds will be back. A bolt of lightning, a fool with a cigarette, a downed power line, or… goodness knows… the ham-fisted Forest Service will eventually provide the necessary spark, and then our oxygen planet, warmer and drier than ever, will strut its stuff again.

My neighbors and I know that this time we were lucky. We also know our luck can't last forever. We may have dodged a bullet, but climate change has unlimited ammo. ■

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New Mexico Wildfires: The Gift That Keeps Giving

Fear and Loathing Near Las Vegas (Part 2)

BY **CHARLES CURTIN**

It's June 28th, and after a few weeks of relative normalcy in the Mora Valley in which we've savored the delights of electricity, internet and running water, we've decided to get off the farm and treat ourselves to an evening in Taos. As we stop by the barn to feed the animals before heading out, I notice a small undulating line of liquid, like a black serpent, slithering across the road about 75 yards from the car. I thought about investigating, however, we were running late and I'm in a hurry, so I figured I'd look on the drive out.

It's a good thing that the barn is on higher ground because in the five minutes it took to complete the feeding, I returned to see most of the valley, including the road we'd intended to drive on, inundated with rushing water! And yet, there was not a cloud in the sky. The water came from miles upstream, and there was no way the flooding could have been predicted, based on local conditions. However, we have become extremely good at reading the signs of an impending flood. First, a damp, musty chill fills the air. Then, when you see a trickle of water coming across the fields, you know you've only got a minute or two to get out of the way!

Our evening's plans were off, and so began for July and well into August a daily drama of a flood of water running down the canyon most afternoons or evenings, followed by mornings spent on the tractor clearing muck off the road (before the next flow that afternoon). Meanwhile, not just Cañoncito Creek overflowed, but our 200-year-old acequia filled with ash and, after rains, a geyser of black filth would erupt out of the ditch, carving trenches into our road, rendering it impassable. So, we faced the double jeopardy of muck emanating from the creek covering one end of the entrance road—while at the other, deep ruts carved by water off the acequia also blocked passage. The flooding was just the first of many post-fire challenges to beset burned-over mountain communities.

A NEW PESTILENCE DESCENDS

Recent months in the Mora Valley have been rather biblical. Fires, floods, and then…locusts.

Locusts, you say? Are there locusts in New Mexico? To be clear, these are not the winged insects that descend upon communities in droves. These have briefcases, scare tactics and a slick sales pitch. Yup, you guessed it. Lawyers.

Before proceeding, let me be clear not all lawyers are locusts that feed on unsuspecting farms, families and villages. Many are competent professionals who provide an invaluable service by helping people navigate the legal system, which can be essential in addressing complex issues such as post-fire compensation.

Flooding was just the first of many post-fire challenges to beset burned-over mountain communities.

And yet, there is another kind of lawyer. One that is all too common in fire-damaged areas. They follow fires and other tragedies to make a quick buck off of traumatized people. In short…locusts.

Through bundling, large out-of-state firms represented by lawyers with a New Mexico address reel in clients for a commission, when the actual legal work is handled elsewhere. In one of the most cynical manipulations of historical fears of Hispanic

During flooding and after flooding © Charles Curtin

residents being taken advantage of by Anglos, New Mexico attorneys with Hispanic names and no experience in fire litigation are trotted out as front men (or women) for the big bundlers.

Hermit's Peak Fire Assistance Act is doing well in Congress, so unless one is a large landowner with considerable losses, most people may not need an attorney to recover damages. Instead, people are being duped into joining "class action suits," which too often is just another term for taking a monetary cut from someone for something they could have received anyway. Unfortunately, many local charities, churches and community centers have become unwittingly duplicitous in this fraud by holding their buildings open for what are called "learning or information sessions," which are usually just thinly veiled promo events to snare unsuspecting clients.

The big bundlers have signed on hundreds of clients through these deceptive techniques; however, successful fire litigation takes considerable expertise, upfront expense and a focus on the needs of individual clients to succeed. The sad reality is, it's probably impossible to effectively serve the needs of hundreds of people through a legal mill. In what can well be described as institutionalized corruption, our leaders turn a blind eye as lawyers scare and mislead people into signing up for legal representation they often don't need, that too often takes a significant portion of the already too-modest settlement. So the locusts' feeding frenzy mostly serves to enrich out-of-towners and furthers post-fire decline by leaving struggling communities with fewer resources for recovery.

We'll likely never have a better shot at enacting positive change than right now.

OH WHERE, OH WHERE, HAVE THE FEDS GONE?

In contrast to the deluge of feds and contractors during the fires, engagement on the ground practically disappeared following the fires. Yes, organizations such as FEMA were present. However, their congressionally mandated guidelines to prioritize the protection of life and physical structures were of limited value in an agrarian community where many people's greatest asset is their land. Government assistance typically only extended to public property, so during the floods, unless you were on a public road or surrounded by public lands, you were out of luck.

We faced a scenario where we could have protected ourselves by using berms to redirect the water back to the main bed of Cañoncito Creek, but that would have flooded the county road and threatened a neighbor's home. So, we took the brunt of it and watched ag lands that had been lovingly tended for more than a century become fields of debris—rather than fields of hay.

The National Guard was extremely helpful in bringing sandbags early in the flooding, and it was heartwarming to see youth from around the state helping devastated rural communities—but soon, they too were gone, and local people were abandoned to face the onslaught of impacts from events not of their making. In our case, neighbors came with heavier equipment that they used to build levies to channel the water across our fields—but these too were usually leveled by the next flood.

Outside assistance is now reappearing, but too often contains quick and shoddy fixes that may do more harm than good. For example, many of the seed mixes provided by agencies to landowners to protect their soil contain species most ecologists would consider invasive and have little nutritional value for wildlife.

Money is now pouring into this fire-ravaged region. However, it's not the amount of money—but how it is spent—that matters!

Another example of the short-sighted solutions that pervaded in the post-fire period: A nearby road crossing that had three culverts which blew out in the floods and was replaced by a two-culvert one with less capacity. So, not surprisingly, within hours of construction, it began eroding out. For over a week, highly paid out-of-state contractors made bags of money, shoring up something that should never have been done in the first place! This situation is being repeated hundreds if not thousands of times across the region where political band-aid fixes are being applied rather than getting at the heart of the problem, which requires an integrated, locally based approach to wholesale community and landscape revitalization.

DUTCH BOYS AND DIKES

The post-fire process has been a bit akin to the story about the Dutch boy putting his finger in the dike. However, unlike the fable, most simple-minded fixes only led to a larger-scale collapse. Likewise, the government's collective response to the fires has been to bring in thousands of highly paid Dutch boys to milk the system without providing a viable solution because, like the finger in the dike—simple and singular approaches typically lead to more significant problems down the road.

Instead, in what are termed regenerative approaches, one needs to work in harmony with the system to help it heal itself, for lasting solutions only come from channeling internal dynamics rather than fighting them. Paula García of the New Mexico Acequia Association says it best when she refers to *herencia* (inheritance) and *gerencia* (management) as being crucial locally based foundations for creating durable solutions. Cultural traditions and landscape health are entwined, and viable long-term outcomes

An integrated, locally based approach to wholesale community and landscape revitalization is required.

National Guard filling sandbags
Photos © Charles Curtin

rest with working in alignment with the culture and ecology of the region.

Money is now pouring into this fire-ravaged region. However, it's not the amount of money—but how it is spent—that matters!

Forestry business owner David Old of Las Vegas has pointed out there seems to be no coordinated plan to give local people sustainable access to the forest. "What will all the folks with nothing but a beat-up pickup truck and a Stihl chainsaw—the only livelihood they ever had—do for a living?" Noted fire attorney Tom Tosdal, one of the folks who litigated the 2018 Paradise, California fires, has seen the aftermath of many poorly planned and executed wildfire recovery efforts. He notes that the problem with the typical private-sector solution is that wildfire

The people in the best position to know what is needed have been largely cut out of the process.

litigation's focus on individual recovery means that people and businesses may receive partial compensation—but the burned areas are not restored, and people who have lived for generations on their land are forced to leave because the

Restored Ponderosa Pine forest with a mix of ages and sizes of trees, an open canopy and luxuriant understory that is rich forage for wildlife

A two-culvert replacement for a three-culvert road crossing blew out shortly after replacement.

underlying problems are never addressed.

Wildfire recovery in New Mexico is embarked on a similar path. Of the many landowners, loggers and others tied to the forestry industry I have spoken to, none have had a meaningful dialog with agencies or politicos regarding how to restore local landscapes and communities. In other words, the people in the best position to know what is needed have been largely cut out of the process.

Einstein purportedly said, "The definition of insanity is doing the same thing over and over again and expecting a different result." This seems to be the case with wildfire recovery, whose mission appears to be, at best, to spend a bunch of money recreating the social and ecological ills that led to the wildfires in the first place! After a brief flush of recovery dollars, the communities are left with fewer resources than ever to deal with the issues that plagued them before the fires. We must do better!

WHAT IS NEEDED?

First, recognition that wildfire recovery is not just an economic or ecological challenge but a restorative justice issue, in which local people need to be heard and engaged in the process to help repair not just fire damage but decades of economic and political oppression that impacts not only the health of communities—but also that of the land.

Second, to our donors and relief organizations: Yes, immediate disaster relief is critical, and most organizations have been exemplary in the rapidity and extent of their response. But that's not enough, and it's time to also apply resources to support workable long-term outcomes, for the fires were not a cause but a symptom of larger social ills that must be addressed for lasting solutions to occur.

The fires were not a cause but a symptom of larger social ills that must be addressed for lasting solutions to occur.

Finally, to our leaders: We'll likely never have a better shot at enacting positive change than right now. Do we embrace a culture of stewardship and community-building that creates lasting solutions, or do we settle for the status quo of the politics of division and face more fires, floods and community decline? Do you want to be part of the problem or part of the solution? There are some viable solutions, examples of which I will introduce in the article on page 19. ■

Charles Curtin has over two decades of experience designing or managing place-based conservation projects. He is the author of Science of Open Spaces *(2015) and* Complex Ecology *(2018). His forthcoming book is* Prosilience: Channeling the Capacity for Positive Change. *Curtin lives in the Mora Valley of New Mexico, where he works on collective solutions to large-scale challenges such as forest and watershed health, wildfire and climate change. His author webpage is* CHARLESCURTIN.COM