High Country News

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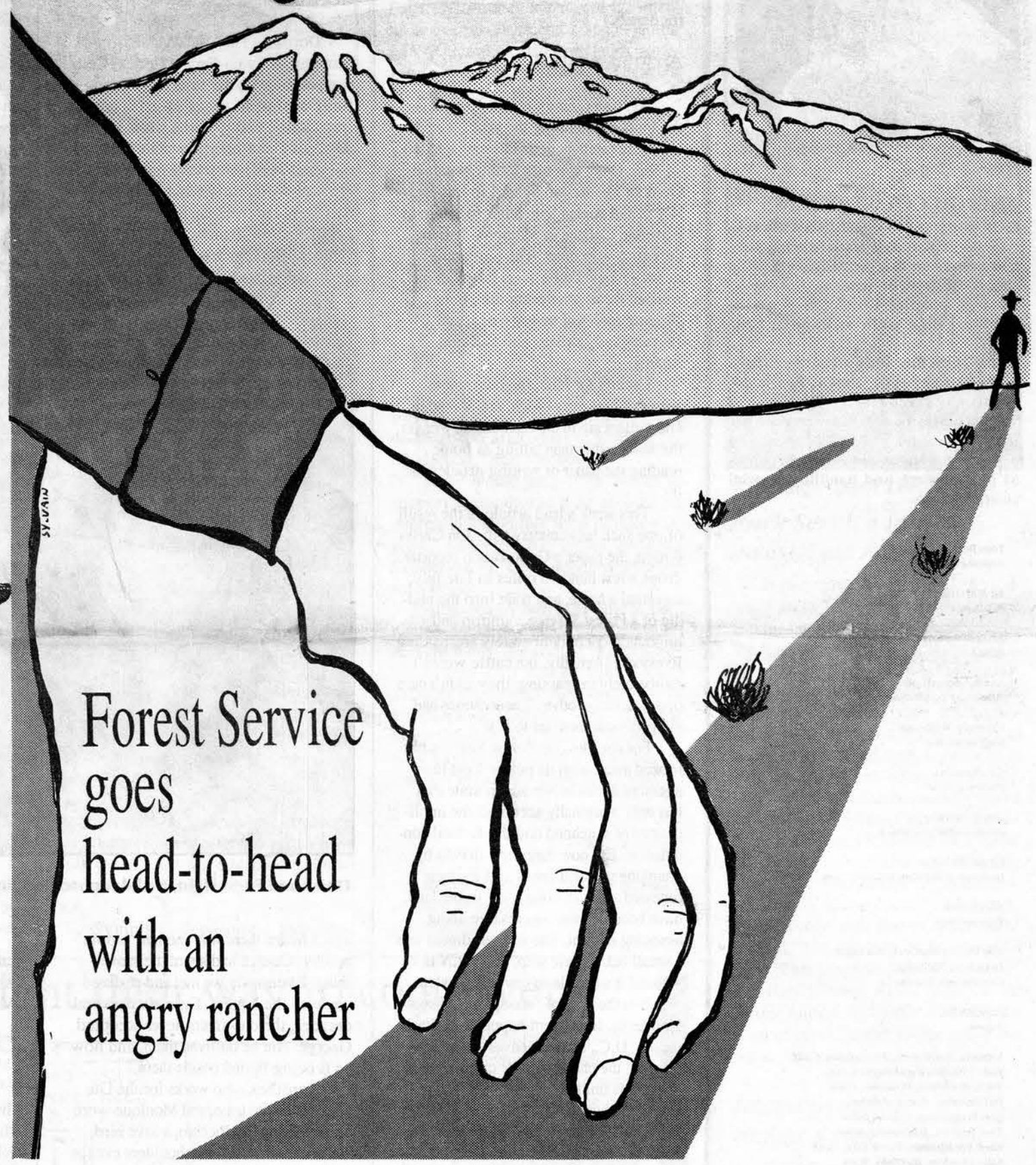
INSIDE

Last seen in Oklahoma

High noon in Nevada



Forest Service goes head-to-head with an angry rancher

by Jon Christensen

As a full moon slipped behind the rugged peaks of the Toquima Range, the first light of dawn illuminated a meadow where uniformed Forest Service rangers were saddling horses. Their mission was to round up unauthorized cattle on the Toiyabe National Forest in remote central Nevada.

Here on the Toiyabe, ranchers have always enjoyed free rein. This is, after all, the home of the Sagebrush Rebellion, the place where a telephone call from a rancher could set in motion the transfer of a land manager. Just the threat of that reality generally kept the land managers in line.

But times have changed.

"I want those guys to realize we're going to get good management one way or the other," said Jim Nelson, supervisor of the Toiyabe National Forest. "It's public land," he said. "It's not ranchers' land. It belongs to the people of this country."

Nelson earned his spurs and a hard-nosed reputation in Pennsylvania, where he brought sloppy oil drilling companies under control on the Allegheny National Forest. Then, eight years ago, he came west to head up the Toiyabe's nearly 4 million acres of mountainous country.

"I've never seen land pounded as hard as national forest land in the state of Nevada," said Nelson. In practice, forest rangers control less than 30 percent of the range on the Toiyabe, he estimated. Only 28 of the 149 grazing allotments on the forest currently meet the standards and guidelines of a forest plan adopted in 1986. That means the other 121 allotments are run by the permittees, in any way they please.

"We haven't been good stewards," Nelson admitted. "In fact, what we've allowed is illegal. But we have set up an aggressive program to get on top of it."

At forest headquarters in an industrial zone in Sparks, Nev., Nelson makes a point of handing out "Change on the Range" pins to visitors and showing a video called "Bringing Back the Range," symbols of the agency's changing philosophy of land management.

Symbolism and rhetoric are common in land management agencies. But Nelson and his staff backed rhetoric up with action on the ground.

Backing up the rhetoric

The agency's most dramatic move came July 27-28, when federal rangers

Continued on page 6

Dear friends,

HIGH COUNTRY NEWS

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Scouting the neighborhood

A total week-long failure of the *HCN* office's sewage line has given staff the opportunity to get to know the neighborhood better. Some of us prefer the bathroom in the Paonia Public Library, some like the bathroom next door at the Women's Resource Center, and some like the Grandma's Cafe facilities, although they are almost a block away. But no one likes the bathroom in *HCN*'s future office building, now an empty metal hulk across the street. (See below for details.)

A quiet August

At *High Country News,* August is the loneliest month of the year. Two of our more rambunctious interns have left — Rick Craig to return to the National Outdoor Leadership School in Lander, Wyo., and Auden Schendler to return to Bowdoin College in Maine — leaving the office very quiet. The remaining intern — Jane Bailie — is left with the work of three: answering the phones, clipping scores of newspapers, and churning out Hotlines and Bulletin Boards.

Luckily for Jane, the telephones aren't ringing very much. *HCN* readers and writers are in the backcountry or on the road, rather than sitting at home reading the paper or writing articles for it.

This week's lead article is the result of one such backcountry trip. Jon Christensen, the paper's Great Basin reporter, drove a few hundred miles in late July, mounted a horse, and rode into the middle of a Forest Service roundup and impoundment of deliberately trespassing livestock. (Actually, the cattle weren't deliberately trespassing; they didn't care one way or the other. Their owner had allegedly put them up to it.)

For decades, the Forest Service has looked away from its public land management duties in Nevada, a state that has only marginally accepted the implications of statehood and the federal constitution. But now foresters, driven by changing political times and by their renewed sense of obligation to the land, have become more aggressive about asserting control. The impoundment was a small but historic step, and *HCN* is pleased it was able to cover the event.

It is the kind of "scoop" *HCN* specializes in. If an event happens in Washington, D.C., or at a Denver press conference, the chance of our even knowing about it is unlikely. But if something important happens in Tonopah, Nev., in the middle of the Great Basin, where cattle outnumber people, then a *High Country News* reporter is likely to be on the scene.

A new forest supervisor

Speaking of the Forest Service, the paper's three "local" national forests — the Gunnison, Uncompahgre and Grand Mesa — have a new forest supervisor. He is Bob Storch, who formerly headed up the Nebraska National Forest out of Chadron. Several years ago, *HCN* writer Pete Carrels wrote about Storch's successful efforts to bring some order to the national grasslands in South Dakota that are part of the Nebraska National Forest. Those grasslands had been managed by grazing permittees until Storch and his staff, aided by public interest groups, began to exert pressure.

Storch replaces R.E. "Griff" Grefenious, who was injured in a car-truck collision last fall, and has chosen to retire. In his brief tenure as supervisor, Griff led a total rework of a forest plan that critics charged would have given the three national forests to Louisiana-Pacific. The new preferred alternative — if approved by Regional Supervisor Gary Cargill — will reduce the proposed aspen cut from 3,000 acres per year to about 1,400 acres per year. L-P, whose plant at Olathe is in permanent non-compliance with clean air regulations, says it cannot live with such a small cut. Environmentalists are supporting the 1,400-acre cut.

Some came by

Dorothea Fury and daughter Monique Mustain-Fury of Cortez, Colo., stopped by with the news that George Kelly died at the age of 97 in his home near Cortez. George, who wrote numerous books on Rocky Mountain horticulture, was also well known for his archaeological work. He was buried in the pioneer cemetery near the Battlerock School, about 10 miles down McElmo Canyon. Battlerock is one of the last one-room school houses in the nation.

Dorothea said there is irony in George's final resting place. "When I first moved into the canyon 25 years ago, I heard there was another 'hippie' nearby. George had heard the same thing. Eventually we met and realized we were the hippies. Even after several decades, the old-timers never accepted George. But he outlived them, and now he is being buried beside them."

Cindy Wehling

Dorothea Fury, right, and daughter Monique Mustain-Fury with Piccolo

Dorothea, who works for the Ute Mountain Ute tribe, and Monique were accompanied by Piccolo, a love bird, who rides his owners' shoulders except when he signals that he wants to go to the bathroom.

HCN's graphics person, Diane Sylvain, brought her brother Russell Sylvain and Amy Stamper through the office. They live in Manitou Springs, Colo., where he is a television news director and she is an intensive care nurse.

Steve Basch of Denver came through after hiking in the San Juan range. He works in marketing and is on the board of KCFR public radio in Denver. Steve learned over a couple of friendly beers that KCFR is seen as an invading colonial power by some in western Colorado because of its proposed merger with KPRN in Grand Junction. He got that word from *HCN*'s development director, Linda Bacigalupi, who moonlights as the board president of the local, indigenous public radio station, KVNF.

Paul and Darcie Frohard of Denver and their children stopped by on their way home from Mesa Verde National Park. Darcie works with children's theater at the Denver Civic Theater; Paul administers the Colorado Water Quality Control Commission.

Mr. and Mrs. Chuck Powell of Fort Collins, Colo., came by with a material pun: a spotted dowel — a dowel he had drawn ink spots on. With the Powells was Jean Walker, a former journalist from Albany, N.Y.

Dave Rose of Crested Butte, Colo., came through on his way home. He runs a "non-profit" car-care business, with proceeds going to various philanthropies. He specializes in teaching women how to understand and care for their cars. Dave, a retired California game warden, said poaching is a $100 million business in California, with poachers selling everything from venison by the pound to highly-prized bear gall bladders. California has 300 game wardens to keep an eye on its 31 million people.

Carol Patterson-Rudolph of Wisow, Wash., dropped off her book, *Petroglyphs and Pueblo Myths of the Rio Grande,* published by Avanyu Publishing Inc., of Albuquerque. She is a symbolic anthropologist, specializing in interpretations of Southwest rock art.

Fresh from swamper duties during a raft trip with her daughter, Eve, a boat woman, Lee Maher of Kalamazoo, Mich., came through the office.

Close quarters

Although visitors are always polite, their faces occasionally betray slight shock on walking into *HCN*. The place is relatively clean, and staff wages relentless war on behalf of order and against clutter, but every office is a corridor, every square foot is in use, and one literally falls into the operation through either entrance. There is no gradual way to enter *HCN*'s 1,400-square-foot office.

But that will change in early 1992. On September 3, carpenters began remodelling a 3,600-square-foot metal shell opposite *HCN*'s present office. Tension surrounds this decision — financial tension, fear that we are committing an act of hubris by moving into adequate space, and worry that we will lose touch with the paper's roots. But the plans have been drawn and the construction contract signed. The only thing not yet done is to schedule the move-in date and the housewarming. More information and photos to follow.

— Ed Marston
for the staff

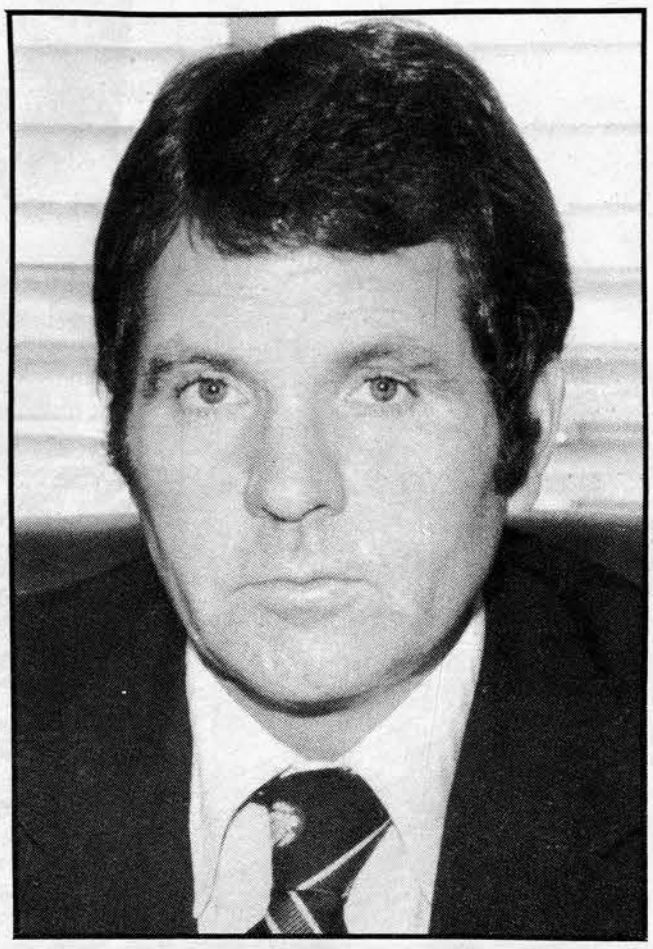
WESTERN ROUNDUP

Another Western senator takes a walk

Steve Symms, the senator from Idaho who made a career out of shooting unsubstantiated barbs from the hip, announced in August he was retiring.

The man who once suggested harvesting timber in Yellowstone National Park left Republicans scrambling to take on Democratic Rep. Richard Stallings, who has announced his intentions to run for Symms' seat.

Symms, 53, was dogged by his divorce and charges of infidelity. His son Daniel, a manager of the Symms fruit ranch, faces U.S. Justice Department charges of falsifying applications for alien farm worker permits.



Idaho's Sen. Steve Symms

More important, Idaho was moving away from the radical conservatism that swept Symms into office in 1980, with Ronald Reagan. Polls taken for state Democrats showed his popularity had dropped substantially in a state that has gradually moved toward the political center.

Symms has remained one of the most ideological conservative politicians in Washington. In recent years he has found himself often in a small minority, voting even against Bush administration proposals. He gained a reputation for making outrageous statements or starting rumors that can't be supported.

Perhaps his most famous was telling a radio station that Kitty Dukakis, wife of Democratic presidential candidate Michael Dukakis, once had been photographed burning an American flag in an anti-war protest. He later said he had no proof.

He responded to the Chernobyl nuclear disaster in the Soviet Union by saying: "Too bad it didn't happen closer to Moscow."

He repeated Rev. Jerry Falwell's remark calling Nobel Prize winner Bishop Tutu "a phony" after Falwell had publicly apologized. He also said blacks were relative newcomers to South Africa and suggested shooting spotted owls.

Environmentally, he lined up to the right of former Sen. James McClure. But he rarely put in the time to be as effective an opponent to environmentalists on Western land issues such as mining, logging and grazing. Still, he was a part of the coalition that supported the Reagan administration's policies favoring commodity users.

"He was a great champion of the Sagebrush Rebellion, and he probably set Idaho environmental protection back 100 years," said Mike Medberry, Idaho Conservation League public lands director.

Symms' departure provides Democrats with an opportunity to capture a Senate seat for the first time since Symms defeated Frank Church in 1980. They already have both the House seats with Stallings and Rep. Larry LaRocco. But Stallings' run for the Senate sets up a battle for his seat in what is considered a generally Republican district.

Idaho Senate Pro Tem Mike Crapo, a conservative Republican from Idaho Falls, has already announced his intentions to run. Democratic State Auditor J.D. Williams is also considering jumping in the race, which would make a good contest for the 2nd district seat.

Boise Mayor Dirk Kempthorne has announced he will run for Symms' seat. He calls himself a conservative Republican but has a reputation for working with diverse groups. He spearheaded the city's efforts to preserve the greenbelt along the Boise River and has worked on initiatives to improve air quality. But his views on public land issues are still unknown.

In seven years Stallings sponsored several environmental bills including a law banning hydroelectric development on the Henry's Fork of the Snake River. But many Idaho environmentalists "are disillusioned after years of working for his election," said Medberry.

Many would jump at the chance to support Kempthorne if he showed an interest in supporting some of their programs, said Gary Richardson, an Idaho Conservation League board member from Boise.

Although Symms is leaving, Idaho's congressional delegation probably won't turn green anytime soon.

"There still will be Sen. (Larry) Craig as a staunch opponent to most of the things we're doing," said Medberry. "Depending on who replaces Symms and what kind of leadership style he has we may not make any gains in the next 10 years."

— Rocky Barker

Rocky Barker is a political and environmental reporter at the *Idaho Falls Post Register*.

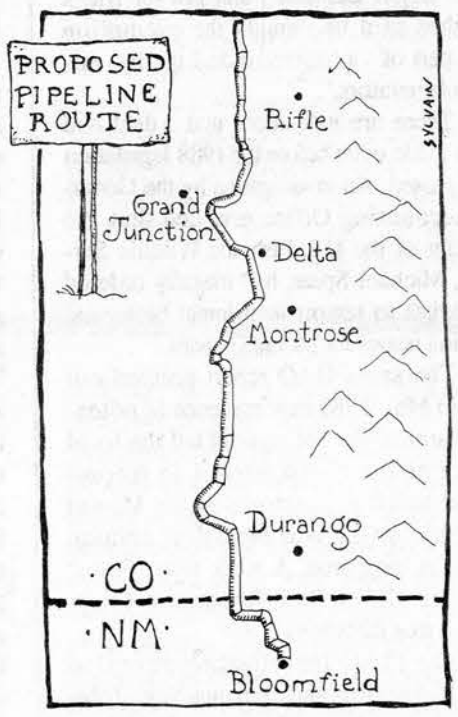
Surveyors sight their way to controversy

A proposed natural gas pipeline from western Colorado to Farmington, N.M., has enraged Grand Junction, Colo., officials. Without authorization, surveyors for the TransColorado Gas Transmission Co. clearcut a 15-foot-wide swath of city-owned land on Grand Mesa, the proposed route of the pipeline.

"It's absolutely unheard of to wholesale clearcut an area without talking to the property owner," said Greg Trainor, utilities manager for the city of Grand Junction. "So we revoked their access and told them, 'don't bother coming back.'"

Trainor said the city may seek as much as $100,000 in damages for the unapproved clearcut. A hunting outfitter who leases the sub-alpine land from the city is asking for a $20,000 lease refund, saying the survey work drove out the area's elk and muledeer.

The proposed pipeline would carry natural gas 300 miles from near Meeker, Colo., to Bloomfield, N.M., and link up with a line serving southern California. A draft environmental impact statement released by the Bureau of Land Management last week cites some impacts to wildlife, archaeological ruins, air quality, watersheds, vegetation and farmland.



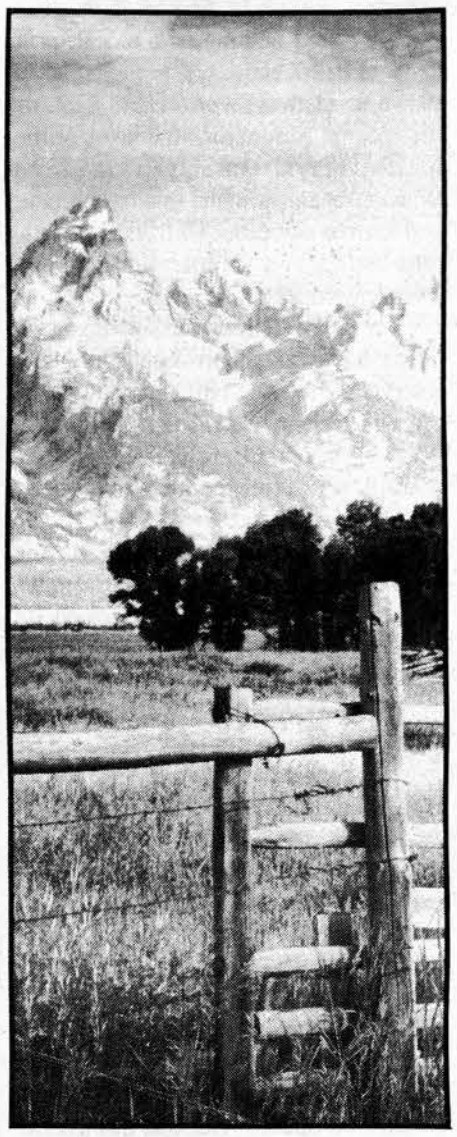
Grand Junction officials maintain the right-of-way sought by the company on Grand Mesa is unacceptable because of visual impacts and threats to the city's water supply source. "You can't pick worse conditions to build a pipeline," said Trainor.

Officials at TransColorado, a consortium of WestGas, Questar and KNEnergy, said the clearcut was a mistake that won't be repeated. "The impacts of the pipeline are really minimal when compared to the benefits," said spokeswoman Connie Holubar. "This is a really important link to the national natural gas pipeline grid."

Public comments on the draft EIS are due Oct. 8. To receive a copy, contact Chuck Finch, Project Manager, Bureau of Land Management, 2465 S. Townsend Ave., Montrose, CO 81401 (303/249-7791).

— Florence Williams, staff reporter, **HCN**

HOTLINE



Wyoming's Grand Tetons

Park Service to investigate ranch

A dude ranch owned by U.S. Fish and Wildlife Service director John Turner and his family is under investigation by the National Park Service. According to files obtained by the *Billings Gazette*, the Triangle X Ranch, located within Grand Teton National Park in Wyoming, has illegally buried trash that contained lead acid batteries, defied park regulations to bulldoze gravel and overgrazed cattle. Last month, Jack Stark, recently retired superintendent of Grand Teton, told agency director James Ridenour in a memo that the ranch's operation was "seriously inconsistent" with park policy. John Turner's brothers, who operate the Triangle X, said their concession permit should not be revoked. "The good we do far outweighs some of the things we don't do so good," said Harold Turner. At the request of the Turner family, Ridenour dispatched a team of investigators to the ranch last week.

Idaho protests timber sales

Dwindling wildlife populations on Forest Service land near Yellowstone National Park led Idaho's Fish and Game Department to contest timber sales. In late July, the state agency intervened on behalf of seven environmental groups appealing two sales near the park's western border. "[We've] been put in the position of using drastic means to get the Targhee National Forest to use a balanced approach," said Idaho's Fish and Game regional supervisor Herb Pollard, according to AP. The state agency first questioned Targhee management policies in 1982, warning that timber harvests proposed in the Forest Service's 10-year plan would reduce wildlife populations. Time proved the state correct. In 1981, over 200 deer and 60 elk were killed by hunters in the area; in 1990, only nine elk and no deer were taken. The sales are on hold until the appeals are settled this fall.

Mount Graham may be astronomy's black hole

For generations, Apache spiritualists have practiced healing on a mountain in southeastern Arizona. The mountain is known to them as *Dzil nchall si an*, or "Big Seated Mountain," the home of the spirit dancers. On maps it is called Mount Graham, a name that has become well known since the University of Arizona announced its intention to build seven telescopes on the peak.

For the last three years, environmentalists have fought to keep the giant observatory away from what they say is a rare ecosystem, an island relic of Pleistocene spruce-fir forest and the home of a subspecies of red squirrel that has been listed as endangered since 1986.

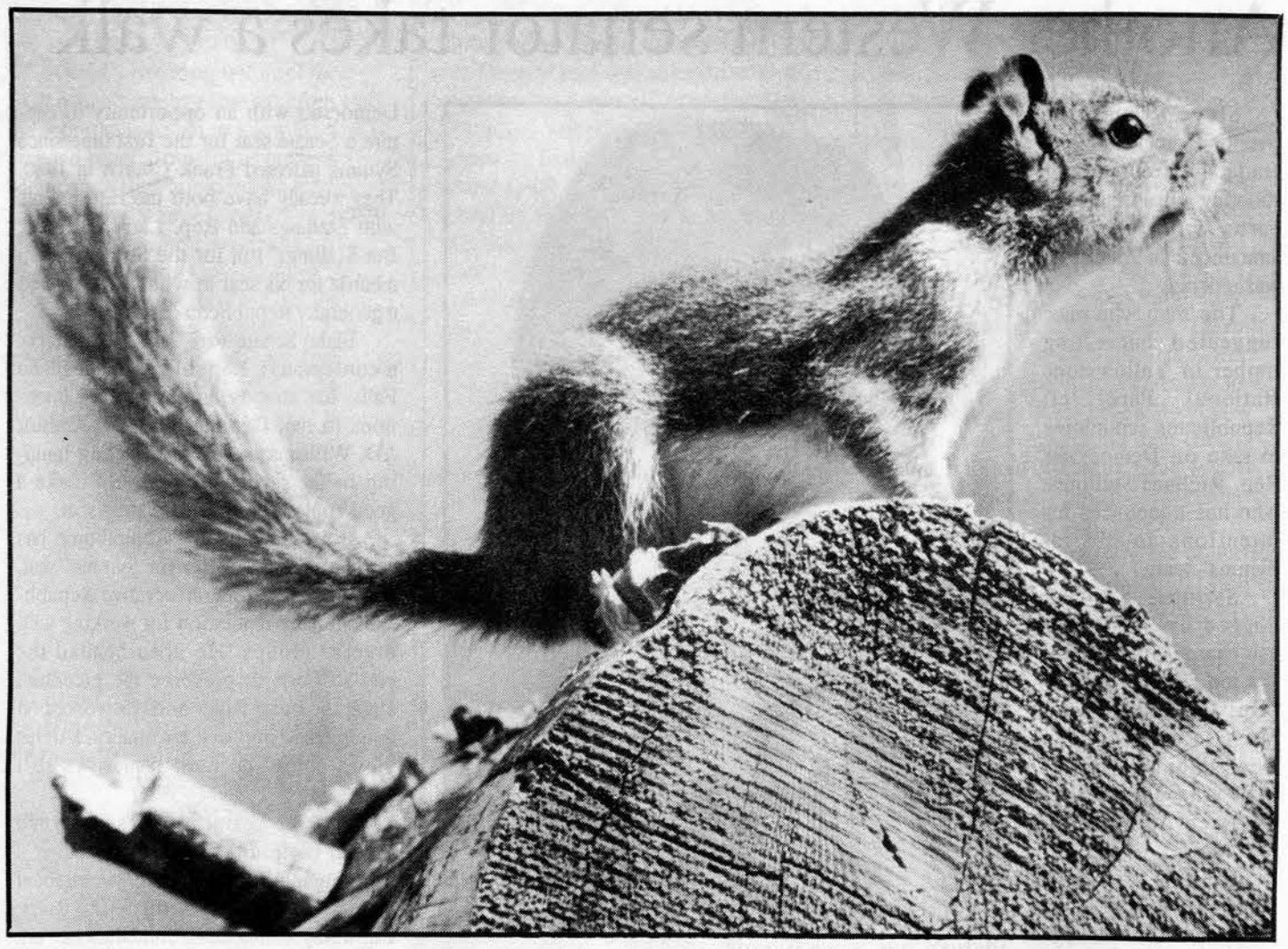
Now, support for the observatory is eroding. Last month, a coalition of Apache tribe members announced its opposition to the telescope project. The Smithsonian Institution, which had been a primary sponsor of the observatory, withdrew support early this summer, opting for a different site at Mauna Kea in Hawaii. Although the University of Arizona plans to go ahead with construction, it faces a major lawsuit from the Sierra Club Legal Defense Fund.

Citing evidence of negligence and corruption by the university and federal agencies, the legal defense fund hopes to force a new environmental impact study of the project. The group contends that the university has willfully neglected the Endangered Species Act, and that federal agencies colluded with the university to misinterpret federal law.

Environmentalists such as Robin Silver, a physician in Phoenix, say they have evidence of deception, beginning as early as 1988. At that time a congressional rider authorizing the proposed telescopes was attached to a piece of existing legislation.

In order to pass the legislation, both senators from Arizona assured Congress that the rider, which contained an exemption from the National Environmental Policy Act, would not also bypass the Endangered Species Act. During the floor debate, Quentin Burdick, D-N.D., tried to pin this down, saying:

"...am I correct that this legislation requires the project in question to comply fully with the requirements of the Endangered Species Act...?"



Robert Hilgenfeld

The endangered red squirrel

Arizona Sen. Dennis DeConcini, R, replied: "My colleague from North Dakota is correct..."

The bill passed and the project was under way.

Despite DeConcini's assurances to Congress, David Todd, a lawyer for the University of Arizona, later claimed in court that the project was exempt from all environmental regulations. He told U.S. District Court Judge Alfredo C. Marquez that even if the project "was going to kill every squirrel (nothing) could be done about it."

The Sierra Club Legal Defense Fund argues that Todd misread the rider, which ensures compliance with the Endangered Species Act by requiring a "biological opinion." Biological opinions are prepared by the U.S. Fish and Wildlife Service to assess a project's impact on the local environment. They include a provision requiring an additional review if there are new developments. In the case of Mount Graham, environmentalists say new information invalidated the initial opinion.

"You'd have to be a nut to interpret this law as an exemption from the Endangered Species Act," says Bob Witzeman of the Maricopa Audubon Society in Phoenix. The only way to read the rider as an exemption, he points out, is to omit any reference to the mandated biological opinion.

This is how defenders of the project read the law; they ignore the mandate for the biological opinion while stating that all environmental concerns have been met. This key clause mentioned by Witzeman was omitted in a letter from Arizona Gov. Fife Symington to an inquiring citizen last month, according to the *Phoenix Gazette*, and again in a later letter from State of Arizona Regent Eddie Basha to another citizen.

In an interview, Steve Emerine, public relations spokesman for the University of Arizona, also failed to mention the biological opinion, implying that the Endangered Species Act had been unconditionally satisfied.

Environmentalists also say that the university should never have received a legal exemption from the National Environmental Policy Act. Projects that have been granted NEPA exemptions, such as the Alaska pipeline and the MX mobile missile system, were issues of national significance. The observatory, by comparison, would be one of 56 in the country.

"Generally, there have been very few exceptions to NEPA in the 21 years since its inception," says Nick Yost, a member of the Council on Environmental Quality under Jimmy Carter and author of the NEPA regulations.

Maricopa Audubon's Bob Witzeman speculates that the NEPA exemption was granted not only because of political pressure from Arizona's congressional delegation, but also because the project appears harmless at first glance.

"If it had been Exxon or Union Carbide, it might have been different. But with the university and telescopes, it looks like motherhood and science: that's how we lost our pants," says Witzeman. Sierra Club Legal Defense Fund lawyer Mark Hughes said he thought the exemption was part of "a backroom deal cut by Arizona legislators."

There are indications that a deal had been made even before the 1988 legislation was passed. An investigation by the General Accounting Office revealed that the director of the U.S. Fish and Wildlife Service, Michael Spear, had illegally ordered biologists to temper their initial biological opinion issues for Mount Graham.

The same GAO report pointed out that in May 1989 new evidence of potential harm to the red squirrel led the local office of the Forest Service to recommend halting construction on Mount Graham until a new biological opinion could be prepared. A week later, Forest Service Chief Dale Robertson overturned that decision.

The GAO investigation revealed that Robertson and Arizona Sen. John McCain had "an understanding" that the Forest Service would not get in the way of the project.

In August 1990, assistant attorney general Richard B. Stewart, who is head of the Department of Justice's Environmental and Natural Resources Division, ruled that no new biological opinion was required. A subsequent letter to Attorney General Richard Thornburgh from Robin Silver argued that Stewart's decision "compromised U.S. Department of Justice mandate" because he had publicly expressed a bias in favor of the telescopes before ruling on the case.

As the controversy continues, opposition has increased. On June 4, all nine members of the San Carlos Apache Tribe wrote to the project sponors and to the regional forester, charging that the Forest Service, in authorizing the project, had failed to comply with the National Historic Preservation Act, the American Indian Religious Freedom Act and the National Forest Management Act.

While officials at the Smithsonian Institution denied their pullout had to do with environmental considerations, Dr. Thomas Lovejoy, the institution's director of international affairs, told the Cincinnati *News Record* that if he had been secretary of the Smithsonian, "We would have been out of there when I first heard the project was proposed."

The Max Planck Institute, another sponsor, told the German magazine *Stern* that it would have pulled out if it could afford to support the superior but more expensive Hawaiian observatory. Four of the original eight sponsors have dropped out, including the University of Ohio, which announced that though it still favors the project, no further state money will be invested.

Meanwhile, the University of Arizona, undaunted, is on the verge of pouring concrete foundations for its observatories. Should it lose the pending court case with the Sierra Club Legal Defense Fund, prosecutors say a new biological opinion of the area will be required. If the opinion found for the red squirrel and against the telescope, the mountain will feature what Bob Witzeman calls "a cement and rebar monument to the University of Arizona's arrogance."

— Auden Schendler

Auden is an *HCN* intern and senior at Bowdoin College in Maine.

HOTLINE

Old bones and new growth

Sixty-five million years after their demise, prehistoric dinosaurs have caused a spat among four North Dakota towns. Bismarck, pop. 50,000; Dickinson, pop. 16,000; Bowman, pop. 1,730; and Marmarth, pop. 200, are all vying for possession of dinosaur bones found in the area. The southwest region of the state is rich in such buried treasure, but poor in jobs and dollars. A museum could attract tourists and generate grants for further excavation in areas bereft of employment opportunities, reports AP. "These small towns, especially down in this corner of the state, there's just nothing here," says Larry Lecoe, Marmarth city commission president. "Anything that could be brought in would help."

BARBS

A loaf of bread and... lead.

The University of Medicine and Dentistry in New Jersey found that 87 percent of plastic bread wrappers contained lead and other toxic metals.

Grizzlies may be laying low in Colorado

Spurred by a reported sighting of a grizzly sow and three cubs last fall, a group of 15 volunteers from four Western states has begun systematically combing the San Juan Mountains, hoping to prove the bears still survive in Colorado.

The group, called the Citizens Committee for the Colorado Grizzly, formed in late spring. The single most-prized object they'd like to retrieve from hundreds of thousands of wilderness acres is a single silver-tipped hair. A chromosomal test could provide incontrovertible evidence that the bears survive in Colorado.

Such proof would undoubtedly trigger a debate about whether grizzlies should be reintroduced in Colorado, since any population that remains is small and probably inbred. No one could predict the outcome of a debate in a state where the wildlife commission has long taken a firm anti-grizzly position.

But there's little doubt that proof of the grizzlies would have more immediate implications. First, Colorado would probably have to ban all bear hunting in a broad area surrounding the "discovery zones."

Then, the proposed East Fork ski area, planned as a mega-resort near Pagosa Springs, suddenly would have another substantial obstacle in its path, and logging operations in many portions of the San Juans would be cast in a different light.

Currently, the Forest Service lists the San Juans as a "further study area" for the species, but says it lacks the money to perform a study.

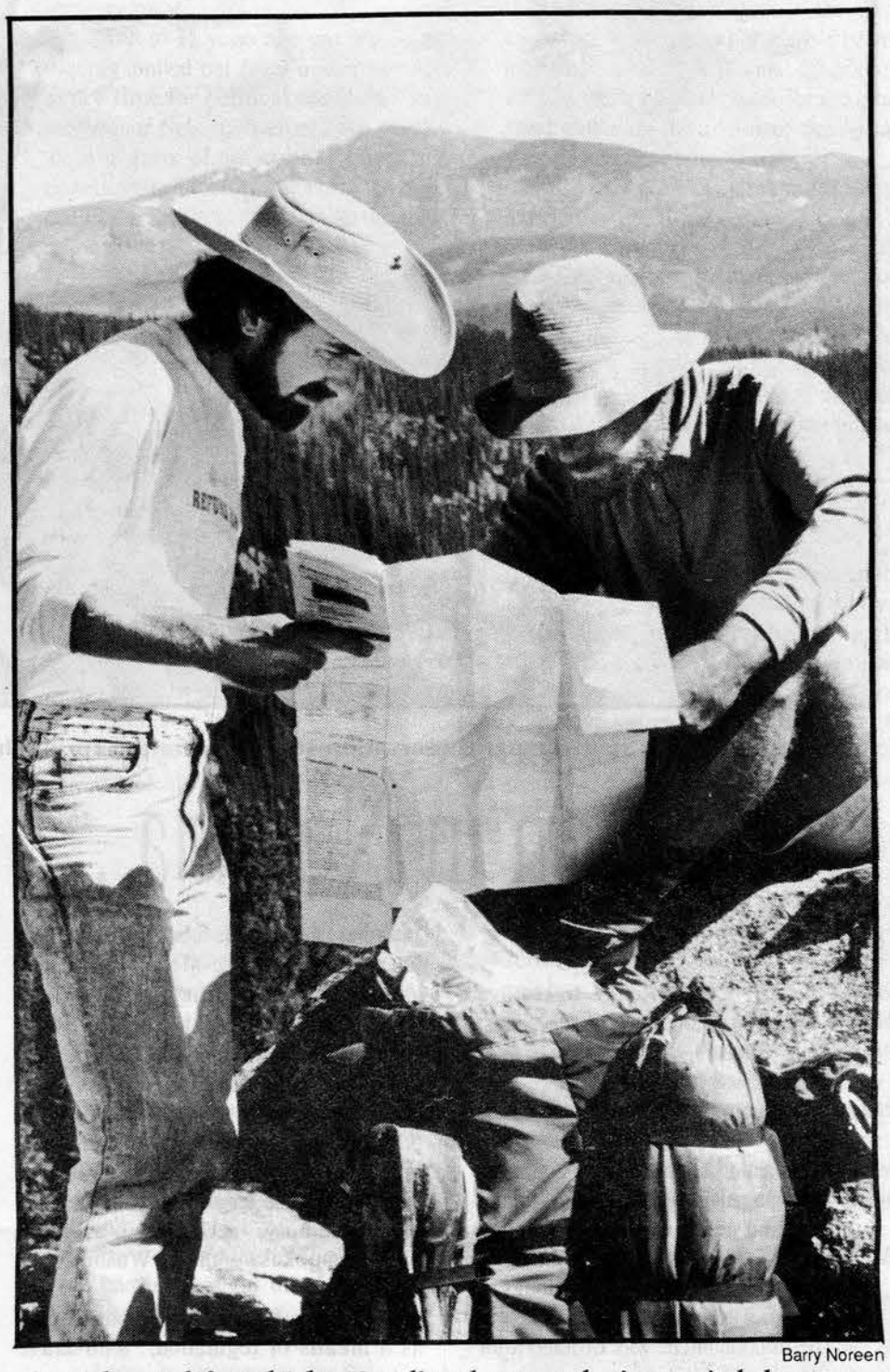
Officially, of course, grizzlies are extinct in Colorado. "We feel that there are no grizzlies down there," said Colorado Division of Wildlife spokesman Todd Malmsbury. "If there is one, there's not a viable population."

No bear expert denies that the San Juan Mountains offer prime grizzly habitat. "There's no need to prove grizzlies can live here. We know that," said Jim Tolisano of Santa Fe, a member of the Citizens Committee who hiked into the South San Juan Wilderness in mid-July.

The experts have wrongly written off the grizzly before. The bear was deemed extinct in Northern Mexico by the 1930s, yet two grizzlies turned up in the 1960s. Bears shot in Colorado in the 1950s also were believed to be the last — until a grizzly was killed by an outfitter in 1979.

Tom Beck, who prepared Colorado's grizzly inventory in 1981, leaves open the possibility that a couple of bears remain.

"I'll never say never," Beck said. "The animal has shown us in Europe and elsewhere that small groups of bears can survive."



Barry Noreen

Jim Tolisano, left, and John Napoli study a map during a grizzly hunt

"This place is wild and this is an ecosystem that can be restored to a very healthy state," said Tolisano, an environmental consultant who has worked extensively for the United Nations, the Peace Corps and the Agency for International Development.

Making the trip with Tolisano were George Fischer, a physicist with a master's in biology from Salt Lake City, and surveyor John Napoli of Telluride. The three were brought together on the initiative of naturalist and bear expert Doug Peacock of Tucson. Another member of the group is Dennis Sizemore, a wildlife biologist who is an acknowledged grizzly expert, also based in Salt Lake City.

The spark setting the process in motion was a bear sighting by Dennis Schutz, a wrangler for a private ranch with decades of experience in the high country. In the fall of 1990, Schutz observed a sow and three cubs playing in a meadow.

The sighting was taken seriously because of Schutz's long experience and because of the location, which is not far from the spot where the last known Colorado grizzly was killed.

How does one go about finding a grizzly in country where it is supposed there are none? "Basically, we're trying to think like a bear," Tolisano said.

That means bushwhacking through side canyons where even backpackers wouldn't go, looking for a spot where a bear would bed down for the day and gathering bear scat, to be analyzed later. The July trip yielded some scat with blond hairs in it, which Tolisano said would be shipped off to a grizzly lab in Montana.

Regardless of the results of any hair tests, the group plans to continue the search throughout the summer. Permission has been obtained to search on private lands adjacent to the wilderness and national forest areas.

Other than being provided with cabins to use as a base, the Citizens Committee has generally done its work with no outside help. Donations, however, can be mailed to: The Great Bear Foundation, Box 2699, Missoula, MT 59806.

— Barry Noreen

Barry Noreen reports for the Colorado Springs *Gazette Telegraph.*

HOTLINE

Native Americans assail mining company

Leaders on the Fort Belknap Reservation in Montana are outraged at a mining company for offering scholarships and environmental monitoring in exchange for endorsement of a proposed mine. The project, a cyanide heap-leach operation, was slated for the Little Rocky Mountains above the headwaters of several streams on the reservation. But this spring, an Indian community organization called Red Thunder filed an appeal to force an environmental impact statement, reports the *Billings Gazette*. Afterwards, Pegasus Mining Inc. allegedly proposed a "deal" to the Gros Ventre-Assiniboine tribal council. If the council withdrew its support for the EIS, the mining company would sponsor scholarships and begin environmental monitoring of air and water quality. Council member William Main said the proposal was "blatant manipulation." It shouldn't be necessary to negotiate monitoring wells, he said. "Monitoring wells should have been installed from the beginning, when a mine first opened 12 years ago," said another tribal council member, Warren Matte. A spokesman for the mining company admitted an offer was presented to the tribal council, but "didn't recall anything specific."

HOTLINE

Toxic waters run deep

Leaking storage tanks have formed a giant pool of jet fuel beneath the Williams Air Force Base in Mesa, Ariz., and it could eventually threaten the Phoenix water supply. The danger is that the 750,000-to-1-million-gallon "puddle" might seep into an aquifer, reports the *Arizona Republic*. Other contaminants at the base, which was added in 1989 to the Superfund list for cleanup, include pesticides, heavy metals, radium dials and solvents. The military base is scheduled to close in 1993.

Is logging compatible with a sacred site?

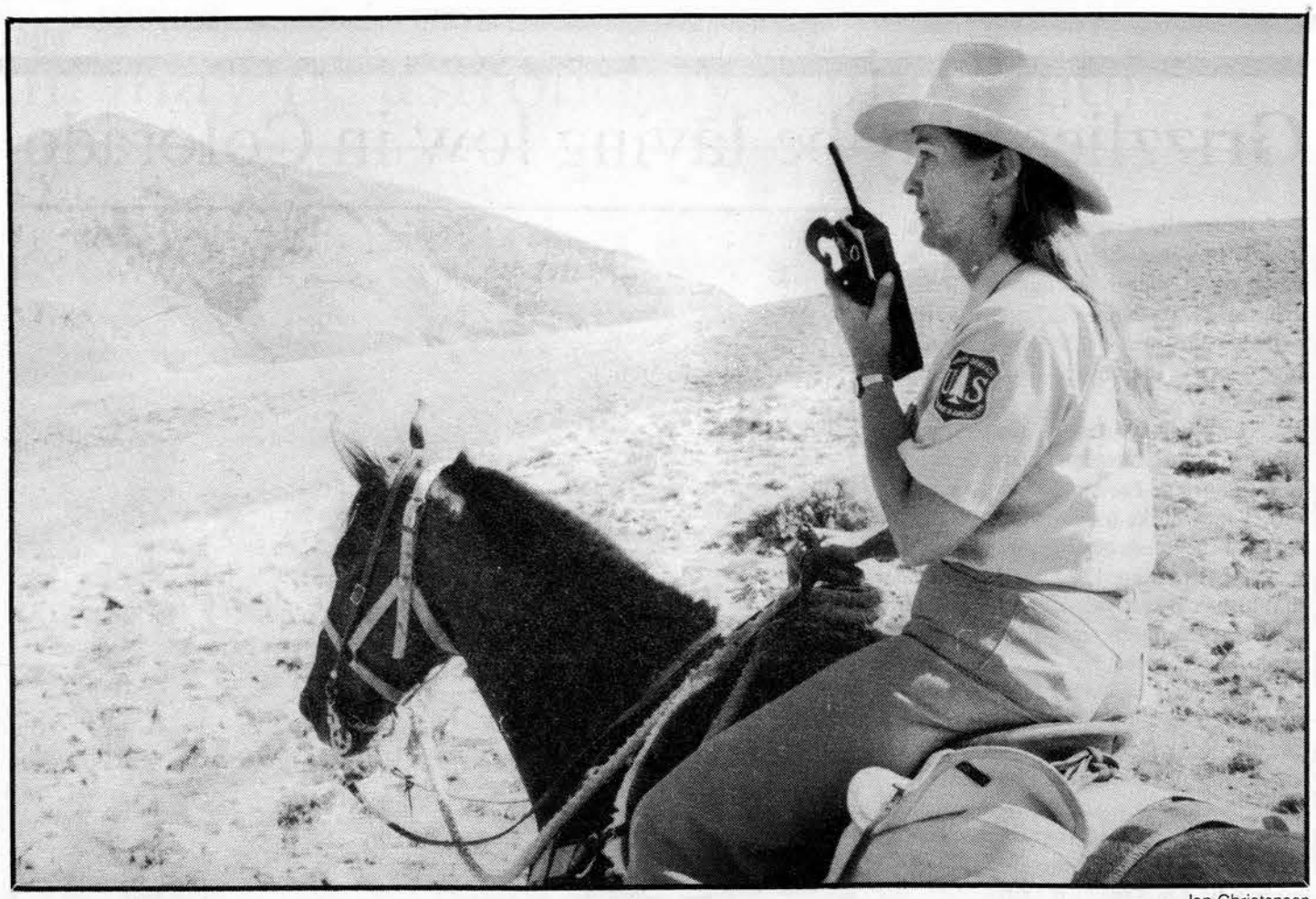
An ancient Native American Medicine Wheel, thought to have been a center for worship and astronomy, sits on a windswept ridge in Wyoming's Big Horn National Forest. Native Americans who have sought to protect the surrounding lands from development and logging (*HCN*, 8/29/88) say the forest's draft environmental impact statement reveals plans to increase commodity uses in the area. Hamon Wise, a Shoshone from the Wind River Indian Reservation, said proposed road improvements would increase logging access near the Medicine Wheel. "There's a lot of hidden agendas in the EIS," he told the Casper *Star-Tribune*. Forest Service spokesperson Mary Randolph said the road improvements are intended to increase safety for the 30,000 tourists who visit the site each year. She denied any plans to use the road for logging, but admitted that timber cuts near the Medicine Wheel are included in the forest's five-year plan. Recently, a coalition that supports banning multiple-use on lands surrounding the Medicine Wheel gained support from the Wyoming State Historical Preservation Office and the federal Advisory Council on Historic Preservation.

Playing with danger

Visitors to the Coeur d'Alene River and chain of nearby lakes in northern Idaho will soon read a double message on signs: Enjoy yourself, but don't touch the water or the soil. A recent study by the Bureau of Land Management found the area so contaminated with lead and other mine wastes from a century of operations that people who swim, fish or camp in the region could be endangering their health, reports the *Spokane Spokesman-Review*. But warning those seeking to enjoy the area's recreation opportunities could be difficult, says Dave Leeds of the Rose Lake Improvement Association. "I'm afraid a lot of people will read the first line (of the signs) and say, 'Ah, another government joke. How am I supposed to recreate and not touch dirt and mud?' "

'They follow the Columbus method of grazing: put them out in the spring and go discover them in the fall.'

— Waive Stager, range conservation supervisor



Jon Christensen

Roundup boss Waive Stager, range conservation supervisor for the Tonopah district

High noon in Nevada ...

(Continued from page 1)

scoured the Toquima Range to remove cattle belonging to one of Nevada's most outspoken ranchers, Wayne Hage, owner of the Pine Creek Ranch in Monitor Valley and an arch-nemesis of federal range managers.

Their action created a confrontation between an agency determined to run the public's land and a rancher convinced that Forest Service land across the West is actually private ground that belongs to the ranchers whose cows graze it.

The impoundment was ordered after seasonal range riders found Hage's cattle on the 47,000-acre Meadow Canyon allotment, where grazing had been suspended by the agency for five years because of "serious resource problems" caused by overgrazing.

By the end of the weekend, 73 head of cattle were confined in federal holding pens on the mountain meadow.

It was "the largest impoundment in recent memory," according to a Forest Service spokeswoman in Washington, D.C.

"We don't like to use impoundment as a means of regulation," said Dave Grider, the district ranger who ordered the action. "But we're at the point where our regulatory authority is being contested.

"Our effort to get control of livestock management is controversial statewide," said Grider, who has the understated demeanor and firm jaw of a rancher himself. "But we're taking a stand. And we're not just picking on Wayne Hage."

Hage sees the impoundment as punishment for his unrelenting challenge of the federal government's right to regulate grazing on public lands. Hage also appears to be spoiling for a fight. A lone wolf, he is hardened and bitter, as much from the lack of support from the mainstream of the ranching establishment as from his constant battles with federal bureaucrats.

"Ranchers have always been loath to support each other," said Hage, who views the leadership of cattlemen's organizations as too quick to compromise.

'We're not managing for red meat anymore.'

— Jim Nelson, Toiyabe National Forest supervisor

Jon Christensen

Jim Nelson, forest supervisor for the Toiyabe National Forest

That critter boy

Hage is a big man with the rancher's steely gaze and demeanor, but without the courtliness many ranchers have. He refers to the district ranger as "that critter boy," for example. His dispute with the Forest Service goes far beyond contempt for bureaucrats, however. He laid out his underlying philosophy in a book he published two years ago, *Storm Over Rangelands: Private Rights in Federal Lands.*

Hage argues that public land ranchers hold not only water rights through state water courts, but range rights that existed prior to the withdrawal of the forests reserves 100 years ago. "The federal lands have the color of private property rights all over them," he is fond of repeating.

In his book, Hage lays out a legal theory that he asserts could unravel federal control of 270 million acres of Western rangelands. In recent years, he has traveled the West sharing "brushfire litigation strategies" that he claims ranchers can use to "fight back and win" against federal land agencies.

"If you have property rights, you are entitled to due process and just compensation," Hage told a recent gathering. "If you have no property rights, you better just do what they say. And they can do exactly what they want."

These days, ranchers are disturbed

by increasing calls for "cattle free by '93" and by recurring moves to raise the public lands grazing fee in Congress. At least some are reluctantly becoming convinced that grazing permits are not a right but a privilege, as asserted by the federal land agencies and backed by Congress and decades of court decisions.

But Wayne Hage is not a compromiser, and agreeing with him is a growing cadre of ranchers around the West who are attracted to his legal strategy.

"A lot of people are waiting to see what happens here," observed Waive Stager, range conservation supervisor for the Tonopah district. "If we can't get Hage to comply, we won't have a chance with any of them."

On the first morning of the Meadow Canyon roundup, Stager and an armed Forest Service law enforcement officer accompanied a dozen contract cowboys into the mountains in search of Hage's errant cattle. From horseback, Stager described what she saw: "not enough grass, too much sage, no deer, and fresh cow tracks where none should be" — conditions that led to the suspension of grazing on the allotment.

"Their cows are practically wild," said Stager, as she scanned the canyons. "They follow the Columbus method of grazing: put them out in the spring and go discover them in the fall. That's the kind of management that's practiced a lot in this country. That's why we have the problems we do.

"Livestock management in Nevada has to change," added Stager, as the cowboys herded a bunch of cattle down from a high saddle in the mountain to the federal holding pens. "We can't continue this way. The resource condition is deteriorating. And the public wants improvement."

The confrontation between Hage and the agency did not come about on the spur of the moment. Officials at the highest levels of the Forest Service, the Department of Agriculture, and even some in Congress were briefed on the coming impoundment. Originally planned for a week earlier, District Ranger Dave Grider said he postponed the roundup after the regional forester in Ogden, Utah, told him to hold off to give the cattlemen's association an opportunity to convince Hage to compromise.

Hage would not budge.

During the roundup, Hage toured the allotment with Jim Connelly, president of the Nevada Cattlemen's Association, and two Forest Service employees, an ecologist from the intermountain regional office and a range specialist from the national office.

Hage called Forest Service claims of damage to the ecosystem "all subjective reasoning, no science."

"The whole resource issue is a farce to deprive and erode rights," he said. "You can argue it forever and ever."

Hage accused the regional ecologist, Al Winward, of picking out the bad while ignoring recovery that was taking place. He pointed to waist-high grass and took pictures of the Forest Service representatives standing in lush meadows. But, Winward said, Hage turned his back on creeks that are cutting down through the meadows, lowering the water table, and changing the ecosystem.

The edge of collapse

"The ecosystem is right on the edge of collapse," Winward said. "Some meadow complexes have already collapsed. We just don't have to sacrifice part of the landscape to use some of it anymore."

The regional ecologist stood by his recommendation that the allotment get a five-year rest from grazing. The Forest Service chain of command backed the impoundment.

"Ten to 15 years ago we would get the rug pulled out from under our feet every time for political reasons," said supervisor Nelson. "Before, the politics were in favor of not making waves and upsetting commodity interests. But the politics are now in favor of government management.

"We're not managing for red meat anymore," said Nelson. "We're managing for the ecosystem. And we have strong support now, all the way to Washington."

"It's viewed as the district ranger doing his job to get compliance," said Dave Stewart, the range specialist from Washington who toured the allotment with Hage.

"This is a local issue," said Forest Service Chief F. Dale Robertson. "And we support the forest and region in their efforts to correct the unsatisfactory resource conditions on the Toiyabe National Forest."

Even the cattlemen's representative distanced himself from the conflict. "We're not in the business of being on one side or the other," said Connelly. "We try to set policy and work it out between the agencies and the industry. But we try not to get involved in individual squabbles. That's for their lawyers."

"You've created a fire sale situation," Hage argued with Winward. "All we can do now is liquidate and get out. Tell them the Forest Service has finally succeeded in putting Wayne Hage out of the livestock business. They've got even with me for writing that book."

When he saw his cattle in the federal holding pens, however, a rueful smile came over Hage's face: "The Forest Service has just bought themselves a big problem. They've walked right into a trap."

Later, in his home at the Pine Creek Ranch headquarters, on a lonely stretch of dirt road in Monitor Valley at the foot of the Toquima Range, Hage sat down at the kitchen table to write out an affidavit with three of his cowboys and his son, Wayne Jr.

"It's a set-up deal, a squeeze play, entrapment," Hage fumed. "We've done everything we could to comply with an order that was designed so that we couldn't comply with it."

The geography of the Forest Service and BLM allotments is at the root of Hage's charge. Hage and his wife, Jean, hold permits to run cattle on two huge chunks of Forest Service land, totalling more than 200,000 acres. One chunk is in the Toquima Range and another is on Table Mountain across Monitor Valley to the east. But in between they hold a grazing permit for the valley floor, controlled by the Bureau of Land Management. The 20-mile boundary between the BLM and Forest Service allotments is open, except for some cattle guards and fences at the mouths of canyons.

Hage said he had done everything he could to keep his cattle strictly on his BLM allotment and off the forest this year, including selling most of his herd, which once numbered 2,000. But that proved impossible. Hage charged that the Forest Service engineered a situation where his cattle would naturally wander on to unauthorized land.

The Forest Service did more than just suspend grazing for five years on the Meadow Canyon allotment; it also canceled 38 percent of Hage's permit because of noncompliance with regulations, permanently reducing the number of cattle permitted from 340 to 212 cow-calf pairs. Across the valley on Table Mountain — rated as the best allotment in Nevada by forest rangers — the agency canceled 25 percent of Hage's permit and suspended an additional 20 percent for two years as punishment for unauthorized cattle on the allotment during last year's grazing season.

But Hage's charges that the Forest Service made it impossible for him to obey their permit suspension are a side issue. His major claim is that the suspensions and cancellations constitute a "regulatory taking" of his private property. The Forest Service, by cutting him off from the grass, deprived him of the ability to use his water rights in the mountains for stock watering, he said.

It's a possible test case

He demanded a "takings implication assessment," a measure mandated by a presidential order adopted during the Reagan Administration. Hage claimed the Forest Service destroyed his ranch, which he valued at $4 million. At the same time, he hinted broadly, he was building a case that would bring down the agency.

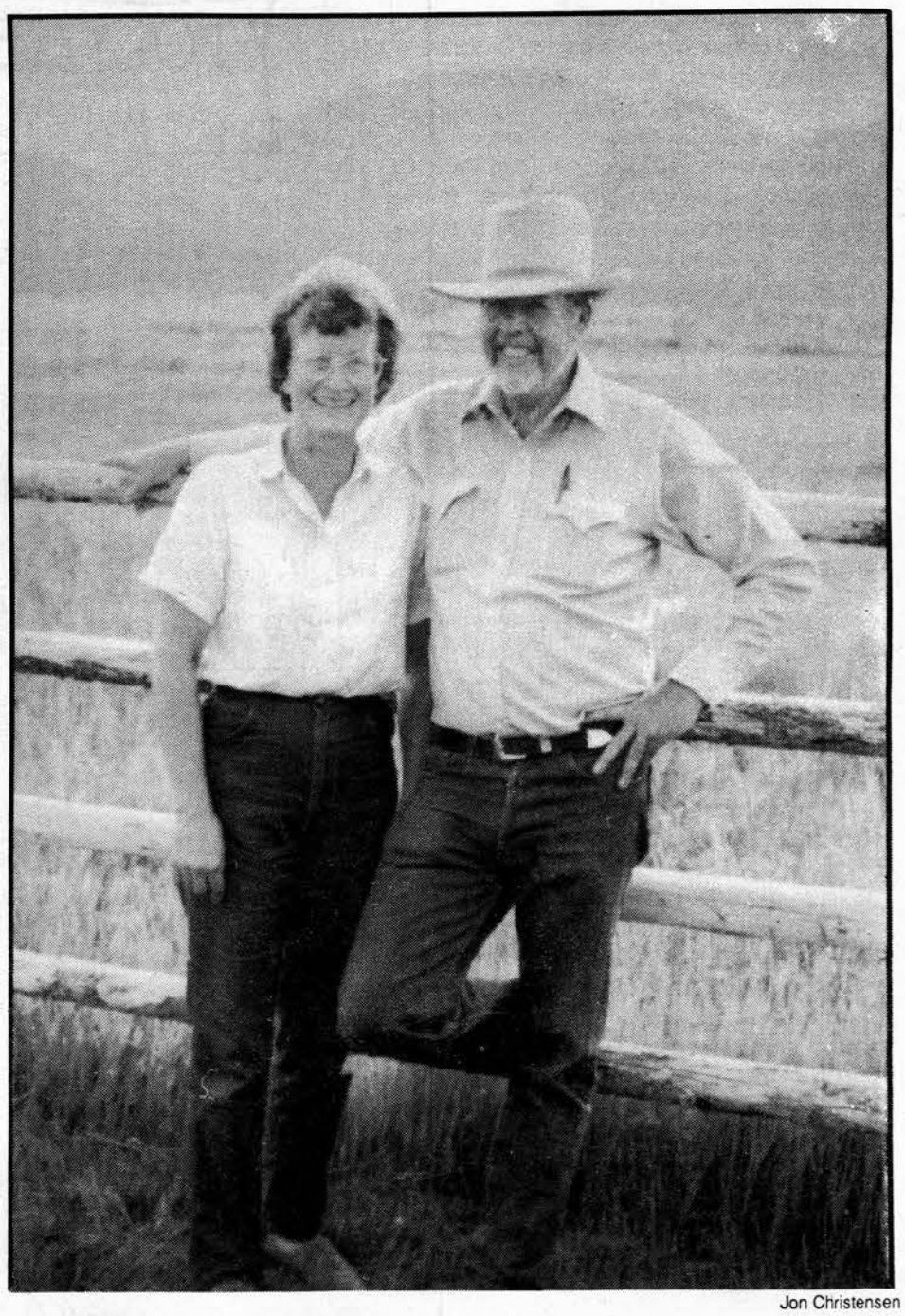
Hage claimed not to have the wherewithal to sue the Forest Service himself. But by late August, he was referring all inquiries to his lawyer and son-in-law, Jeffrey Morrison, in Reno. Although a suit has not yet been filed on his behalf, all evidence points toward a possible test case of Hage's theories based on his run-ins with the Forest Service.

Hage's legal theories don't impress the Forest Service.

"I know who's breaking the law," said Jim Nelson. "He's got a permit. It's

Continued on next page

> 'The Forest Service has just bought themselves a big problem. They've walked right into a trap.'
>
> *— Wayne Hage, rancher, author*



Jon Christensen

Jean and Wayne Hage at their Monitor Valley ranch

High noon in Nevada ...

(Continued from previous page)

a privilege. He's abused it intentionally. He's breaking himself, if you ask me. He's orchestrated the whole thing."

The Forest Service gave Hage a week to redeem his cattle for the cost of the roundup, which quickly mounted to more than $20,000. Hage made no move.

After advertising its intent to sell the cattle, the Forest Service trucked the 74 head — a calf had been born in the pens on the mountain — to the Gallagher livestock auction yard in Fallon, Nev.

On sale day, a group of Hage's friends and members of a group he founded called the National Federal Lands Conference protested outside the auction with a display of pictures taken on the allotment right before the roundup.

"The Forest Service is going to ruin Wayne," said Kent Howard, a rancher from northeastern Nevada. "And this is why," he said, holding up a copy of Hage's book. "It's just a vendetta."

Pointing to a picture of Hage surrounded by grass, Howard said, "We wouldn't be here if we thought he was doing a bad job. He can be proud. His was one of the best ranches in Nevada. But not with what the Forest Service is doing now."

A foul mood hung over the plankways above the holding pens in the yard behind the auction house. Ranchers grumbled about the "green shirts," Dave Grider and Waive Stager, who had come to oversee the sale.

"This just ain't right," said George Parman, a former rancher and trucker. "It ain't the American way. If they pull this off, it'll set a precedent. Pretty soon there won't be any cattle business in Nevada."

"This plankway kind of stinks," one bystander muttered, brushing by Grider, who earlier had gotten a shoulder in the chest as another cowboy passed with a brusque "excuse me."

"We've been hearing comments all day," said Grider. "The atmosphere is not very favorable to government."

As the hot afternoon wore on the tension mounted, and auction yard owner Tim Gallagher refused to sell the cattle. A $1 million lien held by the Key Agricultural Credit Corporation against the Hage herd had turned up. That company refused to share any sale proceeds with the Forest Service.

"No one tries to make it easy," said Jim Nelson, who blamed "local politics" for the delay of the sale. "We aren't the most popular people," he sighed.

Throughout August, the impounded cattle wallowed in limbo in the auction yard pens as the Forest Service moved to set up a private sale. Meanwhile, range riders found another 83 head of Hage's cattle in trespass on the mountain.

Finally, on Aug. 27, the agency sold 55 cows through public auction and 19 cows through "private treaty," for a total of $28,000. Profit for Wayne Hage or lien holders was only $5,000, however, since the Forest Service charged impoundment fees of $23,000.

A concern about image

Nelson appeared increasingly concerned about the agency's image in Nevada. "Hage is trying to paint a picture of us putting him out of business," said Nelson. "Politically, we're vulnerable to being seen as more sensitive to resources than to people on the Toiyabe National Forest.

"I can't let that happen," he said. "I'm in this to win: to get good management and protect the resource. But we're not here to put anybody out of business. Our job is to keep ranchers in business on the ground.

"We're interested in a stable, thriving livestock industry tied to private lands and a healthy ecosystem on public lands," said Nelson. "Without that healthy ecosystem, you won't have a stable industry over the long haul."

In the short term, Nelson said, many ranchers will face reductions. But the forest plan projects an eventual increase in after the range has recov producing more forage.

"Grazing is a valua agement," said Dave Gr don't get effective live ment on forest lands, an sensitive public will d eliminate grazing. And i age the resources bette right in demanding that grazing."

Although there is flict over grazi rangelands, th increasingly wi for common gro ty. And the man Wayn with him to the roundup ing to discuss it.

"We have to find a will work," said Jim Con da Cattlemen's Associ who had tried to mediat and the Forest Service reach that point somew won't be until we're all g of time. But I hope it c that."

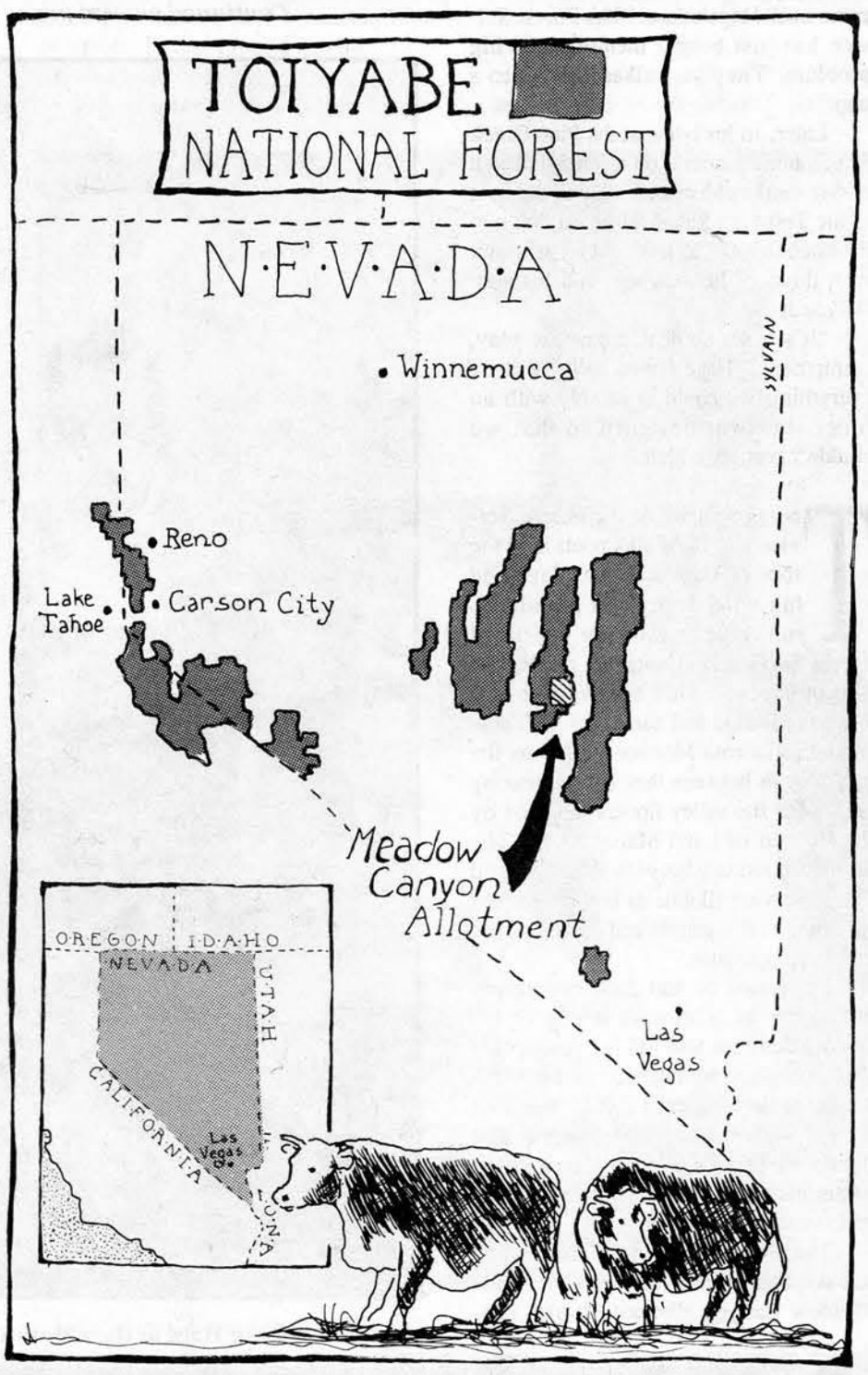
As for balancing ec stock, "I'm sure we can nelly, who owns a ran dence Valley in northe "There's no question in seen it. I live it every day

No matter how the Wayne Hage and the F resolved — in court or o change is coming to the W

■

Jon Christensen w West from Reno, Neva were paid for by the High Research Fund.

> 'It's public land. It's not ranchers' land. It belongs to the people of this country.'
>
> *— Jim Nelson, Toiyabe National Forest supervisor*



Jon Christensen

Ranchers wait for Wayne Hage's impounded cattle to be sold at the Gallagher auction yard

> 'It's a set-up deal, a squeeze play, entrapment.'
>
> *— Wayne Hage, rancher, author*

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Rancher Wayne Hage says: 'There are no public lands left'

Feeling pressure on all sides from "No moo in '92," hard-liners, agency reformers and congressional moves to raise the public lands grazing fee, some Western ranchers are turning to radical legal strategies. The strategies are urged by Wayne Hage and others who belong to a nonprofit group called the National Federal Lands Conference, based in Utah.

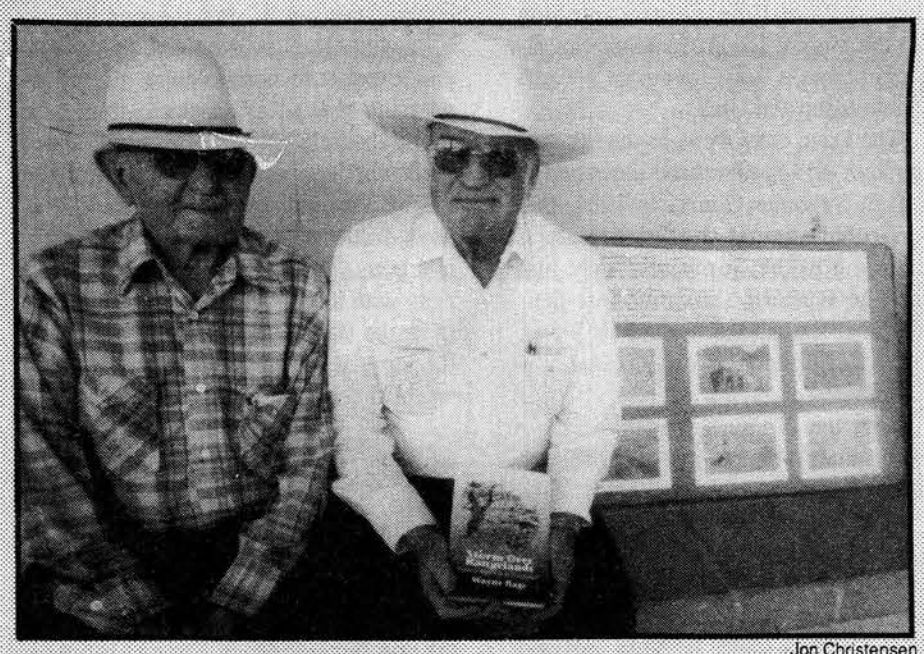
Although it is not a membership organization, executive director Ruth Kaiser said the two-year-old group has about 2,700 supporters, including people who have participated in conferences or bought materials such as the "Brushfire Litigation Strategies" packet.

A typical National Federal Lands Conference seminar held January 1991 in Rock Springs, Wyo., drew 150 people to hear Wayne Hage and others lay out the latest legal strategies for beating back federal land agencies.

"We say federal lands, not public lands, and there's a reason for that," Hage explained. "There are no public lands left. They have been nationalized with a lot of private interests on them."

Hage said federal lands have many private claims, including water rights, grazing permits, mining leases and patents, and all kinds of "improvements," from roads to fences and ditches. The "split estate" of public lands — in which the federal government holds the title but others hold various interests in the land — is the basis for claims of private property rights on public lands.

The courts have never "addressed the underlying possessory interests of the rancher in federal lands or the prior appropriation water rights upon which they were based," Hage wrote in his book, *Storm Over Rangelands: Private Rights in Federal Lands*. The book has sold 6,000 copies and is now in its second printing. "This is a loose string still dangling to this day, waiting for someone to pull it and unravel the now gigantic fabric of centralized government control."



Jon Christensen

Ranchers Lloyd Sorenson and Kent Howard set up quiet protest at the auction

"The door is wide open for some very effective legal challenges," Hage added. "Down the road I plan to get them into claims court and I plan to go for damages." Hage's strategy hinges on proving a federal agency — the Forest Service, in his case — has taken his property through regulations.

The "takings" argument is the centerpiece of the strategy. In 1987, two U.S. Supreme Court decisions opened the door to awarding cash damages if a government regulation was found to violate the Fifth Amendment by taking private property without due process of law.

A year later, President Ronald Reagan signed Executive Order 12630, requiring agencies to evaluate "takings implications" before enforcing regulations. Since then, a number of lower court decisions have awarded damages to developers whose projects were thwarted by federal regulations.

Although none of the recent cases involved grazing, attorney Karen Budd of Cheyenne, Wyo., called the "takings" issue "one of the most exciting things that has ever happened to the ranching community." At the Rock Springs conference, she advised ranchers to document the costs of regulations and notifying agencies. Budd cited a New Mexico study that showed, "If you cut 50 percent of a grazing permit, the ranchers lose 75 percent of the value of their entire operation."

The "takings" argument is not the only legal strategy touted in cattle country. But in Rock Springs, Budd refrained from promoting one she helped develop, perhaps because it appears to have had little effect.

Last year, in Catron County, N.M., the county commission passed a Budd-drafted ordinance that made some grazing cuts a violation of civil rights. It also exposed federal officials to fines and jail terms.

The Forest Service warned county officials not to try enforcing the ordinance, and even the local sheriff seemed puzzled that the unenforceable ordinance had passed (*HCN*, 4/8/91).

Catron County rancher Dick Manning seemed convinced that the new ordinance had at least put rangers on their toes. At the Rock Springs conference, Manning touted another strategy the National Federal Lands Conference is urging on county governments around the West.

Because the official mandate of both the Forest Service and BLM includes a duty to protect community and economic stability and to work with county land planners, Manning said that county governments can be a "powerful tool" for fighting agency regulations. Manning urged ranchers to get county governments involved in federal agency planning from the beginning, rather than waiting to react to decisions.

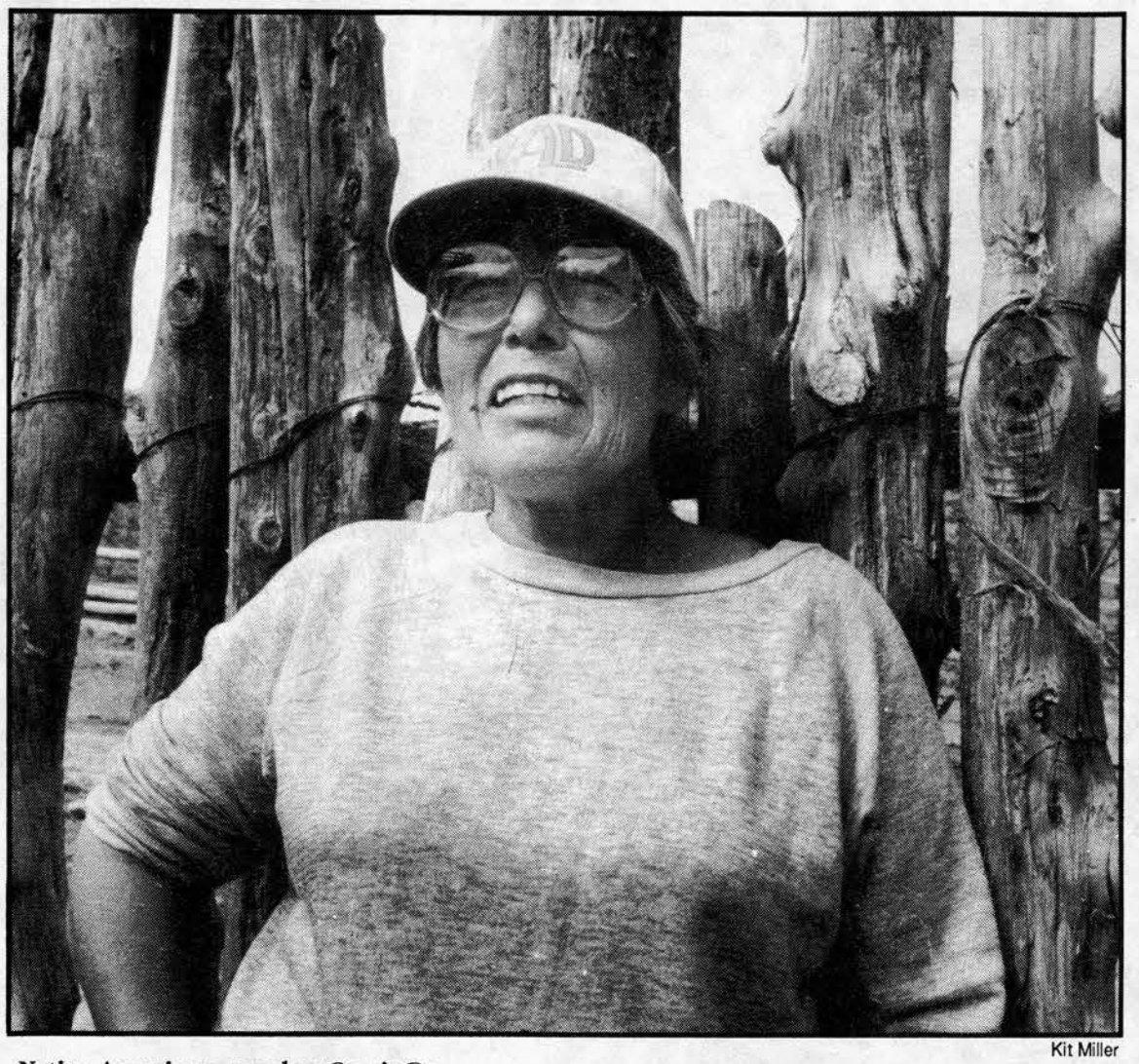
Throughout the conference, speakers warned ranchers that they would lose everything if they did not get involved, build coalitions and assert their rights.

"You don't have to be on the defensive, you can go on the offensive," said Hage.

—Jon Christensen

The National Federal Lands Conference can be reached at Box 847, Bountiful, Utah 84011.

Native American ranchers defy land managers and the courts



Native American rancher Carrie Dann

Kit Miller

Cowboys are not the only challengers to federal authority on Nevada rangelands.

In mid-September, the Bureau of Land Management plans a major roundup of more than 600 cows and 500 horses belonging to Mary and Carrie Dann, Western Shoshone sisters who have fought the federal government on the ground and in court for more than 17 years.

In 1974, the BLM first charged the Danns with trespass. The agency said far more horses and cattle were grazed than a family permit allowed on thousands of acres of public land around the ranch in Crescent Valley, in northcentral Nevada. The Danns, however, never saw themselves as permittees on the public's land. They say the land is theirs under the Ruby Valley Treaty of 1863, which, unlike most Indian treaties, did not explicitly extinguish aboriginal title in exchange for reservations.

> The earth is our mother. It is not for sale.'
>
> *— Carrie Dann Western Shoshone rancher*

Their court case became a cause célèbre and the centerpiece of a Western Shoshone effort to regain traditional territory — 24 million acres stretching from the Mojave Desert in southern California across a wide swath of Nevada and into Idaho and Utah.

The Dann case went to the 9th Circuit Court of Appeals three times and to the U.S. Supreme Court. In 1984, that court ruled against the Dann sisters. According to the Supreme Court justices, the Western Shoshone lost their claim to aboriginal land when the Indian Claims Commission awarded the tribe a $26 million settlement.

That the Western Shoshone have never accepted the money did not change the decision.

The Supreme Court decision was not the end of the legal battle. That end apparently came in June of this year, in U.S. District Court in Reno, when Judge Bruce Thompson allowed the BLM to impound all Dann livestock in excess of the roughly 200 head the sisters are permitted on the mountainous 350-square-mile South Buckhorn allotment the Danns share with six neighboring ranchers.

"We'll meet out on the range," Carrie Dann told reporters outside of court. "We'll do the best we can to defend what is ours. We're going to stop them with sticks and stones."

With the Danns refusing to gather their herd, the BLM asked for bids for a contract to round up the animals. Bids are due back Sept. 12 with an Oct. 20 deadline for completing the roundup.

"The removal will be conducted under hostile conditions," warns the bid request. "However, BLM law enforcement will be on site to prevent any interference with the operation."

Protected by officers ready to arrest anyone who interferes with the impoundment, cowboys will work with a helicopter to sweep herds of cattle and horses out of rough canyons and into federal holding pens. The animals will then be shipped to Jerome, Idaho, to be sold.

> 'We're tired of shedding crocodile tears for a bunch of people overgrazing the range.'
>
> *— Charles Watson, Nevada Outdoor Recreation Association*

Groups that support the Western Shoshone treaty claims — such as the Nevada environmental group, Citizen Alert, and the American Peace Test, which organizes protests at the Nevada Test Site — have urged members to come to the remote Dann ranch to stop the roundup.

Although organizers have pledged all participants to nonviolence, they plan guerrilla-style sneak attacks to thwart the roundup, including sending teams armed with walkie-talkies and loud airhorns to the backcountry canyons to spook cowboys, cattle and horses headed for the federal pens. They also plan to surround the pens with loudspeakers blasting messages from the Dann sisters and other Shoshone leaders, as well as Indian singing and drumming late into the night.

But with the BLM claiming that the range has been "severely degraded by overgrazing," the upcoming showdown at the Dann ranch has provoked a falling out among Nevada's small and usually tight-knit environmental community. Many Nevada environmentalists have split ranks with Citizen Alert and now find themselves in the unusual position of supporting the BLM.

"Do you think Native Americans should be allowed to exploit the land at will?" asked Celia McGinty, a member of Citizen Alert from Elko, in a letter to the organization. "Should they be allowed to overgraze simply because of their race? If the Danns cannot survive as ranchers except by degrading the land, then something is wrong."

Public lands advocate Charles Watson, founder of the Nevada Outdoor Recreation Association, blasted the Danns as "Sagebrush Rebels in Native American clothes."

"If the Dann sisters get away with this, we would be opening up a Pandora's box," said Watson. "We're tired of shedding crocodile tears for a bunch of people overgrazing the range."

"We can't say we're for environmental justice and forget about social justice," responded Citizen Alert director Bob Fulkerson.

"I wish the overgrazing issue wasn't so prevalent," he said, while admitting that environmentalist support for the roundup "hurts" the Dann's cause.

"The fundamental issue is not whether the land is being overgrazed. The treaty is the fundamental issue," said Fulkerson. "The federal government has to look at the big picture or this will happen again and again."

Western Shoshone ranchers have long defied the BLM and Forest Service throughout Nevada as part of a strategy orchestrated by the Western Shoshone National Council to push the tribal land claim on the ground. Many Indian ranchers have refused to pay grazing fees or the fines that follow. But both the BLM and the Forest Service have begun to crack down on violations by cutting and canceling grazing permits.

A standoff at the Dann ranch, supporters believe, will force the federal government to the table to negotiate a settlement that would include land for the Western Shoshone. Negotiations with the Bureau of Indian Affairs, Interior Department and Congress have stalled in recent years. Meanwhile, controversy divides the 2,000 or so Western Shoshone: An increasing number of its members are calling for an individual, or per capita, cash payout of the original $26 million Indian Claims Commission award, which interest has more than doubled to $60 million.

But the Dann sisters are not interested in their share of the $60 million. "The earth is our mother," says Carrie Dann. "It is not for sale."

As the saga of the Dann sisters shows, the conflict over what is now called public land has deep roots. And what sometimes seems like the end of the story is only the beginning.

"We've been told for years that we've lost everything," said Joe Sanchez, a Western Shoshone from Duckwater who is helping to organize the resistance. "There have been other times when it seemed we were back at square one," he said. "But we are not. This will take several generations. We're in it for the long haul."

— Jon Christensen

A "wanted" poster produced by the Wyoming Stockgrowers Association

Why is Mike Synar a 'wanted' man in the West?

———*by* John Brinkley

WASHINGTON, D.C. — He's cocky, he's brash, he wears cowboy boots with his European suits, and you can tell right off he thinks he's pretty hot stuff.

And if you make your living on the public lands, you probably admire him about as much as the Plains Indians admired Gen. George A. Custer.

He's Rep. Mike Synar, Oklahoma Democrat and bane of the Western livestock industry. Unlike Custer, no Little Big Horn seems to loom in his future. Having been in Congress 13 years, and having won his last few re-election campaigns by landslide margins, he figures to be around for a while, tormenting ranchers, miners and loggers.

"Yeah, I'm tough, but that's what you have to do," he says. "I come across tough because I've got to make people change."

Right now, Synar is trying to change about 20,000 ranchers who graze their herds on federal lands across the West, and who pay $1.97 per AUM, an "animal-unit-month," of a cow and a calf, or five sheep, grazing for a month.

He has legislation pending that would gradually raise the fee to $8.70 per AUM, a rate the livestock industry says would drive nearly all public land ranchers off the federal range. In some Western states — such as Nevada, 92 percent of which is federally owned — there's hardly anywhere else to go.

To express its displeasure, the Wyoming Stockgrowers Association has produced a "wanted poster," bearing pictures of Synar and the two principal co-sponsors of his bill, Reps. George "Buddy" Darden of Georgia and Chester Atkins of Massachusetts. The poster brands them "the Hole-in-the-Head Gang."

"I think what I found interesting about it is that it was (produced by) a group of adults," Synar says. "I said, did a group of adults come up with this idea for a wanted poster? 'Cause that's something you'd think a child would come up with."

But it didn't make him mad. As chairman of the subcommittee on environment, energy and natural resources, you have to expect that sort of thing, he says.

"I learned a long time ago that oversight is not a non-contact sport. To do the type of oversight that I've been given the responsibility to do on behalf of my colleages, just to try to make agencies and bureaus and programs run effectively and keep taxpayers from losing money, we have to step on people's toes."

The grazing program, he believes, is a "rip-off," a federal subsidy for a tiny portion of the livestock industry, that costs the taxpayers about $150 million a year.

But it's not just grazing he's after. He has his crosshairs fixed on hardrock mining, national parks concessions, uranium enrichment and BLM land exchanges — an array of public lands programs that, he says, rob the Treasury of about $15 billion annually.

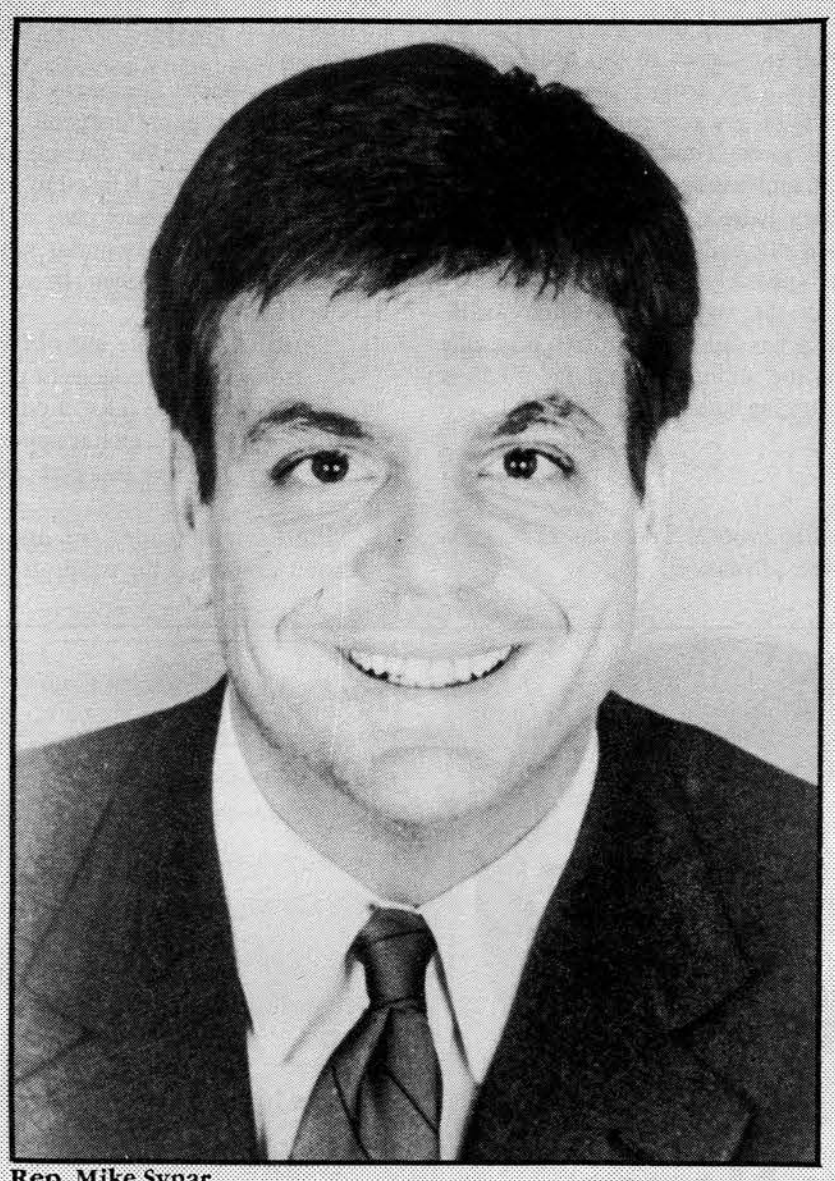
"We're not picking on grazing," he says. "This is part of a bigger picture, which is better management of our natural resources, particularly at a time when you have limited budgets and the programs themselves can't pay for themselves, whether it's the grazing program or the timber program."

Synar is 40, looks younger, and his background is in, of all things, ranching. He's also a lawyer and a real estate broker.

At his family's ranch in northeastern Oklahoma, "We run, I think it's safe to say, a couple hundred head of cattle, and we run anywhere from 10,000 acres or less. That's not a very big operation."

After he came to Washington at the tender age of 28, he removed himself from the ranch's day-to-day operations, but "obviously I grew up in that atmosphere."

When the National Cattlemen's Association launched its counter-attack on his grazing bill, "they said I didn't know what I was talking about. And then, when I showed them that I was a two-time national 4-H winner, two-time state 4-H club vice president, beef cattle specialist, fourth-generation rancher, they had to drop that argument."



Rep. Mike Synar

The cattlemen then turned to the claim that Synar was trying to reduce competition for Oklahoma ranchers, who don't run their cattle on public lands.

"That flew in the face of the fact that the Oklahoma Cattlemen's Association and everybody else in the industry has come out on their side," Synar says. "I do not do this for politics. I don't do any of these issues for politics."

He does it largely because he carries the fervent belief that he's right and they're wrong. He says a recent trip to Cortez, Colo., to give ranchers there a chance to make their case only hardened his resolve.

"The question I keep asking myself is: Tell me where I'm wrong. And tell me what I'm doing that's hurting America or these individual states."

Having won his last three re-election campaigns with 61 percent, 65 percent and 73 percent of the vote, Synar can afford to be a maverick.

He made a name for himself in 1985, when he mounted a legal challenge to the Gramm-Rudman-Hollings balanced budget law. He took his suit to the Supreme Court and won, which sent Sens. Gramm, Rudman and Hollings back to the drawing board.

And he has, more than once, done what others dare not do: taken arms against initiatives supported by congressional leaders. He strongly opposed the erstwhile Synfuels Corp., a pet project of then-House Speaker Jim Wright.

Synar also campaigns for laws banning all tobacco advertising and requiring a seven-day waiting period for handgun purchases.

Since he doesn't accept money from political action committees, he doesn't have to worry about not getting any from the Tobacco Institute or the National Rifle Association.

They, and the cattlemen, may be stuck with him for quite a while.

"I'm married to my job. I love this job. I take it very seriously," he says. "My goal since I was 14 years old was just to be a congressman. I didn't say how long I wanted to be one, but I've already accomplished everything in my whole life I ever wanted to do."

And after he's gone, he says, he doesn't want the grazing issue to be his sole legacy.

"It is my prayer and hope that if I serve here another term or if I serve 20 years or whatever, that they don't remember me on grazing. I hope they look at me as someone who really cared to provide the type of oversight for the taxpayers to make sure they didn't get cheated out of their money, that we ran our resources well and we saved a little for the future."

How worried is he about the organized effort by some Western ranching interests to raise money to unseat him? Synar said, "If they can afford to give $8.70 to my opponent, they can afford $8.70 for a grazing permit."

■

John Brinkley is a Washington correspondent for the *Rocky Mountain News*.

There's not much peace out on the public range

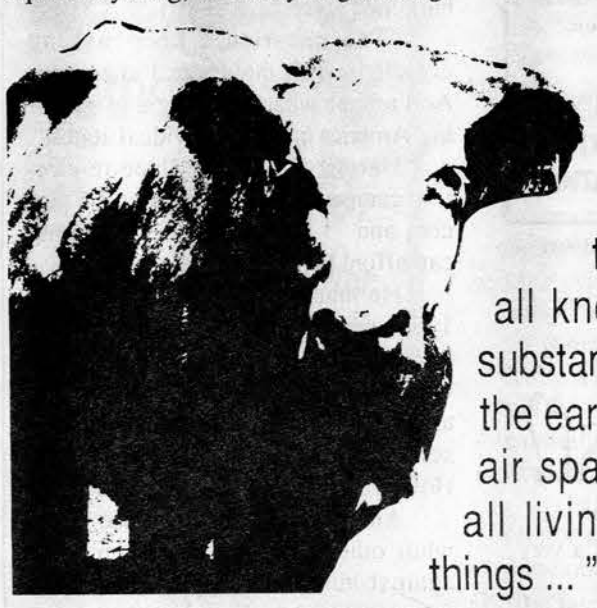
For the Klumps, the sky's the limit

A family of cattle ranchers called Klump in southeastern Arizona is keeping the Bureau of Land Management busy. The agency says the Klumps have grazing permits for nine allotments, but eight need "intensive" management and none has a management plan.

That is highly unusual, says Diane Drobka, BLM staffer on the Safford district.

It is not as though the agency doesn't see the family. In the past few years, the Klumps filed numerous complaints that have led to 12 hearings. The family's behavior has also disrupted operations in the district office.

"Whenever they come into the office they bring a video camera and tape everything, as if they're gathering evidence," says Drobka.



"We claim all minerals, coal, oil, gas, water, geothermal, gravel and all known and unknown substances to the center of the earth. We claim the air, air space, water, gasses, all living things, all dead things ..."

But last May, the tide may have turned when the BLM won a hearing against one member of the family. An administrative law judge upheld the agency's decision to revoke the grazing permit of Bowie, Ariz., rancher Luther Klump, on the grounds he violated the terms of his grazing permit along the San Simon Wash.

"This is the first time in my 30 years with the BLM that I can remember a judge issuing an immediate ruling from the bench," says George Ramey, former state range director for the BLM.

The BLM told the judge that Klump repeatedly and illegally placed his cattle in a portion of the wash that had been fenced off. The fence blocked cows from hillsides that had eroded.

In a series of emotional and colorful appeals, Klump maintained the BLM couldn't tell him what to do because the Taylor Grazing Act was unconstitutional. The 1934 law established federal regulation of previously unrestricted grazing on public lands.

In one of the appeals, Klump asked BLM officials to sign an attachment which read: "We mutually agree to treat each other fair and humane as set forth in the *spirit* of America in 1776, and/or fair and humane as set forth in Christian teachings, and/or fair and humane as set forth in the Civil Rights Act."

Klump sent a copy of a subsequent appeal by certified mail to President George Bush.

Another appeal warned the BLM it had 90 days to remove all property from the allotment. He attached a notarized "claim" that said the BLM land was his because his ancestors began to raise cattle in the area in 1880.

"We claim this property as our private property," Klump said. "We claim all minerals, coal, oil, gas, water, geothermal, gravel and all known and unknown substances to the center of the earth. We claim the air, air space, water, gasses, all living things, all dead things, and all substances to the heavens and beyond ... We declare that this land is outside of any government or governmental agency's control or jurisdiction."

Klump has appealed the administrative law judge's decision to the Interior Board of Land Appeals. Ramey said there's probably no chance he'll win.

In the meantime, Ramey said, Klump has failed to remove his cattle from the allotment, and the BLM is impounding the animals.

— Jeffrey D. Burgess

The writer is a free-lance writer in Tempe, Arizona.

Endangered trout and cattle clash

Over on the east side of Arizona's 9,000-foot-high White Mountains, the Apache-Sitgreaves National Forest has a problem.

Livestock have badly overgrazed more than half the riparian habitat, and it is not just streamsides that have suffered. Apache trout swimming in the streams have been classified as "threatened" under the Endangered Species Act.

Forest officials had hoped to improve survival of the trout through a forest management plan. That called for tighter control of grazing on 42 allotments, encompassing 31 Apache trout streams, by 1992.

Because it contains three Apache trout streams, the 18,901-acre West Fork allotment was designated first priority. The forest began revision of the West Fork's allotment plans in 1989 by holding two public meetings to identify major resource concerns.

Then the allotment's permittee, the Rancho Alegre Cattle Company of St. Johns, Ariz., objected.

Ranch spokesman Dana Patterson says his family has been running cattle in the area for 40 years, and the Forest Service had never before invited the public to participate in previous grazing decisions.

"We felt we were being shut out of the planning process," Patterson says.

After Rancho Alegre's owners complained, forest officials listened almost exclusively to them.

"The Apache-Sitgreaves started out with an exemplary process of public participation," says Arizona State University law professor Joe Feller. "Since then they've withdrawn behind closed doors."

Feller, who's been closely following the revision of the West Fork's allotment, says the forest's management plan encourages public participation.

"But the grazing alternative the forest eventually proposed was never even discussed at the two 1989 meetings," Feller says.

When Apache-Sitgreaves officials issued their proposed decision for the allotment in May, the document was "strange," Feller says. It failed to include an allotment management plan and only defined the guidelines under which a new plan would be written. In addition, it lacked a timetable.

This did not please state officials. "The absence of (a management plan) in the decision caused us a lot of concern," says Norris Dodd, regional supervisor for the Arizona Game and Fish Department.

Patterson defended the agency's decision to exclude the public from the process. "Why should people without any financial stake be involved in a basically private document?" he asks.

The state's Dodd adds that while the new guidelines proposed by the Forest Service are an improvement over current management of livestock by Rancho Alegre, they don't ensure the level of recovery for the Apache trout that is called for in the forest's plan or desired by the state.

No one disputes the guidelines were basically written by the permittee.

"We needed a plan we thought would at least give us a chance to survive financially," Patterson says.

Rancho Alegre proposed replacing the current three pasture rest-rotation grazing system with a six-pasture system. The number of cattle would continue at about 310 head.

The forest's decision to adopt Rancho Alegre's suggestion was signed by Alpine District Ranger Dean Berkey.

"This thing's been two years of paperwork already," Berkey says. "I want to get out there and do something. If it's wrong, we'll change it. Administrative appeals or a lawsuit could mean nothing happens on the ground."

However, Berkey was forced to withdraw the proposal this July because he had failed to consult with the U.S. Fish and Wildlife Service about the Apache trout. Federal law requires a consultation with that agency whenever a decision affects a threatened or endangered species.

Now, a lot of people are waiting to see if the U.S. Fish and Wildlife Service's opinion will alter Berkey's original decision.

"It will be up to the Forest Service to accept or reject the Fish and Wildlife Service's recommendations," Berkey says. "That's all they are, just recommendations."

Arizona officials disagree. They say the forest could be legally obligated to implement some or all of the recommendations included in the biological opinion.

In the meantime, none of the 42 allotments have had new allotment management plans implemented, and Apache-Sitgreaves officials admit they won't be able to meet their 1992 deadline.

That doesn't bother rancher Dana Patterson. He says, "The riparian goals in the forest management plan were extreme, unaccomplishable and unattainable."

— Jeffrey D.Burgess

OTHER VOICES

Rancher says fee increase is needed, overdue

by Thomas Taylor

It's time to pay the fiddler.

Most reports I've seen concerning the present feverish discussion of raising the grazing leases on public simply do not reflect a true picture.

If you believe all the information from elected officals and the ranching industry, you'd think Rep. Mike Synar, D-Okla., a complete idiot to raise these fees. But Synar is right: He can see the shortfall in the public lands budget should come from those who use the land — not the taxpayers. Some say this amount may not be much; Synar says it's $100 million.

Forget the exact amount — I will not accept a part of any industry having an economic advantage over its peers and having the taxpayer make up the difference.

In days gone by, folks tried to gain a foothold on this land. With the terribly dry '30s came the end of free grass, and Congress was forced to set up the Taylor Grazing Act (no relation to me) to bring some order to public grazing. The act worked pretty well.

The grass cost on private land has risen from near zero to $8 to $12. Grass on public land has risen from near zero to $1.97. All kinds of arguments are sent to the media and spoken at meetings, defending the fee as all the public user can afford. I'm sure a lot of people believe this, and it will hurt some, but $1.97 is unrealistic in today's economy.

We public land users could be in a better position in the future if we face reality sooner.

Congress spent $6 million from 1978 to 1986 on a grazing fee review, hoping to implement a system that would work. President Ronald Reagan refused that and issued the order to maintain the formula devised in the 1960s. Ranchers are a powerful lobby. People with control over large public leases are propagating myths:

1. The BLM is out to get us. Not so. BLM, as I know it, is made up of well-educated, career-minded people who will help us — if we let them. Operators I know who do not like government management are people who either will not be told anything or refuse to admit to the benefits they have received.

2. Most ranchers do not abuse the land. You cannot stay in business, no matter what the lease costs, without good land care. If we worked harder to make this truth known and accepted a more realistic lease fee, we could remove two of conservationists' most fertile arguments against domestic grazing.

3. The proposed increase, $8.70, will break all ranchers using public lands! A raise will not break you. Those with 200-300 cow family operations on 50 percent or more public grass are going to hurt. Some will fail. I believe most will find a way to survive. I would favor a disaster program for those who can't — why not, we have disaster programs for almost all poor management decisions. I will not support holding lease fees below reality.

Some ranchers scream "foul" at Synar's efforts. If you think "foul," how about the guy who put his grazing rights together back in the '30s for little or nothing, then watched each successive ownership transfer increase the dollar value of these rights. By the 1970s the subsidized leases were actually worth $600 to $1,200 on the market. BLM does not acknowledge these real market values. They are illegal and have hurt many. IRS has realized what is happening. They have come after their share, and direct sales and ranch estate settlements have been adversely affected by their demands.

Bill Garrison of Glen, Mont., states "increasing fees would eliminate almost all Montana ranches dependent on public lands." Not true. Taylor Ranch will not go. We are 10 percent public and 90 percent private. We have learned to compete on our private $6 to $12 grass with those on public grass. Many can do that. The biggies will survive. They will cry a lot.

Bill also states, "If the unaffordable leases are dropped, the government will lose all the revenue." I say if you drop those leases at $8, they will be picked up so fast your head will swim.

I know a man whose rights allow him to graze 330 cows for six months. At $1.97 per Animal Unit Month, his cost for leasing public grass is $3,900. The cost per cow is $11.81. On our ranch (10 percent public, 90 percent private), the cost per cow is $42.57 for that same period.

Can you justify $31 ($42.57-$11.81) in hidden costs on your public lands? I have quoted private grass conservatively at $8. I've seen studies that quote $9.22 and know leases at $9, $10 or more on private land.

A man in Wyoming runs cows on 300,000 public acres — no misprint, I called him. The graze is very poor, he says. Water maintenance and wild horses cost them a bunch over the lease fee, but the worst result of a lease raise to them would be a severe reduction in value of intermingled private lands. He is most likely correct. Banks will suffer, especially the Federal Land Bank, but how long can we expect the American public to support these old and bad value decisions, based on cheap public grass?

The old grazing formula from 1960 is outdated. An expensive study to improve it was thrown out in 1986. Now the representatives have passed an escalating lease fee plan that Bush has assured he will veto.

Maybe it's already too late to "pay the fiddler."

■

Thomas Taylor ranched for 40 years on a place started by his father, E.T. Taylor, in 1913 in Phillips County, Montana. The place is now in its third generation. A version of this essay appeared in the Billings *Gazette*.

LETTERS

BISON FIT, CATTLE DON'T

Dear *HCN*,

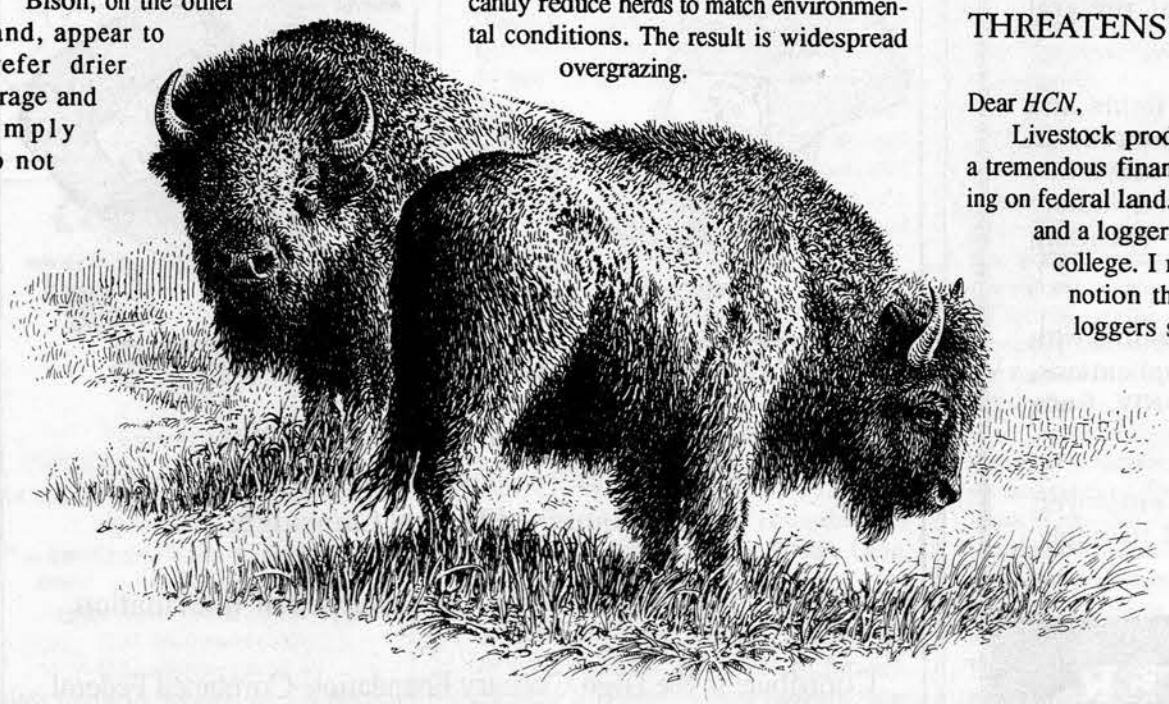
It is often repeated by livestock advocates that cattle merely replaced bison in the West, implying that cattle are nothing more than domestic bison. Unfortunately for the American West and our public lands, nothing could be further from the truth. Cattle and bison are vastly different animals with diverging evolutionary histories.

Cattle evolved in moist woodlands in Eurasia and are poorly adapted for the arid West. There is no shortage of evidence for this. A recent report by the EPA found that our "riparian areas were in the worst condition in history" with a tragic loss in consequence of using an animal which evolved in a wet climate as the major grazing species in an arid environment.

Bison, on the other hand, appear to prefer drier forage and simply do not spend as much time munching down in wetlands and streamsides as cattle. Bison also wander more than cattle. They will eat in one location for a day or two and, for no explanation, move five or 10 miles away to feed someplace else. Their high shoulder quarters form a pivot that enables the animal to efficiently canter for miles — an important adaptation to an animal that must travel long distances between water sources.

Cattle usually only move when they have wiped out all forage in one area.

This is not to suggest that bison can't or didn't overgraze some areas on occasion. But if given a choice, their natural tendency is to wander, and this has been repeatedly observed and reported in scientific studies. Plus, bison numbers fluctuated with climatic conditions. Drought or harsh winters dramatically reduced populations to balance with available forage, while modern livestock operations do not have the economic flexibility to significantly reduce herds to match environmental conditions. The result is widespread overgrazing.



John MacDonald

Cattle are simply not a good animal for the West. They are a historical accident, a mistake. A bad mistake. They are the proverbial square peg that we keep trying to cram into a round hole. We have been trying to make the West "fit" cattle, but the cow-blasted riparian areas, the loss of native predators and huge reduction of competing native herbivores, including bison and prairie dog, combined with the widespread watershed degradation and soil erosion, all suggest that the "fit" hasn't been too good.

George Wuerthner
Livingston, Montana

George Wuerthner writes frequently about range issues. His most recent book is *Montana, Magnificent Wilderness*, published by Westcliffe Publishers, Boulder, Colorado.

GRAZING FEE INCREASE THREATENS WIMPS ONLY

Dear *HCN*,

Livestock producers in the West get a tremendous financial break from grazing on federal land. I am an ex-cattleman and a logger and have six years of college. I resent the popularized notion that both ranchers and loggers suffer from economic damage because they are far too ignorant to retrain for new jobs.

Intelligent ranchers applaud the grazing fee increases now up before the Senate; for they know they will continue to enjoy "the good life" of practically free food for cattle. The fee increases will automatically trim the wimpy cattle rancher from the farm industry, leaving only the professionals in charge. If the wimpy rancher insists upon battling the increases, he will only ruin it for the pros in that he will just draw public attention to the down side of cattle grazing.

These are the facts: (1) Cattle grazing contributes to a host of environmental ills, from water pollution to the greenhouse effect. (2) All things considered, it takes about 2,500 gallons of water to produce a one-pound steak. (3) Two hundred head of cattle burp out 10 billion metric tons of methane every year. (4) Cattle trash the riparian areas and greatly inhibit wildlife habitat; termites increase to feed on dead wood, producing enormous amounts of methane gas; and the small willows and cottonwoods don't have a chance to grow. The beaver is forever absent. Fifty-five square feet of forest habitat is lost for every hamburger produced on federal land. (5) The drought this summer has been devastating. East Fork Pine Creek on Cuddy Mountain is the strongest of its kind, and yet all water users have been cut off indefinitely back to 1886 water rights. Even if there wasn't a record-setting drought, the cattle would have skimmed off more than half of the water in the creek before it could reach the irrigators.

It will be the wimpy, complaining ranchers that will get us all kicked off federal lands by their irrational reasoning and loud voices, resulting in "cattle free by '93."

Vernon E. Ketz
Payette, Idaho

The writer owns Pervernal Acres Arboretum and is a landscaping consultant.

REPORTER'S NOTEBOOK

Tickling the spine of the Rocky Mountains

by Tad Brooks

We were sipping coffee when an animal snorted in the bushes between our camp and the lake, a bellowing grunt from something big. A dark mass flashed through a gap in the trees, then confronted us from 30 feet away — a bull moose in an ugly mood.

We had been on the trail for a month, trekking from Glacier National Park along the spine of the Rocky Mountains en route to Yellowstone National Park, a 961-mile-long trip along Montana's newly dedicated Continental Divide National Scenic Trail.

We'd already seen plenty of big animals — moose, elk, black bears, even two grizzlies — but until now the biggest animal problem we'd had was trying to keep a gang of salt-crazed marmots from tenderizing our backpacks.

The moose was crossing part of a 3,100-mile-long trail along the Great Divide that will eventually traverse five states and link Canada to Mexico. Feeding among the larches on the shores of My Lake in the Bob Marshall Wilderness, the big bull didn't scent us until the moment he saw us — and we him.

In a wink the moose was airborne, crashing headlong into the ice-cold waters of the lake to begin an ungainly dog paddle with forelegs splashing.

Once on the far shore the moose seemed to have a change of heart, and it wheeled its big rack toward us as if to launch an amphibious assault on our breakfast. Then it wheeled again and was gone, leaving only mud-churned water and the pounding of our hearts in its wake.

The trail in Montana and Idaho winds through some of the most spectacular wild lands in the lower 48 states, from the moose's home at the base of the Bob Marshall's famous Chinese Wall cliff formation, to the high, ice-carved peaks of Glacier National Park, to the lodgepole pine-covered plateau of Yellowstone.

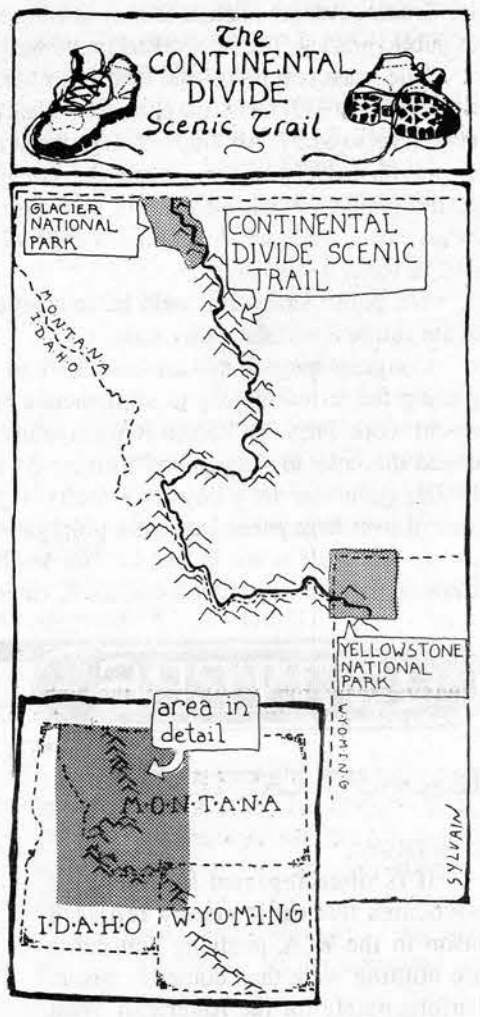
The rugged Scapegoat and Anaconda-Pintler wildernesses are also included, along with seldom-visited sections of the southern Bitterroots, and the Beaverhead, Centennial and Henry's Lake mountains.

In all, the trail in Montana crosses two national parks, three wildernesses, six wilderness study areas and 10 national forests, and never strays more than eight miles from the divide's crest.

Public agencies and private groups have been trail-building since 1979, and

Tad Brooks

The trail skirts the rocky top of Cathedral Peak in Glacier National Park



CLASSIFIEDS

ASSISTANT DIRECTOR FOR SPECIAL PROJECTS — National organization serving local organizations working on environmental issues needs staff to manage special projects. Experience in fundraising, establishing national networks, and events coordination for nonprofits essential. Experience with environmental groups, professional associations, computers, and contract management highly desirable. Health benefits and salary commensurate with experience. Apply to Environmental Support Center, 1731 Connecticut Ave., N.W., Suite 200, Washington, DC 20009 by Sept. 27, 1991. For details call 202/328-7813. (1x16b)

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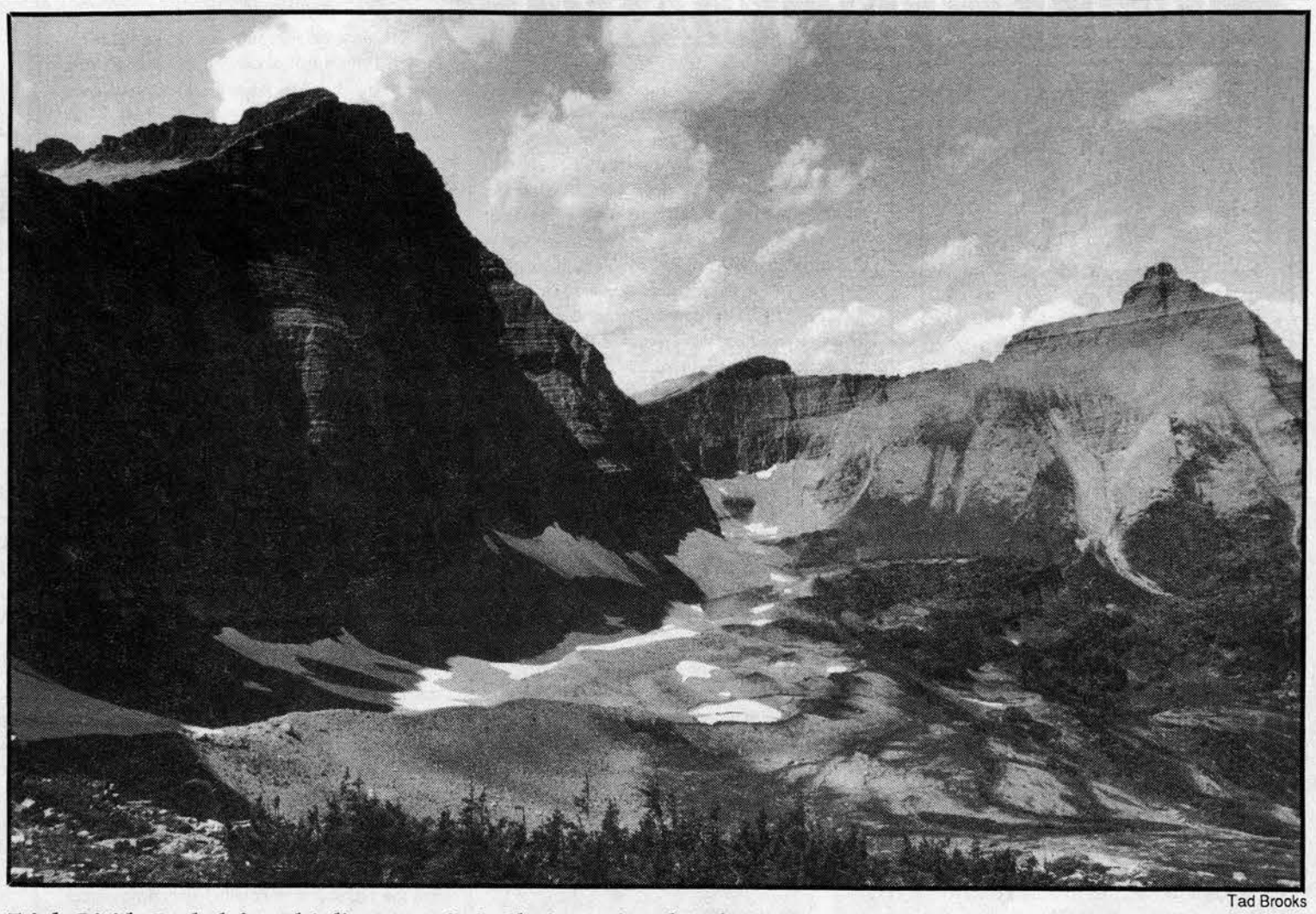
about 1,900 miles are constructed. Montana and Idaho were the first states to finish their segments, dedicating them in 1989, in a ceremony at Chief Joseph Pass near the Big Hole River on the Idaho border.

Montana was able to map out its trail quickly because all but a few miles of land along the trail is publicly owned, said Chuck Neal, a U.S. Forest Service recreation specialist with the Helena National Forest.

Agencies in other states have a tougher task. Much of the trail through central Wyoming traverses private land in the Great Divide Basin. There, the Bureau of Land Management is trying to negotiate trail easements.

In New Mexico, part of the preferred route crosses Indian reservations, and Forest Service officials say it is unclear if public access agreements can be reached.

Montana and Idaho dedicated their trail even though 57 miles had yet to be constructed and 472 miles of that trail were not marked by signs for hikers. While the official route in theory follows existing trails, many have not been maintained or used in years.



Tad Brooks

Triple Divide Peak, left, and Split Mountain in Glacier National Park

Consequently, we became hopelessly lost in low clouds our first week out, despite experience with map and compass. We wandered off the divide near Rogers Pass north of Lincoln, Mont., and onto a spur ridge that led us 10 miles off course.

Later, an old pack trail faded in a meadow in the Henry's Lake Mountains on the Idaho border, leaving us to switchback freestyle up a slippery, dry slope. We climbed 3,000 feet in just over a mile. Our work found reward in the stunning view from 10,300 feet, the high spot on the trail.

Usually, though, luck kept us on the designated route, even when following it had become a matter of blind faith.

The trail is well marked and maintained in national parks and wilderness areas, but is sometimes nonexistent in national forests, where U.S. Geological Survey topographical maps are a must.

Roads cross the trail at 37 points, where hikers can arrange for shuttles and re-provisioning. Much of the trail in Montana and Idaho can be reached easily and hiked for a week or a weekend. The trail follows 160 miles of dirt roads,

It was a bull moose in an ugly mood.

and motorized vehicles are allowed on 510 miles of the route.

With such easy access, people have gouged deep scars in many places along the Divide.

Clear-cut logging has stripped entire hillsides, leaving them criss-crossed with roads, and old mines pit a portion of the Helena, Deer Lodge and Beaverhead national forests. Cattle and sheep graze heavily along the trail's southwestern reaches, sometimes trampling unprotected springs into useless bogs.

Litter is also a problem. At a campsite near Morrison Lake in the Beaverhead Mountains two old, soggy mattresses sheltered countless beer cans, and garbage filled a hollow at the base of a whitebark pine tree.

But road crossings on some sections of the trail are more than 100 miles apart. Solitude and seclusion are guaranteed along these stretches: We once went 10 days without seeing another person.

The rewards of being free on the trail far outnumbered the disappointments. Alpine lakes and trout-filled streams. Wild morel mushrooms and meadows filled with colorful wildflowers. We saw stars as we'd never seen them before — by looking down — and heard a loon's laughter echoing in the night. We shared camp with a family of moose one week, a band of bighorn sheep the next.

The U.S. Forest Service and other agencies are marking and improving the trail in Montana and Idaho so that, eventually, anyone should be able to make their way through the Rockies. Yellowstone National Park will probably be the next to designate an official trail along the Great Divide. Then Wyoming, Colorado and New Mexico will follow — and so, too, may we.

■

Tad Brooks is a free-lance writer in Bozeman, Montana.

CLASSIFIEDS

ADVOCACY POSITION: Wild Salmon and Trout Alliance seeks Program Coordinator for outreach and action to protect wild stocks. Qualifications: experience in natural resources, preferably PNW fish; conservation ethic; excellent communication skills. We encourage females and American Indians to apply. Salary $18,000. Send to Greater Ecosystem Alliance, POB 2813, Bellingham, WA 98227 (206/671-9950). (1x16b)

POSITION OPENING: Canyonlands Field Institute, Outreach and Marketing Coordinator. Full time, year round. $900/mo. to start plus health insurance. Call for application information or send resumé, cover letter and 3 phone references to: CFI, PO Box 68, Moab, UT 84532; 801/259-7750. (1x16b)

WANTED: HOME NEAR SANTA FE. Transferring Park Service couple wants the right place within commuting distance. Ideally: 3 BR, garage, storage, views, quiet, "Santa Fe" style, less than $90,000. Ask for Bob, 906/337-4991, 8-5 (Eastern) M-F before 10/20/91 or 505/988-6870 thereafter. (2x16b)

CAT LOVERS AGAINST THE BOMB 1992 wall calendar, $7.95 postpaid, NEBRASKANS FOR PEACE, 129 North 10th, #426HCN, Lincoln, NE 68508 (402/475-4620). (EOM-16,18,20p)

300 ACRES ON DOLORES RIVER. Entrance to fabulous Blue Creek Canyon — sheer 1,000-foot red-rocked cliffs with old Ute trail going up. 70 acres can be irrigated, homestead, orchard, small home, swinging bridge across river, surrounded by BLM, 1.5 hours to Grand Junction or Telluride, $300,000. 600 acres farther down the river for the same price. Others. Treece Land, 303/243-4170. (4x14b)

OUTDOOR SINGLES NETWORK, bimonthly newsletter, ages 19-90, no forwarding fees, $18/1-year, $4/trial issue-information. OSN-HCN, 1557 Goodrich Creek, Council, ID 83612. (10x10p)

ORGANIZATIONAL CONSULTANT wants to match professional endeavors with personal values. Desire to use my talent in organization development consultation, conflict management and group facilitation to serve clients that have environmental awareness as an integral part of their mission. I have designed and conducted team development workshops, planning sessions, trainings and retreats for boards of directors, community groups, management teams and statewide organizations. I invite you to contact me. References available. Virginia Winter, Box 339, Grand Lake, CO 80447, 303/627-3503. (3x15p)

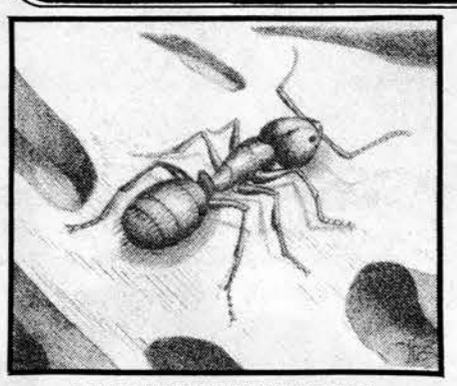
ENVIRONMENTAL FORESTER for project to assist grassroots organizations working on issues related to the implementation of national forest plans in the western United States. Includes training and technical assistance to organizations responding to proposals for site-specific projects, such as timber harvesting and road construction. Responsible for training materials, coordinator of communications among grassroots organizations, presentation of workshops and development of strategies to influence national forest management. Will also prepare assessments of resource conditions and research on solutions for technical and policy problems on the national forests. Applicants must have practical experience in national forest policy, silviculture, quantitative methods used in land management planning and/or timber management planning. Experience in one or more of the following is also desirable: wildlife management, watershed management, preservation of biological diversity and grassroots organization. Thorough knowledge of the laws and regulations governing national forest management is required. Applicants must have strong public-relations skills and a commitment to protecting the forest environment. Send resumé with letter of application and names and addresses of three professional references to Kathryn Brewer, Assistant to the Director, Forest Trust — The Tides Foundation, PO Box 519, Santa Fe, NM 87504-0519. Closing date October 31, 1991. (2x16p)

"OUTDOOR PEOPLE AD-Venture" lists 60-word descriptions of active, outdoor-oriented Singles and Trip Companions nationwide. $3/issue, $12/ad. OUTDOOR PEOPLE-HCN, PO Box 600, Gaston, SC 29053 (7x12b)

NEW WATER BOOK: An Introduction to Water Rights and Conflicts with emphasis on Colorado. $14.95 plus $3.00 S/H. To order, please write Network Marketing, 8370 Warhawk Rd., Dept. HC, Conifer, CO 80433, or call 303/674-7105. (12x5b)

HIGH COUNTRY NEWS classified ads cost 30 cents per word, $5 minimum. Display ads 4 column inches or less are $10/col inch if camera-ready; $15/col. inch if we make up. Larger display ads are $30 or $35/col. inch. We reserve the right to screen all ads. Send your ad with payment to: *HCN*, Box 1090, Paonia, CO 81428 or call 303/527-4898 for more information.

BULLETIN BOARD



POISONLESS PEST CONTROL

Dan Stein wants us to rethink our attitude toward insects. "Think of them as poorly trained pets," he writes. "Granted, they are uninvited, but so are my visiting relatives." Stein, owner of a pest control business in Oregon, has written *Dan's Practical Guide to Least Toxic Home Pest Control* to help people deal with these uninvited guests. It contains sections on the 15 most common household pests, including cockroaches, fruit flies, silverfish, termites, head lice, yellow jackets and wasps. Most of the recommended control measures are simple, but a few require "least toxic" chemicals such as pyrethrin. There is also a section on how to choose a good exterminator, should you need one, and a running commentary on the invertebrate world: "The housefly beats its wings to the pitch of Middle F." "Carpenter ants were eaten by Maine lumbermen to prevent scurvy." "Time flies like an arrow but fruit flies like a cherry."

Hulogosi Press, Box 1188, Eugene, OR 97440. Paper: $8.95 plus $2 shipping. 87 pages. Illustrated by John F. Graham.

REUSE IT OR LOSE IT

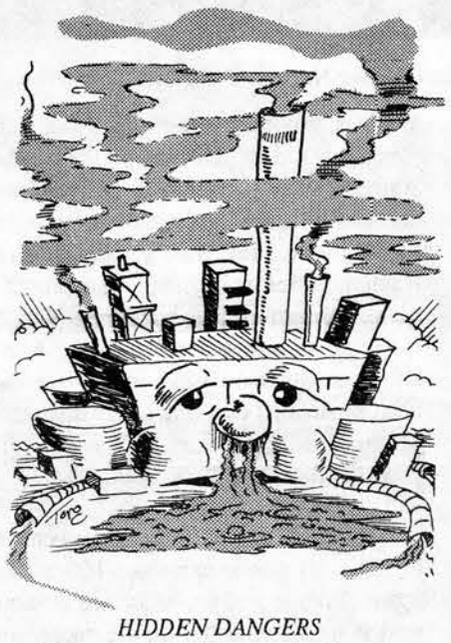
Before Wyoming residents throw out their trash, they may want to thumb through the handy, 18-page *Guide to Recycling in Wyoming*, published by the Wyoming Outdoor Council. The pocket-size publication features tips on regional recycling, recycling centers, sample market prices, and information on how to start a collection site. The brochure, printed on recycled paper, costs 52 cents (send stamps) from the Wyoming Outdoor Council, 201 Main St., Lander, WY 82520.

SUSTAINING WYOMING

The Wyoming Outdoor Council's annual conference Oct. 5 will explore the creation of long-term economies with workshops on economic sustainability: pitfalls and promises facing Western states. Keynote speakers are Dennis Kelso, head of the Alaska Department of Environmental Conservation during the Exxon Valdez oil spill, and Phil Hocker, president of the Mineral Policy Center in Washington, D.C. Following the conference in Laramie, a variety of field trips will be offered on Oct. 6, including plane flights to view timber cuts on the Medicine Bow National Forest. The flights will be guided by members of Friends of the Bow, an advocacy group contesting timber sales there. For more information contact: WOC, 201 Main St., Lander, WY 82520 (307/332-7031).

MAJOR POWELL, MEET JOHN MUIR

Western water politics have always been influenced by opposing visions of historical figures such as explorer John Wesley Powell and Los Angeles water engineer William Mulholland. But the controversial debate over building "Coyote Flats Dam" is the first to involve these figures directly. Powell and Mulholland, as well as Sarah Winnemucca, John Muir and Mary Hallock Foote, will be portrayed by actors in the fictional dispute that is the focus of the Center of the American West's third annual symposium, Sept. 27-28. The debate will feature spokespeople from towns, federal agencies, Indian tribes, rabid and reasonable environmental groups, and just plain "locals." One speaker, "Slab" Perkins, a senior BuRec official, says he can't wait for the conference to begin. "We're tan and we're rested ... it's high time for a new dam in America," he says. His agency hasn't built a major dam in the United States since the 1970s. Present-day Western visionaries such as historian Patricia Nelson Limerick and attorney Charles Wilkinson will host the gathering. The Chatauqua-style symposium in Boulder, Colo., costs $40 for professionals, $20 for citizens and is free to students. After Sept. 10 these costs go up by $5. Contact Western Rivers: From Grand Wash to Coyote Flats Symposium, Marie Wilwerding, Campus Box 401, University of Colorado, Boulder, CO 80309-0401 (303/492-1876).



HIDDEN DANGERS

What you don't know can harm you, according to a new, 17-minute video by the Northwest Coalition for Alternatives to Pesticides, based in Eugene, Ore. The video, *Inert Alert*, focuses on health risks associated with so-called "inert" chemicals in pesticides. Since these ingredients are not considered active, pesticide companies are not required to list them on product labels. But inert does not mean benign, say some scientists; in fact, some of these unlisted ingredients can be more toxic to humans than their listed counterparts. Rental of *Inert Alert* is $15; for more information contact the Northwest Coalition for Alternatives to Pesticides, P.O. Box 1393, Eugene, OR 97440 (503/344-5044).

THE BOMB PLUS 50

To mark the start 50 years ago of the Manhattan Project that developed the world's first atomic bomb at Los Alamos, N.M., the Center for the Study of the Pacific Northwest has planned a symposium in 1992. The center, based at the University of Washington, is asking for scholarly papers on "The Atomic West: Federal Power and Regional Development." The range of topics is broad, organizers say, but the center especially encourages historical perspectives on current policy issues. A book is planned based on the two-day conference; proposals are due by Sept. 30, 1991. For more information, contact John Findlay or Bruce Hevly, "The Atomic West," Center for the Study of the Pacific Northwest, Department of History, DP-20, University of Washington, Seattle, WA 98195 (206/543-5790 or 206/543-8656).

CIRCUIT RIDER WANTED

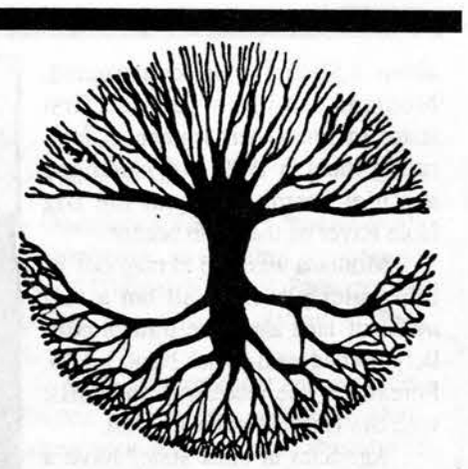
The Mineral Policy Center of Washington, D.C., has come to the Southwest. Active in raising awareness of mining issues on the national level, the organization is expanding its grassroots efforts through the creation of a southwest office in Durango, Colo. David Mullon, the new southwest circuit rider, is organizing a late fall citizens conference on mining in the Four Corners area, and interested people can contact him at Box 2998, Durango, CO 81302 (303/385-6751). The Mineral Policy Center is also seeking a new circuit rider for its northern office in Bozeman, Mont. The position calls for travel through Oregon, Washington, Idaho, Montana and the Dakotas to work with local communities on mining issues. Technical training in mining or environmental fields is preferred, and humor, intelligence, patience, stamina and "people skills" are required, says the center. Women and people of color are encouraged to apply. Write: Circuit Rider Applications, Mineral Policy Center, 1325 Massachusetts Ave. N.W., #550, Washington, D.C. 20005 (202/737-1872).

SINGING FROM THE TREETOPS

Darryl Cherney, the irreverent troubadour of Earth First!, is at it again. His cassette album, *Timber*, lampoons timber companies with such satirical songs as "Arizona Power Lines" and "You Can't Clearcut Your Way to Heaven." The project was financed in part by a settlement Cherney received after being struck by a timber truck. This tape, he says, was truly paid for by timber dollars. It costs $10 from Darryl Cherney, P.O. Box 34, Garberville, CA 95440 (707/943-3788).

WILD ROCKIES RENDEZVOUS

The sixth annual Wild Rockies Rendezvous, a gathering of conservation activists from the Northern Rockies, will focus on "Defending Biodiversity and Our Quality of Life," Sept. 27-29 in Missoula, Mont. Featured speakers include John Craighead, a pioneer in grizzly bear research, and activist Keith Hammer. The conference is sponsored by the Alliance for the Wild Rockies and will include workshops and panel discussions as well as a dance Saturday to the music group Ramen. For more information, contact: Alliance for the Wild Rockies, P.O. Box 8731, Missoula, MT 59807 (406/721-5420).



THE EARTH WE KNOW

"When we see land as a community to which we belong, we may begin to use it with love and respect." Those words by ecologist Aldo Leopold are the touchstone for the Taos Conference on Writing and the Natural World, Sept. 18-22. Workshops and panels will take up topics such as the politics of place and the ground between domesticity and the wild with writers William deBuys, W.S. Merwin, Gibbs M. Smith, Terry Tempest Williams, Ann Zwinger and Susan Tweit, among others. The conference will be held at the Fort Burgwin Research Center south of Taos, N.M.; a $595 fee covers all expenses. For more information contact Recursos de Santa Fe, 826 Camino de Monte Rey, Santa Fe, N.M. 87501 (505/982-9301).

ARE ENVIRONMENTAL ETHICS POSSIBLE?

Are humans inherently destructive to the earth? Can we continue to have both an industrial society and a healthy planet? Those questions will be discussed at the annual rendezvous of the Montana Environmental Information Center Sept. 14, near Helena. Montana State Sen. Bill Yellowtail will moderate the debate on "Environmental Ethics in the 1990s" with speakers John Baden, founder of the Foundation for Research on Economics and the Environment, John Hart, associate professor of theology at Carroll College, Bill Haskins, representing Wild Rockies Earth First! and Paul Ringling, a Montana rancher. Tickets are $15 in advance and $20 at the door. For more information, contact the Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624 (406/443-2520).

A 75TH BIRTHDAY

Seventy-five years old this year, the National Park Service is looking for ways to combat the problems parks face in the next century, from overcrowding by tourists to rampant commercialism and encroachment from developers on park borders. In an attempt to plan ahead, the agency is co-sponsoring a symposium called "Our National Parks: Challenges and Strategies for the 21st Century," set for Vail, Colo., from Oct. 7-10. Organizers also include the World Wildlife Fund, the Conservation Foundation and the John F. Kennedy School of Government at Harvard University. The symposium will ask the expected 600 participants from the public and private sectors to make recommendations to guide the national park system. For more information, write the National Park Service, Employee Development Division-DSC, 12795 W. Alameda Pkwy., P.O. Box 25287, Denver, CO 80225-0287.