



WILDERNESS WATCHER

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Betraying the Promise

In 1999 the U. S. Fish and Wildlife Service published its vision for the future in a report titled, “Fulfilling the Promise.” The agency established a goal to become “a leader in wilderness preservation.” It was a bold statement for an agency that had only one wilderness specialist working in the field. The report went on, “Wilderness on refuges deepens and broadens our perspective of the refuge landscape, compelling our thought beyond managing it as habitat for wildlife species.” But the report also acknowledged that many wildlife refuge managers “have difficulty incorporating even the physical standards of wilderness into the traditional paradigms of refuge management. Fewer managers are trained to assess and protect the psychological, symbolic, and spiritual meanings wilderness offers.”

Yet the Service was right to believe the National Wildlife Refuge System could become the standard bearer for good wilderness stewardship. The purpose of wildlife refuges ever since President Teddy Roosevelt established the first one at Pelican Island in 1903 has been to protect wildlife. What could be more compati-



Izembek National Wildlife Refuge, AK
Photo courtesy of US Fish and Wildlife Service

ble than wildlife protection and wilderness stewardship? Refuge managers have not only the Wilderness Act to lean on, but also their responsibility to put wildlife first when recreational or other uses threaten to harm the animals or their homes. Moreover, most wildlife refuge Wildernesses are free of many of the non-conforming “multiple uses” that complicate stewardship on national forest or BLM-administered lands. Wildlife refuge managers have always been in a place to put wildlife and wilderness protection first.

And the Service has something else going for it—a wilderness land base second to none. There are over 20 million acres of designated Wilderness in the National Wildlife Refuge System, and nearly 60 million additional acres, 90 percent of it in Alaska, that qualify for Wilderness designation. The Arctic NWR alone has eight million acres of designated Wilderness and nearly 12 million acres of potential Wilderness—20 million

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...And Much More!

insights from the Executive Director

Challenging Times, But Opportunities Await

– By George Nickas

No doubt these are challenging times for many people, and for non-profit organizations like Wilderness Watch. It's beyond me to know what the U.S. economy will do, but I'm confident in Wilderness Watch's ability to weather the storm. We rely on the generosity of our members, and we get an added boost



from a handful of dedicated foundations. I have faith we will all continue to pitch in together. As Jeff Smith, our development and membership director, points out elsewhere in this newsletter, your response to our winter appeal was unprecedented. It gives us strength and confidence.

Still, the economic meltdown couldn't have come at a worse time. Over the next couple of years we'll face our best opportunity to enlist key congressional leaders to make the agencies adhere to the Wilderness law, revamp their programs, and take their stewardship mandates seriously. Without congressional

oversight, there's little chance the agencies will change their long-standing antipathy toward wilderness stewardship. This antipathy started long before the previous administration and has continued unabated through Bush I, Clinton, and Bush II. It's safe to say President Obama's appointments to key public lands positions suggest more of the same, unless we exert significant external pressure. Wilderness Watch will create that pressure, and we expect to engage Congress in our efforts.

Wilderness Watch will continue to take on the real short term threats to Wilderness, while we make every effort to secure the necessary oversight—and legislative direction—that will provide much greater stewardship oversight for years to come.

Stay with us by continuing your donations to Wilderness Watch, and join us with letters, calls, and faxes to public officials. These are crucial times and Wilderness is depending on all of us.

On another note, I want to take this opportunity to welcome Dawn Serra to Wilderness Watch. Dawn is our new communications and outreach coordinator. She'll ramp up our outreach to members, the media, and the general public as we build stronger support for our programs and for Wilderness. You can read more about Dawn on page 6. And to get a taste of Dawn's work, please visit our recently upgraded website. ♪



The Wilderness Watcher

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Wilderness in the Courts

APPEAL FILED TO PROTECT KOFA WILDERNESS

On February 13, 2009, Wilderness Watch filed its opening brief in the 9th Circuit Court of Appeals in an effort to overturn a U.S. Fish and Wildlife Service (FWS) decision to construct two artificial water developments, known as “guzzlers,” in the Kofa Wilderness in southwest Arizona (*see June 2008 and December 2008 Wilderness Watcher articles for more information*). The guzzlers were built to provide additional water sources for desert bighorn sheep in an attempt to increase sheep numbers for hunters and for transplanting to other areas of the state. The Arizona Wilderness Coalition, Grand Canyon Wildlands Council, Western Watersheds Project, and Grand Canyon Chapter of the Sierra Club joined Wilderness Watch in the appeal.



Guzzler Construction
Photos courtesy of the US Fish and Wildlife Service

Congress designated the 516,000-acre Kofa Wilderness in 1990. The Wilderness comprises more than 80 percent of the Kofa National Wildlife Refuge, which was established by President Franklin D. Roosevelt in 1939 as the Kofa Game Range. The Refuge is home to such native wildlife as the desert tortoise, white-winged dove, mountain lion, mule deer, and desert bighorn sheep.

In 2006, the FWS issued a Categorical Exclusion (CE) under the National Environmental Policy Act (NEPA) to construct the guzzlers. The agency did not provide public notice or an opportunity to comment on the CE, nor any notice on the decision to construct the guzzlers. Arizona Game and Fish Dept. and the Yuma Valley Rod and Gun Club partnered with the FWS in the building the guzzlers. In 2008, the District Court in Phoenix ruled in favor of the FWS, concluding that the FWS appropriately balanced its refuge management goals with its responsibilities under the Wilderness Act.

The district court’s ruling contrasts with other courts that have held an agency cannot compromise an area’s wilderness character when conducting its other programs. As Wilderness Watch Executive Director George Nickas stated, “Wilderness is a place where natural processes are allowed to operate without human interference, and where motor vehicles and permanent structures are banned. Constructing artificial water developments in an attempt to artificially inflate bighorn sheep numbers is contrary to preserving the area as wilderness.”

The conservation groups are asking the Court of Appeals to find that the action of the FWS violated the Wilderness Act and NEPA in that:

- 1) The water developments fail to preserve the wilderness character of the Kofa Wilderness, as the artificial structures alter wildlife species distribution and the area’s natural hydrology;
- 2) The water developments violate the Wilderness Act’s prohibition against structures, installations, and the use of motor vehicles; and
- 3) The FWS violated NEPA by failing to give public notice of or prepare a public analysis of the environmental impacts of building the two water development structures.

The lawsuit asks the Court of Appeals to reverse the district court’s decision, vacate the FWS’s decision to build the new water development structures, and order their removal by non-mechanized means.

Peter Frost of Western Environmental Law Center, and Erik Ryberg, a Tucson, Arizona-based attorney, represent Wilderness Watch and our co-plaintiffs in the case. ♻️

Wilderness in the Courts

LAWSUIT CHALLENGES HELICOPTER TRAINING IN NEVADA WILDERNESSES

Wilderness Watch has filed a lawsuit against the Bureau of Land Management (BLM) for its decision to authorize the Las Vegas Metropolitan Police Department (LVMPD) to conduct motorized search and rescue training operations in the La Madre Mountain Wilderness and Rainbow Mountain Wilderness in southern Nevada.

BLM's decision authorizes helicopter landings at 33 sites within the Wildernesses. Up to 60 landings per training session could occur, resulting in more than 400 landings per year, in perpetuity. **The decision represents the single largest motorized intrusion ever authorized in a unit of the National Wilderness Preservation System.** LVMPD chose the sites based on their proximity to Las Vegas and ease of access for rescue team members.

BLM prepared an environmental assessment and "minimum requirements decision guide" in response to LVMPD's request to conduct training in the Wildernesses. BLM's studies found that training can be achieved on cliffs and canyons outside the Wilderness. BLM also concluded the noise from the helicopters would dominate the area, opportunities for solitude and primitive recreation would be lost entirely, and most visitors would be driven from the area where helicopters would operate. The agency acknowledged there would be "significant" impacts from the training.

A review of BLM's files shows that BLM staff recommended against approving LVMPD's request and felt the proposal would violate the law. In June 2007, a local

BLM official wrote, "The [LVMPD] proposal is not consistent with the Wilderness Act... Our position is not to approve any training in the Wilderness Areas that involves landing and unloading of personnel or material."

So, why did BLM decision-makers decide against the agency's own findings and the recommendations of its professional staff in approving the project? Enter Senator Harry Reid's office. Buried in BLM's files is an email from Lt. Ojeda of the LVMPD to Juan Palma, BLM area manager, documenting an August 14, 2007 "telephonic three way conversation" between BLM, LVMPD and Senator Reid's office. According to the memo, it was agreed at the meeting that BLM would complete an environmental assessment "stating and allowing the [LVMPD]... the exemption and ability to train with aircraft, personnel and related equipment in the Rainbow Mountain and La Madre Mountain Wilderness areas." Not only had BLM reversed its position on the proposal, but also it had agreed to the outcome of the EA before it even conducted the analysis.

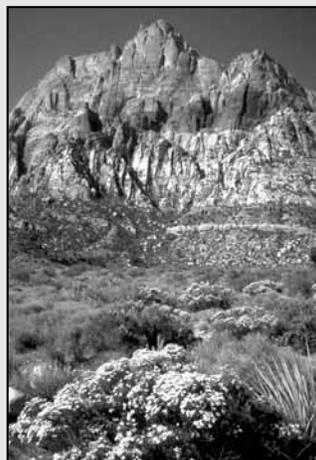
Our complaint argues that BLM's decision is unlawful for several reasons:

1. The motorized use will degrade the areas' wilderness character including the values of solitude, primitive and unconfined recreation, and the absence of motor vehicles.
2. The training will violate the Wilderness Act's prohibition on the use of motor vehicles and motor equipment unless such use is the minimum required to protect the Wilderness.
3. The decision violated the National Environmental Policy Act because BLM failed to prepare an environmental impact statement despite the agency's own findings that the project would have a significant impact on the Wilderness and because the agency did not adequately consider impacts to wildlife in the area.
4. The decision violates the Endangered Species Act because BLM failed to consult with the U.S. Fish and Wildlife Service to ensure that the threatened desert tortoise would not be harmed by the action.

Collette Adkins Giese and Jon Dettmann (Faegre & Benson), Peter Frost (Western Environmental Law Center), and John Marshall, a Reno, NV-based attorney, are representing Wilderness Watch. ☞



La Madre Mountain Wilderness
By Peter Druschke



Rainbow Mountain Wilderness
By Mark Rekshynskyy

Betraying the Promise (continued)

contiguous acres of some of the most pristine wildlands left on the planet.

The Service's remarkable Wilderness isn't confined to Alaska. The 700,000 Cabeza-Prieta in Arizona and the 350,000-acre Okefenokee in Georgia are two of the

There are over 20 million acres of designated Wilderness in the National Wildlife Refuge System, and nearly 60 million additional acres, 90 percent of it in Alaska, that qualify for Wilderness designation.

largest Wildernesses in the Lower 48. They bring an incredible diversity of arid Sonoran desert and "prairie" swamplands to the National Wilderness Preservation System. Each of the refuge system's 75 Wildernesses is a rich and valuable nature reserve.

Yet despite the potential for excellence, wilderness stewardship on wildlife refuges suffers from a "management" culture largely at odds with the concept of untrammelled Wilderness "retaining its primeval character and influence... protected and managed so as to preserve its natural conditions." While all federal agencies have confronted this challenge, which explains in part their lack of support for the original wilderness bill, the timber, mining, and grazing interests in the Forest Service and BLM have come to accept, albeit grudgingly, that some areas would have to be left alone.

Wildlife managers, on the other hand, have felt no such constraints. Their paradigm generally treats nature as a producer of crops—the "crop" being wildlife. State and federal wildlife agencies have not adopted the wilderness ideal. To their eyes, wilderness stewardship doesn't work because it doesn't allow habitat manipulation to favor preferred game species and it restricts motorized hunter access.

That's what was so remarkable about the Service's sincere pronouncement in 1999 that it would become a leader in wilderness stewardship. And it got off to a great start. The agency brought together its leading wilderness staff to completely rewrite its anemic 1980-era wilderness policies. In January 2001, the Service released its draft proposal that, while not without its shortcomings, contained a number of positive, groundbreaking statements and guidance. The policy plainly acknowledged that the unique challenge of wilderness management is to preserve

both the tangible and intangible aspects of Wilderness. It included an eloquent definition of wilderness character, heretofore undefined in federal wilderness policy, and a number of thoughtful messages on how to preserve that character. It placed an emphasis on the need for humility and restraint when engaged in management activities, and it put preservation of wilderness character at the head of all stewardship decisions. It defined solitude such that

managers could easily grasp that protecting solitude involved far more than just limiting the number of visitors.

The public responded with overwhelming support. More than 4,100 people sent comments on the draft policy. The Service extended the comment period twice to appease wilderness opponents, particularly a number of state fish and wildlife agencies, yet in the end almost all of the comments supported the pro-wilderness direction in the new policy. In fact, most of the comments urged the Service to include additional strengthening provisions. The response both surprised and heartened the Service's wilderness policy team.

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Okefenokee Swamp National Wildlife Refuge
Photo by George Gentry

The good news was short lived, however. By the middle of 2001, Bush administration political appointees dismissed the Service's wilderness team and brought in state fish and game officials from five states to rewrite the policies. These were the very officials who complained the draft policy was too favored toward wilderness protection. For the next

Time will tell if the Service's new leaders are committed to "fulfilling the promise" of becoming a leader in wilderness stewardship or whether policies written with the anti-wilderness bias of the Bush administration and state wildlife managers will be good enough.

several years the state officials and their allies in the Service worked over the policy, tweaking provision after provision. The end result is lamentable. For example, it will now be okay to trammel Wilderness so long as managers don't permanently trammel it. Permanent roads will be banned, but *retained*, temporary roads will not. Commercial enterprise will remain illegal, but "refuge management economic activities" will not. Human-built structures will be seen as impairing solitude, but only if they are unnecessary structures, and so on. Most unfortunately, the policy was modified to encourage recreational snowmachine and motorboat use in Wildernesses in Alaska.

The new policy also exempted wildlife refuges in Alaska from further wilderness review. This means that over 50 million acres of potential wilderness will not be studied for wilderness designation nor will they be eligible for interim protection as "proposed wilderness" in refuge management plans.

With so many changes to the draft policy, Wilderness Watch and others urged the Service to provide an opportunity for public review and comment before the policies became final. Not only did the initial comment period show a high degree of public interest, but also the Service's own policies state that any substantive change should undergo further public review. But it was not to be. On November

17, 2008, 64 days before President Bush left the White House, the Service released its emasculated policies in final form. There would be no public review.

Wilderness Watch has urged the Obama Administration to rescind the policy and provide an opportunity for public com-

ment on the proposal. Our request was part of a package of recommendations submitted to President Obama's transition team. The package was endorsed by nearly 100 local, regional, and national organizations. We are also preparing a letter and analysis for the incoming leaders of the FWS urging them to open the policy to public review.

Time will tell if the Service's new leaders are committed to "fulfilling the promise" of becoming a leader in wilderness stewardship or whether policies written with the anti-wilderness bias of the Bush administration and state wildlife managers will be good enough for the agency's new leaders. One thing's for certain, the policies as written leave a mighty gap between the "promise" and reality. ♪

—By George Nickas, Executive Director

Wilderness Watch Welcomes Dawn Serra!

All of us at Wilderness Watch are excited to introduce Dawn Serra as Wilderness Watch's new communications and outreach coordinator. Dawn joined Wilderness Watch at the beginning of 2009. Prior to Wilderness Watch, Dawn worked for the Highlands Coalition as communications coordinator, and contracted design work for non-profits such as Alliance for the Wild Rockies, Appalachian Mountain Club, Great Burn Study Group, Native Forest Network and the National Forest Protection Alliance. Dawn also served as publicity coordinator for the Sawtooths to Selkirks Hike, which promoted wildlife corridors in the northern Rockies. Dawn holds a BFA in Graphic Design and completed an Environmental Leadership Program fellowship in 2008.

Feel free to call or email Dawn to introduce yourself at 406.542.2048, dserra@wildernesswatch.org. ♪



Photo by Daria Mochan

Voices for Public Lands

Wilderness Watch has joined with nearly 50 organizations in launching a new effort called Voices for Public Lands. VPL has grown out of concerns with the proliferation of “quid pro quo” wilderness bills introduced in Congress in recent years—bills loaded with wilderness-damaging provisions and public land privatization schemes—and the absence of a cohesive grassroots voice on many issues affecting public lands. The mission of VPL is to provide a forum for the collective voice of the grassroots public land movement on issues of mutual concern. The forum is united by a commitment to the values enumerated in the Declaration of Principles for Public Lands (see below). Executive Director George Nickas represents Wilderness Watch on the VPL steering committee.

A DECLARATION OF PRINCIPLES FOR PUBLIC LANDS

Federally-administered public lands are the birthright of all Americans. Public lands comprise one-third of the land base of the United States, encompassing crucial watersheds, fish and wildlife habitat, and undeveloped open spaces offering inspiration and renewal to the human spirit. The life-sustaining and life-enhancing benefits provided by public lands contribute to the well-being of all Americans.

Public lands are a valued American tradition, held in trust for the permanent good of the people. Each new generation inherits a responsibility to protect the public values and benefits these lands hold and pass this legacy on for future generations to experience and enjoy.

Our laws recognize the importance of preserving our public land heritage. Yet even with protective laws in place, these lands are under constant assault by those seeking to exploit them for private financial gain, others who would barter them for political favor, and

yet others who are opposed to the very concept of public land. Too often, deference is given to select special interests to the detriment of broader public values and needs.

A disturbing trend is afoot to privatize our public lands outright or, more insidiously, to commodify and sell their unique values and benefits to a public increasingly viewed as customers rather than citizens. These trends threaten the very ideas of public space, shared values, democratic principles, and a public commons—as well as the integrity of the functioning natural systems upon which all life depends. This drive to quantify and monetize all values in our society obscures the enduring, intrinsic value of our public land.

Citizen advocacy is critical to preserving our public land heritage. Public lands will only be protected through a unified and committed public land movement. In that spirit we, the undersigned, present the following principles for public lands:

PRINCIPLES FOR PUBLIC LANDS

- 1.** Our public lands are a public good that must be protected in perpetuity for the benefit of each new generation.
- 2.** Public lands must remain in public ownership, overseen by the federal government on behalf of, and with the input of, all citizens.
- 3.** Protecting public lands requires strong and enforceable laws. Efforts to circumvent the protections in existing environmental laws must be resisted.
- 4.** The public has a right to know how our shared lands are being managed, and to participate in open, transparent planning and decision-making.
- 5.** Control of public lands must never be ceded to local interests, advisory boards, panels, or groups, but should remain with the federal government and, by extension, the public at large.
- 6.** Precedence shall be given to ecological and other public purposes. The biological health of public lands, waters, and wildlife have intrinsic value and should be given the highest priority in public land management.
- 7.** Public use shall take precedence over commercial use. In situations where access is restricted or allocated, the needs of the self-guided public shall take precedence over the wants of commercial service providers. The potential for revenue generation or other commercial outputs must never unduly influence management decisions.
- 8.** Public lands are not a form of currency to be bartered for political favors. They are not to be sold for revenue generation or for administrative cost reduction. Protecting one area must not be accomplished by supporting degradation of another. In these regards, public lands are non-fungible.
- 9.** Citizens and visitors alike should not be charged a fee merely for walking, riding, or floating upon public lands and waters. Enterprises engaged in commerce should, at a minimum, be required to pay full cost recovery for anything they do upon, and pay fair market value for anything they remove from, public lands and waters.
- 10.** Nearly 20 percent of public lands are congressionally designated as Wilderness. The wilderness character of all designated Wilderness should be preserved and not diminished in any way.
- 11.** Legislation to designate new wilderness should fully reflect and uphold the spirit, intent, and provisions of the 1964 Wilderness Act, and contain no special exceptions that would lessen the protective provisions of the Wilderness Act.
- 12.** Congress must appropriate adequate funding to the federal land management agencies, both to ensure that the agencies are able to carry out their obligations and to forestall any real or perceived need for private funding of public land management.

Essay: Celebrating Wilderness

By Dr. Roderick Frazier Nash



Wilderness preservation is an American invention—a unique contribution of our nation to world civilization. The 45th anniversary of the Wilderness Act (September 3, 1964) is near at hand, and Americans should renew their pride in and commitment to the National Wilderness Preservation System. It is one of the best ideas our country ever had.

One place to start the celebration is with the recognition that wilderness is the basic component of American culture. From its raw materials we built a civilization. With the idea of wilderness we sought to give that civilization identity and meaning. Our early environmental history is inextricably tied to wild country. Hate it or love it, if you want to understand American history there is no escaping the need to come to terms with our wilderness past. From this perspective, designated Wilderness Areas are historical documents; destroying them is comparable to tearing pages from

our books and laws. We can not teach our children what is special about

our history on freeways or in shopping malls. As a professional historian I deeply believe that the present owes the future a chance to know its wilderness past. Protecting the remnants of wild country left today is an action that defines our nation. Take away wilderness and you diminish the opportunity to be American.

Of course our nation changed its initial wilderness environment. Early on we eliminated a lot of wild places along with the wild people who were there before us. But in this process of pioneering we also changed ourselves. In time Americans began to understand that the conquest of the wilderness could go too far for our own good. Now, many think, it is time to conquer a civilization notorious for its excesses. Unrestrained growth can be ironic; bigger is not better if the support systems are compromised. Wilderness is an anchor to windward in the seas of increasingly frightening environmental change.

The intellectual revolution that changed our attitude toward wilderness from a liability to an asset is one of the most profound in environmental history. In the beginning of the American experience wilderness was “howling”: feared and hated by European colonists who

longed to bring order and security to uncontrolled nature. Their religious heritage taught them that god cursed wild places; the civilizing process was a blessing. Only gradually and incompletely did these old conquer-and-dominate biases give way first to wilderness appreciation and then to preservation.

Romanticism, with its delight in awesome scenery and noble savages, underlay changing attitudes. So did the concept that wilderness was the source of a unique American art, character, and culture. The Adirondacks and the Grand Canyon were the American equivalent of the Acropolis and Buckingham Palace. By the 1850s Henry David Thoreau could celebrate the physical and intellectual vigor of the wild as a necessary counterpoint to an effete and stale civilization. He called for people and landscapes that were “half cultivated.” He realized that saving some wilderness from development would help keep the New World new.

Granted, few paused to read Thoreau’s essays at the height of westward expansion, but a half century brought significant physical and intellectual changes in the United States. Discontent with urban environments, and the

Wilderness is an anchor to windward in the seas of increasingly frightening environmental change.

perception that the frontier was vanishing, brought new popularity to wilderness. National parks (notably Yellowstone, the world’s first in 1872, and Yosemite, 1890) began a policy of protecting unmodified public land for its scientific, scenic, and recreational values. John Muir organized the Sierra Club to defend the parks in 1892 and rallied the nation around the idea that wilderness was a valuable component of a diverse and strong civilization. In the early 20th century Theodore Roosevelt’s conservation movement included concern for protection of big wild country in which pioneer skills, such as hunting and camping, had meaning. By the 1920s the United States Forest Service was giving administrative recognition to large roadless areas of the national forests. Simultaneously, the growing science of ecology called importance to wildernesses as reservoirs of basic biological and physical processes. Understandably, Aldo Leopold, a forest ecologist, led the way in calling for wilderness preservation and defining an ethical, not merely an economic, relationship to land.

What was new about the Wilderness Act of 1964 was the way it gave specific, systematic, and secure protection to wilderness qualities and the wilderness experience. The law spoke about the importance of securing “an endur-

ing resource of wilderness” for the American people. The language itself was revolutionary. Traditionally Americans reserved the term “resource” or “natural resource” for hard-core economic stuff like lumber, oil, soil, minerals, and hydropower. In describing wilderness as a “resource,” Howard Zahniser, who wrote most of the Act, and Congress enlarged the definition of that term to include space, beauty, solitude, silence, and biodiversity. They created a framework for understanding wilderness protection as just a legitimate use of the public lands as the extractive industries.

As a professor I sometimes used a literary metaphor to explain the evolution of American wilderness policy. Think about individual national parks and forests as books. In time they were “shelved” in libraries such as the National Park System and the National Wilderness Preservation System. Rangers, who might be thought of as “librarians,” provided protective and custodial services. By the 21st Century the task of collecting and cataloging was largely over. Most of the wilderness we will ever have is identified and at least nominally protected. The challenge now, to continue the metaphor, is to improve our ability to read the books

we have reserved. We need to become more environmentally literate. This task calls for a new generation of educators and interpreters who will help people realize full value of the preserved wilderness resource. Scientists are important, but so are poets, theologians, historians, and philosophers. With their help we may realize the highest potential of our preserved wilderness: using it for instruction and inspiration in how to live responsibly and sustainably on this planet.

In 1964 the American public understood the Wilderness Act to be anthropocentric. Wilderness was protected as a scenic outdoor playground. Recreation and the economic gains that came from tourism justified the policy of preservation, and they served the cause well. But, as the Endangered Species Act of 1972 suggested, there were higher horizons for wilderness valuation. New philosophies called environmental ethics or ecocentrism gained credibility. If, as the ecologists claimed, nature was a community to which people belonged, didn't we have a responsibility to recognize the intrinsic value of its other non-human members and of natural processes? Wasn't it plausible to assume that nature had rights humans ought to respect?

Wilderness figured importantly in this new ecocentric philosophy because it was uncontrolled environment. We didn't make it; we don't own it; and our use of it is not in the old utilitarian style. Indeed designated wilderness could be understood as not for people at all. As the Act states, humans are “visitors” who do not remain. Wilderness, then, was someone else's home. It was an environment in which to learn that we are members and not masters of the community of life. An environmental ethic, rules establishing fair play in nature, is the logical next step. Why not do for other species what we have tried to do for oppressed minorities within our species?

Restraint is at the core of the new valuation of wilderness as a moral resource. When we protect wilderness we deliberately withhold our power to change the landscape. We put limits on the civilizing process. Because we have not conquered and do not dominate wild nature, we demonstrate

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understanding of the basic ethical concept of sharing and fair play. In this case it's the rest of life on the planet that's involved! Thoreau realized that “wilderness is a civilization other than our own.” Respecting it by restraining our impact is the key to effective global environmentalism. The kind of ecocentrism wilderness

teaches is not against humans at all. It transcends them and recognizes that their best interest is ultimately that of the larger whole.

The Wilderness System, then, is still a place to recreate, but it is also evidence of our capacity for badly-needed self restraint in our relationship to nature. Wildernesses are places to learn gratitude, humility and dependency; to put our species' needs and wants into balance with those of the rest of the natural world. Even if never visited them, Wilderness Areas have value as a symbol of unselfishness. Wilderness preservation is a gesture of planetary modesty by the most dangerous animal on Earth! Let's celebrate the Wilderness Act as the dawn of a kinder, gentler, and more sustainable relationship with our planet. Can anything really be more important?

Roderick Nash is a Professor Emeritus of History and Environmental Studies, University of California Santa Barbara; author of Wilderness and the American Mind and The Rights of Nature: A History of Environmental Ethics. He is a member of the Wilderness Watch Advisory Council.

On the Watch

SOUTH BARANOF WILDERNESS

Wilderness Watch is encouraging the Forest Service (USFS) to follow through on a proposal to remove two unsafe, deteriorating cabins in the South Baranof Wilderness of the Tongass National Forest in Alaska. The cabins are, according to the agency, in a “state of advanced disrepair and collapse...and present significant health and safety hazards to visitors.” Wilderness Watch submitted comments voicing our strong support for removal of the cabins.

The 1980 Alaska National Interest Lands Conservation Act (ANILCA) authorized the Forest Service to maintain and operate several public use cabins that existed in areas that ANILCA designated as Wilderness. The proposal by the Forest Service to remove these cabins represents a positive and enlightened approach to protecting and enhancing the area's wilderness character.



Photo by Mary Emerick, USFS, 2008

SNOW-KITING: TAKING THE WIND OUT OF THEIR SAILS...

“What will they think of next?” That was Wilderness Watch's response to a recent article in the Bend (OR) Bulletin touting the new sport of “snow-kiting.” The setting for the story was, much to our dismay, the Three Sisters Wilderness, a natural gem in the Oregon Cascades.

Snow-kiting is the one of the latest recreational fads where skiers and snowboarders utilize a kite to capture the wind to propel them along the ground at high speeds. According to one member of the Bend Kite Crew, which regularly meets in the Three Sisters Wilderness to snow kite, “It's surprising how much power there is. It's like having a motorbike up in the sky.” **However, snow-kiting is not a form of “primitive recreation” that the Wilderness Act**

One cabin is located at the southeastern end of Rezanof Lake. The other cabin sits on Maksoutof Lake's north shore (sometimes referred to as “Lonieof Lake” on topographic maps). The USFS has addressed options for maintaining cabins at these two sites; however, since neither site is in a high demand area, replacing the cabins would be inconsistent with the Tongass National Forest strategy to maintain cabins in high use areas, and so this option is not being considered.

The USFS proposed removal method involves teams of two or three people per site, removing the structures over three or four days with hand tools such as sledgehammers, pry bars, crosscut saws, and other non-motorized tools. Anything that could not be burned would be flown out by floatplane, and the sites would be naturalized during final cleanup. Cleanup would occur in the summer of either 2009 or 2010. Cleanup crews would follow minimum-impact and Leave No Trace guidelines while conducting the work.

We encourage you to let the Forest Service know that you support this proposal, including the use non-motorized hand tools. Please send a letter or email to the USFS encouraging the removal of these cabins in the South Baranof Wilderness. Written responses may be submitted by mail to: Mary Emerick, Wilderness Manager, Sitka Ranger District, Tongass National Forest, 204 Siginaka Way, Sitka, AK, 99835. Electronic comments can be sent in a format compatible with the current version of Microsoft Word, to: comments-alaska-tongass-sitka@fs.fed.us, with the following subject: Removal of Decommissioned Cabins in the South Baranof Wilderness. 🌿

sought to preserve, and it runs afoul of the law's prohibition on using mechanical transport in Wilderness.

Wilderness Watch and our ally in Bend, OR, Wild Wilderness, are urging the Forest Service to make an unequivocal rule protecting Wilderness from this latest craze. From conversations we've had with agency officials and comments to the media attributed to Forest Service personnel, it appears the agency shares our concern. We'll keep applying a nudge to make sure that concern results in action.

What will they think of next?

To learn more about the threat posed by snow-kiting visit Wild Wilderness's website at www.wildwilderness.org/content/blogsection/6/113/. 🌿

On the Watch

SANDIA MOUNTAIN WILDERNESS

Wilderness Watch is opposing a Forest Service proposal to close 80 miles of trails and use chainsaws to cut down thousands of “hazard” trees in the Sandia Mountain Wilderness in New Mexico. Wilderness Watch submitted comments strongly opposing this proposal.

A significant number of trees are dying due to insects and disease in the 34,232-acre Sandia Mountain Wilderness. The FS believes that dead trees falling on the trails present a safety hazard for visitors to the Wilderness. In order to make the area safer for hikers, the agency is proposing to cut down thousands of potential “hazard” trees that stand along the trails. Its preferred action is to use chainsaws to fell the trees and clear the affected trails (Pino, Embudo, Embudito, La Luz, Cienega, Faulty, Domingo Baca, and the Sandia Crest Trail). All 80 miles of these trails would be closed until the falling trees no longer pose a risk to visitors. Trees standing within 1.5 tree lengths from trail center would be cut.

The USFS scoping letter describes the following four options:

Option 1: Allow the dead and dying trees to fall to the ground naturally, then cut the fallen trees with crosscut saws. The trails most affected by the downfall will be closed to public use until the trail has been cleared of the hazard trees.

Option 2: Allow the dead and dying trees to fall to the ground naturally, and then cut the fallen trees with chainsaws. According to the USFS, the use of chainsaws would expedite the trail corridor clearing, allowing the trails to be reopened sooner to use.

Option 3: Close the trails to use until the hazard trees can be felled by crosscut saws. The USFS claims that the use of crosscut saws is “labor-extensive and time-consuming”; therefore the trails would remain closed longer.

Option 4: Close the trails to use until the hazard trees can be felled by chainsaws.

Wilderness Watch opposes cutting the hazard trees or using chainsaws to clear the trails. We have also suggested that the



Photo courtesy of the US Forest Service

area should remain open despite the added risks presented by this natural event. Visitors to the Wilderness should be allowed to experience nature on its own terms, including any risks that naturally exist. Warning signs can be posted at trailheads alerting visitors to the risk, and letting the visitors choose whether they want to accept the risk or hike somewhere else. Dead trees should be allowed to fall naturally, with crosscut saws then used to clear trails of fallen trees. We’ve suggested to the Forest Service that this presents an outstanding educational opportunity to inform local communities and visitors of the benefits of Wilderness, allowing natural processes to run their course, and the value of maintaining traditional skills.

The Forest Service does not intend to do an environmental analysis of the proposal. While that is probably illegal, it means the only chance to influence the agency’s decision on this project is through public comment. We encourage you to voice your opposition to this Forest Service plan. Please send a letter to the USFS asking them not to close trails or use chainsaws in the Sandia Mountain Wilderness. Written responses may be submitted to: Lisa L. Jones, Trails and Wilderness Program Manager, Sandia Ranger District, 11776 Hwy 337, Tijeras, NM 87059. Fax number 505-281-1176. Electronic responses may be submitted to: ljones@fs.fed.us.



SELWAY-BITTERROOT TRAIL

Wilderness Watch (WW) and Friends of the Clearwater (FOC) sent a letter to the Powell District Ranger commenting on a decision to construct ditching and culverts on the Garnet Creek trail, a primitive trail in the Selway-Bitterroot

Wilderness. We explained that the Selway-Bitterroot General Management Direction prohibits structures other than dips, waterbars, and switchbacks on trails in this part of the Wilderness. **These trails are supposed to be primitive trails needing little in the way of structures or maintenance.**

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On the Watch

SELWAY-BITTERROOT TRAIL (continued)

In reply, district ranger Chad Benson claimed the agency has the ability to install developments anywhere to protect the resource. Rather than managing recreation use so it fits in with the existing character and nature of the trail, Ben-

son's interpretation of planning requirements suggests that wilderness character will forever be sacrificed for bigger, more extensive trails and infrastructure. We will continue to pursue these issues with the Forest Service. 🐾

SELWAY BITTERROOT BRIDGE

Wilderness Watch (WW) and Friends of the Clearwater FOC) members and staff visited Cupboard Creek in early 2008 just after the Forest Service decided to replace a bridge on the Selway Trail.

The groups had earlier submitted joint comments about replacing bridges along this trail, which noted:



Photo by Mike Alperin

The fords are alternatives that need to be fully evaluated. The fords were sufficient for wilderness use some time ago. This alternative would have the least negative impact to wilderness character and would not involve motorized or mechanized equipment. Nothing has changed at the fords except the construction of bridges that made the area less wild.

Indeed, fords may not provide Wilderness users with the most convenient experience, but they do provide the most

honest Wilderness experience. Wilderness, after all, is not about convenience. It is, according to the Wilderness Act, an “area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation.”

Nonetheless, the agency issued a categorical exclusion to replace the bridge. Our suggestion that the old ford be used instead was dismissed because the agency claimed the Selway River rises too high to make the ford usable in high water.

Knowing the area well, we realized this claim was dubious. We decided to visit and take photos during the spring of 2008 when the flows on the Selway were greater than any time since 1948. A portion of the main Selway Trail was covered in water, but even at this high water, the Selway River had not washed out the ford. While Cupboard Creek itself was flowing very high, it appeared the Cupboard Creek Ford would have been usable even at record-high water.

The agency treats the Selway River Trail more like a highway than a wilderness path. While the Regional Office of the Forest Service has expressed concern about the trail—which has seen “emergency” motorized rock drilling on at least two occasions in recent years—little has changed. 🐾

Policy Changes

DOJ ADA RULE CHANGE UPDATE

In the last issue of the *Wilderness Watcher*, we described a proposed Department of Justice (DOJ) rule to adopt accessibility standards under the Americans with Disability Act of 1990 (ADA) (see *Wilderness Watcher*, December 2008, pg. 8). Currently the law allows for the use of wheelchairs in Wilderness. We were concerned the proposed rule could have expanded this exception to include “other power-driven

mobility devices,” such as electric carts or other motor vehicles like those under the brand name Segway®.

Good news: Wilderness Watch recently learned that the DOJ has officially withdrawn its proposed rule. Prior to the DOJ taking this action, the Obama administration had placed a hold on all pending new regulations. The DOJ can resubmit to OMB, but has not yet stated its intention to do so. 🐾

Wilderness in Congress

Wilderness Watch is keeping an eye on the actions of the 111th Congress. We're working with the new Congress to improve oversight of and support for the federal agencies' wilderness programs. We will keep you posted on those efforts.

Here are the key bills currently introduced in Congress:

S. 22 OMNIBUS PUBLIC LAND MANAGEMENT ACT

President Obama signed **The Omnibus Public Land Management Act of 2009** into law on 3/30/09. The act was a compilation of 160-plus individual public lands bills, with 15 separate wilderness bills designating two million acres of new Wildernesses. Many of these bills were relatively clean, meaning they didn't contain special provisions that would diminish the integrity of Wilderness. However, at least two of the bills—the Owyhee in Idaho, and Washington County in Utah—contained numerous harmful provisions opening these areas to activities such as the routine use of motor vehicles (including aircraft) or habitat manipulation by state fish and game agencies, along with a number of other inappropriate activities.

A really terrible provision in the omnibus bill facilitated building a single-lane road through the 300,000-acre Izembek Wilderness in the Izembek National Wildlife Refuge in Alaska. Izembek is an essential refuge for a great variety of wildlife. It harbors more than a quarter-million migratory birds every fall, including the world's entire population of black brants. In exchange for the road, the State of Alaska will transfer 43,000 acres of land to the federal government.

Unfortunately, the supporters of the omnibus bill did nothing to get the bad provisions removed. The message from the D.C.-based groups, supposedly coming from our Congressional allies, was that the Omnibus couldn't be amended. Apparently the NRA didn't hear the message—as it continued to demand, and ultimately got, its amendments. Our side should

have been fighting for a better bill, rather than aiding the destruction of Izembek and supporting the other bad provisions.

Most will argue that the good in the Omnibus outweighed the bad. Without judging the merits of that argument, it is important to consider whether it was a black and white choice. The Omnibus was a hold-over from the previous Congress, one in which wilderness opponents had more influence and the backing—and veto threat—of the White House. Any bill had to satisfy these opponents to get passed. Then we had an election, and the “pro-environment” side won...big time. But the omnibus wasn't updated to reflect any of this change. Why not?

It is also important to note, unlike the battles of earlier decades, when massive logging and road-building were a real and present threat, the areas designated by the omnibus were not threatened with imminent (or even foreseeable) development. Although “threats” do not justify Wilderness designation—we should designate Wilderness because we want to bestow this special status on a place—these areas didn't have to be designated right now. Any of the good wilderness bills in the omnibus could and would have passed on their own in due time.

Unfortunately, the Izembek Wilderness, the Owyhee country, Utah's red rock country, and the standards for wilderness stewardship will pay an unnecessary and heavy price for political expediency. Let's hope the omnibus is the end of the *quid-pro-quo* wilderness bills and we move toward a more enlightened Wilderness future. 🐾

OTHER IMPORTANT BILLS AND ACTIONS

Several wilderness bills have been introduced in recent weeks. They include the **Northern Rockies Ecosystem Protection Act (H.R. 980)** that would designate 23 million acres of new Wilderness in Wyoming, Montana, Idaho, Oregon, and Washington and the **Udall-Eisenhower Arctic Wilderness Act (H.R. 39; S. 231)**, a bill to designate the Arctic Refuge coastal plain as Wilderness. These bills do not include special provisions that would undermine wilderness protection.

Two bills with harmful provisions have also been introduced. The **Dominguez-Escalante National Conservation Area and Dominguez Canyon Wilderness Area Act (H.R. 170)** would allow construction of stock watering reservoirs and inappropriate “invasive species” management actions in the

Wilderness. The **Central Idaho National Forest Public Lands Management Act (H.R. 192, formerly known as CIEDRA)** includes a host of damaging provisions including routine use of motor vehicles for wildlife management activities, ATV corridors splitting the large proposed Boulder-White Clouds Wilderness into four pieces, and several public land giveaways to local interests.

All bills can be downloaded or viewed on the internet by visiting <http://thomas.loc.gov>.

You can find and contact members of Congress by visiting <http://www.usa.gov/Contact/Elected.shtml>. You can write your senator or representative at: Senator (Name) US Senate, Washington D.C. 20510 or Representative (Name) US House of Representatives, Washington D.C. 20515.

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SOME TIPS FOR CONTACTING CONGRESS

- 1.** Personal letters, either hand-written or typed, make a greater impact than email. It's best to also fax your letter because security measures delay mail delivery to Congress. "CC'ing" your letter (or email) to the chair of the appropriate committee(s) is a good idea too, as committee chairs play an important role on most legislation.
- 2.** Phone calls are an effective way to let your elected official know that you are for or against a particular bill. But you can't expect a receptionist who answers phones to relay your concerns to your Congressperson—he or she may not convey them accurately.
- 3.** Email is not always the most effective means of communicating with Congress, but it's easy to do, and unlike a phone call, your words are delivered by you, rather than interpreted by someone else. Remember to always include your address and phone number. This makes you a "real" person, rather than an anonymous being on the internet, and it lets your Congressperson know that you are a constituent. 🌀

Welcome New Board Members



JOE FONTAINE – Joe is a retired schoolteacher and former president of both Wilderness Watch and the national Sierra Club boards. He lives with his wife, Leah ("Bugs"), in Tehachapi, California. He is very active with a number of issues, particularly in the southern Sierras. He was a leader in the recent establishment of the Sequoia National Monument, and he currently serves on the Sierra Club Foundation Board of Trustees.



LOUISE LASLEY – Louise joined the Jackson Hole Conservation Alliance in June 2007 as lead staff person for public lands and wildlife management issues. She has lived in Jackson Hole for 24 years, and her advocacy includes work for the Wildlife Conservation Society, the Northern Rockies Conservation Cooperative, and Africa Rainforest and River Conservation. She has consulted on wildlife biology issues and worked as a naturalist for the Bridger-Teton National Forest. Louise has a wide breadth of knowledge and experience about the land and wildlife of the Greater Yellowstone Ecosystem.



GARY MACFARLANE – Gary is the ecosystem defense director for the Friends of the Clearwater, an advocacy group in central Idaho's Wild Clearwater Country. For nearly 30 years, Gary has been one of the country's most dedicated public lands' activists working throughout the Intermountain West and Northern Rockies. Gary is a recipient of the Alliance for the Wild Rockies Conservation award for his efforts on behalf of Wilderness in the region. Gary holds a B.S. in range science from Utah State University.



BOB OSET – Bob is a retired wilderness ranger, whose work in the backcountry dates back to summer employment during college when he worked on a trail crew for the Magruder Ranger Station deep in the Selway-Bitterroot. He's been a wilderness packer, a trail supervisor, firefighter, outfitter liaison, and wilderness specialist. He served on the first board of directors of Wilderness Watch back in 1989 and is a tireless advocate for wilderness education. 🌀

Renewing Ourselves

By Jeff Smith, Membership and Development Director



First a reassurance. We're confident that with the continued generosity and commitment of members and loyal foundations, we'll have an adequate budget for the year ahead. Nearly 20 percent of our members sent contributions as part of our end-of-the-year special appeal. That's unprecedented. We're awed. We're humbled. We're deeply thankful.

Renewals, bequests from supporters' estates, and large gifts, especially to our endowment, have slowed. We're hopeful the American economy will rebound before this downturn in support affects our operations.

But, for now, the resources our members provided at the end of 2008 will let us take advantage of the opportunities that arise with the coming of the new administration. As this newsletter attests, we are full of energy, pursuing some

issues to conclusion and taking on new ones with vigor.

We recognize it's difficult to renew your membership when the wallet is thinner than it used to be. The only thing we would ask is that you consider the following logic before you suspend your membership.

Please continue as part of this rare and effective community. Bob Marshall once remarked, "There is just one hope for repulsing the tyrannical ambition of civilization to conquer every inch on the whole earth. That hope is the organization of spirited people who will fight for the freedom and preservation of the wilderness."

As a member of Wilderness Watch, you already understand this. We don't have to recruit someone new to replace you, which is expensive. Don't give up on us. So, when you get your first renewal notice, and your bank account is running on fumes, please check the "Living Lightly" box and contribute what you can this year. Or jot us a note telling us you'll send a donation when circumstances improve.

We know you're good for it. ♪

LOVE THE WILDERNESS? Help Us Keep It Wild!

Yes! I would like to make a contribution and help defend Wilderness!

Here is an extra donation to help protect Wilderness!

\$30 \$50 \$100 \$250 \$ _____

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New communications tools

Wilderness Watch is excited to announce several new and improved communications tools: our new website, a Facebook Cause page and new format for *The Guardian*, our monthly electronic newsletter. While we will continue to use traditional ways of communicating with our members, such as this newsletter and membership mailings, utilizing some of these new tools will help us reach a broader audience.



Our newly-launched website includes both a structural and a design overhaul. Regular content updates you'll see include the latest on issues affecting Wildernesses throughout the country, as well as what's happening in Congress, plus the current issue of *The Guardian* and *Wilderness Watcher*. We've included additional content

on ways to support our work. Structural changes to note include easier navigation, clearer organization, an online *Guardian* sign-up form and a link from the Home page to our new blog. We've helped increase our credibility to

those unfamiliar with Wilderness Watch by including on our Home page the Independent Charities of America "Best in America" seal, as well as the Combined Federal Campaign's "Conservation and Preservation Charities of America" logo.

We've launched a Facebook Cause page as a way to reach more of the public. (For those unfamiliar with Facebook, this is a popular online social networking tool.) This page introduces Wilderness Watch and our positions, and allows us to receive donations and post action alerts, photos, and video. We currently have more than 300 Facebook members who can view our page and interact with us. We encourage you to join us!

Lastly, we have upgraded *The Guardian*, and have returned to a regular monthly schedule. The new graphic format allows us to share photos and links with our readers. Please sign up on our Home page: www.wildernesswatch.org or send a request with your name and email address to: dserra@wildernesswatch.org.

For more information on any of these new information sharing tools, please contact Dawn Serra at 406.542.2048 ext. 4/dserra@wildernesswatch.org.