



WILDERNESS WATCHER

The Quarterly Newsletter of Wilderness Watch

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Lost in the Desert: The Apocryphal Story of the Kofa Wilderness

— By Jeff Smith

Manipulating nature's ebbs and flows with water developments called "guzzlers" bulldozed into the floor of the desert, helicopter and fixed-wing aircraft intrusions to capture and radio-collar bighorn sheep, professional hunters and "houndsmen" hired to locate and kill mountain lions that prey on the sheep, remote surveillance cameras, a satellite video system...does this sound like good stewardship of one of America's wilderness gems?

Wilderness Watch has become increasingly concerned that agreements between federal and state agencies are weakening wilderness protection. A recent agreement between the U.S. Fish and Wildlife Service, the Bureau of Land Management, and the Arizona Game and Fish Department is a case in point. Two premier desert wilderness areas – the Kofa National Wildlife Refuge and the New Water Mountains Wilderness – are losing their wild character because the people in charge have subordinated their role to powerful state agents and trophy game hunters and have gone to great lengths to shut out anyone who disagrees with them.



Kofa Wilderness. USFWS photo.

Located between the towns of Yuma and Quartzsite in southwestern Arizona, Kofa is 1,040 square miles of prime Sonoran Desert with mountains that climb to 4,877 feet, temperatures varying from 25 to a scintillating 115, rangeland filled with creosote, ironwood, mesquite, giant saguarno cactus, and sparse rainfall, only two to eight inches a year.

This is tough country, but it is filled with life. Biologists have identified 425 kinds of plants, 188 species of birds, 49 mammal species, and 41 reptiles and amphibians, including the Sonoran Desert Tortoise.

The U.S. Fish and Wildlife Service has managed 510,000 of the Refuge's 665,400 acres as wilderness since 1990 when Congress passed the Arizona Desert Wilderness Act. The wilderness is roughly 28 miles wide by 35 miles long. A second

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insights

From the Executive Director


— By *George Nickas*

Summer has finally come to western Montana, a bit later than we've grown accustomed to over the past decade, but probably not much later than was "normal" just a few decades ago.

But the climate isn't the only thing that seems to have changed about this time of year. It used to be summer was when federal land managers were in the field, doing the projects they had prepared for over the winter, and that gave the rest of us a brief respite from the steady onslaught of "scoping" letters, EAs, and EISs needing our review and comment. No more. Summer seems to find us busy as ever, and this year is certainly no exception to this new "rule."

As you'll read throughout the newsletter, the number of projects, management plans, and harmful proposed policies confronting us are moving along at a feverish pace. And the pace is likely to quicken as the outgoing Administration strives to release new regulations, policies and management plans that have been bottled up for years. Everything from relaxing the rules on predator control in Wilderness, to making Wilderness a more "friendly" place for commercial interests to do business, to releasing a gutted version of a proposed Clinton-era policy for protecting Wilderness on national wildlife refuge lands.

While we prepare for these threats, we'll be working on our own agenda for the months and years ahead. Though there's lots of talk about "change" coming from Washington D.C., I don't expect the new Congress or Administration to roll into town with a strong agenda for Wilderness. But I do expect there will be new opportunities in that regard, and we need to be prepared to take advantage of that. We know that the only real change will come about because citizens like you and groups like Wilderness Watch will make it happen.

Wilderness Watch members have always been on the front line of Wilderness stewardship and protection. This is an important time to continue your support for our organization, and for all of us to redouble our collective efforts to protect those things we value most. Together we will continue to make a real difference for the future of Wilderness in America. 



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24,600-acre wilderness managed by the BLM, called the New Water Mountains Wilderness, fits the top of Kofa's northern border like a lid.

Kofa is perhaps best known for its population of desert bighorn sheep. The Refuge is the largest contiguous habitat for bighorns in southwestern Arizona, and it was originally set aside in 1939 as a game range, in part to protect these prized herds, which, in good years, number upwards of 800 animals. It appears the good years are gone.

From 1957 to 2006, wildlife officials captured and transplanted 569 of Kofa's best ewes to other ecosystems, and this "seed stock" flourished elsewhere. Arizona's bighorn sheep population has increased from 2,500 to 6,000 animals. Kofa's sheep have also resuscitated herds in New Mexico, Texas, and Colorado. In the Refuge itself, things have gone awry. In 2003 officials estimated the herd was down to 623 animals. Even so, in 2005, officials captured 31 sheep for transplantation. An retrospective report admits "the 2005 transplant may have contributed to the low numbers seen in the Castle Dome Mountains on the 2006 survey." By 2006, the survey found only 390 sheep in Kofa and New Mountains.

It appears hunting has also contributed to the herd's declining numbers. Since the early 1950s, state officials have also offered hunting permits for Kofa's majestic bighorn rams. From 1986 to 1999, they issued an average of 17 permits. Hunters succeeded in Kofa at a rate of 89 percent. In those 14 years, in other words, hunters killed over 200 of the largest, most fit rams.

Incidentally, the odds of obtaining a permit through the state permit drawing are approximately 137 to one. The state has also promoted bighorn hunting by donating three tags each year to hunters' organizations for auction. The hunting organizations, in turn, have raised more than \$5 million since 1984.

Refuge managers and state officials published the investigative report mentioned above in April 2007, a justification for a \$346,220 emergency "recovery effort."

Two local hunting groups, the Arizona Bighorn Sheep Society and the Yuma Valley Rod and Gun Club, came forward to finance the bulk of the first-year cost of this effort, contributing \$203,000. The remainder was to be shared between the Arizona Game and Fish Department (\$84,000) and the federal agencies (\$59,220). Perhaps it's a sign of the times that the federal government, through disinterest, muddled leadership or starvation diet, takes the back seat in these arrangements.

In any event, the recovery effort encourages a steroidal, three-pronged approach:

1. an intrusive aerial assault with helicopters and fixed-wing aircraft used to monitor, capture and collar the bighorn herds;



2. a predator killing program led by "a professional specialist" who would collar all mountain lions and "lethally remove . . . offending lions" that kill more than one bighorn sheep every six months; and
3. a water development plan that would build 13,000-gallon artificial watering holes, called "guzzlers," which would manipulate the area's natural conditions, divert intermittent stream courses, and require permanent vehicle access in the wilderness for periodic refilling by tanker trucks during dry seasons.

State and federal monitoring plan features fixed-wing aerial surveys, especially during lambing season. This is interesting because, at the same time officials propose buzzing sheep during their most sensitive time of the year, they are expressing concern in their report that hikers – and there are upwards of 50,000 a year in Kofa – might be disturbing the sheep. Other surveillance proposed in the plan included the use of volunteer observers, automatic cameras, and a satellite video system, all in the wilderness.

Kofa shares a 58-mile boundary with the Yuma Proving Ground, a U.S. Army installation, and the Army uses 171,000 acres of the Refuge as a "flyover zone." In addition, roughly 53 miles of fully operational roads spiderweb their way into the back country. Planning documents euphemistically call these roads "non-wilderness corridors" that allow cars, ATVs, motorcycles, bicycles, and other vehicles into the heart of the Kofa Refuge as long as they don't stray more than 100 feet from the roadbed.

Officials would put satellite radio collars on at least 40 sheep. Helicopters are the chosen "tool" for sheep capture and collaring, a 1996 management plan suggests, because "other methods may incur extended intrusion into the wilderness with means that would be more harmful."

But listen to the intrusion of a helicopter capture the plan describes: A "gunner" sits in the open door of the helicopter to

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shoot a modified .308 caliber rifle, a “net gun,” that ensnares the sheep in a square net. The helicopter would land and a “mugger” then approaches the sheep to blindfold and hobble the animal. The plan envisions animals loaded into the helicopter, or, in steep country, the animal would hang from the helicopter by its net presumably to get it to level ground. Blood tests would be taken and a satellite collar fitted.

The investigative report makes no mention of the possible effects of 50 years of trophy hunting and the translocation of hundreds of bighorn ewes but spares no effort describing how mountain lions are threatening bighorn survival. But lions are a recent event on the Refuge. From 1944 to 2001 there were no reported sightings. In 2003 an aerial survey reported a female with two cubs. Three years later remote cameras documented a population of five.

Though “little is known about the movement or specific diet of mountain lions on Kofa,” federal and state officials are implementing a full court press. They want to radio-collar all the lions “to determine diets and hunting patterns.” They will use professional trackers and “houndsmen” leading dogs to locate predator scats and analyze the DNA of scat samples to establish “prey selection.” And finally they will map “lion habitat use” for “home range calculations.” After this research identifies an individual “offending lion” who kills a sheep more than once over a six-month period, he or she will be “lethally removed by a professional specialist under contract with the State.”

One cougar has already met this fate, having been collared in February 2007 and killed on June 3.

Adding injury to injury, the U.S. FWS is engaged in a major guzzler development scheme in this desert wilderness. Wilderness Watch finds the federal and state plan for water developments in the Kofa Wilderness out of bounds of federal environmental law, and we believe officials have begun implementing the plan with cynical disregard for the public. The decline in bighorn sheep herds has kicked these historic, man-made interventions into high gear.

Only when a project is something minor, something that doesn't have a significant effect on the environment, can it qualify for an exemption from an environmental assessment or an environmental impact statement. Even so, responsible federal officials usually publicize and allow the public to comment on such exclusions. Not this time. Last summer, federal officials, joined by the Arizona Game and Fish Department and volunteers from local hunting organizations drove heavy construction equipment into the Kofa Wilderness to build two 13,000-gallon “guzzlers.” They did it without notifying the public or inviting public comment, and without analysis of the environmental effects. Here were complicated water projects that may have significant impact on bighorn sheep, mountain lions, tortoise, javelina, mule deer, ravens, doves, quail, and other desert creatures—and the flora of the desert—completed without public notice.



Constructing the Yaqui guzzler, Kofa Wilderness.

Wilderness Watch learned of the proposed guzzler development only days before the project was set to begin. Numerous calls to federal and state officials failed to convince them to hold off until the public could weigh-in and the merits (and legality) of the projects could be discussed. A few days later heavy equipment breached the wilderness boundary and the water developments were constructed.

Ron Kearns is a Wilderness Watch member and retired, federal wildlife biologist who, back in 1971, fell in love with Kofa after a month-long camping trip before he entered the army. After his service, he worked and lived within the Refuge for 32 years, and his experience has increasingly led him on a personal journey that opposes the assumptions underlying the state/federal recovery plan.

“The creatures that exist here have evolved over 10,000 years to resist the periodic changes of wet cycles and drought, increases in predators, and other natural variations,” he said. “What they cannot adapt to is man’s interference.”

In a recent sworn affidavit he wrote, “From an evolutionary standpoint, habituation of wild animals to man-made waters lessens the chances of their survival when confronted with forces of nature that man nor wildlife have control over.”

In June of 2007, Wilderness Watch brought a lawsuit in federal court to stop further construction of artificial water sources in the Kofa Wilderness and remove any constructed illegally and in secret. Joining Wilderness Watch in the suit are the Arizona Wilderness Coalition, the Sierra Club, the Western Watersheds Project, and the Grand Canyon Wildlands Council. We’re represented by Erik Ryberg, a Tucson-based attorney. The case has the potential to establish an important precedent for protecting wilderness from manipulative, destructive proposals by State and federal wildlife managers.

A hearing in federal court took place on June 12 in Phoenix, and we expect a ruling from the judge in the near future. We’ll keep you posted. 🐾

Proposed Policy a Giveaway to Commercial Outfitters

Ten years ago Senator Larry Craig of Idaho introduced legislation that constituted a huge giveaway to the commercial outfitting industry. The 56-page "Outfitter Policy Act," written for Sen. Craig by industry lobbyists, would have granted private property rights for outfitter permits and lowered resource protection standards. The legislation would have made it virtually impossible for federal agencies to enforce even the weakened rules. The bill promised serious harm to the Wilderness System and did a disservice to the many conscientious guides who operate on public lands. The bill failed to gain much congressional support, nor did similar bills introduced by Sen. Craig in subsequent years, but the industry didn't give up. Instead, it turned to the Administration and its allies in the Forest Service. The result is a recently proposed Forest Service policy that will give the outfitters much of what they sought, at the expense of Wilderness and self-guided visitors.

The proposed policy misconstrues the Wilderness Act's prohibition on structures and installations in a way that could allow for the proliferation of these developments at commercial outfitter camps. The policy also fails to incorporate the limitations on commercial services that are proscribed in the law, including bringing agency policy into conformance with recent

court rulings such as Wilderness Watch's victories in the High Sierra packstation cases.

The proposed policy also continues the unfair allocation systems that favor commercial outfitters over the self-guided public on limited-access Wild Rivers or in those Wildernesses where quotas are in place. The policy fails to require an assessment of resource capacity before commercial use is allocated. Instead, the agency proposes to wait until there is too much use before it analyzes an appropriate level of use. At that point a vested economic interest has developed and the ability to reduce use in order to protect the resource will be vastly diminished. Finally, the policy fails to require an analysis of environmental and social impacts be completed before outfitter-guide permits are issued. Though most of the changes in the 32-page directive seem small, the cumulative effect would significantly favor the interests of commercial outfitters over resource protection and the public's interest.

Wilderness Watch submitted detailed comments recommending numerous changes to the proposed policies.

Appeal Court Briefs Filed in Grand Canyon Litigation

A Ninth Circuit Court of Appeal brief was filed on May 12, 2008, by a coalition of groups challenging the Grand Canyon National Park Colorado River Management Plan. The coalition includes River Runners for Wilderness, Rock the Earth, Living Rivers, and Wilderness Watch.

In a separate filing, a Friends of the Court ("amicus curiae") brief in support of the case was signed by the Sierra Club, Southern Utah Wilderness Alliance, Center for Biological Diversity, Friends of the Earth, Great Old Broads for Wilderness, Grand Canyon Hikers and Backpackers Association, Californians for Western Wilderness, Friends of Yosemite Valley, Mariposans for the Environment and Responsible Government, North West Rafter Association, Olympic Park Associates, and the Western Lands Project. Well-known wilderness author and historian Roderick Nash also joined the amicus brief.

The appeal challenges the Park Service's lack of justification for a need of, and appropriate levels for, Grand Canyon National Park's concessions use of motorized tour boats and helicopter exchanges. According to the appeal brief, the Park Service "failed to ever find that motorized commercial services are necessary to allow visitors who otherwise did not have the skill or equipment to raft the river."

The lawsuit also contends that the use of motorboats and helicopters in the river corridor fails to preserve wilderness values, and that the proliferation of these uses fails to protect the Grand Canyon's natural soundscape in violation of the NPS Organic Act.

The case also challenges the Park Service's commercialization of the river. At present, 14,385 concessions' passengers travel down the river each summer while the number of self-guided river runners is limited to 2,270 during the same season, a ratio of over 6 commercial guests to each self-guided visitor.

The appeal points out that while park planners determined they needed information on the relative demand for motor trips vs. oar trips and the relative demand for different types of use over different seasons within the year, the river plan never made any such determinations.

The appeal brief can be viewed on-line at www.rfw.org/pdfs/20080512.Opening_Appeal_Brief.pdf

Legal representation for the Plaintiffs is being provided by Julia Olson of Wild Earth Advocates and Matthew Bishop of the Western Environmental Law Center.

A Message From Wilderness Watch Founders

— By Bobbie Cross Guns & Bill Worf

As you read this, Wilderness Watch is beginning its 20th year, and the authors thought you would appreciate learning how and why Wilderness Watch was born. At the time, in early 1989, both of us, with a number of other local citizens and conservation organizations, were working with the Forest Service to develop a new management plan for Idaho's Frank Church - River of No Return Wilderness and the Selway-Bitterroot Wilderness that straddles the Montana-Idaho border.

Our major concern was the way commercial outfitters maintained permanent campsites and equipment caches within the Wilderness. The Forest Service presented plans that called for removing these caches and the piped water systems, buildings, and fixtures offensive to the Wilderness Act. We supported the Forest Service's position. However, the Idaho Outfitters and Guides Association filed an administrative appeal to Forest Service Chief Max Peterson, who granted an oral hearing. We participated in support of the Forest Service. Peterson ruled against the Association, and we cheered! Unfortunately, Peterson was to retire shortly after that.

Not wanting to succumb to this ruling (the heck with the law), these outfitters and guides traveled to Washington to meet with the newly confirmed chief F. Dale Robertson. Robertson agreed with them, that it didn't make sense to pack out equipment in the fall if it would be used next year (the heck with the law!). But, because the administrative process had ended, Robertson suggested they take the matter to federal court. Once the judicial process was started, he planned to settle the case out of court, approving their caches and other offensive structures and fixtures.

Needless to say, federal court presented a pretty daunting prospect for us mere mortals. We approached the Sierra Club, Wilderness Society, and other big national organizations. They told us that the outfitters and guides were strong proponents of the creation of new Wilderness. A few "unobtrusive caches" didn't bother them. They wouldn't get involved. Right then we realized no organization was fighting to protect these precious lands. No one was working to ensure that the agencies were following the law.

The authors joined with fellow wilderness lover, Jim Dayton, and over lunch one day we bemoaned this sad state of affairs. But Bobbie Cross Guns had just appealed the reopening of an airstrip in the Selway-Bitterroot and had received over \$300 in unsolicited donations. "There are others who want to protect this system and are looking for an organization to support," she said.

Wilderness Watch was born at that small café in Missoula, Montana, with Bill Worf's contribution of \$20! We soon got pro bono help from a wonderful Minnesota law firm, Faegre &



Bass Creek Crag, Selway-Bitterroot Wilderness, MT.

Benson, and fought this assault on Wilderness by the so-called Wilderness supporters (Idaho outfitters and guides).

With Bill's knowledge of the Wilderness Act and Forest Service management – he was a retired forest supervisor and agency administrator for wilderness in Washington – Jim's tireless and tedious work reading documents, writing letters and talking on the phone at all hours, and Bobbie's enthusiastic fund-raising and professional organizing skills – not to mention the fire in our bellies – we won a ruling that caches and other permanent structures for commercial outfitters are illegal.

And, as they say, "the rest is history."

How effective has Wilderness Watch been?

We think the organization's record has been stellar, but, then again, we're pretty biased. The organization's positions haven't relied on personal philosophies, but, rather, rely on the law. When an agency's proposals or performance runs counter to the legal mandate of the Wilderness Act, we get involved. We have prevailed in the majority of the cases we've taken on. We sometimes lose in the administrative process, the internal process when the agencies are proposing a new policy or initiative. Afterwards, we will determine the precedent-setting nature of the action. If the precedent is significant and negative, we will find a competent attorney or law firm to take the case to federal court. Fortunately, when we've prevailed, the attorney's costs are paid under the Equal Access to Justice Act. Through good solid background work by our staff and hard work by these very competent attorneys, our win/loss record is outstanding. Our biggest challenge is that there are still many bad things occurring in the National Wilderness Preservation System that we don't learn about in time to take action. This is an important role for our members!

What you can do to help steward this wonderful System for future generations:

1. We need you to monitor what is taking place and advocate for those wilderness areas you love. What happens to one unit affects the entire System! Report any concerns to Wilderness Watch and we'll work with you to address those concerns.
2. We need more Watchers! Spread the word! Encourage everyone who loves wilderness to become involved. Ask them to join Wilderness Watch. And always let agency managers know you care!

It has been a WILD ride and we are very proud of our baby born of humble means! Thanks to all of you for helping raise Wilderness Watch and helping protect these Wilderness lands we all love! 🐾

A Wilderness Primer

For those readers who may be learning of Wilderness Watch for the first time, and for the rest of us who can use a refresher about Wilderness we offer the following:

What is Wilderness Watch?

Wilderness Watch is an organization of citizens dedicated to providing citizen oversight of those federal agencies charged by Congress to maintain the wilderness character of the National Wilderness Preservation System. We seek to keep these lands unimpaired for present and future generations of Americans. Wilderness Watch doesn't spend organizational energy working for new additions though we recognize that many acres of undesignated land should be added. We defer to other organizations to lead those efforts.

What is the National Wilderness Preservation System?

Many Americans have a favorite wilderness area where they hike, backpack, ride horses, or camp. Some people just like the idea that these lands remain wild and unchanged. All of these individual Wildernesses taken together make up the National Wilderness Preservation System (NWPS).

Congress established the NWPS when it enacted the 1964 Wilderness Act "[i]n order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition." Congress had debated the Wilderness Act for more than eight years passed it with only one dissenting vote in the House and 12 dissenting votes in the Senate!

The nucleus of the new System was 54 national forest areas totaling some 9.1 million acres. Subsequently, Congress has invested nearly 100 million additional acres into the



System. Four agencies now manage these lands: the Forest Service, National Park Service, U.S. Fish and Wildlife Service, and the Bureau of Land Management. The NWPS has grown to more than 107 million acres in 702 individual units scattered east and west, north and south throughout the nation.

Congress gave specific direction to these agencies, saying. "[E]ach agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character." This means that the evidence of man's works must not be allowed to become any more visible than it was at the time the land was designated as Wilderness and added to the System.

Wilderness is a uniquely American phenomenon for which we can all be extremely proud. No other nation in the world has created a Wilderness System that can come close to the size and importance of our NWPS. Our job now is to ensure its safety and protection.

Wilderness Watch Calls for Strengthened Togiak Wilderness Plan

Wilderness Watch is urging the U.S. Fish and Wildlife Service to implement several protective measures in the Togiak Wilderness, part of the Togiak National Wildlife Refuge in Alaska. Our recommendations were delivered in comments prepared by WW's Alaska Chapter in response to the "Draft Revised Comprehensive Conservation Plan and Public Use Management Plans EIS for Togiak National Wildlife Refuge."

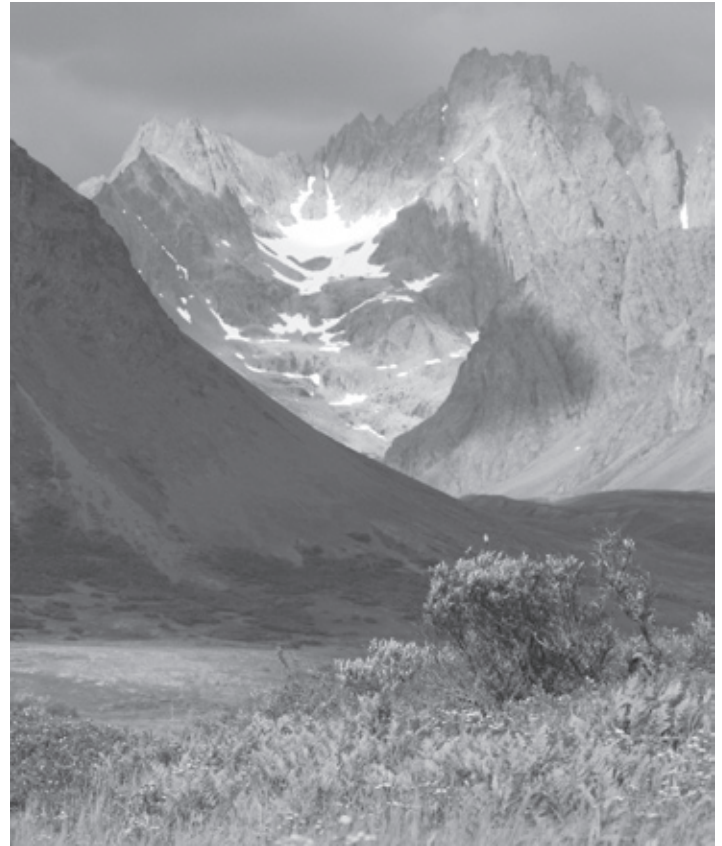
The Togiak Refuge is located in southwest Alaska. It includes coastal areas in Bristol Bay and Kuskokwim Bay, while its mountainous upland areas define watersheds for several major river systems. Nearly 2.3 million acres of the refuge are designated Wilderness. Each year more than one million salmon return to the area's lakes, rivers and streams.

Like many Wildernesses in Alaska, Togiak is coming under increasing pressure from motorized recreation and commercial interests. Both the comprehensive conservation plan (CCP) and public use management plan (PUMP) contain numerous indications that increased use, primarily associated with recreational fishing on popular rivers within the Wilderness, has resulted in diminished solitude, more frequent group encounters at campsites and fishing locations, and various human waste issues. Along with increased visitation has come an increase in motorboat use. All of these factors have functioned to significantly impair the area's wilderness character.

Survey data indicate that visitors have become increasingly tolerant of these impacts to wilderness character. Though neither the CCP or PUMP offer much in the way of explanation for this growing tolerance for diminished wildness, wilderness recreation literature is replete with examples similar to Togiak, and suggest that as wilderness character declines, some users are displaced by others who have greater tolerance for degradation.

In commenting on the draft CCP, Wilderness Watch encouraged refuge managers to incorporate several important strategies to preserve the area's wilderness character and to restore the wilderness character in those areas where it has been degraded or lost:

1. restrict motorboat use to levels that existed in 1980 (the year of Wilderness designation);
2. offer a priority to commercial guides who do not use motorized boats in the Wilderness;
3. determine as near as possible, use levels for commercial and self-guided recreational fishing and related impacts that approximate original (1980) wilderness quality, and prescribe a plan to adjust current use until such quality is restored;



Kagati Lake, Togiak Wilderness

4. establish a permit system for self-guided recreational fishing in key areas such as the Kanektok and other rivers;
5. discontinue authorization of commercially provided "day visits" to lakes in the Togiak Wilderness, or reduce such visits to the 1980 level;
6. develop a separate wilderness stewardship plan since more than half of the refuge is designated Wilderness. The plan should emphasize preserving wilderness character and allowing natural processes to function rather than the current emphasis on preserving "natural appearance"; and
7. review all non-wilderness lands on the refuge for potential inclusion in the National Wilderness Preservation System, in accordance with Section 1317 of ANILCA, and incorporate results of the review in the final plan.

Wilderness Watch encouraged refuge managers to remember the promise and goals of the Alaska National Interest Lands Conservation Act (ANILCA) that tell the story of a growing national awareness that in the vast, wild landscapes of Alaska, our nation

had a “second chance” to avoid making many of the land use errors that had occurred elsewhere in the U.S. This concern, and the resolve to prevent such errors is now embedded in the purposes of ANILCA (Section 101):

“to preserve unrivaled scenic and geological values associated with natural landscapes ...maintenance of sound populations of wild-life...dependent on vast relatively undeveloped areas; to preserve in their natural state extensive unaltered arctic tundra, boreal forest and coastal rainforest ecosystems...to preserve wilderness resource values and related recreational opportunities...within large arctic and subarctic wildlands and on freeflowing rivers and to maintain opportunities for scientific research and undisturbed ecosystems.”
(emphasis added)

It was in this over-arching national interest that Togiak Refuge and Wilderness were established by Congress, and it is with great expectation on the part of the American people that we encouraged the U.S. Fish and Wildlife Service carry out its responsibility to preserve and steward the Togiak Wilderness. ♪



Both photos: Togiak Wilderness. USFWS photos.



On the Watch

South Etolin Wilderness, AK

No Helicopters for Elk Research: Wilderness Watch has urged the U.S. Forest Service Regional Forester in Alaska to reject a proposal by the State of Alaska to use helicopters in the South Etolin Wilderness to capture and collar elk.

Elk are not native to Southeast Alaska, however, in 1985 the Alaska Dept. of Fish and Game was mandated by the Alaska Legislature to establish a huntable population of the animals in the area. The Forest Service, in a remarkably shortsighted act, recommended South Etolin as a transplant site even though South Etolin was at the time a wilderness study area. In 1987, 50 elk were released on the island. In 1990, three years after the introduction, Congress established the South Etolin Wilderness, and the conflict created by the previous introduction of non-native elk escalated.

The State has become concerned that the number of elk is declining, and it is trying to figure out why. In 2006, only one bull elk was killed by hunters, down from 17 in 2005 and 13 per year since 2000. Now, as part of its effort to maintain a sustainable harvest of elk, the State wants to land helicopters in the Wilderness to capture and collar 2-3 cow elk.

In commenting on the proposed study, Wilderness Watch pointed out that helicopter landings in Wilderness are prohibited unless the study is the minimum required for protecting the Wilderness, and that helicopters are the minimum tool to achieve the task. We suggested that neither condition is met on this project. For starters, perpetuating an exotic species cannot logically be considered the purpose of the Wilderness Act, so the study fails the minimum requirement test. Second, even if the study was necessary, the elk could be “ground darted” rather than shot from the air, so a helicopter is not the minimum tool.

We pointed out that we do not object to research geared toward understanding the dynamics and distribution of introduced elk on Etolin Island, provided that the research itself does not further compromise the area’s wilderness character. However, this is not a project that seeks to preserve wilderness character, instead it is part of an ADFG program to reverse a perceived decline in the population of an exotic species and to increase that species’ numbers in Wilderness. We concluded that an agenda to manage a population of non-native game for sustainable harvest clearly contravenes the spirit and intent of the Wilderness Act, hence the Forest Service has no authority to permit helicopter landings for such a purpose.



Glacier Peak, Glacier Peak Wilderness, WA.

Glacier Peak Wilderness, WA

A Bridge to Nowhere....From Nowhere: Wilderness Watch has urged the Forest Service to cancel plans to install a new bridge across the Suiattle River in the Glacier Peak Wilderness. The agency is proposing to use a helicopter, rock drill, chain saw, and a mini-excavator within the Wilderness to construct the bridge. What makes the proposal particularly remarkable, in addition to the extensive use of motorized equipment including what could be the first-ever use of heavy equipment for trail building, is that the proposed bridge is not now and not likely to be—at least in the foreseeable future—accessed by a trail. As we noted to the Forest Service in our comments, “If this project is approved we will have a bridge from nowhere to nowhere for an undetermined amount of time.”

The project got its impetus when, in 2003, heavy rains washed away the Skyline Bridge crossing the Suiattle River. The bridge was part of the Pacific Crest National Scenic Trail (PCNST). Flooding in 2006 caused the river to widen in the area where the Skyline Bridge previously existed, making replacement of the bridge even more difficult and dubious. The Forest Service found a new location for the bridge, but it will require constructing more than 3 miles of new trail to reach the crossing. The agency apparently has funds to build a new bridge, but it doesn’t have funding to build the new trails. As one FS official wrote in a letter to Wilderness Watch, “Due to a variety of concerns, it is uncertain when trail access will be restored to the project area.”

Wilderness Watch believes the Forest Service needs to step back and reconsider whether a project that requires such an intensive motorized intrusion is appropriate in Wilderness. Climatologists tell us that the rain-on-snow events that caused major flooding in the North Cascades twice in the past 5 years will be commonplace in the future. Since the agency is unable to maintain the current trail system, it's time to consider whether maintaining a less extensive and less expensive human-built infrastructure makes more sense for the future. Moreover, the impacts to the area from constructing the bridge, building more than three miles of new trails, and bringing recreationists into an area that currently receives little or no use need to be considered before the project is launched. At a minimum, the agency should forego any work on the bridge until the trails are built and the bridge materials can be hauled to the site and the bridge constructed the wilderness way, using primitive skills.

Philip Burton Wilderness, CA

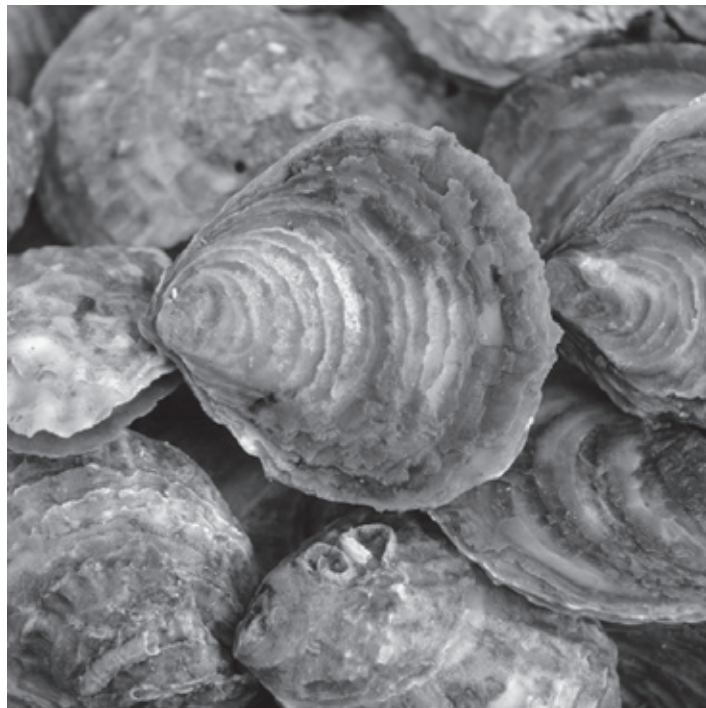
When Wilderness is Not Your Oyster: Wilderness Watch has joined an effort to protect the Philip Burton Wilderness from being permanently harmed by an oyster farm.

In 1962, in order to protect one of the few remaining undeveloped stretches of coastline in the lower 48 States, Congress established the Point Reyes National Seashore. In 1976, 25,000 acres of the area was designated as the Point Reyes Wilderness (it's now known as the Philip Burton Wilderness). The bill included an additional 8,000 acres of "potential wilderness."

Among the areas of potential Wilderness is Drakes Estero, a critically important estuary at Point Reyes. The estero and its watershed are home to several endangered plants and animals, contain one of the most populous harbor seal haul-outs on the central California coast, and serve as an important bird habitat and stop-over on the Pacific Flyway. Drakes Estero is also home to an oyster farm operating under a National Park Service permit. The permit expires in 2012, at which time the oyster farm and all associated developments are to be removed, and the potential wilderness will become part of the Philip Burton Wilderness.

The oyster farm was sold to a new owner in 2005. The new owner bought the oyster farm with the knowledge that the permit would expire in 2012. His strategy apparently was—and still is—to convince the California congressional delegation to pass legislation extending the permit and undoing the "potential wilderness" designation.

Wilderness Watch has been working with the National Parks Conservation Association, Sierra Club and several others to encourage the California congressional delegation to leave the status of the area as is. To its credit, the National Park Service has made it clear that it supports an end to oyster farming and full Wilderness status for the potential wilderness lands. This issue will continue to bear watching as the deadline for removing the oyster farm approaches.



Wilderness Watch members in California would do well to contact senators Boxer and Feinstein, and Congresswomen Woolsey and Pelosi, urging them to support the National Park Service's efforts to remove the commercial oyster farm from Point Reyes, which will fulfill the promise to future generations that Wilderness designation brings.

Yukon Flats NWR, AK

Land Exchange in Yukon Flats NWR Threatens Wildlands & Wild River: Wilderness Watch's Alaska Chapter recently provided an extensive 10-page comment on a U.S. Fish and Wildlife Service Draft Environmental Impact Statement for a far-reaching and complicated land swap with Doyon Ltd, a for profit regional native corporation. The proposed trade involves lands currently within the Yukon Flats National Wildlife Refuge.

If this deal goes through, Doyon would receive a solid block of 210,000 acres currently in the refuge and part of the only area of the refuge that has been recommended for designation as Wilderness. This tract is suspected to have high potential for oil and gas. Doyon in turn would transfer 150,000 acres of scattered parcels it holds within refuge boundaries and an additional 56,500 acres of entitlements from other public lands outside the refuge. Doyon intends to explore and develop its newly acquired lands and build a road and pipeline in the vicinity of Beaver Creek, a National Wild River, and route the pipeline and road through a remote and wild section of the White Mountains National Recreation Area, administered by the Bureau of Land Management.

— Continued on page 12 —

This proposal, if consummated, would set a terrible precedent for national wildlife refuges in Alaska. It will give away a consolidated block of refuge habitat and potential wilderness lands for scattered parcels near villages that local people use most heavily for subsistence. The Refuge will be broken into two pieces, separated by a solid wall of private land. The proposed exchange will possibly lead to oil and gas development within the Yukon Flats Refuge, which is one of the largest and most biologically productive boreal forest wetland basins in North America.

Testimony at public hearings held in Yukon Flats villages has been overwhelmingly opposed to this land exchange. Nearly all tribal governments within the Yukon River Inter-tribal Watershed Council, which includes 66 tribes in Alaska and Canada, are opposed to the land exchange. A great majority of testimony at public hearings held in Fairbanks and Anchorage was also opposed.

Because of the many significant components to this proposal which will risk everything from the integrity of the Yukon Flats Refuge, potential Wilderness, a Wild River, a national recreation



Beaver Creek Wild River, Yukon Flats Nat'l Wildlife Refuge, AK.

area, fish and wildlife, and the over-all ecological wellbeing of the Yukon Flats wetlands basin, Wilderness Watch expressed its opposition to the proposed action.

The Administration has put the deal on fast track in hopes of completing it before President Bush leaves the Whitehouse.

Cloud Peak Chapter Receives Award

The Cloud Peak Chapter of Wilderness Watch recently was the recipient of an award from the Bighorn National Forest in recognition of its volunteer effort in monitoring water quality. Dan Scaife, forest hydrologist, marking the completion of a project measuring stream health in the Cloud Peak Wilderness, presented the plaque to the group.

The award stated that "establishing baseline water quality information...is important to our agency's mission. We are grateful for the assistance over the past 10 years and the information that you have collected and analyzed will be valuable for future monitoring efforts and evaluating the implementation of our Revised Forest Plan."

Volunteers of the Cloud Peak Chapter visited 21 streams at locations within or near to the Wilderness, collecting data and biological samples. Field equipment was backpacked to these remote locations, previously inaccessible to scientists. The 10-year project was funded entirely by the Cloud Peak Chapter through fundraisers and grants. The group has also received the national Forest Service Chief's award in recognition of its efforts.

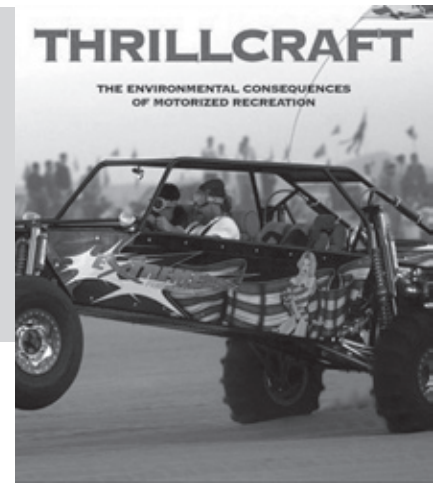


Secretary Karen A. Ferguson noted that the group was grateful for the award, but even more pleased that the hard work produced useful data for the Bighorn National Forest staff. Chairperson Dalreen Kessler stated that volunteers will continue to collect data downstream from the sites that have been sampled, adding to the information available.

Thrillcraft: The Environmental Consequences of Motorized Recreation

Foundation for Deep Ecology, 312 pp., 2007
\$60.00, but available on the Internet for \$38.00

Book Review by Roger Kaye



Here's an oversize, thick book filled with big color photos of natural landscapes, from Alaska to Florida, but quite unlike those that might grace your coffee table. Its pictures are disgusting and offensive—and intended to motivate you to support initiatives to rein in the damage being done by ATVs, dirt bikes, monster trucks, jet skies, and other such machines, collectively termed thrillcraft.

While there have been many exposés of the environmental impacts of motorized “wreckreation,” Thrillcraft is both the most vivid and most comprehensive treatment of this growing national issue. Editor George Wuethner has put together chapters by activists, policy experts, economists, and environmental and social scientists that go beyond describing the abuse being wrought upon our public lands.

The book is filled with facts you can use to refute the arguments of off-roaders and the powerful industry lobbyists seeking to motorize, commercialize, and privatize outdoor recreation. No, the damage isn't caused by “just a few bad apples,” it's the cumulative effect of increasing numbers of people who use these vehicles for the purpose for which they were designed, promoted, and marketed. Just look at the ads. And no, agency efforts to mitigate, to expand and harden ATV trails (at great public expense), and to educate and regulate users haven't reduced the overall degradation; they've accommodated it. Riders are regular folks being discriminated against by environmental elitists? The demographic research refutes it, as well as the claim that off-roading is a family activity—95 percent of ATVers are male. And there's interesting little facts like the correlation a Cornell University researcher found between men who feel insecure about their masculinity and their purchase of a vehicle seen as “masculine.”

The book points out that the way we use public lands for recreation teaches attitudes about our relationship to and responsibility toward the natural world. Traditional backcountry activities—hiking, birding, hunting, and fishing—convey a sense of appreciation for and connection to nature. Contrast that with the message of domination crafted and widely promoted by the thrillcraft industry. Consider their ads—the thrilling pictures, and the slogans: “Don't just hit the trail, pound it mercilessly.” (Bombardier); “It frees the beast within you.”

(Polaris); “The Goodyear Mud Runner” (Goodyear); “Brute. As in beats up stuff.” (Kawasaki).

At a time when it's ever-more important to rethink our relationship to our increasingly stressed biosphere, thrillcraft culture may be having as a direct effect on the young minds it appeals to as it does on the landscapes it trammels.

Thrillcraft provides examples of places where efforts to either ban or restrict motorized abuse have been successful. But the book argues that if future generations are entitled to the same quality of public lands we inherited, nothing less than a complete ban on off-roading through them is what's ultimately needed. And, it says, it's attainable. ♪



Jetboat on the Wild Salmon River, ID.



— By Scotty Phillips

“Sentiment without action is the ruin of the soul.”
— Edward Abbey

Fees, too, will pass.

Well respected Wilderness organizations such as Wilderness Watch, Wild Wilderness, the Sierra Club, Friends of the Clearwater, and Western Lands Project have identified recreation access fees as an important issue because “pay-to-play” provides perverse incentives to manage the public lands in ways that specifically favor high impact (think motorized) users and which inexorably lead to commercialization and privatization. There is virtually no support for the Federal Lands Recreation Enhancement Act (FLREA) within the conservation community. However some groups have been remarkably complacent in expressing opposition and as a consequence, the fee issue continues to build.

With every passing month, we are seeing additional instances of the Forest Service quite literally harassing forest visitors and charging for simple access in direct violation of the law. Examples include lengthy stretches of State Highways on Mt. Evans (Colorado), Mt. Lemmon (Arizona) and the Pacific Crest Highway (California). The continued and expanded marketization of recreation hangs over recreationists like a dark cloud. In giving the agencies authority to charge, collect and, most importantly, to retain recreation fees, FLREA has transformed recreation into another commodity that is now managed as if it were just another extractive industry.

The good news is that there is light at the end of the tunnel! Senators Max Baucus (D-MT), Mike Crapo (R-ID), and Jon Tester (D-MT) introduced Senate bill S.2438 to undo most of the fee demo program. Senator Ken Salazar (D-CO) has signed on and other co-sponsors are expected.

In simple terms the bill appropriately repeals FLREA and would eliminate most fees charged by the FS and BLM. National Park fees would be unaffected, except for being capped at \$25. These four senators deserve a round of applause and our support.

The crucial task now at hand is to convince many more senators to get on board. I strongly encourage all Wilderness Watch members to contact their senators and write letters and editorials. Your arguments should focus on not just fees in Wilderness, but fees across the public land and waters spectrum.



Olympic Wilderness, WA.

Fees are appropriate ONLY for highly developed sites such as campgrounds or boat launches with potable water, paved roads, etc. Fees must not be charged for trailheads, Wilderness or river access, or what the Forest Service calls “High Impact Recreation Areas,” such as the three referenced previously.

The issue of recreation fees is about much more than paying a few bucks to walk in the forest. The importance of your help in repealing the recreation fee authority and, by so doing, ending the dismal pay-to-play experiment, cannot be overstated.

Please contact your respective senators and urge them to support S.2438. It would also be helpful to send a thank you to senators Baucus, Tester, Crapo, and Salazar. Let’s work together to take action and build further momentum for fee repeal. Thank you all! ☺

Letters to senators should be addressed to: Senator _____, U.S. Senate, Washington, D.C. 20510

For more specific information please contact Scott Silver (ssilver@wildwilderness.org); Kitty Benzar of the Western Slope No Fee Coalition (wsnofee@gmail.com); or myself (ScottyPhi@hotmail.com).

Scott Phillips (*Retired from USFS in Outdoor Recreation, Public Lands advocate*)

Membership Message

— By Jeff Smith

I recently came across the list of five national wilderness management policies of the federal Fish and Wildlife Service. Here they are:

1. Manage [wildlife refuges] so as to maintain the wilderness resource for future benefit and enjoyment;
2. Preserve the wilderness character of the biological and physical features of the area;
3. Provide opportunities for research, solitude, and primitive recreational uses;
4. Retain the same level of pre-wilderness designation condition of the area; and
5. Ensure that the works of man remain substantially unnoticeable.

The former English teacher in me might streamline the wording a bit, but the rest of me applauds these goals. They ring true, loud and clear.

Living up to them is a different story. All over this country right now we seem to be having a crisis in living up to our ideals. (Don't worry. I'm not going off right now on a rant about wars, torture, energy policy, and agendas hidden from view.)



In America government acts by our authority and in our name. It's our job to make sure government agencies back up their words with actions. To paraphrase a wandering minstrel, we don't need a weatherman to know which way the agency that wrote the goal statements above is managing many designated wilderness areas.

At Wilderness Watch, we are striking a blow for integrity, for actions that live up to words, for ideals and conscientiously measuring up to them.

We couldn't do it without you. Thanks for inspiring us with your support. ♪

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