

The Delectable Birds of Lone Willow

UNFORTUNATELY FOR THE THREATENED SAGE GROUSE, EVERYTHING FINDS IT TASTY.

WORDS BY CAROLYN DUFURRENA. PHOTOS BY JOHN KALLESTAD.

The Lone Willow area of northwestern Nevada is a high, empty place, somewhere in the neighborhood of 300,000 acres of rolling sagebrush mountaintop, old uranium mine claims, and multiple-use rangeland. In early summer, the mosaic of bunch grass and wildflowers is still green between low sagebrush. Lots of snow fell here last winter; several good springs water the canyons, even in dry years. The place is summer home to 3,000 head of cattle in several BLM allotments, and a few domestic horses. It anchors the eastern end of a strip of country that ends at Hart Mountain Refuge in southeast Oregon.

San Stiver, wildlife biologist and sage grouse guru, works for the Nevada Department of Wildlife (NDOW). "The Lone Willow crescent," he says, "is the most productive sage grouse habitat in the state of Nevada."

It's always been good sheep and cattle country, too. Unfortunately, many environmental groups have declared open war on public land use and gloat over their victory over timber by invoking the Endangered Species Act to "protect" old-growth forests for the spotted owl. Their next target is livestock and they admit they are using the sage grouse as "the spotted owl of the desert."

Sage grouse can range over miles of terrain. Although they tend to nest in the same neighborhood, they won't always. Nobody knows how many sage grouse there are, because nobody really knows how to count them. There are three popular methods. Some calculate the number of birds by counting the number of males at a lek site. A lek is not a

place—it's an event where the male sage grouse get together, sometimes in the hundreds, and display during breeding season. So it's more like a frat party than a frat house. (Think of estimating the number of male college students by counting how many go to frat parties.)

Stiver explains: "We estimate that 75 percent of males are at the lek. So if we count 200 male birds, we can estimate that there are 250." The females hide in the bushes nearby and watch the males display, so they can't be accurately counted. "If there are 250 males in an area, we can conclude that there are probably 500 females."

"We just have too many birds to justify listing. We would have to lose two-thirds of the population to justify it."

DOUG BUSSELMAN, NEVADA GOVERNOR'S COMMISSION ON SAGE GROUSE



Norman Swanson (above) started radio-collaring sage grouse at Hart Mountain Refuge in 1996 and 1997 with Oregon State University's Game Bird Research Program. Researchers captured grouse at night with spotlights, radio-collared them (right) and tracked the birds to nesting sites, following and counting the chicks that survived.

Like chickens, sage grouse come in flocks. There could be five or even 10 hens to a rooster. "We can't count all the leks, or even find them; there are just too many. So we count, say, 20 leks of 30 that we know about, and we figure that there are probably 40."

Huh? "You've counted 250 males; you presume 500 females for a total of 750 birds at half the lek sites," Stiver adds. "That's about 1,500 birds in the area." That's in the spring, before nesting. How do you tell how many birds survive until fall? You track them.

Norman Swanson's big white pickup creeps up the road toward a series of nest sites in the Montana Mountains. "I started radio-

collaring sage grouse at Hart Mountain Refuge in 1996 and 1997 with Oregon State University's Game Bird Research Program," he says. Researchers captured grouse at night with spotlights, radio-collared them and tracked the birds to nesting sites, following and counting the chicks that survived.

On the Sheldon Refuge, coyotes, ravens or badgers destroyed 65 percent of the nests. Of the nests that hatched, there was an average of eight eggs; of those, if at least one chick survived till August, the brood was considered a success. A recent survey indicates that about two chicks per hen are surviving the summer.

Swanson parts a low-growing sagebrush on a rocky, open slope where most of the vista is the clear Nevada sky. The brush hides half a dozen eggshells.

"You can tell this nest was depredated by some kind of bird," he says, "because the

COURTESY NORMAN SWANSON, OSU

shell is peck-marked, with fragments hanging inward." Swanson, with the recent addition of assistant Cory Mahan, has been following a group of 25 sage grouse hens since mid-March. Some of the hens were killed by predators. "Nineteen birds have nested," Swanson explains. "And of those, 68 percent have been successful. That's phenomenal."

Of the unsuccessful nests, Swanson can document depredation by both mammalian and avian predators. He suspects that snakes may also have played a role.

Of course, everything eats sage grouse. Ravens are a big problem while hens nest, eating eggs as well as young chicks. Eagles, hawks, falcons, weasels, badgers, bobcats, coyotes and cougars all eat sage grouse whenever opportunity knocks. And then there are the human predators.

Lone Willow is hunted regularly. Hunters provide a convenient way for NDOW to survey the numbers of sage grouse that survive the summer. Fall hunter survey and wing counts provide a way to judge the general success of the sage grouse population in an area. Hunters who wish to be included in the database donate one wing per bird.

According to NDOW wildlife biologist Jim Jeffress, hunters documented a harvest of 600 birds in the Lone Willow area in 2001. "That is the best productivity in the state," he



says. "The big question is, what percentage of the population are we gathering? We took a ratio of NDOW-banded birds [176] to the total harvested. Out of 600, only 12 were banded. There could be quite a few more birds than we originally estimated; perhaps as many as 6,000."

That's a lot, so how do you prove that?

"To confirm our findings, NDOW hopes to band 300 birds this year and repeat the study." It's more difficult to determine sage grouse numbers without hunting, according to NDOW. There's no sage grouse hunting on



Hart Mountain, so lek site attendance is used. In a 10-year study (1989-1999) of four leks in the northern part of Hart Mountain, OSU reported 173 male sage grouse on leks, with an average of 43 males per site in 1990, the year before livestock grazing was eliminated from the refuge. The numbers have been on a slide since, with 1999 recording a total of only 67 birds at those same four leks, an average of 17 males per site. That's a 59 percent decrease, with no grazing, no hunting, and no predator control.

While the numbers in the study may be small, the trend they show has value, says Mike Pope, who recently took over the Gamebird Research Program from retiring OSU Professor John Crawford. A decade ago, conventional wisdom said that sage grouse success would be improved by removing livestock grazing. This study seems to indicate otherwise.

There are grazing animals on the nearby

Male sage grouse struts for the hens he knows are hidden in the brush. Then he hides from a long list of predators who consider him tasty—like ravens, eagles, hawks, falcons, weasels, badgers, bobcats, coyotes and mountain lions.

Sheldon Refuge, most notably significant numbers of wild horses. Lone Willow is multiple use, with regular rest-rotation grazing and regular monitoring by Bureau of Land Management field personnel. Could there be a positive relationship between grazing and sage grouse success?

"Perhaps the issue should not focus on whether one or more land uses are present or absent, but how those uses are implemented," says Brad Schultz, Chairman of the Governor's Northwest Nevada Cooperative Working Group.

Swanson acknowledges the peaceful coexistence of range cattle with sage grouse at Lone Willow, and wonders about the grazing history of the area. Raymond Gabica, now in



his 80s, grew up on the Montana Mountains. His family was in the sheep business. “In the ‘30s and ‘40s,” Gabica says, “there was a sheep camp on every ridge, upwards of 10,000 sheep as well as at least 3,000 head of cows. And there were lots of sage hen. I ate plenty.”

Gabica remembers sage grouse at every spring, “but, of course, there were fewer predators.” People shot hawks and ravens, and trapped coyote and bobcat. And fire wasn’t the issue that it is now.

“We had a few fires then, lightning strikes, and occasionally a shepherd’s campfire would get away from him, but it was nothing you couldn’t take care of with a canteen of water and a good shovel. There weren’t the big fires then that there are now.”

The Pine Forest Range lies to the west of the Montana Mountains, between Lone Willow and the Sheldon Refuge. Louie Bidart, who grew up there raising sheep and cattle, has similar recollections of that period in history. “There were 13 bands of sheep on this mountain then, somewhere between 25,000 and 30,000. We had sheep until 1947. During lambing we would see sage hen nests frequently. They were all over, inside sagebrush about this tall.” He indicates thigh high.

“It was common to flush 400 birds off the meadow, especially the young ones. They ate the regrowth off the riparian areas after the sheep moved through, because it was tender.” Bidart says that the most noticeable decrease in sage hen came when the sheep went off the range in the early 1950s, “more so than with

“ The person who may eventually write the petition to list sage grouse in the Mono Lake area of California says, ‘ I don’t have an Ecosystem Protection Act to use so I’m going to use the Endangered Species Act instead’ .”

DOUG BUSSELMAN, NEVADA GOVERNOR’S COMMISSION ON SAGE GROUSE

cattle.” It would be useful to know how the nutritional value of vegetation changed after large numbers of livestock were removed, and which vegetation changes adversely affected sage grouse habitat.

It’s not likely that the sheep industry will return to the western rangelands, but the cattle industry that remains seems to support a parallel population of sage grouse. Cattle numbers are down since the ‘50s all across the West; so are the birds. Places where livestock have been entirely removed seem to have lost most of their sage grouse, too.

The beneficial cleanup of the western rangelands provided by domestic livestock has been replaced by all-consuming wildland

fires, which leave paltry habitat for sage grouse, or anything else, in their path.

Maybe it’s time to look at these game bird studies from a new perspective, somehow get everyone to count the same way, and listen to people with a history on the land. Studies that continue to compare wings to chicks to attendance at leks are making it difficult to see the bigger picture. Listen to people like the governor of Arizona in her beautiful fire-ravaged state, when she says that environmentalists and government agencies may be hurting our wild country more than they are helping it by not letting the vegetation on rangelands be cleaned up by means other than fire. Maybe it’s time to realize that some of the answers to the sage grouse problem may just lie in multiple use, in that empty corner of Nevada called Lone Willow.

The late afternoon sun slants low through sagebrush and wildflowers on top of the Montana Mountains. Norman Swanson stops the truck.

“There’s a hen; no, two hens.” They have no radio collars. They aren’t part of the study. As we watch, the hens cluck softly, and out of the bunch grass, out of the dust of the two-rut track a few feet in front of us rise five, six, now seven, three-inch-tall sage grouse chicks. They melt away just as quickly as they appeared, into the lupines and the desert evening. ■

Carolyn Dufurrena is a geologist, teacher, writer and rancher from Denio, Nev.

LEFT: Dancing at the lek at Lone Willow. Shown are two males with one female, but there are plenty more. BELOW: Sage grouse are tough to count because they are tough to see. This is a typical nest in high desert cattle country.



COURTESY NORMAN SWANSON, OSU

Is the Sage Grouse a Surrogate for the Spotted Owl?

LET'S GET THE FACTS. BY JOHN ROMERO

Who's Grouching?

In August 2000, Kenny Guinn, the Governor of Nevada, formed a commission—as did many western states—to develop an effective conservation strategy for sage grouse.

Sage grouse need sagebrush to live in every stage of their lives. To keep a healthy sagebrush ecosystem, good grazing management and good fire management are necessary and development should be limited wherever possible. Although a fire seems like permanent devastation, sagebrush will slowly come back. If an area is cut up into small ranchettes or subdivisions there is no possibility of sage grouse habitat being restored. Hence the Nevada Governor's Commission and the evolution of seven working groups. The Governor's wish is that local teams focus on local problems. Meetings are facilitated either by agents of Nevada Cooperative Extension or National Resource Conservation Service. As always, the best defense for people who care about land and resources is to get involved at the local level.

There are groups in several western states, including Nevada: North Central Working Group—Humboldt, Pershing and Churchill counties, Jerry Buk, facilitator (775-428-0201); Elko County Group, Kent McAdoo (775-738-1251); Lander, Eureka and Nye counties, Rod Davis (775-635-5565); Lincoln and White Pine counties, Maria Ryan (702-257-5550). Bi-State Group (Lyon, Douglas, Mineral, Esmeralda counties, Nev. and Mono County, Calif.), Steve Lewis (775-782-9960); Washoe County, Nev. and Lassen and Modoc counties, Calif., Mike Havercamp (775-784-6490).

Ranchers have long known that environmental groups have an anti-livestock mindset. Some of them hope the sage grouse will wreak the same havoc on rangelands that the spotted owl did in the forests. To promote this no-grazing agenda they are blaming livestock for declines in sage grouse populations across the West. The fact is Jon Marvel (of Western Watersheds Project) and others don't give a cluck about sage grouse.

Blaming livestock grazing for all declines in sage grouse populations might be easy but it is a complete denial of other possible factors such as predators, climate, human growth, property development and wildfire.

We've all watched in awe as uncontrolled wildfires have threatened hundreds of homes in Arizona and Colorado this summer. As of July 5th, over three million acres had burned, which is almost three times the 10-year average. Less grazing pressure and the expansion of cheat grass has left an understory of highly flammable fuels that have made rangelands more susceptible to fire. Over the last several decades in the West a 500 percent increase in human population, accompanied by its infrastructure, has permanently altered millions of acres of historical sage grouse habitat. This destruction and fragmentation of the resource is quite possibly the most pervasive single factor leading to the bird's decline.

It is well documented that sage grouse occupying habitats that are highly fragmented or in poor ecological condition may exhibit relatively low nest success, low juvenile recruitment, and poor adult survival that may be related to increased predation. Populations of some of the most important grouse predators (coyote, red fox, ravens) have increased dramatically over the last 100 years and, even in areas of good habitat, predator populations can be so abundant that habitat alone may not suffice to allow grouse populations to increase. Beyond that, nonnative predators (fox and raccoon), and the highly opportunistic ones (ravens and magpies), are thriving at artificially high population levels due to human activities increasing access to food sources, including road kill, landfills,

city and agricultural waste.

As it turns out, predator control is the quickest and most cost-effective way to enhance rapid recovery of sage grouse populations. Predator projects as proposed by Idaho Department of Fish & Game and others could conceivably produce benefits after only one year whereas any habitat project would realistically take 15 to 30 years. However, this spring Jon Marvel and other activists filed suit for the second year in a row to effectively stop the predator study in Idaho. Interestingly, these groups have never participated in any of the state's sage grouse conservation efforts. If they had, they would have realized the merits and importance of the project.

According to BLM records, over the last 30 years cattle numbers have decreased as

much as 50 percent on federal range. Those same records indicate continually improving range conditions and decreasing sage grouse populations since the 1970s. It is obvious that sage grouse flourished when livestock

numbers were much higher and management practices were not as ecologically acceptable. If extreme preservationists are sure that livestock grazing is the problem, then they must be equally sure that predators are not.

Why are they opposed to conducting a scientific study to find the truth?

The truth is that removing livestock from the range clearly increases fuel loads and fire danger to rangelands, especially sagebrush. Unbiased science and sound rangeland management practices that include the use of livestock as inexpensive management tools will be needed to maintain and increase sage grouse in the near future and for the long term. Looking at the facts may prove that cattle are actually a protector of sage grouse—not a destroyer. ■

John Romero, a commercial pilot with a bachelor's degree in wildlife biology, serves as chairman of the Owyhee Local Sage Grouse Working Group. He also owns a ranch on Reynolds Creek outside of Murphy, Idaho and serves as the Wildlife Committee Chairman of the Idaho Cattle Association.

Isn't it time to conduct a scientific study to find the truth?

Bovines & Bighorns

IN THEIR PASSION TO EJECT CATTLEMEN, THE ZEALOTS CREATED MORE PROBLEMS FOR THE ANIMALS THEY CLAIM THEY WANT TO SAVE. BY R. MCCOY

The nearest “stomping ground” for bighorn sheep is a good five miles from Bud Wellman’s federal grazing allotment in California’s San Jacinto Mountain Range. Nevertheless, due to a legal victory by a group of radical environmentalists several years ago, a key portion of his allotment was declared “critical habitat” for bighorns. His National Forest Service allotment was drastically cut back, costing him crucial water sources and calving areas.

“We’ve had to get rid of a lot of the cattle,” says Wellman, whose grandfather founded the family ranch in the 1850s. Wellman likes to tell folks his hardy longhorn crossbreds can

bighorn sheep habitat, Wellman agreed to give up eight additional sections of private grazing land in exchange for a Forest Service boundary fence. The Wellmans held to their part of the deal but the feds backed off after radicals objected, claiming that bighorns might become entangled in the wire.

“You say ‘fence’ to environmental extremists, and boy, they get all excited,” Wellman says. “But they’re using bogus science. The sheep don’t go there.”

Nowadays, Wellman and his daughter and niece spend much of their time on foot and horseback, trying to keep their stock out of far-flung areas where generations of their

on it and get nitrate poisoning, but ranchers get the ‘credit’ for it. If they were such good environmentalists, they would develop more water for the sheep.”

Wellman’s daughter, Twila, calls the situation a nightmare. “It’s crazy. It’s so out of hand.” She and her cousin, Ruth Roman, are the fourth generation to help run the Wellman Ranch but they fear they may be the last. “It’s just a matter of time before they get rid of us completely,” Twila says. She doesn’t plan to quit without a fight, however. “It’s our heritage, our way of life. I have no plans of giving up anytime soon.”

Her main regret is the effect that all the turmoil has on her father. “My dad is 81. I would like to see him finish out his years ranching,” she says. “But during a good part of his sunset years, when he’d like to be out there with the cattle, he has to be in meetings and courtrooms.”

The ironic part of it all, she adds, is that her father possesses the knowledge and practical experience on the allotment that could help the endangered animals. “He’s lived here his whole life. His experience and knowledge are invaluable, but he’s been treated as if he’s the enemy.”

Not satisfied with the bighorn habitat victory, the activists then looked around for another endangered species to “protect.” They settled on the Southwest willow flycatcher.

In all of recorded history, there has been just one alleged sighting of this endangered bird in the San Jacinto range. That was by a biologist for the most radical environmentalists, who claims to have seen one while hiking through the Wellmans’ public grazing allotment. That was enough for the Center for Biological Diversity to declare two canyons riparian habitats that could “potentially” become a home for the birds. They demanded that those canyons be fenced off. Nevermind the previously voiced concerns against fencing anywhere near bighorn sheep country.

What the anti-cow crowd fails to recognize is that, once again, they have ranchers to thank for developing and preserving those green spots. Until fairly recently, the “riparian



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subside on “rocks and cactus,” but even longhorns need access to water. “A cow won’t go too far from water to feed,” he says, “so we’re losing a lot of what little feed we have because we don’t have the water access.”

With Southern California’s severe drought in its third year, the Wellmans have to bring in feed to supplement both their summer grazing near Hemet Lake and their winter grazing near Palm Springs. “If we don’t get some rain pretty quick, we’re going to be in awful bad shape.”

In addition to the area declared critical

horns have grazed. Ironically, in their passion to eject the cattlemen, the zealots have created more problems for the animals they claim they want to save.

Now that the ranchers are no longer maintaining watering spots for their stock in drought-plagued high country, sheep have started coming down out of the hills seeking food and water on the lowlands.

“If you want to see bighorn sheep, the best place to go is on the golf courses and lawns down in Palm Springs,” says Wellman. “They eat that grass that’s got commercial fertilizers

habitats" in question were just patches of bare rock. In the 1930s, the Wellmans developed livestock watering spots from tiny seeps in the rock. Over the years, because hikers and other visitors kept breaking their water lines, the Wellmans gave up trying to keep them repaired. As a result of the extra moisture, willows and brush took root and grew up thick and lush.

Now the Wellmans are being penalized for developing these oases in the desert. The Forest Service has fenced out real, live creatures that desperately need the water now on the off chance that imaginary ones might someday appear.

"So in trying to do good, we're cutting our



DICK BERGERON

Old-time rancher Bud Wellman. Recently, his allotment has been declared "critical habitat" for bighorn sheep. BELOW: In the 1950s, when there were more cattle, there were also more bighorns.



PHOTOS COURTESY BUD WELLMAN

own throats by pumping that water," Wellman says. Despite the evidence that ranchers are good stewards of the land, the radicals are determined to fight them

to the bitter end. Why, when there is so much to be gained by working together?

"I've talked with them at meetings and I've tried to kind of pinpoint that," Twila says. "This sounds crazy, but the only argument I can get out of them is they don't like seeing the cattle, and they don't like seeing cowpies. That's it. I kid you not. So they use the Endangered Species Act as a tool to get rid of us. They just don't want us out there." ■

R. McCoy writes for SCE News Group (Shepherd's Crook Enterprises) in LaGrange, Calif.

Endangered Species in America

As of June 2002, there are 1,258 species listed as threatened and endangered in the United States. In the rest of the world, there are another 561 species whose endangered status we honor by restricting trade and importation into the U.S. Among the more familiar of these are the snow leopard, gorilla, chimpanzee, elephant, cheetah, panda, rhinoceros, tiger and zebra.

What are these endangered species? Among the mammals are six species of kangaroo rat, nine kinds of bat, ten mice, a couple of rats, a shrew, three voles and five squirrels. There are also the more well known endangered: seven whales, two kinds of wolf, bears, Canadian lynx, seals, bighorn sheep and so on. Probably the best known of the birds is the whooping crane. Hawaiian birds seem to be in grave peril. There are 312 endangered species in that state. Which birds are truly endangered is often in dispute because they move around a bit and some, such as the ivory-billed woodpecker, may actually be extinct. (No one is quite sure.)

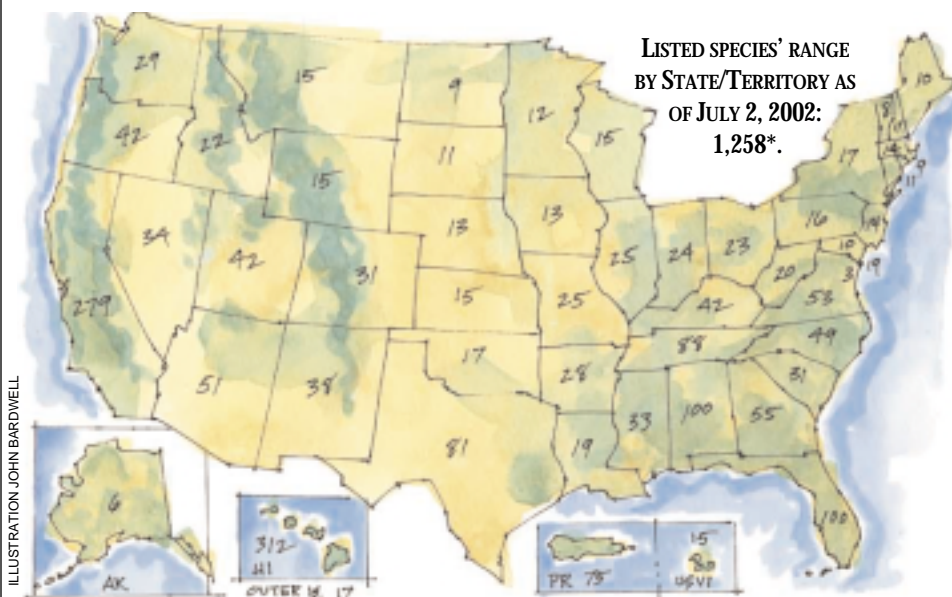


ILLUSTRATION JOHN BARDWELL

* Omits "similarity of appearance" and experimental populations. Does not map whales and non-nesting sea turtles in state coastal waters. Total U.S. species is 1,258. Numbers are not additive; a species often occurs in multiple states. Information and symbols courtesy U.S. Fish & Wildlife Service.

BEE TLE

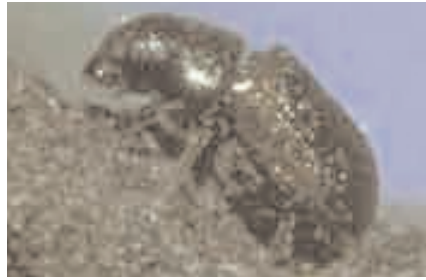
HOW THE BARK BEETLE BECAME A “PROTECTED” SPECIES.

It sounded like a good idea at the time. Remove some of those dead spruce trees from the forest. Turn them into cozy and affordable log homes. Provide jobs while expanding the county tax base. Slow the progress of the bark beetle infestation while reducing the likelihood of a catastrophic forest fire. Sell leftover sawdust to local poultry farmers for turkey bedding. Come Thanksgiving, say a prayer of gratitude that you have a roof over your head, a bird on the table, money in your pocket and a nice view out the window.

Enter Forest Guardians and the Utah Environmental Congress, champions of Mother Nature, defenders of all creatures great and small. In a suit filed against the U.S. Forest Service, the plaintiffs contended that the federal agency had failed to adequately assess the impact of the spruce salvage operation on the blue grouse, as specified by the National Forest Management Act. In a ruling issued in March, U.S. District Court Judge Dale Kimball found in favor of the plaintiffs—a decision that has all but shut down the Satterwhite Log Homes sawmill in Gunnison. Throughout Sanpete County, the reaction has been disappointment, bordering on despair.

“It’s not just Satterwhite Log Homes going out of business,” declares Sally East, director of economic development for the central Utah county of 23,000 residents. “It’s all of the impacts on our communities—the trickle-down jobs. The family that does the logging, the trucking companies, the people who fuel and repair the trucks, the grocery stores. Everything is impacted.”

So far about the only thing not impacted by the ruling is the blue grouse itself, an upland game bird which—according to the Utah Division of Wildlife Resources—is as plentiful today as it was in historical times. Also known as the pine hen, the bluish-gray and mottled brown *Dendragapus obscurus* inhabits “open stands of conifer or aspen with an understory of brush. Winters are spent in dense fir trees, usually at higher elevations. In spring, birds move to lower meadow, brush



COURTESY USFS

MANIA

BY RICHARD MENZIES

or open timber stands for mating. Summer food consists of green vegetation, seeds, buds, berries, and insects. The winter diet is primarily the needles and buds of fir trees.”

“Now that you know what blue grouse look like, where to find them and what they eat,” adds Western Gamebird Alliance member C.J. Biller, “let’s talk about loads, guns and dogs.” Biller recommends an open choke setting, with medium loads of 7 to 7-1/2 lead shot and dogs of both pointing and flushing varieties. A good way to prepare blue grouse, he writes, is to “butterfly them and cook over hardwood coals or charcoal briquets, adding alder chips for additional flavor. Baste the birds frequently with either a butter and lemon mixture or a commercially available white wine Worcestershire sauce.”

The Western Gamebird Alliance, like Forest Guardians and the Utah Environmental Congress, is a tax-exempt, activist organization one hundred percent opposed to any form of logging in our national forests. I can only conclude that the tasty blue grouse, while hard to knock down with a sawed-off

shotgun at a distance of 25 yards, is easy prey to falling trees.

Or could it be that the blue grouse is irrelevant to the lawsuit that put the brakes on still another timber sale? It’s an opinion voiced by many forest managers, who nowadays find themselves unable to do much in the way of looking after the forest—thanks to an endless stream of procedural paperwork.

Speaking in 2001 before a U.S. House of Representatives subcommittee on forest health, James P. Perry, retired General Counsel for the U.S. Forest Service and the Natural Resources Conservation Service, summarized what’s gone wrong with the way the woods are being managed. Prior to the 1970s, he said, America’s national forests were administered under two basic statutes—the Multiple-Use-Sustained-Yield Act of 1960 (MUSYA) and the Organic Act of 1897.

“MUSYA codified the management practices of the Forest Service over the previous decades, providing that the National Forests are established and shall be administered for ‘outdoor recreation, range, timber, watershed, and fish and wildlife purposes.’ Early judicial interpretations of MUSYA described the statute as ‘breathing discretion at every pore.’ Thus, there was little basis for a court to find that the Forest Service had failed to give ‘due consideration’ to the resource decision at issue and federal courts generally accorded a degree of judicial deference to agency administrative expertise.”

Things began to change with the passage of the National Environmental Policy Act of 1969, which mandated that before applying expertise or exercising discretion, forest managers submit for public review environmental impact statements (EIS) of perhaps 15 pages in length.

“Through development of regulations, agency practice and judicial decisions, an EIS now runs hundreds of pages,” Perry continued. “In recent years the Forest Service has become the largest producer of EISs in the federal government, accounting for roughly one-fourth the national total. Further, the Forest Service prepares hundreds of Environ-



COURTESY SATTERWHITE LOG HOMES

Sam Satterwhite’s company was doing a good thing, logging dead and dying trees to use for log homes. He was bringing good jobs to Gunnison, Utah, and helping the community. Thanks to Forest Guardians and Utah Environmental Congress, the dead trees are ready to burn and all positive benefits are lost.

mental Assessments (EAs) annually, many of which run roughly 100 pages in length. Computers now generate boilerplate EISs, which are considered necessary to respond to computer-generated public comments, appeals, and lawsuits.”

Speaking off the record, a veteran forest ranger with decades of experience in the real world translated Perry’s testimony into layman’s terms: “What you’ve got now is far removed from the managed use, sustainable-yield concept. Now it’s some pissant regulation that’s controlling the whole damn thing.”

Under the terms of the National Forest Management Act of 1976, the Forest Service is charged with monitoring so-called “management indicator species,” of which the blue grouse is one. However, *Dendragapus obscurus* isn’t necessarily the ideal indicator, nor is it so easy to monitor—just ask Elmer Fudd and his pack of dogs. Looking to save time and taxpayer dollars, the Forest Service turned to the Utah Division of Wildlife Resources for information regarding the bird’s numbers and likely whereabouts. However, 10 years ago the fish and game people also backed off the hunt; as a result, the Environmental Impact Statement submitted prior to the sale of dead Engelmann spruce trees in the southern Manti-LaSal was judged to be inadequate by Judge Kimball. It was the first successful species viability lawsuit ever against the Forest Service in Utah. Environmentalists rejoiced, and so did the bark beetle.

Indeed, if there is a clear winner in this whole affair, it is *Dendroctonus rufipennis*, described as the “principal agent of mortality [death] in mature spruce trees.”

The bark beetle lives in small numbers wherever there are weakened or fallen spruce trees. However, serious outbreaks have afflicted forests where there is an abundance of downed trees—in which bark beetles reproduce rapidly.

“If the beetle population becomes large enough,” reads a flyer distributed by the Utah State Division of Natural Resources, “it easily attacks and kills standing green trees. Spruce beetles prefer dense forests with large mature spruce trees, but younger trees also are killed during outbreaks.”

Bark beetles are currently thriving throughout Utah and especially in the southern Manti-LaSal, where in some places it’s hard to see the forest for dead and dying Engelmann spruce. Issuing Sam Satterwhite a



Karan Childs collected over a thousand signatures on a petition urging lawmakers to approve the harvesting of infested stands of timber on the Manti-LaSal. BELOW: Bark beetles are currently thriving throughout Utah where in some places it’s hard to see the forest for dead and dying trees. The environmental movement has an estimated 5,000 lawsuits still pending against the U.S. Forest Service to stop all logging.

permit to cut them down and haul them away was one way the Forest Service hoped to stem the infestation before it overtakes and kills all the younger trees. Also, Smokey Bear was aiming to reduce the likelihood of a catastrophic forest fire in this, the earliest and driest fire season in memory.

“We were counting on [Satterwhite] taking those trees as much as he was,” Forest Supervisor Elaine Zieroth told a reporter from *The Salt Lake Tribune*. “If they have to pack up and move on it could mean problems in fire danger as well as economic growth.”

Determined to stay in business, Sam Satterwhite has been searching far and wide for a new source of logs—including Canada, from which he buys rough-hewn “cants.” Factor in transportation costs, plus a recently imposed punitive import tariff, and the cost of a log home is going up—even as opportunities for gainful employment in Sanpete County are going down. As of this writing, the \$2 million Gunnison sawmill remains in operation,

PHOTOS BY RICHARD MENZIES

albeit with a skeleton crew and a tenuous supply of timber. In the yard is a pile of locally harvested logs sufficient to keep the plant in operation for only five days. Resting in peace on a nearby mountaintop are dead conifers sufficient to keep the plant running at full capacity for 20 years. But they may not be there for long.

“I’m surprised they didn’t burn down last year,” says kiln operator Kent Mylroie. “It just gets drier and drier, and when the sap in pine trees gets real dry, it’s like gasoline.”

In only one week’s time, Satterwhite employee Karan Childs has collected over a thousand signatures on a petition urging lawmakers to approve the harvesting of infested stands of timber on the Manti-LaSal. No matter, she still feels helpless against the environmental movement and the estimated 5,000 lawsuits still pending against the U.S. Forest Service.

“You know, there comes a point when it’s just ridiculous,” says Sally East. “Anything we try to do, we know there will be a major environmental protest. Everything that we do is stopped by environmentalists. They are the smallest contingent of people but they have the most money and they’re the most vocal.”

“Everything is nature’s way. But Mother Nature obviously isn’t taking care of the problem. There’s a lot of dead timber—what happens if it *all* just dies? Then what? We won’t have any Mother Nature. We won’t have any beauty. We’ll just have dead trees. It’s crazy.” ■

Richard Menzies is a hippie environmentalist writer from Salt Lake City, Utah. He believes these trees should be logged.



*"Bald Eagle in Reverse." Photo © Joel Sartore.
Once threatened by the use of DDT and shooting, our national bird
has made a comeback, making this species one of the few on the
endangered species list that has recovered. Though still protected,
the bald eagle was taken off the list a couple of years ago.*



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