



George Yard and some of the willows he and his wife Sharon and their friends planted in 1993, encouraged by university professors and pressured by enviros who thought they knew habitat. It turned out to be the wrong thing to do. Now George and Sharon want to use their cows to make things right.

Unmasked!

Nature's real friends and foes. Words and photos by Dan Dagget.

Success is sweet even when it is small. In the Summer 2008 issue I promised to post an update to an article I wrote named "Critical Mass." This article described the plight of a "threatened" species—a three-inch minnow named the spikedace, which appears to have been extirpated from the Verde River in central Arizona by the impacts caused by the U.S. Forest Service's removal of all cattle grazing from riverside habitat. (Yes, that's the removal of grazing.)

That article appears to have produced a small success in that it may have helped inspire the Rocky Mountain Research Station (RMRS—a research arm of the U.S. Department of Agriculture and the Forest Service) to reveal the names of a "secret" team of scientists selected to replace other scientists who had revealed what appears to be the true reason for the demise of the spikedace in the Verde. It turns out the problems were caused by policies the Forest Service adopted to satisfy the demands of a couple of environmental groups.

"They refused to reveal the names of its rapid response team members even though we had filed a Freedom of Information Act [FOIA] request for the information," said Dennis Parker, an attorney representing two Verde River Valley ranches. "I believe the publication of 'Critical Mass' played a major part in causing the RMRS to release those names."

To refresh your memory, the storyline of "Critical Mass" went like this: A couple of environmental groups sued the Forest Service in the mid-1990s to remove cattle from federal lands along hundreds of miles of streams in the Southwest. They deemed the impacts of grazing to be a threat to two threatened species, the spikedace and loach minnow. Then, instead of arguing the suit, the Forest Service bowed to environmentalists' demands out of court, without the knowledge or agreement of the Arizona Cattle Growers and New Mexico Cattle Growers associations, which were intervenors in the case. This has come to be called "The Midnight Agreement."

After all cattle were removed from the

upper stretches of the Verde in 1997, it soon became apparent that the spikedace had left with the cows. (You can imagine the sinking feeling that swept the cattle-free crowd when this came to light.) Monitoring by state and federal agencies has turned up no spikedace in the river since grazing along the river was stopped. In fact, the number of all native fishes on the Verde has dropped precipitously since what was alleged to be the major threat to them—grazing—was removed (from 80 percent native and 20 percent nonnative to the opposite of that).

USDA scientists, searching for an explanation to this counterintuitive happening, noted that after grazing was removed, a large increase in trees and willows had begun to crowd the riverbanks. This transformed the stream from wide, shallow, gravelly, and warm (ideal habitat for spikedace and other warm-water natives) to narrow, deep, tree-shaded, mud-bottomed, and cool—ideal for large, nonnative spikedace-eating predators such as smallmouth bass. "Critical Mass" described the ecological aspects of this situation. This follow-up deals with the politics.

Where this fishy train wreck first appears to have gone awry was in the consideration of issues before the decision to remove grazing was made. The National Environmental Policy Act (NEPA) requires that extensive environmental scrutiny be applied to all actions that involve federal resources and have a significant impact on the environment. When measures to save the spikedace in the Verde were being planned, proposed studies to examine possible negative impacts of removing cattle from the riversides were rejected. Only the negative impacts of cattle grazing were considered in making the decision. In fact, all of the nearly 900 miles of streams covered by The Midnight Agreement were given this one-sided application of NEPA.

This is nothing new in Forest Service decisions, or in the decisions of government land-management agencies in general. Most of the people who make these decisions apply NEPA as if its intent is to limit human impact on the environment, and it certainly can be read that way. Taking this to its logical conclusion, NEPA is a law that was created not to make the environment better, healthier, more func-

tional, or any of those things. It was created, as were most environmental laws, to reduce the impact of humans.

This is not considered to be a mistake or a problem by most environmentalists, government bureaucrats, politicians, lawyers, judges, or the public in general. All of the above, or nearly all, participate in the widely held assumption that environmental problems result solely from human impact and that the only way to solve such problems is to reduce the impacts of humans ideally to zero. This, the assumption goes, returns whatever place is involved to a state of “nature,” and everything, except a few greedy humans, lives happily ever after.

It takes cases like the spikedace to reveal that while this makes for a nice fairy tale and serves as a good basis for political campaigns advocating increasing regulation, it ignores the facts that humans play a positive role in many ecosystems and that our removal can create problems rather than solve them. In some cases (the spikedace makes a good one), removing the impacts of humans can even cause the exact opposite of what is intended, desired, and promised.

After government scientists observed that the impacts of removing cattle grazing from the Upper Verde’s riverside habitat had made the river inhospitable to its natives, they hypothesized that grazing might have actually sustained some of the characteristics of that habitat that were critically important to the spikedace and other warm-water natives. They then took the logical step of proposing research into the matter.



PHOTOS COURTESY AL MEDINA



LEFT: The Verde at Bear Siding in 1975 when there was grazing along the river and lots of spikedace in it. This is spikedace habitat. RIGHT: The Verde at Bear Siding in 2002 when there was no grazing along the river and no spikedace in it. This is not spikedace habitat.

This was not well received by some within the Forest Service, and a regional Forest Service fisheries biologist moved to torpedo the study by submitting an unsolicited and highly critical review of the research proposal to management higher-ups. This ostensibly resulted in the eventual appointment of the secret scientist “rapid response team” by the RMRS. In the meantime, pressure was put on the scientists proposing the grazing/native fish interaction research to toe the party line

or retire, quit, or move on.

In this climate of harassment, one researcher, who has been recognized as one of the top fisheries scientists in the Southwest, retired and left the state. The remaining scientists, with a long history of studying the Verde and its native fishes, were then replaced by the “secret scientists” from a different region with presumably less familiarity with desert fishes. It was the members of this so-called “Rapid Response Team”

What is the true intent of the environmentalist players in this scenario—including those who work for the U.S. Forest Service?



LEFT: Area of private land along the Verde which is still grazed by cows of George and Sharon Yard and their upstream neighbor. RIGHT: Area ungrazed since 1993. Compare these photos to the two at top of page. If spikedace were returned to the river, where do you think they would live?

whose names were not revealed until after the filing of an FOIA and the release of "Critical Mass."

An explanation for all this intrigue became apparent when it was revealed that the regional fisheries biologist trying to throw the scientists of the original spikedace team "under the bus" was simultaneously serving as a board member and officer of a general membership environmental corporation with a stated policy advocating the removal of all grazing from public lands. In other words, while this staffer was supposedly offering



Y-Bar-D cattle sustaining spikedace habitat along the Verde. If the cows build it, will the small fish come back?

expert advice and unbiased counsel to the Forest Service regarding the matter of livestock grazing/native fishery interaction, this same person was also serving an environmental corporation that was actively campaigning for a "removal of all livestock" policy to the Forest Service.

If a rancher had wiped out a population of an endangered species and gotten away with it by receiving favorable treatment from an officer of the cattlemen's association who also held a job at the Forest Service and was using his or her position to intimidate whistleblowers and suppress research, the public would be demanding jail time. Congress would be holding hearings to investigate conflicts of interest, and the whistleblowers would be made instant celebrities as the mainstream media shouted it all from the rooftops. As things now stand, you hold the only account of this that has yet been published.

All this raises a very real question: What is the true intent of the environmentalist players in this scenario (including those who work for the U.S. Forest Service)? Is it to keep the spikedace from ratcheting one step closer to extinction by being extirpated from one of its most productive habitats? Or, is it to remove

grazing from public lands with the spikedace serving only as an expendable warm and fuzzy pry bar that is easy to sell to the public?

No such question can be asked about the intentions of George and Sharon Yard, owners of the Y-Bar-D Ranch, through which four-plus miles of the Verde flow. In 1993, two years after the Yards bought the ranch, when the chairman of the Ecology Department at Arizona State University told them their cattle were a threat to the native fish in the Verde, George and Sharon voluntarily removed the animals from their Forest Service pastures along the river. In order to hasten the river's return to what conventional wisdom and academic ecology at that time considered to be "properly functioning condition" or "pristine nature," the Yards enlisted the help of friends and community to plant native coyote willows every 10 feet along both sides of four miles of the river.

This sort of stewardship is characteristic of the Yards. In 1998, they helped found the Upper Verde River Adaptive Management Partnership (UVRAMP) with their neighbors, the Rocky Mountain Research Station, and the Prescott

National Forest in order to deal with problems like the spikedace in a collaborative manner. In 2002, they received the Environmental Stewardship Award for the Southwest Region from the National Cattlemen's and Beef Association. In 2006, they entered into an agreement with the U.S. Fish & Wildlife Service to provide some of their private land and water from their own wells to create two ponds for propagating and raising native fish to restock the river.

These two ponds stand constructed and waiting for water and fish pending, among other things, some change in the Forest Service policies that apparently have transformed the Verde from native-fish heaven to native-fish hell.

"I am highly embarrassed by the role I have played in this," says George, as he and I walk along the river. "The willows we planted have become a disaster, and I want to set this right."

With this in mind, the Yards are committed to remedy the situation they helped create by invoking a provision of their original agreement. It provided that if the removal of cattle wasn't having the desired effect within five years, the Yards had the option to bring cattle back to the riverside. Five years was up

in 2002, and since that time the Yards have been going it mostly alone against secret scientists, backroom deals, legal loopholes, and bureaucrats with conflicted interests. Few of us would want to change places with the Yards, who have been forced to put their professional and economic fate in the hands of bureaucrats who have declared their intent to put them and people like them out of business. In his 80s now, George is feeling the stress.

The elements of this flap over a small minnow make it, I believe, one of the most important endangered species cases that has yet come up—too important to fall to the shoulders of one ranch family and their neighbors. The demise of the spikedace exposes better than any other case I know of the huge inequity in the way NEPA is enforced—to the letter for users of the land and a free pass for people who call themselves "environmentalists." It has shown that the Endangered Species Act as it is now applied can actually exterminate the species it was enacted to protect and still be considered a success if it gets people off the land. It has shown, better than any other case I know, that the almost universally held assumption—that reducing human impacts solves environmental problems—is wrong and not only should be scrapped, but it should be made as accountable under the law as any other management type.

The spikedace case provides a revealing example of the way federal agencies carry the water of mainstream environmentalism by operating according to its assumptions. And it has exposed the true intent of contemporary mainstream environmentalism—to end productive use of the land even if that destroys the values environmentalism alleges to protect.

In spite of all those opportunities, groups that claim to be champions of the rights of those being skewered by injustices like these—cattlemen's associations, legal foundations, the conservative media—are playing minimal roles, if any, in this case. We can only hope this is because they are ignorant of what can be lost and what can be gained here. Maybe this article will help. ■

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