

High Country News

For people who care about the West

Arizona's Wild Horse Paradox

Activists and agencies try to balance
the West's horse mythology against herd impacts

By Debbie Weingarten





Kayakers paddle past horses from the Salt River herd in Arizona’s Tonto National Forest.
KERRICK JAMES

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Activists and agencies try to balance the West’s horse mythology with the impacts of herds By Debbie Weingarten

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Editor’s note

Embracing contradiction

Every March, as the first earthy smells of spring waft through the air, I home in like a pigeon on a place called Fruitgrowers Reservoir. There, by the shallow waters below western Colorado’s Grand Mesa, I absorb the sights and sounds of an eclectic menagerie of avian life. And I ponder how such a domesticated place can feel so wonderfully wild.



The three bald eagles landing on that patch of ice? Definitely wild. But the scrap of fish they’re arguing over — a perch, perhaps? — is an introduced species. Those sandhill cranes legging it along the shore? Wild, but part of a non-migratory flock that survives the increasingly warm Colorado winters on cornfield stubble. And the ugly waterfowl making a ruckus in the reeds? Feral descendants of Muscovy ducks, a species native to South and Central America but now found on ponds all over the world, courtesy of human beings.

Can you love a Muscovy duck the same way you love a bald eagle?

I have always been drawn to native species. Which leaves me in a bit of a quandary with horses, the subject of our cover feature. The ancestors of modern horses disappeared from North America 10,000 years ago. In the 1500s, Spanish colonizers reintroduced horses into New Mexico, and by the late 1800s, as many as 2 million mustangs may have roamed the West. Today, Debbie Weingarten reports, most of the remaining “wild” horses — estimated to number in the tens of thousands — are caught in the middle of a debate that is more than semantic. Public-land managers view the herd along Arizona’s Salt River as exotic livestock that trample soil and native plants and pose a danger to boaters and hikers, while horse advocates insist they are historically significant wild natives that should be allowed to roam freely. Fortunately, the two sides seem to have found a middle path that provides a management role for all.

There is no middle path yet for the three-decades-old debate over the name of Northern California’s Dixie School District. As Wayne Hare, the HCN board member who produces our “Civil Conversations” series, writes, some Marin County residents are perfectly happy with the name, while others see it as a painful reminder of slavery and racism. The school board rejected alternative names in February, but Hare believes it’s not too late for the area to choose to honor the experience of its few African-American citizens.

And finally, we hope you enjoy the essay and photo spread about the Western gay rodeo circuit in the 1980s, 1990s and today. As Assistant Editor Emily Benson notes, Blake Little’s photos reveal both the violence of the sport and the tenderness of the people involved. The West, it seems, is a big enough place to hold a host of contradictions.

—Paul Larmer, executive director/publisher

On the cover

Wild horses on the lower Salt River below Saguaro Lake in Arizona’s Tonto National Forest.

JILL RICHARDS PHOTOGRAPHY



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The Latest



WYOMING BLM

Backstory

In 2015, the Bureau of Land Management announced a **landmark policy designed to conserve sage grouse habitat on federal land in Western states.** The rule, which set aside hundreds of thousands of acres, was a hard-fought compromise that fended off an Endangered Species Act listing, while discouraging development and energy production on important grouse habitat. It was hailed as an unprecedented collaboration between federal regulators, energy interests, ranchers and conservationists ("Little Big Bird," *HCN*, 8/17/15).

Followup

Over the past two years, the Trump administration has worked to expand oil and gas extraction on sage grouse habitat. **A lease sale of more than 700,000 acres of federal land in Wyoming — delayed last year — concluded in early March, bringing in more than \$88 million,** according to the *Casper Star-Tribune*. Conservation groups ferociously opposed the sale, which included some significant sage grouse habitat. Meanwhile, the administration is expected to continue attempting to rewrite the 2015 sage grouse management policies. **NICK BOWLIN**



Twelve-year-old climate activist Haven Coleman sits on the steps of Denver City Hall, one of several locations she's taken her "School Strike for Climate" since the beginning of the year.

DANIEL BRENNER FOR HIGH COUNTRY NEWS

'Why shouldn't I try and save all you adults?'

Every Friday since the beginning of this year, bundled in a burnt-orange puffy jacket, 12-year-old Haven Coleman has protested climate change in front of government buildings and business storefronts in Denver, Colorado. The reactions are mixed. Recently, a man flipped her off through his rolled-down window; other times, people shout words of encouragement or give a thumbs-up.

Around the country, other young climate activists have gone on similar solo missions, cheering each other on from afar through Instagram and Twitter. Like many adults, they are energized by the eloquent, powerful, and, at

times, frightening speeches of Swedish 16-year-old Greta Thunberg, who has been protesting in front of Sweden's Parliament since last August. With a future that looks increasingly perilous, Coleman and her peers feel a sense of urgency. "Us kids, we are the only ones who are doing anything recognizing that our future is at stake," Coleman said, with a hint of exasperation in her voice. "The reason why we are 'climate striking' is to try and get the attention of the adults, because we can't vote — but we can influence senators."

JESSICA KUTZ

Read more online: hcne.ws/youths-protest-climate



Rob Trotter, above, smells his young marijuana plants, which he grows inside a heated container to ward off the high-altitude frost. A worker carries trays to the fields for planting.



DANIEL BRENNER

An unusual high-alpine weed grower

At his Gypsum, Colorado, marijuana farm, Rob Trotter continues to cultivate his crops despite his degenerative eye condition. Trotter and his wife, Linda, have been growing legal marijuana for five years. They do not use pesticides and aim for a zero-carbon footprint. Trotter says his plants thrive even at high altitude. "They adapt, they cope, and they perform," he said.

DANIEL BRENNER
Read more online: hcne.ws/alpine-pot

\$600 million

Cost to customers, through 2030, if Tri-State sticks to coal, rather than moving to renewables.

Tri-State Generation and Transmission, the largest member-owned electricity provider in Colorado, is struggling to increase its renewable energy portfolio and move away from coal and gas. The company provides electricity to rural power cooperatives in Colorado, New Mexico, Wyoming and Nebraska. Some co-ops are looking to exit their contracts and generate their own renewable energy, with implications for rural electricity consumers across the West.

KERIANN CONROY
Read more online: hcne.ws/troubled-utility

Trending

Conservation as cover for anti-Indigenous sentiments

A recent *Washington Post* story called federal legislation that would allow Alaska Native Vietnam veterans to claim small parcels of public land a "giveaway" to "private hands." The article missed the mark, wrote *HCN* Tribal Affairs Desk Editor Tristan Ahtone. It claimed to speak for the land while ignoring the Native peoples who have continuously lived there, as well as the "history of land theft, genocide, political disenfranchisement and the persistent marginalization" of Native communities. This is a persistent blind spot for the conservation community, Ahtone wrote, a refusal to acknowledge America's history of land theft and colonization in the West.

You say

DAVID LODEESEN: "Lately, you seem to be fanning the flames of hate, division, and old scores to settle more often than building on the common ground that might enlighten the citizens of the West. ... There's a way to identify greed and what harm it might cause going forward without playing the blame game of past history."

JEN JOHNSRUD: "Wow, so many people commenting need to decolonize their minds. *HCN* nailed this point home and y'all can't even grasp it."

JIMMY HODGES: "Where can a nation of laws exist, for all places have been stolen at some time in history?"

Read more online: hcne.ws/land-theft and [Facebook.com/highcountrynews](https://facebook.com/highcountrynews)

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RESISTING WHAT?

The essay by Raksha Vasudevan (“Mountain biking is my act of resistance,” *HCN*, 3/4/19) has disquieted me. This may be the intent of *HCN*’s editors, but I wonder what the takeaway is for most readers. For me, it is frustration with a mindset that claims victim status just for being different, and with a publication that offers it up as insight. The author has pointed the finger of shame at Colorado residents, apparently for not making her feel more welcome. I searched her essay for examples of why she feels so fearful of venturing into “rural areas” or “being attacked and left in the forest,” and found only that sense of alienation — her term — that seems to swiftly germinate in the rich fodder of media negativity and social commentary. She speaks to expected escalations of “rhetoric and violence against people of color,” racist threats against a Fremont, California, woman, and the anxiety she felt when a “man in a camouflage shirt” passed her on the trail. But beyond the statement that “like most women of color in Colorado,” she earns a “disproportionately low salary,” I get no sense of what my city’s treatment of her has been to engender a desire for “resistance,” and moreover, what role I can play in reducing her seeming resentment of the place she now calls home.

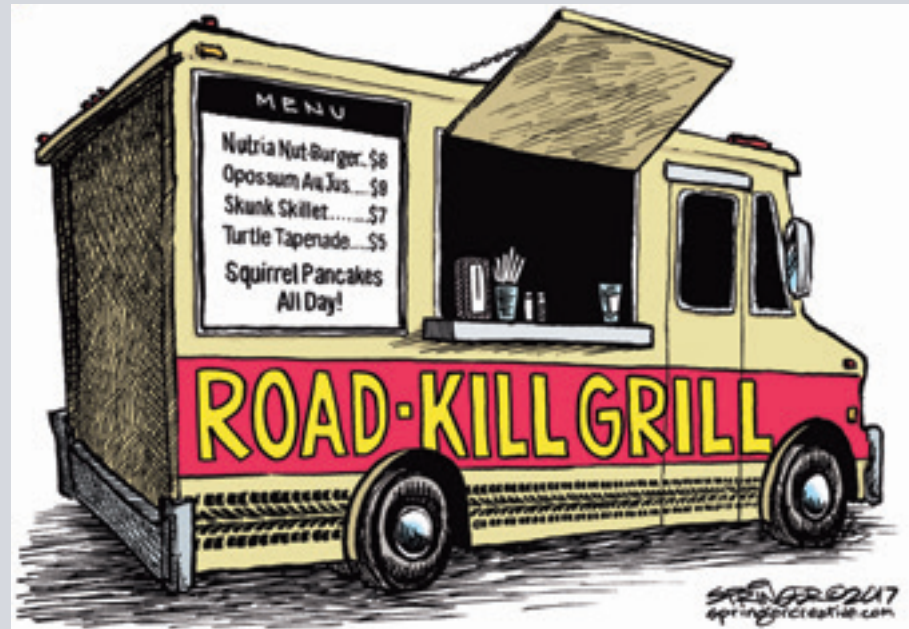
I mean no disrespect to the author, who feels what she feels. My own attitudes and behavior cannot free her from her perceptions and mistrust of “pale-skinned people” like me. To feel unwelcome is painful, surely, but one’s pain can’t always be blamed on others. If I may be naively optimistic, consider the possibility that those you think are judging you are simply reacting to your demeanor, or, yes, even your uniqueness, rather than eyeing you with malice. I suggest that we usually reap what we sow, and expecting goodness from others can lead to experiencing it.

To Ms. Vasudevan: I am glad that mountain biking has become your place of rejuvenation and solace. And when I next haul my creaky old body onto my mountain bike, against others’ expectations for a woman of my advanced years, I welcome the appearance of you and other young women of color on the trail. More so than many avenues in life, I believe the trail welcomes us all.

*Gladys Connolly
Denver, Colorado*

NAVAJO GENERATING STATION

You are missing one of the pieces to solve the puzzle (“Healing wounds from the



JESSE SPRINGER

war on coal,” *HCN*, 3/4/19). I have always admired the Navajo Coal Plant as a great opportunity to generate electricity and provide jobs on tribal land. Currently, I am working with another of the tribes to develop a wind-generating facility that may also involve solar and storage. This economical and environmentally favorable generation replaces the required shutdown of coal plants. We must change the approach. This is typical in American ingenuity. I take exception to your photograph, which was taken in the ’70s. It is overkill on “dirty coal” pollution, which has been much improved. The main driver now is economics.

*Jim Newcomb
Red Feather Lakes, Colorado*

ROADKILL BEATS FACTORY-FARMED

If one wishes to eat animal flesh, then Ella Jacobson is correct that it’s far more ethical to eat animals that were accidentally killed on highways than ones cruelly killed in slaughterhouses (“Road-killed cuisine for the Anthropocene,” *HCN*, 2/4/19). Unlike cows, chickens and pigs, most animals killed on roads have lived a free life and died a fast, unexpected death. Animals raised for food, on the other hand, are imprisoned in filthy, crowded cages, crates and sheds. They never breathe fresh air or feel the grass beneath their feet. They’re torn away from their loved ones, and many are castrated, branded, debeaked or subjected to other painful procedures. At the slaughterhouse, they’re often scalded alive or dismembered while they’re still conscious. If the thought of supporting such

cruelty makes you sick to your stomach, then opt for roadkill, or, better yet, tasty vegan foods.

*Heather Moore
Norfolk, Virginia*

FREE BEER VS. CARBON TAX

One of the insights offered by recent Nobel economics laureate William Nordhaus was that the framing used to advance carbon fees/taxes is really the whole story (“What Killed Washington’s Carbon Tax?” *HCN*, 1/21/19). Instead of putting a carbon tax on the ballot, we might have better luck with “free beer,” “health care for all,” or perhaps “free college tuition.” We need to lead with unambiguous, easy to understand, real-time benefits. Climate change is real — all too real — but it’s a long way from real-time or easy to understand for many people who vote. Doing the right thing around climate for many people feels like choosing between a wide range of everyday conveniences like cars, air travel, meat, etc., and a set of (mostly) future benefits and opportunities that we and more likely our children and grandchildren for generations to come will enjoy. The challenge is to vote now, pay the toll, and be happy that someday others will thank us for it. Politically, that’s a tough sell.

Explaining carbon taxes with more compelling “now” social benefits is what we need to be doing. We need to link issues and lead with the benefits most people recognize today as being meaningful in their lives. Think: “free beer.”

*David Stucky
Eugene, Oregon*

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‘Things are not going to get better for a long time’

PG&E's bankruptcy complicates an already difficult recovery for wildfire survivors

BY PAIGE BLANKENBUEHLER

In early February, John Gillander, an older man with a thick white mustache and wire-rimmed glasses, parked his red Ford Fiesta inside a county park in Mohave County, Arizona. Snow dusted the top of Hualapai Peak, which jutted into the sky. His mobile home burned down during November's Camp Fire in Paradise, California, and everything Gillander owns fit in the back of his car.

When I spoke with Gillander, he was waiting for his insurance company to give him enough money to purchase an RV — a stopgap until he can rebuild permanently in his hometown. “I’ve always wanted to travel,” Gillander told me. “And now I guess I have the time.”

It was while slogging through the claims process with his home insurance agent that Gillander realized that he — like many Camp Fire victims — was underinsured. Retired and living on disability checks, Gillander recently joined one of the many lawsuits against Pacific Gas & Electric, California's largest utility company, which is suspected of sparking the deadly Camp Fire blaze. Local media have reported that a PG&E transmission tower malfunctioned and sparked just minutes before the fire ignited. Hours before the Camp Fire sparked, Gillander, a customer of PG&E, received an email from the company warning that it was considering cutting power because of

high fire danger in the area. PG&E, however, did not follow through with an outage at his home. About 12 hours later, his property was completely destroyed.

Gillander doubts his insurance alone will be enough to recover, but remains hopeful that the suit against PG&E will help him rebuild. “My lawyer said it would take about 8 months,” Gillander said. “This path is uncertain, but it’s going to be better than nothing.”

But U.S. Bankruptcy Court has allowed PG&E to move forward with its bankruptcy filing. This means that Camp Fire survivors like Gillander are likely to be in for a longer ordeal than they think. He may have to wait years, if ever, to see any damages paid by the company, and he may get less than he hopes for. Under the bankruptcy filing, victims of the 2017 and 2018 California wildfires are in a lower-priority class of unsecured claims than the company's creditors, such as JPMorgan Chase & Co., Bank of America Corp., Barclays and Citigroup Inc., to whom PG&E owes \$5.5 billion in loans.

PG&E is a for-profit, semi-public California gas and electric company that serves more than 16 million customers and receives little federal or state oversight. “Everyone’s immediate focus is, rightfully, on ensuring Californians have continuous, reliable and safe electric and gas service,” California Gov. Gavin Newsom stated in a press release following the recent bankruptcy declaration.

PG&E is no stranger to disaster and controversy. In 2010, one of the company's gas pipelines blew up and killed eight people in San Bruno, a suburb of San Francisco. And in early February, just two days after the company borrowed billions to allow it to continue operating over the next two years while going through bankruptcy, a PG&E gas line exploded, burning five buildings within a San Francisco neighborhood. PG&E currently faces \$30 billion in liability claims for 17 of California's 21 major blazes in 2017, and its equipment is under investigation for causing several 2018 wildfires.

If successful, the recent bankruptcy filing wouldn't be the first time that the state has bailed out the company. In fact, earlier this year, the California Legislature passed a measure designed to prevent PG&E from going bankrupt over payouts to fire victims. The bill in effect allowed PG&E to pay for its wildfire liabilities by adding an additional tax, paid by its customers. But despite that financial cushion, the company still declared bankruptcy, for the second time in less than two decades. PG&E argues that it needs to do so in order to keep providing its customers with energy. But lawyers, experts and activists worry that the company will end up short-changing wildfire survivors.

HCN's requests for comment have not yet been answered, but in a January press release, John R. Simon, PG&E's interim CEO, highlighted mounting wildfire liability — more than \$30 billion and counting — and tumbling stock values as reasons for the bankruptcy. Simon said the filing ensures that the company will have enough money to serve its customers and support its current obligations.

Catherine Sandoval, a professor at Santa Clara University Law School and a former California public utilities commissioner, doubts PG&E's motivation for the

Please see PG&E, page 22

John Gillander's home in Paradise, California, before and after the Camp Fire. Gillander doubts his insurance alone will offer enough to rebuild, and is hoping for a settlement in a case with PG&E.

COURTESY OF JOHN GILLANDER

‘The colonization of knowledge’ in a new congressional act

Who should have access to Indigenous oral histories, which have often been recorded and sold without permission?

BY GRAHAM LEE BREWER

Indigenous people today are asked to secure their rights to their own cultural heritage, rights they never ceded in the first place.

In the wake of a sweeping music copyright law that went into effect in October, some historic Indigenous songs, stories and languages could be released to the public, raising concerns about privacy and the use of “personal” data.

The Music Modernization Act establishes a system to find and compensate artists whose music was recorded before 1972 whenever their work is streamed online today. If the performer cannot be located, though, the act allows early folk and ceremonial songs to become public for non-commercial purposes. Artists who are located can appeal the use of their recordings. Those who can’t be found, however, may not even know the recording exists.

Among these works are a substantial number of recordings of Indigenous ceremonies and religious events, taken from Indigenous communities during the first half of the 20th century by anthropologists and sociologists and often held in museum and university collections. Many of them were taken without permission, any form of transaction or explanation of their intended use. This means that numerous tribes and tribal members have no idea what recordings exist, including ones

that may have deep personal and cultural value. Under the new law, the museums holding ethnographic recordings could begin releasing large portions of their Native American catalogues online.

Advocates for the repatriation of recordings like these say they constitute a kind of intellectual property the federal government does not fully recognize. Ethnomusicology scholars, archivists and anthropologists across the country are helping Indigenous communities reclaim recordings of their tribes and families by mining the archives of their own institutions for such audio. It is personal data, they argue, taken under ethically dubious circumstances.

Oral traditions, histories and even laws are an integral part of many Indigenous tribes in the U.S. The ceremonies and stories that were captured by anthropologists are considered a very sensitive kind of knowledge, with special significance to the Native people involved. Unfortunately, that’s not how federal law defines their value.

“The problem with intellectual property law is you cast all value in monetary terms. The ethical perspective on Native American field recordings, from anthropologists at least, and from many Native American community members too, is that other kinds of values attach to these,” said Aaron A. Fox,

an associate professor of ethnomusicology at Columbia University. “They’re values of sovereignty, rather than exchange value.”

Fox said that while many also see intellectual value in releasing documented history into the public realm, basic social justice requires that Indigenous communities should be allowed to decide which of their traditions are special and how their distribution should be regulated. The circumstances under which most of the recordings were taken are simply too unequal, he said.

“It’s the colonization of knowledge,” said Jane Anderson, an associate professor of anthropology and museum studies at New York University. Anderson said Indigenous people today are asked to secure their rights to their own cultural heritage, rights they never ceded in the first place. “These recordings weren’t necessarily made with the consent and permission for their endless circulation that now happens,” she said. “Copyright law doesn’t really care about the content, but for Indigenous people the content really matters.”

The U.S. Copyright Office is proposing a provision requiring a “reasonable search” for the recorded performer, including consultation with a tribe in the case of ethnographic recordings “if such contact information is known.” If the proper tribe is contacted, it can file an opt-out notice with the Copyright Office to stop the release of the recording. But that process could prove to be overly burdensome for some tribes, said Trevor Reed, an associate professor of law at the American Indian Policy Institute at Arizona State University, which is advocating for the Copyright Office to consult tribes and experts on how to create an alternative system for Indigenous recordings. Reed said some tribes will likely not have the staff or resources to track down the actual owners of the recordings, often due to incomplete or nonexistent documentation. The institute is also recommending that the copyright office reimburse tribes for search expenses.

Fox said that with the proper legal and cultural framework, the law could be amended to help tribes repatriate lost intellectual property and at the same time enrich their own connection to their communities’ collective histories. It would be similar to the Native American Graves Protection and Repatriation Act (NAGPRA), which prohibits the sale of Indigenous remains and artifacts.

“The internet has made possible literally thousands of serendipitous discoveries by descendants and tribal communities ... leading to reconnections of recordings to families,” he said. But unlike under NAGPRA, there’s no legal structure that requires institutions to consult tribes about access. “So the whole system is dependent on an apparatus of goodwill and good intention.” □

At a 1983 powwow in Macy, Nebraska, Dorothy Sara Lee, from the American Folklife Center, listens to Clifford Wolfe Sr., a citizen of the Omaha Tribe of Nebraska. The center returned wax cylinder audio recordings made in the 1890s to members of the tribe.

CARL FLEISCHHAUER/LIBRARY OF CONGRESS



Commercial honeybees threaten to displace Utah's native bees

Federal lands could offer hives a respite from pesticides but increase competition for food

BY NICK BOWLIN

Although a beehive adorns Utah's state seal, honeybees are not native to the "Beehive State." They arrived in Utah with Mormon settlers, who held the honeybee in high regard for what they considered its industrious nature and collective spirit, virtues they saw embodied in their own community. Brigham Young, leader of the Church of Jesus Christ of Latter-day Saints, initially named the region "Deseret," the Book of Mormon's word for honeybee.

Less celebrated is the state's notable native bee diversity. In Grand Staircase-Escalante National Monument alone, more than 650 native bee species have been identified. By comparison, just 750 documented native bee species exist in total east of the Mississippi River.

Now, a push to store commercial honeybees in Utah's Manti-La Sal National Forest could threaten its native bee diversity. Located about 100 miles north of Grand Staircase, the national forest is home to hundreds of native bee species, including the declining western bumblebee. Scientists worry that a large influx of honeybees could bring resource competition, disease and ecosystem impacts.

According to documents acquired by the Center for Biological Diversity through Freedom of Information Act requests, Adee Honey Farms, the largest private beekeeper in the country, has persistently applied for bee storage on several Utah national forests since 2012, boosted by a 2014 Obama administration memorandum that directed federal agencies to aid both honeybees and native bees. In the fall of 2017, Adee applied to place 100 hives each on 49 sites in Manti-La Sal, which equates to hundreds of millions of bees. To date, it has received permission to place 20 hives each at three sites in the national forest.

Commercial honeybee populations have plummeted in recent decades, in large part due to months spent pollinating crops coated in pesticides. With immune systems weakened by chemicals, honeybees are vulnerable to diseases and pests, including the varroa mite, which latches onto honeybees and sucks them dry. Meanwhile, available land for storing bees during their off-season has shrunk, thanks to funding cuts to a federal program that paid Midwestern farmers to let land fallow. Beekeepers often stored their hives on this land.

"We are desperately trying to get out of pesticide areas due to the loss of our bees," wrote Brian Burkett, an Adee Honey Farms

employee, on one bee-storage application.

Tara Cornelisse, a scientist at the Center for Biological Diversity, called pesticides the "common enemy" of both honeybees and native bees. "The reason honey producers want to put their hives there is that there are so few unimpacted places," she said.

The company has sought bee storage on at least three national forests in Utah. Honeybee storage on Forest Service land is not new: The practice exists in Arizona and California, as well as on Wasatch-Cache National Forest in northern Utah. Even so, scientists and conservationists fear what the spread of bee storage to southeastern Utah might do to the area's native bee populations.

The threat to native bees stems from the same collective nature that the Mormons admired in honeybees: Honeybees, which are social, direct others in the hive to viable sources of pollen and nectar. Most of Utah's native bees are solitary, not social, so they risk being outnumbered in the hunt for floral resources. Honeybees are also generalists; they pollinate many plants, which accounts for their value as commercial pollinators. Many native bees, meanwhile, have evolved to visit specific kinds of plants, so if they are driven away, they have fewer options, and their populations could decline from lack of food. That can affect an ecosystem's makeup, because native bees often are better at pollinating native plants than honeybees. According to Vincent Tepedino, a retired bee biologist who has urged the Forest Service to reject honeybee storage, substantial honeybee storage in the Manti-La Sal could eventually change fruit and seed production. This would impact birds and other animals throughout the ecosystem.

Biologists also worry about the sheer magnitude of resources used by honeybee colonies. A research paper by Tepedino and James Cane, an agency entomologist based in Utah, calculated the amount of resources collected by a honeybee colony, and translated that into the equivalent number of baby solitary bees. In four months, the 4,900 hives requested by Adee would remove enough pollen to rear hundreds of millions of native bees.

Scientists say the effects of honeybees on native species, especially the potential for disease transfer, demand further study. "Absolutely there needs to be more research to learn more about competition and impacts," said James Strange, a Utah-based U.S. Department of Agriculture research entomologist. □

A western bumblebee, *Bombus occidentalis*, from Utah County, Utah. They are one of hundreds of native bee species in the state. USGS BEE INVENTORY AND MONITORING LAB



A commercial beekeeper opens one of his 72,000 hives to pollinate fruit trees in Lost Hills, California. Beekeepers hope to store their hives on Utah's public land during their off-season.

ANAND VARMA/NATIONAL GEOGRAPHIC/GETTY IMAGES

Nick Bowlin is an editorial intern at *High Country News*. [@npbowlin](#)

Development plans test a decade-old conservation deal

Are concessions to protect undeveloped land in California worth it?

BY JANE BRAXTON LITTLE



Tejon Ranch supports many birds, including endangered California condors, willow flycatchers and spotted owls. These red-tailed hawk chicks are among the ranch's healthy population of raptors.

JANE BRAXTON LITTLE

Tejon Ranch is California wild, a place where mountain lions prey on unsuspecting fawns and storm-twisted trees cling to remote ridges, where California condors soar over bald peaks and Tehachapi slender salamanders hide in the damp leaf litter of secluded canyons. Tejon is also a private working ranch, where cowboys run cattle across an area bigger than Rocky Mountain National Park. Los Angeles, the nation's second-largest city, is a mere 70 miles to the south.

This raw landscape is the heart of a controversial agreement designed to conserve the biggest chunk of undeveloped private land left in California. But now, the environmentalists who brokered the deal are staring at the payback: three large housing projects totaling 34,780 houses on 30,000 acres. Hailed a decade ago as the conservation deal of the century, the Tejon easement is testing whether agreements between conservationists and private landowners can protect enough habitat to justify the trade-offs.

The historic cattle ranch — owned by Tejon Ranch Company, an agribusiness listed on the New York Stock Exchange — lies at the convergence of four distinct

ecological regions. The Sierra Nevada meets the Tehachapi Mountains, joining the San Joaquin Valley on the northwest flank of the ranch, and the Mojave Desert on the southeast. Tejon is one of 25 hotspots worldwide recognized by the non-profit Conservation International for its rich biodiversity, which includes endangered Bakersfield cactus and blunt-nosed leopard lizards. It is also a key wildlife corridor, the last remaining link between the grasslands on the western and eastern edges of the San Joaquin Valley.

For decades, as development overran grasslands and oak savannahs, Joshua trees and alpine forests throughout the West, California conservation organizations eyed Tejon's distinctive mix of habitats. The surest way to protect sensitive landscapes is to own them, but Tejon's 270,000 acres were not for sale. Instead, environmentalists and ranch owners negotiated a compromise in 2008.

The conservation agreement protected 90 percent of the ranch: 240,000 acres, an area larger than Washington's Mount Rainier National Park. No development will be permitted on these lands, which harbor a dizzying variety of species found nowhere else on the planet. In exchange, the five conservation organizations involved — the Natural Resources Defense Council, Audubon California,

Sierra Club, Endangered Habitats League, and Planning and Conservation League — agreed not to oppose housing development on the remaining 10 percent. The Tejon Ranchwide Agreement was widely lauded as a landmark transaction that avoids prolonged parcel-by-parcel litigation.

Like thousands of other conservation agreements made with private landowners from Montana to New Mexico, this one balanced competing goals. It safeguarded the grassy dens of San Joaquin kit foxes and the deep isolation of pine forests, where sooty grouse might nest. And it offered surety for the ranch owners, said Barry Zoeller, vice president of corporate communications and investor relations for Tejon Ranch: They know exactly which areas are available for development and which are not.

"Both sides had to swallow hard before striking this deal, but both came away with results they never could have secured any other way," said Graham Chisholm, then executive director of Audubon California.

But for both sides, the deal was fraught. There's no guarantee that other organizations won't sue the landowners to stop development. The process remains no "less subject to litigation," Zoeller said.

Development plans range from single-family homes within walking distance of schools and shopping, to "an upscale retreat" with "exceptional resort facilities." Some development will be in Los Angeles County's largest remaining grassland, some in critical condor habitat.

For the conservation groups, agreeing to housing on 30,000 acres was a painful concession that has forced them to remain silent, while officials in Los Angeles and Kern counties have systematically approved plans for the Grapevine project just southeast of Bakersfield, and for Tejon Mountain Village on a ridge where condors roost. In December, Los Angeles County officials approved the 19,300-house Centennial Project on ranch grasslands at high risk of fire. Centennial incited particular anger over increased traffic, air pollution and fire danger.

Critics argue that Tejon's biodiversity could have been safeguarded under existing state and federal laws, such as the Endangered Species Act, without sacrificing habitat for housing — indeed, that Tejon is a Faustian bargain offering little in exchange for more development.

Half the land that ranch owners offered for conservation is too steep and remote to be developed, and regulations protecting endangered species would have required preservation of the rest, said Ileene

Jane Braxton Little writes on science and natural resources from Northern California.

🐦 @JBraxtonLittle

Anderson, senior scientist with the Center for Biological Diversity. “Much of the same land could have been protected without environmental groups signing away their freedom to protest environmentally problematic developments,” Anderson said.

Negotiating conservation agreements always involves compromises, said Joel Reynolds, Western director of the Natural Resources Defense Council. He saw Tejon as a now-or-never opportunity: “One of the most challenging aspects of my professional career is knowing when to strike a deal and when not to,” he said.

Like any good marriage, the Tejon agreement relies on voluntary cooperation to fulfill the promises that transcend its legal bounds. As part of their negotiations, the Tejon partners created the Tejon Ranch Conservancy, a science-driven organization, to oversee compliance with the terms of the conservation easements and work with ranch owners to ensure management that enhanced the land’s biological value. Audubon’s Chisholm called the conservancy “the icing on the cake.”

The conservancy was designed to facilitate access to the ranch for scientists and the public, both historically excluded by owners who feared rare species discoveries that might compromise their management plans. Botanists, ornithologists and herpetologists welcomed the opportunity to inventory Tejon’s wealth of known species and document new ones. In the decade since the agreement went into place, conservancy scientists have added about 200 new taxa to the ranch’s list.

But that access wasn’t guaranteed, and just last year, the ranch barred the California Native Plant Society from continuing inventories after its scientists publicly vowed to fight the Centennial project for “paving over” biodiverse grasslands.

Although the conservancy issued more than 200 permits for scientific research in 2018, ranch spokesman Zoeller said the plant society was banned because of its “public, organized opposition.”

Although the conservancy was mandated by the Tejon agreement, funding for its management responsibilities was not. Future funding was tied to the sale of houses in Tejon’s development projects. The 2008 stock market crash left the conservancy facing “a financial cliff” after 2021, Reynolds said, and left ranch owners on the hook for funding from a source that has yet to materialize.

Ten years on, the Tejon agreement has not reached “the level of progress I think all of us had aspired to achieve,” said Reynolds. That’s not surprising: Conservation agreements that don’t transfer land ownership can never be completely satisfying to the environmental groups negotiating them, said Kim Delfino, California program director for Defenders of Wildlife, a nonprofit conservation organization not involved in the Tejon agreement. “You want to hit a home run every time you get up to bat. Sometimes you hit a triple, sometimes a single,” she said. Still, if easements guarantee protections in perpetuity, “they often make more sense than rolling the dice in the courts,” she said.

The Center for Biological Diversity is willing to take its chances. An original participant in talks with Tejon’s owners, the center pulled out of the 2008 deal. Today, it’s one of the plan’s most vocal opponents, using state and federal regulations to seek limits on development.

“Those lands are incredibly steep and remote, and the notion of ever having the ability to build in those areas is equally remote,” said the center’s Anderson.

The lawsuits have been mostly

ineffective. A district judge ruled in December against six of the center’s seven arguments but ordered the developers to redo the environmental analyses for the Grapevine project. The group’s attempts to block Tejon Mountain Village, the closest to breaking ground, were also unsuccessful. Still, center attorneys will likely challenge Centennial, too. Despite the risks of losing in court with piecemeal litigation, Anderson said she prefers it to conservation agreements, “which are always a compromise.”

Few have weighed the compromises of the Tejon agreement more carefully than Reynolds. Among the challenges unforeseen in 2008 was the ongoing effort it has taken to implement it. Key ranch partners have left and leadership has changed, requiring “education and negotiation” beyond what he expected, Reynolds said.

“You can write the most careful agreement humanly possible, and yet things that you haven’t been able to anticipate will complicate the vision,” he said. □

Pete Bloom, a raptor specialist who has conducted scientific surveys on Tejon Ranch, spends a moment with a rattlesnake.

JANE BRAXTON LITTLE



At 270,000 acres, Tejon Ranch is the largest swath of undeveloped private land remaining in California. KEITH SKELTON/CC VIA FLICKR



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Bison usually aren't bothered by fire; they just keep their distance. These young bison sense something different about this blaze and gallop away. HARVEY PAYNE

VISIONS OF THE TALLGRASS: PRAIRIE PHOTOGRAPHS BY HARVEY PAYNE,

By James P. Ronda, photographs by Harvey Payne, Foreword by Geoffrey M. Standing Bear
180 pages, hardcover: \$34.95.
University of Oklahoma Press, 2018.

In northeastern Oklahoma, hidden between plowed fields, pastures and oil rigs, the nearly 40,000-acre Joseph H. Williams Tallgrass Prairie Preserve is an ecological relic of the vast landscape that once swept down the center of North America. In *Visions of the Tall Grass: Prairie Photographs by Harvey Payne*, two old friends, photographer Harvey Payne and historian James Ronda, explore what's left of the prairie they love together.

Here are stunning photographs of bison grazing on lush tall grasses and prairie chickens with bright orange air sacs flamboyantly courting their mates. History weaves in and out of the story, following the changes the landscape and the region have endured over time. The prairie takes center stage, but a heartwarming personal story can be found here, too, as Ronda documents his own discovery of the prairie with wildlife photographer Payne: "Believing and seeing with Harvey — that has been my grassland education." JESSICA KUTZ

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A heartfelt goodbye to a dear friend

With a rare warm week, Gunnison's ice-paved streets began to melt. In Paonia, though, flowing water — at least the potable kind — is still in short supply. After a major water line break — and the lingering effects of last year's drought — many residents' faucets have been shut off for over two weeks. We hope our colleagues will soon have their thirst quenched.

It's been an eventful few weeks for *High Country News*, including some bittersweet changes. **Kate Schimel**, our associate editor on the West-North desk and a thought leader on the editorial team, is taking an editor position at Colorado Public Radio. Kate came to *HCN* as an intern in 2015, already displaying the intellect that carried her up the ranks. She served as digital editor and ushered our collaboration with the Solutions Journalism Network. We'll miss her deeply, but we're looking forward to listening to CPR even more than usual.

All that means we have openings for an associate editor and assistant editor. See hcn.org for details, and spread the word!

In anticipation of Kate's departure, the West-North desk (including **Emily Benson** and **Carl Segerstrom**) got together in Spokane, Washington, for a last hurrah. Emily also gave a guest lecture to an undergraduate feature-writing class at the University of Idaho, where the budding journalists were focused and inquisitive. And Assistant Editor **Anna V. Smith** spent a week at the Resilience Fellowship Program at CUNY's Craig Newmark Graduate School of

Journalism in New York City, while frequent contributor **Ben Goldfarb** scored the prestigious E.O. Wilson Prize for Literary Science Writing from PEN America. Ben won for his book *Eager: The Surprising, Secret Life of Beavers and Why They Matter*, which was excerpted in *HCN*.

Development Director **Laurie Milford** and Editor-in-Chief **Brian Calvert** recently visited Miami, Florida, for the 2019 Knight Media Forum. The Knight Foundation and The Aspen Institute issued a report this year, *Crisis in Democracy: Renewing Trust in America*, and the Miami conference was dedicated to tackling some of journalism's biggest challenges. *HCN* was recognized for its work in 2017 and 2018 with the Solutions Journalism Network.

In a recent "Heard around the West" (*HCN*, 3/4/19), astute readers noted that the town of Victor is actually in Montana, not Oregon. Writer **Betsy Marston** blames the error on the vertigo that has plagued her lately, while the rest of us merely assumed that Tonto, the wandering bison in the story, took the town along with him when he took off roaming. And there's one more ssss-small correction: In the photo review, "Explore landscapes redefined by human influence" (*HCN*, 2/18/19), we once left the "s" off the photographer Lucas Foglia's name. We regret the errors.

We're taking an issue break, so look out for your next magazine in April.

—Elena Saavedra Buckley,
for the staff



While on a panel with editorial team members Ruxandra Guidi and Brian Calvert, Kate Schimel, center, bursts into the uproarious laughter that we will miss around *HCN*. ANNA V. SMITH/HIGH COUNTRY NEWS

ARIZONA'S WILD



Activists and agencies try to balance the West's horse mythology with the impacts of herds

**FEATURE
BY DEBBIE
WEINGARTEN**

The horses stood chest-deep in the river, pulling up long strands of eelgrass with their teeth. There must have been 20 of them, in colors ranging from nearly white to ruddy brown. The foals stood wobbly in the current. My partner and I floated quietly past in our kayak, trying not to spook them. But it was a sweltering Friday in July, and we were followed by hollering college students in rented innertubes. Beer coolers floated along behind them, and music reverberated off the canyon walls. Uninterested and used to the party, the horses barely looked up.

A stone's throw from metropolitan Phoenix, the Salt River runs through the Tonto National Forest, where deer, big-horn sheep and bald eagles live amid cactus and mesquite bosques. But the most famous and controversial inhabitants are the area's "wild" horses. Once slated for removal by the U.S. Forest Service

for reasons of public safety, today these horses are protected by state law. Now, in the first arrangement of its kind, a state government is working with a nonprofit to manage horses on federal land. That means that long-feuding entities must work together to find a way to balance the horses — and the mythology of the American West they represent — with river and land conservation and public safety.

In October, I climbed into an SUV with Kim Lenski, a volunteer with the Salt River Wild Horse Management Group, and drove along Bush Highway looking for horses. The pulse of the Salt River is engineered, controlled by a series of dams. Water is released in the summer, and the faucet is shut off come fall. When that happens, the eelgrass dies back, and the horses roam in search of food. Bands of them wander dangerously across Bush Highway; one was hit the evening we visited, bringing the total this year to 15. Management group volunteers regularly

spend hours in bright orange vests directing traffic and shooing horses to safety.

The river is a green vein through the desert, a rare wet reprieve. For decades, families have picnicked and swum here, and throughout the summer, hundreds of rafts float the river each day. But while the horses are a popular draw for visitors, they do pose safety concerns. "They're running around, kicking up their heels and just being horses," said Chandler Mundy, a range program manager for the Tonto National Forest. "That doesn't exactly fit well with the recreating public — with picnics or little kids underfoot." He noted the occasional drunken floaters who brazenly try to ride them. "It's an accident waiting to happen."

In the summer of 2015, the Forest Service saw increasing numbers of horses at Butcher Jones, one of the river's most popular beaches. The Forest Service, worried about safety, posted an impound notice in July for "unauthorized horses" found in

HORSE PARADOX



the Salt River area. Horses “not sold at public sale may be sold at private sale or condemned and destroyed, or otherwise disposed of,” read the public notice.

Lenski remembers that day clearly. “I went from being a horse photographer to a political activist overnight,” she said. The Salt River Wild Horse Management Group jumped into action, filing a lawsuit against the Forest Service, distributing press releases, organizing protests and lobbying state legislators. In response to the outcry, the Forest Service delayed the removal.

On the heels of the impound notice, in early 2016, Arizona state Rep. Kelly Townsend, R-Mesa, introduced the Salt River Horse Act, which was signed into law that May. The law provides state protection for the horses, making it illegal to harass or harm them. But while the law specifies that the horses in question are not strays, it does not define them as wild — a classification issue with conse-

quences beyond semantics.

Many Westerners love free-roaming “wild” horses, perhaps mostly for what they represent: freedom, rugged beauty, an unbreakable spirit. There’s a reason horses gallop across airport kitsch and pickup truck commercials: They’ve seeped into the mythology of the West. But across the actual landscape, nearly every aspect of wild horses is controversial, starting with the question of what to call them.

If they are recognized as “wild,” free-roaming horses can receive federal protection under the 1971 Wild Horse and Burro Act, which requires the government to protect free-roaming horses and burros living on federal lands as “living symbols of the historic and pioneer spirit of the West.” Many horse advocates, including those advocating for the Salt River horses, use the word “wild” for that reason. But when the government surveyed the Tonto National Forest in 1973, all the horses they encountered were

marked with the brands of nearby tribal communities. Because of this, the region was not designated a wild horse and burro territory, leaving today’s Salt River horses unprotected.

The Salt River Wild Horse Management Group, which has compiled over 50 testimonials from eyewitnesses who remember seeing unbranded, free-roaming horses on the Salt River prior to the government survey, maintains that they are the descendants of colonial Spanish horses brought to the area by Father Eusebio Kino in the 17th century. They have begun collecting DNA from deceased horses to prove it. The group interprets a newspaper article from 1890 describing the Salt River horses as “native stock” as evidence that, by then, the horses had already been in present-day Arizona for at least six generations.

Gus Cothran, a horse geneticist at Texas A&M University, says horses are not “native” to the United States. Technically,

Wild horses from the Salt River herd graze alongside recreationists at the popular Butcher Jones Beach in Arizona’s Tonto National Forest.

HEATHER KIRK

**"As a nation, would we keep storing the horses or kill them?
Store them and we'd have to live with the cost. Kill, and we'd have to live with ourselves."**

—David Phillips, writing in his Pulitzer Prize-winning book
Wild Horse Country: The History, Myth, and Future of the Mustang



Simone Netherlands, president of the Salt River Wild Horse Management Group, at her Prescott, Arizona, ranch where she and volunteers work with rescue horses like this one, which was rounded up by the BLM in Nevada, as well as some from the Salt River herd.

ANDREW PIELAGE

they aren't "wild" either. "All of the horse populations that we've ever seen in the Western Hemisphere are feral, in the sense that they did derive at some point from a domestic horse population," he said. Cothran, who has conducted genetic analyses of 200 free-roaming populations of horses, including more than 100,000 individuals, said he's found that only 3 to 5 percent of the groups descend from colonial Spanish horses, though — given its geography and history of Spanish settlement — he hypothesized that Arizona could have a higher proportion of horses with colonial Spanish bloodlines.

Such horses could be valuable for equine genetic diversity, said Cothran. But without a comprehensive genetic study, he added, "I find it pointless to make arguments about whether these horses have value or not."

Two hours north of the lower Salt River, against a backdrop of pine trees and cottonwoods, Salt River Wild Horse Management Group President Simone Netherlands stood in front of her barn. Inside, volunteers worked with five male Salt River rescue horses. (Females are kept 120 miles away at the organization's 4-acre property, which borders the Tonto National Forest and the Salt River.) While Netherlands said they seldom in-

tervene, volunteers sometimes encounter abandoned babies or horses so injured that it would be "inhumane" to leave them in the wild. Thousands of dollars are spent on veterinary care for rescues, which can never return to their bands.

A horse trainer originally from Holland, Netherlands said her "passion with wild horses" began by accident, after she went to an auction looking for a horse she had trained. "I ended up sitting next to a kill buyer," she said. "I was asking everybody, 'Have you seen this white mare?' And the guy said, 'Oh, honey, she's on somebody's dinner plate by now.'" The man described his job — how much money he made, how he collected horses from auctions and Craigslist posts, and then drove them to a slaughterhouse in Mexico.

Netherlands began to fly around the country, documenting government horse roundups, which she regards as "cruel, unsustainable and a waste of taxpayer dollars." Family groups were separated; she saw broken legs and necks, foals "giving out" after hours of helicopter pursuit. Some of those horses, she said, end up slaughtered.

I asked Netherlands what would have happened to the Salt River horses if they had been removed. "They were going to end up in slaughterhouses, absolutely,"

she replied. "They were going to send them to auction. And who wants 35 horses that aren't tame for \$25? Those are kill buyers that end up with the horses."

This rumor — that the Salt River horses would be slaughtered — fueled the campaign against their removal. But when I asked Mundy about it, he sighed and said, "The Forest Service was never going to slaughter the horses. We had a local shelter that was going to take the horses and find homes for them."

The national controversy around wild horse slaughter rose to a fevered pitch in the 1980s, after federal investigations found that thousands of horses removed by the Bureau of Land Management were sent to large-scale adopters and ultimately slaughtered.

The last U.S. horse slaughterhouse closed in 2007, after Congress stopped funding federal inspections of such facilities, effectively ending domestic horse slaughter. However, a 2011 government study revealed the unintended consequences, including a spike in horses exported to Mexico or Canada for slaughter for horsemeat.

Just a few days before Lenski and I drove along Bush Highway, scanning the sloping hillsides and peering through mesquite tangles in search of horses, the Salt River Wild Horse Management Group had posted a story to Facebook. Last summer, Delorian, a 4-year-old stallion, suffered a badly broken leg. It seemed doubtful that he would survive, but the sheriff's department won't euthanize a horse if it's still standing, and Delorian refused to lay down. The volunteers watched the horse for weeks, but one day, he disappeared. Days later, the volunteers were shocked when Delorian appeared at the nonprofit's 4-acre facility. He had walked over the mountain with "the most severely broken cannon bone" group members had ever seen. "It was as if he came to us for help," read the Facebook post.

Now, on our drive, Lenski spotted a small band in the riverbed and quickly pulled over. We clambered over rocks and dried-up eelgrass to the river's edge. Above us, the Superstition Mountains stretched across the horizon, and a craggy finger-shaped boulder called Weaver's Needle rose up to a perfectly blue sky.

Lenski stood on the riverbank, hands on her hips. Downstream, four horses waded ankle-deep in what was left of the river. Lenski said she was still impacted by Delorian — his perseverance, how he walked for five miles on three legs and showed up on their doorstep, a place he had never been before. "I tell you what," she said, "if anything in my whole life made me believe there's a God. ..."

In his Pulitzer Prize-winning *Wild*



Horse Country: The History, Myth, and Future of the Mustang, David Phillips considers at length the mythology of wild horses, one that has evolved over centuries. Today, wild horses are a symbol muddled by mismanagement practices. “Animals that once were the embodiment of grit and self-reliance begin instead to symbolize waste, fecklessness, and inept bureaucracy,” he writes.

Environmental groups, including the Maricopa Audubon Society, cite many environmental problems the horses cause, including overgrazing and hoof damage to the biotic crust of the soil, noting that they compete with native wildlife and birds for vegetation. Netherlands disagrees, maintaining that horse manure supports the landscape in positive ways. The annual 5.8 million humans who visit the Tonto National Forest — floating the river and dumping their trash — have a much greater impact on the ecosystem, she says. Lenski said she collected 25 pounds of nails the morning after a single bonfire at Butcher Jones Beach.

Overpopulation, however, is a real problem. In March 2018, the BLM estimated nearly 82,000 wild horses and burros were living on BLM-managed lands, an increase of 13 percent from the previous year, and a number that exceeds

what the land can sustain by more than 55,000. The dilemma is both morally and logistically complicated, notes Phillips. “As a nation, would we keep storing the horses or kill them? Store them and we’d have to live with the cost. Kill, and we’d have to live with ourselves.” Phillips has become a staunch advocate for mountain lions, one of the horse’s only natural predators.

The Salt River Horse Act allows the Arizona Department of Agriculture to develop a management plan for the Salt River horses, which live on U.S. Forest Service land, and allows for private management partners. In May 2018, the Salt River Wild Horse Management Group partnered with the state. Under the contract — which does not come with a budget and is managed entirely by public donations and volunteers — the management group tracks the horses and responds to injuries and horse-car collisions. During a recent drought, volunteers began an emergency feeding program. And the group recently started a fertility control program, darting specific mares with porcine zona pellucida, or PZP, a non-hormonal birth control that prevents pregnancy for one year.

This fall, a stakeholder group mediated by the U.S. Institute for Environmen-

tal Conflict Resolution brought together state and federal agencies, environmental organizations, ranchers and the Salt River Wild Horse Management Group to begin developing a long-term management plan for the Salt River horses. Both Mundy and Netherlands feel optimistic about the working group.

The fact that free-roaming horses must be managed by humans complicates the very idea of wildness. But in the face of 21st century realities — suburban sprawl, dwindling natural resources, fewer predators — “managed” may be the best Westerners can do. “We get the question, ‘Are they still wild if you manage them?’” said Netherlands. “And you know, just because they get treated humanely, just because we don’t let them starve, doesn’t mean they’re any less wild. It just means they’re lucky.”

Cothran told me, “The best management usually comes when there is less wildness allowed — in other words, when there is a lot more human control over what’s going on.” Yet human management places the horses in a gray area — not quite wild, yet not quite kept. “We love wild horses because they are not managed, not controlled, not tainted,” wrote Phillips. “Take that away, and the wild horse is just livestock.” □

Wild horses run near the Lower Salt River of the Tonto National Forest.

CAROL GRAY /
ALAMY STOCK PHOTO



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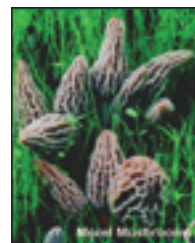


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An old idea whose time has come again

It's time to revisit commissions as a means to resolve our conflicts over public lands



NEWS
COMMENTARY
BY ADAM M.
SOWARDS

On Feb. 12, the Senate passed a huge bipartisan conservation bill. Like the 2009 Omnibus Public Lands Bill, the Natural Resources Management Act, which also passed the House but still has to gain the president's signature, accomplishes a lot for local constituencies painstakingly built up over years.

The achievements come from the bill's scale, though, not its direction. For the most part, it simply adds more to the existing public-land system rather than examining and potentially redirecting it. This may be the 21st century's way of legislating large for public lands, but history shows other possibilities.

Between 1879 and 1970, the federal government convened four public-land commissions to assess the current policies and recommend overhauls for congressional legislation. We may well benefit from another round of deep thinking in today's substantially different environmental and political contexts.

The first commission, which convened from 1879 to 1883, was tasked with considering the wide collection of laws meant to convert public domain into private property, after title to the land had been wangled from Indigenous people by some combination of war, treaty or fraud. But the commission ended up arguing that some of the public domain should remain permanently under public control, laying the foundation for public lands as we know them today. Concerned about duplicative and ineffective laws and worried about General Land Office corruption, Congress instructed the commission to recommend "the best methods of disposing of the public lands of the western portion of the United States to actual settlers." Led by Western explorers-turned-bureaucrats like John Wesley Powell and Clarence King, the commission found the existing system mostly satisfactory. But occasionally it singled out large concentrations of land in individual hands as "not only unrepugnant, but ... essentially unjust," reflecting the longstanding preference for small holdings for farmers. In particular, timberlands were a poor fit for private ownership, as the West's mountainous forests made poor homesteads. So the commission advocated withdrawing timberlands from sale and keeping them under federal control. It took nearly a decade, but in 1891, Congress passed a law that allowed presidents to retain forest reserves, the beginnings of our national forest system.

The next two commissions, the Public Lands Commission of 1903-1905 and the Committee on the Conservation and Administration of the Public Domain of 1929-1931, tackled the persistent policy questions surrounding grazing lands, reflecting two contrasting visions that continue to shape Western politics — federal regulation versus state control. The 1903-1905 commission concluded that much of the West, some 300 million acres, could support only grazing; no other economic practice made ecological or economic sense. The commissioners endorsed a system that maintained federal ownership, organized by grazing districts, with "definite and appropriate regulations," including a grazing fee. In response, the Forest Service started charging a fee. But the rest of the public domain — neither owned by individuals nor controlled by federal agencies — remained almost wholly unregulated, yet used by Western stockgrowers.

The Depression-era commission made more drastic suggestions, ultimately recommending that the vast public domain, except for the subsurface mineral rights, be given to the states. Such a gift, argued Sen. William Borah, R-Idaho, was akin to giving those states "an orange with the juice sucked out of it." The states saw the largely degraded rangeland as a huge burden to administer and rehabilitate. Even the commission was divided by such a radical recommendation. The commission's division and the states' lackluster response might be interpreted as a failure. Yet the polarizing recommendation finally prompted Congress to act and pass the 1934 Taylor Grazing Act.

The most recent commission, the Public Land Law Review Commission of 1964-1970, was the most thorough to date and set the legislative stage for significant reform. Its final report, *One-Third of a Nation*, was full of recommendations to rein in executive power. As with the previous commissions, many recommendations withered in the pages, including a reorientation that would have prioritized economic returns from public lands and replaced multiple-use management with a dominant-use framework. Nevertheless, Congress responded with the Federal Land Policy and Management Act (1976), which significantly reshaped Bureau of Land Management policy. Among other things, FLPMA established multiple-use management policy guidelines, mandated that advisory councils include more than commercial interests, struck nearly 2,000 old statutes from the law books and brought the Wilderness Act's provisions to BLM-managed landscapes. It did not amount to as radical a revision as some legislators had hoped, but coming out of the commission's work, FLPMA clarified a number of longstanding issues and reoriented sizable portions of BLM's portfolio.

In recent years, policy scholars Martin Nie and James Skillen have both called for new public-lands commissions. The idea merits consideration: A serious commission might force a real reckoning with the existing policy framework. After all, when the last commission concluded its work, the National Environmental Policy Act was a few months old and the Endangered Species Act still three years away; conservation biology and restoration ecology were not distinct fields; and climate change was not a policy concern. Today, another looming question concerns how to abide by tribal nations' legal claims on public lands.

Big bills like the Natural Resources Management Act advance conservation, but they also creep along well-worn legislative trails. Sometimes, rangers must close a trail on public lands to prevent overuse. It may be that our existing public-land policies need to be assessed for an analogous overuse. Rather than continuing tired political debates or trudging along past the same old scenery, perhaps we should acknowledge that conditions on the ground in 2019 merit a fresh set of eyes. □

When the last commission concluded its work, the National Environmental Policy Act was a few months old and the Endangered Species Act still three years away; conservation biology and restoration ecology were not distinct fields; and climate change was not a policy concern.

Adam M. Sowards is an environmental historian, professor and writer. He lives in Pullman, Washington.

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What's in a name?

White fragility and the fight over Marin County's Dixie School District



A CIVIL
CONVERSATION
BY WAYNE HARE

NESTLED IN THE FOOTHILLS north of San Francisco Bay, across the Golden Gate Bridge, lies Marin County. With thousands of acres of rolling open space, expensive homes and a reputation for liberal politics, Marin seems a very long way from the Old South, both geographically and historically. Yet for three decades now, it has been roiled by a war of words over the name of its school district — Dixie.

Through letters to the editor, at times nasty social media exchanges and occasional public forums, the battle has split the almost all-white citizenry into two camps: The name-changers, who see the word “Dixie” as a painful reminder of the Confederacy, the pro-slavery South and the past century and a half of racial discrimination and violence against African-Americans; and the name-keepers, who argue that the name has historical significance and that the name-changers are merely grasping at political correctness.

It all came to a head on Feb. 12, when the five-member school board voted down 13 alternative names and punted a final decision somewhere down the road. A crowd of 300 people packed the hearing in San Rafael, including the Rev. Amos Brown, an acolyte of Dr. Martin Luther King Jr. and himself a venerated civil rights icon. After the board voted, Brown led an off-key rendition of “We Shall Not Be Moved” in protest of the non-decision decision.

Still, some name-changers saw progress. Several of the board members said that they favored a change but wanted a more public process. The board promised to revisit the issue at its next meeting.

But when I asked Kerry Peirson, the African-American who started the effort 22 years ago, what he thought, he paused, searching for the right words. “Going into the meeting, I was optimistic. But last night, my heart kind of got squished.”

At a time when symbols of the Confederacy are coming down in communities across the country, why has it been so hard to change the name of a school district in one of California's most progressive counties? And does it even matter? I went to Marin County last fall to find out.

THERE I MET PEIRSON, who told me how he had gotten into this fight. Peirson grew up in the Bay Area and moved back home in 1982 after serving in the military, then earning a degree in journalism from Howard University. Fifteen years later, while perusing job ads, he read an article about a local soccer team called the Dixie Stompers. For Peirson, the name immediately conjured up those infamous 1960s images of Sheriff Bull Connor attacking civil rights activists with clubs, dogs and fire hoses in Birmingham, Alabama.

Curious, Peirson found out that the team came from a northern Marin County

school district named Dixie. After digging a little deeper, he discovered that, although the state of California mostly supported the Union during the Civil War, Marin County — or at least a portion of it — had been pro-Confederacy. Voting records from the 1860 and 1864 presidential elections confirm that some Marin precincts leaned Democratic — the pro-slavery party at the time — and voted against Abraham Lincoln.

Peirson started making a public issue of the name, writing articles and opinion pieces for the *Marin Independent Journal*. In response, the school board hosted a public discussion in 1997. Peirson remembers that he was the only African-American to attend that meeting, and that the conversation was heated. Someone referred to him as “a primate” and told him to “Go back where you came from.” But Peirson kept writing letters, kept talking to people, and along the way he found some allies.

In 2003, school board member Karen Crockett asked the school board to hold another public discussion and vote on changing the name. But the measure failed. Fourteen years later, in 2017, Marnie Glickman, a newly elected school board member, gave new energy and organizational skills to the apparently dormant cause. A Jewish lawyer who served as an adviser to the Green Party presidential campaigns of both Ralph Nader and Jill Stein, and who protested at Ferguson, Missouri, and Standing Rock, North Dakota, she chose her words carefully over a cup of tea. “Dixie is a symbol of the Confederacy,” she said. “It hurts people. Words matter. History matters. This is a clear moral obligation.”

I IMMEDIATELY LIKED PAUL BRUNELL, one of the prominent supporters of retaining the current district name. An IT professional who combines his love of adventure travel and amateur photography with his enthusiasm for the outdoors, Brunell introduced me to the joys of Anthony Bourdain’s *Parts Unknown* TV series. He moved to Marin 20 years ago from Washington, D.C., an area whose human diversity he embraced. In college, at Texas A&M, Brunell told me he was shocked and dismayed by the overt racism he saw. He once confronted a bus driver over his racist remarks.

Brunell pointed out that in Marin, the word “Dixie” has a 155-year positive connotation. He noted that Dixie is one of the top districts in the state, something mentioned by many of the name-keepers. The name-keepers have also gathered evidence that the name actually honors Mary Dixie, a Miwok Indian woman with a white name whose family likely worked for James Miller, the original superintendent. A prominent local real estate agent discovered that across the country, some 7,800 African-Americans have the first name “Dixie” — proof, apparently, that it isn’t offensive.

Brunell described Marin County as “very tolerant and inclusive,” a sentiment I heard often. But if it’s so inclusive, why is less than 3 percent of the county’s population African-American, while 86 percent of it is white? And why does the California nonprofit Racecounts.org, a project that measures how well people in a given county in the state are doing by race, conclude that in seven out of seven categories — housing, economic oppor-

fragile. When confronted by African-Americans, they respond as if only they can determine what should and should not be uncomfortable to others. Any deviation from the view and experience of the dominant culture is simply not valid. One name-keeper, unable to conceive that one of the name-changers is sincere in his viewpoint, wrote in a recent social media post, “He’s just interested in landing a documentary film deal!”

◀ A bus waits in the Dixie Elementary School parking lot in San Rafael, California, where a fight is underway over the Dixie School District’s name.

MASON TRINCA FOR THE WASHINGTON POST VIA GETTY IMAGES



tunity, health care access, education, democracy, crime and justice, and a healthy built environment — Marin ranks lowest in the state for African-Americans?

The name-keepers say what those who refuse to tear down a flag or a monument always seem to say, “Where will it end?” Brunell told me, “This is just about political correctness.”

“WHITE PRIVILEGE” has become a common term. But about a year ago, while interviewing a woman in Denver, I heard the term “white fragility” for the first time. I knew instantly what it meant, because I’ve danced to that tune many times. When I’m talking to a white person about race, I’m endlessly careful not to hurt their feelings, not to make them feel defensive or think I’m trying to “guilt” them into agreeing with me. Years ago, while I was talking with a friend about civil rights, he remarked, “I hope you give credit to all the white people who fought for civil rights!” I do. I also wanted to respond, “But the fight for civil rights would not have been necessary if it weren’t for white people.” But I held my tongue. White fragility in action. It makes even writing this series a delicate dance with words.

The Marin name-keepers are quite

But as Noah Griffin, the African-American against whom that charge was leveled, sees it, “For animals who live in the water, when they look up and see animals who live on land, any thought that the land creatures don’t have gills is unimaginable. They can only see the world through the only thing that they’ve known their entire existence. ... gills.”

In her 2017 book, *Why I’m No Longer Talking To White People about Race*, Reni Eddo-Lodge writes: “They’ve never had to think about what it means in power terms, to be white, so any time they’re vaguely reminded of this fact, they interpret it as an affront. You see their eyes shut down and harden. They’re itching to talk over you but not really listen, because they need to let you know that you’ve got it wrong.”

White privilege is the rigid underpinning of the controversy over Colin Kaepernick and the national anthem ... the Confederate monuments controversy ... the Andrew Jackson slave trader versus Harriet Tubman slave freedom fighter’s picture on the \$20 bill. The Washington Redskins name fight. News personality Megyn Kelly’s “Sorry, kids, but Santa Claus is white. And so is Jesus for that matter. That’s just the way it is.” It’s simply

▲ Dixie School District parents gather in January at the home of name-change proponent and Dixie School Board trustee Marnie Glickman Curtis to talk about their and their children’s experiences living in a predominately white community.

MASON TRINCA FOR THE WASHINGTON POST VIA GETTY IMAGES

"Discrimination in the future will not be administered by poor whites and those who believe in segregation, but by 'liberals' who believe in a desegregated society, but not an integrated society."

—Benjamin May, Morehouse College president, in his 1967 commencement address

beyond her comprehension to imagine pivotal figures like these as brown, much less black. White fragility makes it challenging to call out white privilege. So the discussion goes on, and goes nowhere.

AND LIBERALS ARE NOT IMMUNE.

Morehouse College president and civil rights icon Benjamin May said in his 1967 Commencement Address: "Discrimination in the future will not be administered by poor whites and those who believe in segregation, but by 'liberals' who believe in a desegregated society, but not an integrated society. The Negroes' battle for justice and equality in the future will not be against the Wallaces, the Barnettes, and the Maddoxes, but against the subtlety of our 'liberal friends' who will wine and dine with us in the swankiest hotels, work with us, and still discriminate against us when it comes to money and power."

The real estate agent I spoke with in Marin County told me that even though she says she'd be fine with a name change, she is opposed to agitators "with their own agenda." And Paul Brunnell, after the vote, told me, "If the name changes, so be it. But it can't happen this way, with all the drama, animosity, name-calling, and histrionics from those advocating for change." I wish they would

both talk with — and actually listen to — another woman I met there, Ruby Wilson.

Ruby Wilson moved to northern Marin County from her home in Philadelphia in 1971 to join her husband, Henry, who had moved out a few months earlier to start his new job as a hospital administrator. But she was born and raised in South Carolina, where her great-grandfather had been a slave. Ruby Wilson remembers a close-knit, happy childhood. But she also remembers the reality of the Old South, which was reinforced by the Jim Crow laws that compelled her to step off sidewalks to let white people pass ... and never to look them in the eye. Water fountains and restrooms. Movie theaters and restaurants. She remembers a police force that enforced the rules and the feelings of terror and humiliation that never went away. For her, "Dixie" has only one meaning.

When Wilson, who is a former Marin County schoolteacher, heard about the Feb. 12 vote, she told me she wasn't surprised. And she doubts that a broader public process will change the outcome. "If it's put to a vote, my sense is the community will vote to keep the name. This is silly. Names change all the time. Children in the district do well because parents are involved, not because of the name of the district."

ADMITTEDLY, A SCHOOL NAME is not a huge issue. But it is one more thing that African-Americans have to silently will themselves to just ignore. "Let it go." It's like when we notice the person at the checkout counter doesn't greet us as jovially as she greeted the three people ahead of us. "Just ignore her. Be nice. Let it go." This constant sense of oppression helps answer the question, "Why aren't African-Americans further ahead?" Because in a thousand small and not-so-small ways, life is harder.

The citizens of Marin missed an opportunity to join their African-American neighbors and make life just a little easier. They could have demonstrated that their community is as welcoming and tolerant as so many people claim. It could still happen.

But even if the name-changers are ultimately victorious, will this fight make the community better? What lessons will have been learned? Will it mark the end of an uncivil debate or the beginning of civil dialogue? In today's climate of intolerance, encouraged and even modeled by powerful politicians, there aren't too many opportunities to have "Ah-ha!" moments. Marin County still has a chance to reach across the divide and show the rest of the country how it's done. □

WEB EXTRA

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Wayne Hare is a member of the *High Country News* board who lives in Grand Junction, Colorado.

PG&E continued from page 5

bankruptcy filing. She finds its justification especially thin now that the company has been found not liable for the 2017 Tubbs Fire. "That wipes \$15 billion in po-

tential damages off the board right there," she said.

Regardless, if it's successful, PG&E's bankruptcy would drastically delay cases like Gillander's — even if the company is found liable for the Camp Fire — and severely reduce how much it eventually pays.

"My lawsuit got in before the bankruptcy," Gillander told me. "Just in the nick of time — it will be part of the settlement." But that doesn't mean Gillander's lawsuit is safe. As of this writing, investigations of PG&E's involvement in the Camp Fire were still ongoing, and causation is needed to determine whether or not wildfire survivors can sue for damages at all.

Mike Danko, lead attorney at the Northern California Fire Lawyers, is representing nearly 1,000 Camp Fire survivors impacted in one of many mass tort cases being waged against the company. Danko cautions clients such as Gillander that they could be in for an ugly surprise. He worries that PG&E's bankruptcy will force his suit to be transferred to bankruptcy court, where his clients would get

cents on the dollar for the damages they seek, while other creditors would be first in line. "We're standing toe-to-toe with PG&E's other creditors and potentially fighting over the same dollars," Danko told me. "PG&E's desire to file bankruptcy seems nothing more than a thinly veiled attempt to hold onto more money for the benefit of its stockholders."

Indeed, PG&E is basing its bankruptcy filing on its possible liability to people like Gillander, even before that liability has been established. "PG&E does not look like your typical company in bankruptcy. They have revenues and billions of dollars in assets. The company argues that its best option for viability is taking this road; whether or not that's true is another question," Sandoval said. "This entire bankruptcy is predicated on assumptions of things that have not yet occurred."

For many wildfire survivors, the uncertainty of their lawsuits has made overcoming the trauma even more difficult. "Things are not going to get better for a long time," Gillander told me from inside his car. It was dusk in the desert, and his dogs, Charlie-Horse and Scarlet, snoozed beside him.

"These people hurt me," he said, before pausing for a long time. "PG&E burnt down our town." □

John Gillander in his new RV, a temporary home as he awaits a potential damages payout from PG&E to help him rebuild in Paradise. COURTESY OF JOHN GILLANDER



Violence and redemption in an outsider's Wild West

"You should know I ain't confessing on account I fear my Maker," says Jess, the extraordinary narrator and unlikely hero of John Larison's novel *Whiskey When We're Dry*. "Ain't nothing that could happen to me that I don't rightly deserve."

Jess' honesty and steadfast sense of justice anchor this book, a richly imagined version of a classic Wild West tale that probes the origins of violence in human nature. *Whiskey When We're Dry* compresses the wide scale of Western brutality — from barroom brawls to military campaigns — into a story both unique and universal, as harshly beautiful as it is perfectly paced.

After her mother dies giving birth to her, Jess is raised rough by her father and brother, Noah, on a lonely ranch "where desert met lake." The "woman work" falls to her, but she watches when her father teaches Noah to shoot. While the men are off tending the herd, Jess practices with her father's Colt. Her talent with the weapon becomes necessary after her father dies and Noah runs away. Disguised as a man, she sets off to find her brother — now the wanted leader of a gang of outlaws — and convince him to come home. Seeking clues to his whereabouts, she finds employment as a guard for the Governor, an archetypically villainous plutocrat who sees Noah's banditry as a personal affront.

It's a plot setup straight out of any spaghetti Western. But *Whiskey* balances gritty realism, lyrical description and good old-fashioned page-turning action without ever feeling contrived. And it offers a refreshingly diverse cast of characters. This is a Western in which women and people of color not only exist but take center stage, and which acknowledges that gender and sexuality have always been fluid.

The story relies on a familiar device — a young woman dressing as a man to seek freedom or vengeance or glory. This time-honored trope often reinforces the idea that heroic traits are essentially male; "strong female characters" are simply women who emulate male characteristics. But Jess, uncomfortable fully inhabiting either role, transcends this binary. She aims the same critical eye at everything around her,

including gender expectations. Once living among Noah's Wild Bunch, outcasts and misfits of "all colors and persuasions," she begins to carve out a life defined more by her talents and instincts than her gender, in a group where actions, more than identity, determine acceptance.

Jess' eloquent voice propels the narration, lending levity to the book's heavy moral themes and ringing true even as it blends sophisticated prose with matter-of-fact vernacular. After shooting a man in a mob threatening the Governor:

"A potent whiskey come over me then, all at once. It poured from their eyes when those eyes flinched from me. In that whiskey was proof I too was made of grit and gravel and could not be blown from this earth by simple winds. ... I was high now, so high I could let myself believe we was on the side of right."

We share Jess' experiences and her growing consciousness of the world beyond her family's ranch, a wild and dusty unnamed state where the Civil War, two decades past, still casts a shadow over attempts to invent a new society. "My calling is to turn wilderness into America," the Governor tells Jess. The battle between his dreams of domination and the Robin Hood ethic of Noah's gang, who see protecting the underclass as their own divine calling, reflects a dynamic familiar in our new Gilded Age.

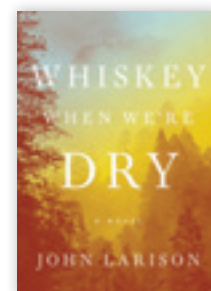
The outlaws and outcasts may be the heroes, but no one escapes critique. "I know it don't make no sense on paper, but I believe a soul can be on both sides," Jess muses, as she experiences both the thrill of violence and the weight of its moral

implications. In the era of manifest destiny, brutality occurred at a systemic level. But *Whiskey* also shows the day-to-day cruelty so often inflicted by and on small, tight-knit bands of people who depended on each other for survival. Jess describes the chilling bond created by the pursuit of vengeance:

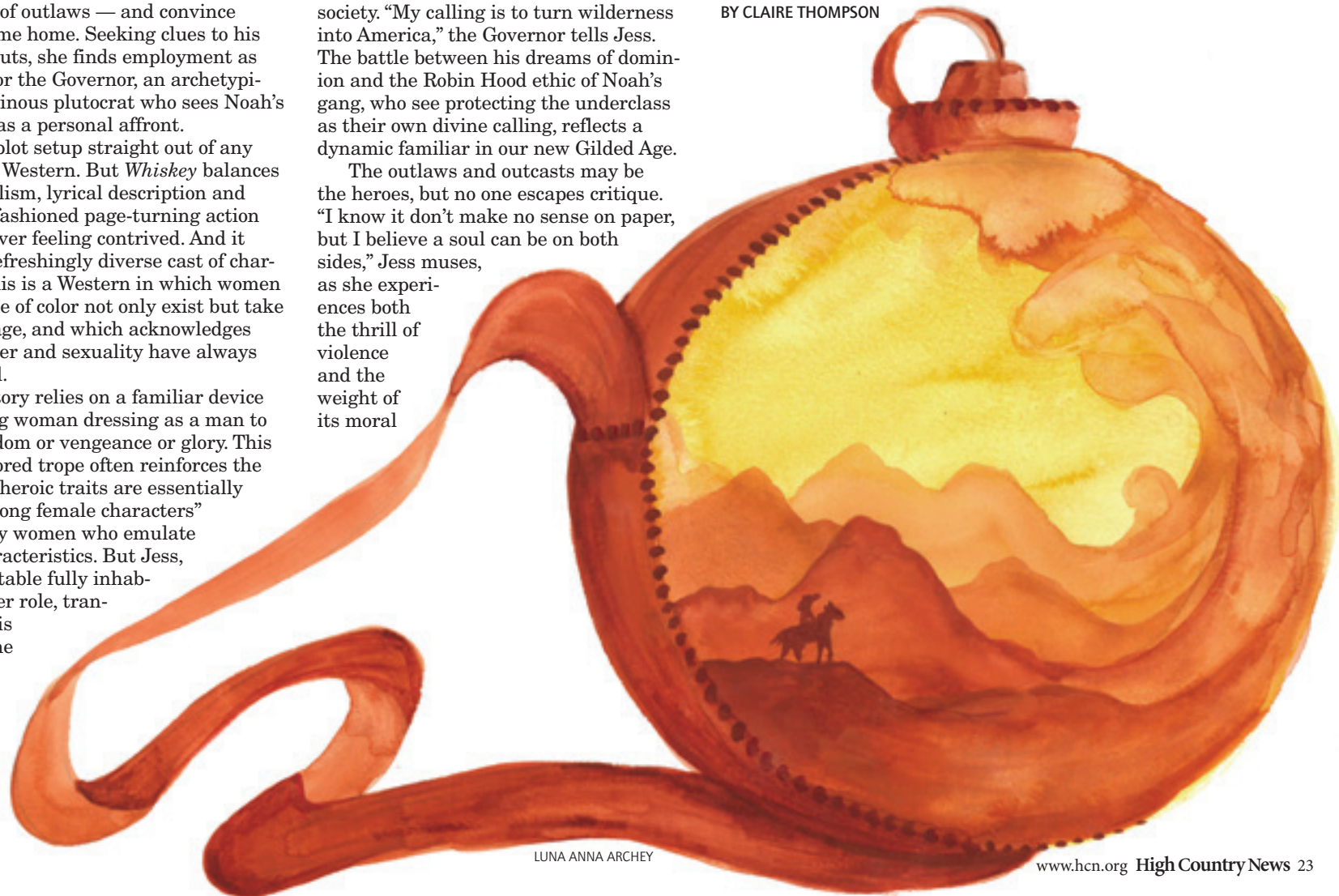
"It occurred to me then that if I died today, they would deliver war to my killer. If I was dragged off by wolves, they would slaughter those wolves one by one to recover me. We had together done what we done, together and without dissent. We was a republic unto ourselves. So long as we was together, the Lord dwelled no farther away than the nearest patriot."

Whiskey builds to a gripping and almost unbearably tragic climax, complicating Jess', and our own, attempts to wrestle with whether violence on any scale can ever be justified. But in telling her story, Jess makes the case that by owning the dark parts of our histories, laying ourselves bare to judgment, we offer redemption to those who come after. As she writes to the next generation of her family: "Our story is yours to make."

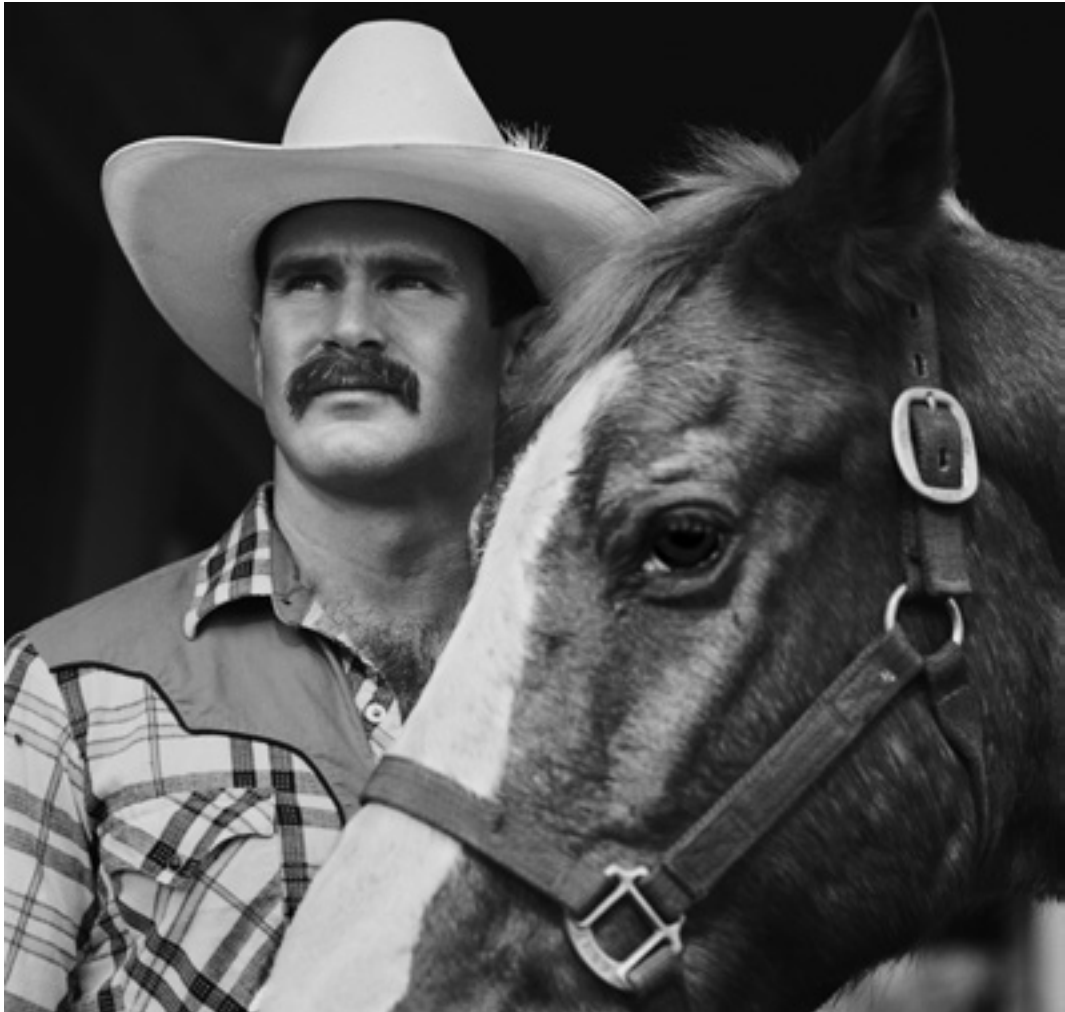
BY CLAIRE THOMPSON



Whiskey When We're Dry
John Larison
400 pages,
hardcover: \$26.
Viking, 2018.



LUNA ANNA ARCHER





Life on the gay rodeo circuit

In reclaiming the idea of the cowboy, are participants reinvesting in Western violence?

The black-and-white photographs, in simple black frames, adorn the walls of a corner nook at the University of Idaho library in Moscow, Idaho, flanked by open shelves of books. In one, a lasso spins in the air, framing the face of the cowboy doing the twirling as he looks over his shoulder, brow furrowed; in another, the wild white eye of a bull stares squarely at the viewer, dust rising from its hooves as it tries to buck off its rider. A woman in jeans, bent in concentration, grabs the bar of a white metal gate; a square-jawed man, his neck taut, leans toward his companion, in a matching button-down shirt, for a kiss.

Photographer Blake Little captured the images in the late 1980s and early 1990s as he traveled around the West on the gay rodeo circuit. They chronicle the sport and spectacle of the rodeo, but also the sense of community and inclusion it offers its participants. The photographs welcome the viewer into a world that subverts popular notions of what it means to be a cowboy, and a man.

Gay rodeo started in the mid-'70s, and from the beginning welcomed both men and women to participate in every event, including bull- and bronc-riding, rough-stock events open only to men in mainstream rodeo. In addition to staples like calf roping and barrel racing, gay rodeos also include a few unique "camp" events, like wild drag racing, in which a contestant wearing a dress attempts to ride a steer across a finish line with the help of two on-the-ground partners; and goat dressing, in which participants try to get a goat into a pair of underwear. A sense of community pervades the sport — the parent organization, the International Gay Rodeo Association, is a nonprofit, and gay rodeos are typically fundraisers for causes like senior care centers or biomedical research; and everyone, regardless of sexual orientation, gender or race, is welcome to compete.

"I hope that people will go in and understand that masculinity is incredibly fluid, and that anyone can claim masculinity," Dulce Kersting-Lark, the executive director of the Latah County Historical Society, which is co-hosting the exhibit, told me. "I hope that their perceptions are challenged."

The gay rodeo circuit arose in part as a refuge from danger and discrimination in mainstream rodeo. Membership has waned, however, since its peak in the 1990s, perhaps partly because the successes of the LGBTQ rights movement mean that younger people are less drawn toward explicitly gay-friendly groups. Still, even today there's a lack of openly queer participants in mainstream rodeo. "There's a radically different perception about inclusiveness between straight participants and LGBTQ participants," Rebecca Scofield, a historian at the University of Idaho who studies gay rodeo, gender and sexuality in the American West, told me. "(Gay people) see it as a place (where) you could be gay-bashed."

As gay rodeo expands the notion of what a rodeo can look like, it also creates a more expansive view of queer culture — one that isn't focused exclusively on cities, and in which LGBTQ

people who embrace a rural lifestyle can feel at home, too. "Kids from places like Idaho, who grew up in 4H, or grew up around stock ... can go and feel normal for liking to be around cattle and liking country music," Scofield told me. But as ideas about inclusivity have evolved in recent years, gay rodeos haven't kept pace: While anyone is welcome to participate in any event, contestants must choose between men's and women's events. "There's still some of that binary thinking that I think a younger LGBTQ population is trying to push beyond," Scofield said.

And members of that younger generation — both those who identify as queer, and those who don't — are exactly who the organizers of the photography exhibit hope will stumble across Little's images. Scofield told me that one of the joys of teaching at the university, where most students are white and from Idaho, lies in challenging her students' ideas about what the West means, and giving them frameworks and language to help them understand and push back against stereotypes about the rural West — that all Idahoans are conservative, say, or that rodeo is for straight men. "That, hopefully, will start eroding this particular narrative of, you know, 'Women didn't exist in the West, gay people didn't exist in the West,'" Scofield said. "Of course they did." And still do.

Gay rodeo participants themselves also break down those clichés as they repurpose the icon of the "cowboy," and in the process demand inclusion in a society that reveres white heterosexual masculinity. But the icon itself can't be fully removed from its violent foundations. "Even if we make the cowboy more inclusive, is it not still invested in a narrative of settler-colonialism and environmental degradation?" Scofield said. "When you invest in any mythology, you have to take some of the tainted parts of that mythology and recognize that you are perpetuating them."

The pageantry of both hyper-masculine culture and rodeo itself — a romanticized "performance of Westward expansion and man's dominance over nature," as Kersting-Lark described it — are on full display in Little's photographs. The show is leavened by images of arms slung casually over shoulders, and moments of tender care, as in a photo of one contestant helping another wrap his knee. Still, in some sense, the snapshots of mustachioed men posing in chaps, with horses, leaning on fences and, of course, wearing cowboy hats reinforce the huge, flawed myth of the West — that if you participated in the settlement of this vast landscape, then you must belong here — and the equally erroneous inverse: that if you didn't, you don't. In adopting the trappings of rodeo and claiming belonging, the subjects of the photographs force us to confront the vicious roots of what it means to be a Westerner or a cowboy. "I think there is a vital question of, what are the lengths these icons can stretch to?" Scofield told me. "And when do we just start reinvesting in violence, even if it's not aimed at us?" □

Emily Benson is an assistant editor at High Country News, covering the Northwest, Northern Rockies and Alaska.

Counterclockwise from top right, *Bareback Bronc Riding, San Diego, California, 1992; Los Angeles Cowboys, Hollywood, California, 1990; Rodeo Partners Gene Hubert and Rick Ferreria, Sun Valley, California, 1991; Jerry Hubbard, Burbank, California, 1989.* BLAKE LITTLE

The exhibit, *Blake Little: Photographs from the Gay Rodeo*, is on display at the University of Idaho library in Moscow, Idaho, until April 30, 2019. It was coordinated by the library and the Latah County Historical Society, with support from PFLAG Moscow, the University of Idaho LGBTQ Office and others.

Detention nation

The real crisis at the border is of Trump's own making



LETTER FROM
CALIFORNIA
BY RUXANDRA
GUIDI

Earlier this year, a journalist friend of mine (he asked me not to use his name for fear of reprisal) headed to Tijuana to interview some of the Central American migrants camped out in makeshift shelters throughout the city, looking for the best way to enter the U.S. and ask for asylum. When he attempted to cross the border on his return, my friend was taken to “secondary” screening. No reason was given, but a Customs and Border Protection agent asked him, over and over, “What did the migrants tell you?” After hours of waiting and intimidation, another agent gave him his card and asked him to reach out. “He told me he could use my help,” my friend told me.

This is not normal: CBP has no business questioning journalists about their work or trying to enlist them to give away information about their sources. But under President Donald Trump, the practice has become commonplace. Over the past year, journalists have complained to the Committee to Protect Journalists (CPJ) about being asked to provide information about the migrant caravan or to hand over video footage and submit to interviews over “potentially illegal conduct.” “Custom and Border Protection’s apparent use of secondary screening as a pretext for questioning journalists about their reporting is akin to treating the media as informants and is a worrying sign for press freedom,” said CPJ’s Alexandra Ellerbeck. That’s the sort of statement more commonly made about press freedom in Russia, Nicaragua or Thailand. Today, though, it is very much a U.S. story, and a very troubling one, alongside other recent policies and measures — deployment of National Guard along the border, the criminalization of humanitarian workers, the separation of migrant children from their parents and the extended detention of asylum-seekers — all done in the name of defending the homeland, and fighting crime and terrorism. What once happened elsewhere, under faraway authoritarian regimes, is now taking place in front of us and rapidly eroding the moral core of American society.

One government agency in particular has come to represent this shift: Immigration and Customs Enforcement, or ICE. It’s relatively new, founded after the Sept. 11, 2001, terrorist attacks. But in its brief existence, ICE has built up a massive immigrant detention network, along with a history of abuses. ICE’s 2019 budget asked for almost \$9 billion to run a system that would hold 52,000 people in detention every day. Homeland Security Secretary Kirstjen Nielsen claims that 3,755 “known or suspected terrorists” have been prevented from traveling to or entering the U.S. But as of two years ago, the State Department declared there was “no credible information that any member of a terrorist group has traveled through Mexico to gain access to the United States.” The buildup of police and immigration enforcement is common to authoritarian regimes: Under military strongman Hosni Mubarak, Egypt boasted 1,500 policemen for every 100,000 people.

“There is no political blowback for ICE; in fact, they have the continued support from the president,” Mike Turner, who oversaw ICE’s San Diego office and retired from the agency 11 years ago, told me. “I look at the separation of immigrant parents and



U.S. Border Patrol agents in San Diego speak to migrants and journalists in Tijuana through the U.S. border wall while responding to a group of Central American migrants who crossed the border illegally.

REBECCA BLACKWELL/THE ASSOCIATED PRESS

their children, and if I was to go back 15 years ago, I can’t believe we would have allowed that to be done the way that it was done. I can’t envision how they’re doing that from a moral and ethical stance.”

When I asked Turner how an agency that was created to combat terrorism became a deportation machine, he sighed, and measured his response. “I did not think we should be chasing every last undocumented person working at a fast-food restaurant,” he said. The Trump administration, however, has encouraged ICE to arrest and deport at will, setting the agency free from any previous restraints observed even during then-President Barack Obama’s record-high deportations.

Now we’re witnessing how the current regime has created the ongoing spectacle of a “border crisis” to support its immoral treatment of immigrants, people who try to help them and all who bear witness to their situation. It is worth repeating these truths again and again: Illegal crossings are currently at a 46-year low. The National Guard has no business enforcing immigration laws. Asylum seekers are not criminals. And ultimately, there is no need for razor wire along the border wall in Nogales, Arizona, nor for taller concrete planks along the San Diego border.

There is no real crisis at the border. The White House’s latest declaration of a national emergency there is the only real crisis — and it is undermining the rule of law and democracy in a manner disturbingly similar to what only happens only in police states.

I used to cross the San Diego-Tijuana border regularly for work. Coming back into the U.S. by car meant getting stuck in a ridiculously long and slow-moving line of traffic until you reached a tollbooth, where a CBP agent asked whether you were a U.S. citizen, and sometimes wanted to see your passport. When I was asked what I’d been doing in Tijuana, I’d always tell the truth: I was out reporting — doing my job, talking to people. I hope the generations of journalists who come after me will be able to answer that question so honestly. □

“Custom and Border Protection’s apparent use of secondary screening as a pretext for questioning journalists about their reporting is akin to treating the media as informants and is a worrying sign for press freedom.”

—Alexandra
Ellerbeck,
Committee to
Protect Journalists

Contributing editor
Ruxandra Guidi writes
from Los Angeles,
California.

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Timber framer Bodie Johansson chisels out floor joist housings in the Handcrafted Log & Timber yard in Ridgway, Colorado. **BLAKE GORDON** © 2018 Patagonia, Inc.



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ARIZONA

Hilde Lysiak may be only 12, but she's boundlessly curious about the goings-on in Patagonia, Arizona, population 1,000, and just a hike away from the border. Her dad is a journalist, and Lysiak's reporting career began when she was a lisping 9-year-old, living in Pennsylvania. That's where her online publication, the *Orange Street News*, reported on a murder and took a district attorney to task for spreading disinformation about her coverage. Recently, she took on Patagonia's town marshal, Joseph Patterson, who didn't like her following him on her bicycle. He ordered her to go home and said he'd talk to her parents. When Lysiak said she was a member of the media, he retorted, "I don't want to hear about any of that freedom-of-the-press stuff." He also threatened that if she kept taping him, he would arrest her and have her thrown in juvenile jail. Recording a law enforcement officer in a public place is protected under the First Amendment, and Lysiak pointed that out when she posted the video online later that day. Her perseverance was rewarded, according to *The Washington Post*: At a town council meeting Feb. 27, Mayor Andrea Wood "read a full and unhesitant apology into the record."

Lysiak is a firm believer in that old journalistic adage, "Show, don't tell." To reveal how porous the border is, she filmed herself jumping over a barbed-wire fence separating the U.S. from Mexico. "Even a 12-year-old can easily get through it," she commented. But she refused to tell readers her own opinion about a wall, saying, "I think reporting should be about facts." Dan Barr, an attorney with the First Amendment Coalition of Arizona, called Lysiak a force of nature: "One can only imagine what sort of stories she will be turning out once she has a driver's license." We look forward to the day Lysiak becomes a *High Country News* intern — or maybe its editor.

CALIFORNIA

You might call the editor-publisher of California's oldest weekly newspaper, the *Mountain Messenger* of Downieville, population 282, a classic curmudgeon. In an interview with the *Los Angeles Times*, Don Russell, 67, named several

things that will never grace his front page: "No children ('I loathe children'), no beauty pageants and no online presence. 'As long as I'm running it, it's on pulp. Period.'" Russell, who's been putting out the weekly for 30 years, has another complaint: "Everyone is terminally well behaved from October well into January. ... It's hard on headlines." Most everyone in town reads the weekly, which is kept afloat largely through legal ads, and though Russell is said to have a heart of gold, "he's a 'sharp watchdog ... who'll take on anyone,'" according to an admiring newsman from a neighboring county. Russell's office displays pictures of Mark Twain, the Sierra's most famous writer. As he says, "I am exactly like Mark Twain. Except he was famous, talented and worked hard." If his paper ever closes, Russell told reporter Diana Marcum, he might try writing fiction, setting his stories in a place just like Downieville. "There are," he said, "important things to observe about life in a small town."

ARIZONA

Congratulations to Rose Torphy, who at 103 became the oldest junior ranger at Grand Canyon National Park. Torphy was visiting the canyon with her daughter when she learned about the program and right then decided to become a junior ranger herself. "My parents taught me to

care for the land, but not all kids have that," she told *Good Morning America*. Torphy, who has 10 great-great grandchildren, tells everyone she meets: "You're never too old to see the Grand Canyon."

WYOMING

Some people in Wyoming have a twisted definition of cold weather fun. In a practice known as "coyote whackin'," snowmobile drivers who spot a coyote in the deep snow gun their machines after the animal and try to run over it. Then they hold up the dead coyote to ballyhoo their kills on YouTube. Michael Yin, a freshman Democratic representative in the Wyoming Legislature, was appalled when he saw a video of this legal "sport." The bill he introduced to outlaw it gained one co-sponsor from Jackson but failed to get introduced. Nonetheless, Yin, who is the first Chinese-American elected to the Legisla-

ture, promises to keep trying. "It should not be happening, and we need to ensure it doesn't happen in Wyoming," Yin told *The Associated Press*. Meanwhile, people are protesting the practice, with almost 100,000 signing online petitions at Care2.org and over 300,000 at change.org.

WASHINGTON

It can be dangerous to run a snowplow in Spokane, and not just because of the unusually snowy weather. Recently, some residents became enraged when plows trying to clear streets blocked driveways with dumped snow. Yelling curse words, one man with a holstered handgun climbed onto a tow truck and tried to open a door, reports AP. Another told a driver he'd get a gun if the snowplow came back. Spokane County "is testing devices on plows that prevent snow from being plowed into driveways"; unfortunately, they cost a hefty \$25,000 apiece. Meanwhile, it's considering putting cameras on snowplows to protect the threatened drivers.

WEB EXTRA For more from Heard around the West, see hcn.org.

Tips and photos of Western oddities are appreciated and often shared in this column. Write betsym@hcn.org or tag photos #heardaroundthewest on Instagram.



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