

BALLOT POWER | FISH WELFARE | SHERIFFS VS. THE WALL

High Country News

For people who care about the West



April 15, 2019 | \$5 | Vol. 51 No. 6 | www.hcn.org

Scene of the Crime

How the death of a pupfish put a man in prison | By Paige Blankenbuehler



The enclosure that protects the extremely rare Devils Hole pupfish. Barbed wire was added after a 2016 incident in which three drunken men broke in, one entering the pool, leading to the death of a fish.
LUNA ANNA ARCHIE/HIGH COUNTRY NEWS

FEATURE

12 Scene of the Crime

How the death of a pupfish put a man in prison
By Paige Blankenbuehler

CURRENTS

- 3 The Latest: Feds file appeal in Cliven Bundy case
- 5 Taking power from the people Citizen-led ballot initiatives have spiked in recent years — as have efforts to curb them
- 6 How should a fish die? A Seattle seafood company hopes to elevate cod welfare
- 7 An Arizona border sheriff confronts the wall President Trump’s pitch is ‘a sound bite, not a cogent public policy position’
- 8 A California tribe’s battle to protect itself from the growing threat of fire One million acres of land was stolen from the Karuk. Now they have to break the law to protect that land from wildfires.

DEPARTMENTS

- 3 FROM OUR WEBSITE: HCN.ORG
- 4 LETTERS
- 10 THE HCN COMMUNITY Research Fund, Dear Friends
- 20 MARKETPLACE
- 24 FILMS
Words from a Bear by N. Scott Momaday. Reviewed by Jason Asenap
- 25 PERSPECTIVE
We shouldn’t celebrate the killing of a mountain lion
News commentary by Beth Pratt
- 26 Three decades after the Exxon Valdez oil spill, Alaska’s coast faces an even bigger threat News commentary by Charles Wohlforth
- 28 HEARD AROUND THE WEST By Betsy Marston

On the cover
Devils Hole pupfish,
an original digital
illustration by
John Ivie.
JOHN IVIE/NPS



Complete access
to subscriber-only
content
HCN’s website
hcn.org
Digital edition
hcne.ws/digi-5106

Follow us
f t i
@highcountrynews

Editor’s note

Trampling the West

As yet another storm spun into western Colorado in late March, turning my hopes for a hike to mud, my friend Coby mused, “Well, at least there’s going to be an amazing super bloom this year.”



No doubt: In heavy precipitation years, even the austere hills outside of town can glow with the subtle beauty of blooming cactus, vetch and other species. Still, nothing equals the super bloom that turned parts of Southern California into gold, with poppies so bright and abundant that they appeared on satellite images. The flowers, however, were almost eclipsed by the people who pursued them.

In Lake Elsinore, an epic human tide trampled and Instagrammed its way across the Walker Canyon poppy fields, until town officials had to temporarily close off access. Someone even landed a helicopter in the middle of a field for an illegal hike, roaring off minutes before law enforcement arrived, according to the *LA Times*.

The West has a long tradition of people doing ignorant things with little regard for the natural world. On the macro level, that includes clear-cutting most of the Pacific Northwest’s native forests, allowing millions of livestock to denude and simplify our desert ecosystems, and digging countless mines in the mountains with no thought for the subsequent pollution. But there are oodles of smaller atrocities, such as the unfortunate endangered species case painstakingly documented in this issue by Assistant Editor Paige Blankenbuehler.

The three drunken men who ended up at the pool in Death Valley National Park that is the only home of the Devils Hole pupfish didn’t know that they were caught on camera, or that the U.S. Fish and Wildlife Service would throw the book at them for killing a fish, however accidentally. As Blankenbuehler notes, trespassing has long been a threat to the pupfish, whose population currently is 136. But this was the first time it resulted in a conviction that led to jail time, and, apparently and surprisingly, true contrition from the offender.

It’s refreshing to see the Endangered Species Act so effectively enforced at a time when the Trump administration is so intent on gutting it. Environmental laws are one way we force ourselves to consider the impact of our actions and show restraint. Another way can be found in our second fish tale. In Dutch Harbor, Alaska, writer Ben Goldfarb discovers a high-tech commercial fishing operation that takes seriously the idea that fish feel pain and therefore deserve a respectful death before they end up on our plates. Let’s hope that Blue North Fisheries is on the edge of an industry-wide ethical revolution.

Under a strengthening April sun last weekend, I headed out in search of a super bloom. But someone had beaten me to it. On the hills above the Gunnison River, hundreds of sheep grazed off the early green growth, leaving hoof-churned soil, like a rototilled garden, in their hungry wake.

—Paul Larmer, executive director/publisher



Cliven Bundy on Gold Butte National Monument, where he grazes cattle.
ANDREW CULLEN

THE LATEST

Backstory

Nevada rancher Cliven Bundy illegally grazed cattle on federal land for decades, then led a protest in 2014 when the feds tried to confiscate his herd. It turned into an armed standoff with the Bureau of Land Management and National Park Service, and Bundy and three others ultimately faced 15 federal charges, including conspiracy against the United States. **In January 2018, Bundy's charges were dismissed.** The judge declared that a "universal sense of justice" was violated in the case because the Department of Justice withheld evidence from the defense ("Celebrity Scofflaw," *HCN*, 4/30/18).

Followup

In February, federal prosecutors filed an appeal, hoping to reopen the case. "Any missteps were inadvertent (or at worst negligent), and those errors did not merit the court's strong condemnation of the prosecution team," Assistant U.S. Attorney Elizabeth White, one of the prosecutors in the case, wrote, the *Las Vegas Review-Journal*, reported. Meanwhile, the Bundys continue to illegally graze their cattle on federal lands.

JESSICA KUTZ

"I think this bill is well-intentioned, but it's probably short-sighted."

—University of Wyoming economist Rob Godby

Wyoming Legislature extends lifeline to coal power

With the livelihoods of entire communities on the line, the Wyoming Legislature is looking for ways to keep coal country whole as long as it can. Signed by Gov. Mark Gordon, R, in early March, Senate File 159, which puts up barriers for companies looking to decommission coal power plants in the state, has raised charges of free-market meddling.

Under the law, utilities seeking to decommission coal plants in Wyoming would be forced to search for buyers before they're allowed to shut the plants down. If other companies step up to purchase the plants, then utilities are compelled to buy back power from the plants they just offloaded. Critics of the bill say that it is likely to pass high operating costs on to consumers and worry that the legislation could eventually leave taxpayers on the hook for cleaning up coal plants.

Though the bill might temporarily delay the retirement of coal plants in Wyoming, it's unlikely to be a long-term cure for an ailing industry. Economic pressure from cheaper alternative energy sources, community-driven movements to ditch fossil fuel giants and develop local renewable energy sources, and increasing momentum for federal programs to address climate change are all putting the squeeze on coal. Even the support of President Donald Trump, who waxes poetic about his love for coal, hasn't been able to stem the tide of closures across the country.

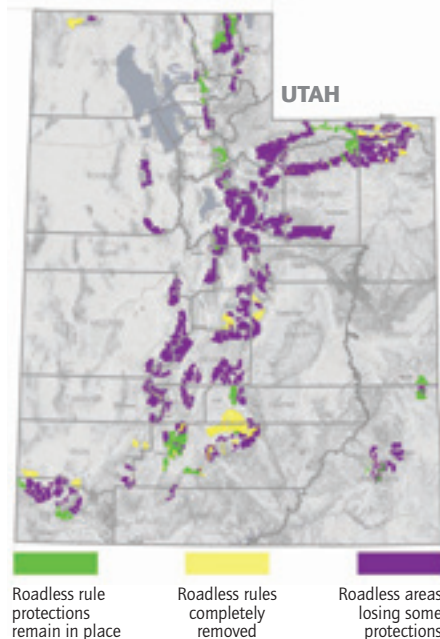
Instead of looking for ways to save the coal industry, Wyoming economics professor Rob Godby said legislators should be asking: "When the inevitable closures come, did you do anything to create new opportunities for these communities?" **CARL SEGERSTROM**
Read more online: hcne.ws/wyoming-coal

Utah asks for exemption from Forest Service roadless rule

Utah's government is seeking an exemption from the Forest Service's "roadless rule," which bans construction and logging on some of the state's most pristine and undeveloped areas. In the past, Republican Gov. Gary Herbert's administration has advocated for a full rollback of the rule, which protects more than 4 million acres in the state. In the recent petition, the state asks for a loosening of the rule, claiming it hinders efforts to manage forests to prevent wildfires. Conservation groups say the impacts would be similar to a full rollback and call the move yet another attempt to undermine public lands by the Herbert administration. An analysis by The Wilderness Society shows that 90 percent of the Utah land that burned from 2013 to 2017 was outside the roadless rule areas. The Forest Service will review Utah's request and undertake an environmental impact study. **NICK BOWLIN**

Read more online: hcne.ws/utah-roadless

Areas where roadless rule protections will remain, or be removed or reduced



Magdaleno Díaz, left, jokes with co-workers before their shift starts at a Crested Butte, Colorado, ski lodge. LUNA ANNA ARCHIE/HIGH COUNTRY NEWS

An Indigenous Mexican community finds a home in rural Colorado

Magdaleno Díaz is one of several hundred Cora, an Indigenous community from western Mexico, who now call the Gunnison Valley home. Díaz and most of the Cora in the valley come from the same town — Jesús María — and are thought to be the largest Cora community outside of Mexico. The two towns — 1,400 miles and an international border apart — are unofficial sister cities where culture, traditions and people move across barriers, creating new identities and powering two different economies. It is because of connections like these that some rural towns in the West have been able to stave off decline. **JESSICA KUTZ**

Read more online: hcne.ws/immigration-home

50

Percent drop in fines issued by the Environmental Protection Agency by mid-2018, compared to 2017.

Under the Trump administration, the U.S. Environmental Protection Agency is more likely to give polluters a pass when they violate laws intended to keep the air healthy and water clean, according to recent reporting by the Environmental Data and Governance Initiative, a watchdog group. There were notable declines in agency law enforcement this year, particularly in EPA Region 8, which includes Colorado, Utah, Wyoming, Montana, the Dakotas and 27 Indigenous nations. According to an internal EPA report, by mid-year Region 8 had opened 53 percent fewer enforcement cases in 2018 than in 2017. **CALLY CARSWELL**
Read more online: hcne.ws/epa-enforcement

Trending

New Mexico lawmakers focus on equity outdoors

In April, New Mexico Gov. Michelle Lujan Grisham, D, signed the Outdoor Equity Fund into law. Part of a bill that will create a State Office of Outdoor Recreation, it designates \$100,000 a year in micro-grants to organizations and local and tribal governments that help low-income youth get outside. The money is used for things like camping gear and fishing poles, recreation fees and transportation costs, which have been real barriers for local nonprofits trying to open access to the outdoors. **JESSICA KUTZ**

You say

BARRY NOREEN: "If you want to meet someone of color, you have a much better chance at a Denver golf course than on a Colorado fourteener. For any values to advance in America, you will need people of color. It is hard to get people interested in the outdoors when their main focus is to get a job, get equal treatment. But once you get *any* group of people out in the beautiful country a few times, they will acquire an appetite for the natural world."

MIKE LOWRY: "It's not just people of color. Young people in general are not entering the environmental/natural resource field, because unless one has more than a rational desire to be outside every day, these jobs simply are not attractive."

JOSH ABLE: "Hell, yes, we need more diversity to support our lands and wildlife for the future."

Read more online: hcne.ws/outdoor-equity and [Facebook.com/highcountrysnews](https://www.facebook.com/highcountrysnews)

High Country News

EXECUTIVE DIRECTOR/PUBLISHER
Paul Larmer
EDITOR-IN-CHIEF
Brian Calvert
ART DIRECTOR
Cindy Wehling
DIGITAL EDITOR
Gretchen King
ASSOCIATE EDITORS
Tristan Ahtone
Emily Benson
Maya L. Kapoor
ASSOCIATE PHOTO EDITOR
Luna Anna Archey
ASSISTANT EDITORS
Paige Blankenbuehler
Anna V. Smith
EDITOR AT LARGE
Betsy Marston
COPY EDITOR Diane Sylvain
CONTRIBUTING EDITORS
Graham Brewer
Ruxandra Guidi
Michelle Nijhuis
Jodi Peterson
Carl Segerstrom
Jonathan Thompson
CORRESPONDENTS
Krista Langlois,
Sarah Tory, Tay Wiles,
Joshua Zaffos
EDITORIAL FELLOWS
Elena Saavedra Buckley,
Jessica Kutz
EDITORIAL INTERN
Nick Bowlin
DEVELOPMENT DIRECTOR
Laurie Milford
MAJOR GIFT ADVISER
Alyssa Pinkerton
DEVELOPMENT ASSOCIATE
Hannah Stevens
DEVELOPMENT ASSISTANT
Christine Maila Mein
DIGITAL MARKETER
Chris King
EVENTS & BUSINESS PARTNER
COORDINATOR Laura Dixon
WEB APPLICATION DEVELOPER
Eric Strebel
IT MANAGER Alan Wells
IT SUPPORT TECHNICIAN
Josh McIntire
DIRECTOR OF OPERATIONS
Erica Howard
ACCOUNTS ASSISTANT
Mary Zachman
CUSTOMER SERVICE MANAGER
Kathy Martinez
CUSTOMER SERVICE
Christie Cantrell (office
manager), Karen Howe,
Pam Peters, Doris Teel,
Rebecca Tiedeman,
Tammy York
GRANTWRITER Janet Reasoner
editor@hcn.org
circulation@hcn.org
development@hcn.org
advertising@hcn.org
syndication@hcn.org
FOUNDER Tom Bell
BOARD OF DIRECTORS
John Belkin, Colo.
Beth Conover, Colo.
Jay Dean, Calif.
Bob Fulkerson, Nev.
Anastasia Greene, Wash.
Wayne Hare, Colo.
Laura Helmuth, Md.
John Heyneman, Wyo.
Osvel Hinojosa, Mexico
Samaria Jaffe, Calif.
Nicole Lampe, Ore.
Marla Painter, N.M.
Bryan Pollard, Ark.
Raynelle Rino, Calif.
Estee Rivera Murdock, Colo.
Rick Tallman, Colo.
Andy Wiessner, Colo.
Florence Williams, D.C.
Luis Torres, N.M.,
Director Emeritus

WILD HORSES DO US GOOD

As a wildlife ecologist, I did two in-field investigations and reports on the Salt River herd and its habitat in 2012 and 2015 ("Arizona's Wild Horse Paradox," *HCN*, 3/18/19). These involved interviews, ecological transects and literature review. Based on my findings, I believe that Debbie Weingarten is overlooking much of the greater truth about these horses, their history and their contributions to this unique ecosystem. The article's most outrageous falsehood is the claim that the horse is not native to North America. Abundant fossil and meticulous genetic proofs exist showing that *Equus caballus* had its origin and evolution in North America. As post-gastric digesters, horses are needed to balance and complement ruminant herbivores such as cattle, sheep and deer. They also transport vital nutrients from the river into the surrounding Sonoran desert's many plants and animals. Admired by thousands for their special natural beauty and harmony, Arizona's Salt River mustangs do a world of good. Yet they are being denied adequate resources, space, and habitat to become truly viable in the long-term.

Craig Carpenter Downer
Author, *The Wild Horse Conspiracy*
Minden, Nevada

DON'T SCAPEGOAT THE HORSES

Debbie Weingarten's cover piece depicts the conflict over the Salt River wild horses and the mythology of wild horses as symbols of an unbridled West (*HCN*, 3/18/19). But in venturing further afield, the article echoes destructive myths about America's free-roaming wild equines. Overpopulation is not "a real problem." The Bureau of Land Management and the cattle industry promote this myth to justify the goal of reducing the wild horse population to less than 27,000, nearly the same population that spurred Congress to pass the Wild Free-Roaming Horses and Burros Act of 1971, to keep wild horses from "fast disappearing from the West." Today, publicly subsidized livestock outnumber wild horses 37 to one. This is managing to extinction. There are numerous ways wild horses can be kept safe and free on the land lawfully designated as theirs to roam. A good start would be restoring the 22 million acres of wild horse habitat the BLM unilaterally "zeroed out" to make more room for



CHRIS WILDT/ARTIZANS.COM

cattle and extractive industries. It's time that *HCN* gave wild horses a fair shake instead of scapegoating them.

Charlotte Roe
Berthoud, Colorado

STOP THE BORDER POLICE STATE

Kudos to Ruxandra Guidi for journalistic excellence and her report on the Border Police's abuse of, among other principles of democracy, the First Amendment ("Detention nation," *HCN*, 3/18/19). Guidi reports the truth (there is no such thing as an "alternative fact") in a clear, concise and logical progression, without name-calling, supposition or what rhetoricians call metadiscourse. Her report suggests that all Americans need to reconsider — and act decisively and stop — the intentional erosion of our democracy and human decency and rights by recent federal and state administrations. Speak out, vote, write, call, protest, lay your body on the line; police states are only stopped by us. Remember your uncles, grandmas, friends and ancestors who stepped up to stop Hitler, George III, the Ku Klux Klan, and the many other scum who have threatened decent civilization.

Dave Mandel
El Cerrito, California

CONCILIATION AND COMPROMISE

For the last decade I've read almost every issue of *HCN* cover to cover, starting at the back cover with "Heard

around the West," but I usually just gloss through the "Editor's Note." Not this time: Paul Larmer's essay on contradictions was spot-on ("Embracing contradiction," *HCN*, 3/18/19). Last week, I finished teaching a 300-level environmental law and policy for the first time. (Full disclosure: I use *HCN* extensively as a source, and my students gobbled up the classroom copies.) The themes that kept emerging with every lecture and discussion were contradiction and conflict, but also conciliation and compromise. These students have mostly grown up in an era of political divisiveness. If they take nothing else away from this course, I hope they realize there are always opportunities for solutions and growth through civil dialogue, creative thinking and above all listening and understanding. They will have to weave their

way through the myriad contradictions that affect all issues and embrace uncertainty. Contradiction and compromise go hand-in-hand. We learn of the universe's past by building observatories on sacred mountains. We improve water efficiency by compromising owl habitat. However, as long as people can engage civilly and intelligently, we will arrive at a brighter future.

Chris Wayne
Chiloquin, Oregon

CONVERSATIONS AND COMMUNITIES

As a longtime subscriber to *HCN*, I have always appreciated your approach in illuminating all sides of an issue as a step towards resolution on clear issues like water or land. Recently, a spate of articles has asked more amorphous questions, from people looking for a sense of belonging or struggling to stay in New Mexico ("What Are We Doing Here?" 8/6/18). Now, I just read "Barriers to Entry" (*HCN*, 2/18/19), concerning race issues in Portland, Oregon. As a recently transplanted Oregonian, this was a tough read, but I'm still learning this state's history. These articles have deeply resonated for me. We are all sitting around the table of our communities aiming to get things on track, to improve life for everyone. I think we benefit from conversations with people we assume are different from ourselves.

Betsy Janeczek
Eugene, Oregon

High
Country
News



High Country News is a nonprofit 501(c)(3) independent media organization that covers the issues that define the American West. Its mission is to inform and inspire people to act on behalf of the region's diverse natural and human communities. (ISSN 0191/5657) is published bi-weekly, 22 times a year, by High Country News, 119 Grand Ave., Paonia, CO

81428. Periodicals, postage paid at Paonia, CO, and other post offices. POSTMASTER: Send address changes to High Country News, Box 1090, Paonia, CO 81428. All rights to publication of articles in this issue are reserved. See hcn.org for submission guidelines. Subscriptions to *HCN* are \$37 a year, \$47 for institutions. 800-905-1155 | hcn.org



Printed on recycled paper.

Taking power from the people

*Citizen-led ballot initiatives have spiked in recent years
— as have efforts to curb them*

BY KRISTA LANGLOIS

On Nov. 6, 2018, Emily Strizich strapped her 2-month-old daughter's carseat into a green camper dubbed the "Medicaid mobile" and drove 130 miles through snow and freezing rain to Sandpoint, Idaho, to recruit last-minute voters. A pediatric occupational therapist with no political experience, Strizich was frustrated that Idaho's Legislature refused to accept federal funds to expand Medicaid to some 91,000 low-income residents. She'd already spent 500 hours knocking on doors across the state, eventually helping collect enough signatures to put a Medicaid expansion question on the state ballot.

Now it was crunch time. As the temperature dropped and her daughter slept, Strizich watched the results roll in. "It was tremendously surreal and gratifying," she recalled: Ultimately, more than 60 percent of voters in this reliably red state supported the expansion.

In the following months, however, state legislators repeatedly tried to kill the health-care benefits Idahoans had so clearly supported. Strizich knew that Republicans might try to fight the measure, but she'd hoped the landslide win would convince them not to. "If people are telling you to do something, you assume that, as a representative of your constituents, that's what you would do," she said.

Yet in Idaho, as in many Western states, lawmakers can legally overturn or alter voter-approved ballot measures with little or no input from voters. And as Westerners reckon with issues that conservative governments have been reluctant to take up — including marijuana legalization, increased minimum wage, gun control and Medicaid expansion — legislators are increasingly attempting to block them, curtailing a century-old tradition of direct democracy.

In 1904, Oregonians put the nation's first citizen-led measures on the state ballot, including one that would allow counties to ban alcohol sales. Voters approved the measure, kicking off Prohibition in the Beaver State and ushering in a new era of American politics — one in which laws could be created not just by legislators, but by citizens.

By the 1920s, some two dozen states had adopted citizen-led ballot measures,

allowing voters to legalize everything from women's suffrage to an eight-hour workday. The practice was especially robust in the West; even today, 60 percent of all ballot initiatives come from Arizona, California, Colorado, North Dakota, Oregon and Washington.

Yet in the early 21st century, interest in such initiatives waned. Then came the 2016 election. The number of statewide ballot measures more than doubled between 2014 and 2016, from 35 to 71, and the trend shows no sign of abating. Josh Altic, a project director for the nonpartisan political nonprofit Ballotpedia, said that the reasons for the spike boil down to "voter unrest or dissatisfaction with state legislators."

In response, those legislators are frequently defying voters' wishes. In 2017, for example, South Dakota repealed voter-approved restrictions on campaign finance and lobbying. Sheriffs in 20 Washington counties are refusing to enforce gun regulations that voters overwhelmingly passed, calling them unconstitutional. And state legislators in Utah recently overhauled both medical marijuana and Medicaid expansion bills drafted and supported by voters. As a result, 60,000 Utahns who would have received Medicaid under the citizen-led initiative are still without coverage.

In fact, only two states — Arizona and California — have rules preventing representatives from modifying or overturning

voter-approved ballot measures. That's not necessarily a bad thing, said Altic. Sometimes, states need to be able to tweak the language of a bill to correct clerical errors. Other times, lawmakers' changes actually strengthen an initiative: Nevada recently revised a 2016 voter-supported law on gun control to make it more enforceable.

But in addition to modifying or repealing citizen-led measures, some states are making it harder to get them on the ballot in the first place. The Idaho Legislature, for instance, is poised to pass a rule requiring citizens to collect signatures from nearly twice as many voters in a fraction of the time currently allowed before a measure can appear on the ballot. The bill's sponsor, Republican Scott Grow, says this will prevent voters from being burdened with too many initiatives. Arizona, Utah and Montana are considering similar laws.

Such attempts to curb citizen initiatives are the most brazen in recent history, Altic said. And so far, few, if any, legislators have faced political consequences.

As of press time, Idaho's Legislature was locked in a battle over Medicaid expansion. Some GOP lawmakers were trying to pass a bill that would require people seeking Medicaid to prove they're working or in school, and end the expansion altogether if federal funding dropped. Republican Gov. Brad Little, meanwhile, was refusing to let the Legislature adjourn without funding the expansion.

Strizich watched the legislative badminton with equal parts frustration and determination: frustration that politicians were ignoring their constituents, and determination that those same lawmakers will be held accountable on Election Day. "It's such a power grab," she said. "It's not playing fair at all." □

Though over 60 percent of voters in Idaho voted for Medicaid expansion, state legislators are still attempting to block the initiative.

JAMES DAWSON/BOISE STATE PUBLIC RADIO



Krista Langlois is a correspondent for *High Country News*. She writes from Durango, Colorado. @cestmoiLanglois

How should a fish die?

A Seattle seafood company hopes to elevate cod welfare

BY BEN GOLDFARB

The “moon pool” under *F/V Blue North*’s deck minimizes the time that a fish is in stress before being stunned and killed.

COURTESY OF CAPTAIN MIKE FITZGERALD/BLUE NORTH

When, in 2016, the *F/V Blue North* ventured into the Bering Sea on her maiden voyage, onlookers in Dutch Harbor, Alaska, could have been forgiven for mistaking the sleek \$40 million long-liner for a yacht. The *Blue North* is perhaps the country’s highest-tech fishing boat, outfitted with fuel-efficient engines, automated freezers and cargo elevators. Its most radical feature, however, is its “stunner” — an electrified table that

knocks cod unconscious with a direct current of around 35 volts.

On a typical long-lining boat, fish are hauled up over the side. Crewmembers impale each struggling cod with a gaffe, tear out the hook, and fling the creatures aside to bleed or suffocate. The *Blue North*’s lines, by contrast, emerge into a “moon pool,” an enclosed chamber that allows fishermen to control their catch rather than hurl it willy-nilly across the deck. Cod pass over the stun table within seconds of their arrival; only once a fish is insensate does a crewmember remove the hook and deliver the fatal cut.

It’s easy to forget, while gazing down at your spicy tuna roll, that fishing is a brutal business. Commercial fishers suffocate halibut, bleed out salmon and crush pollock in trawls. Since 1958, the federal Humane Methods of Slaughter Act has required that terrestrial livestock be rendered insensible to pain before death, but the law excludes fish. Now, however, one growing seafood company is beginning to consider the welfare of its catch — and, perhaps, fomenting a revolution in how we treat our finned brethren.

Commercial fishermen and recreational anglers — myself included — tend to justify our cruelty with comforting myths. Fish, according to conventional wisdom, are unfeeling loners with three-second memories and about as much interior life as kelp. That unkind stereotype, however, doesn’t withstand scientific scrutiny. Bluehead wrasse transmit culture across generations, groupers and eels cooperate, and cleanerfish appear to recognize themselves in mirrors. The axiom that fish don’t suffer pain — a claim based primarily on their lack of a cerebral cortex, the structure with which mammals process stimuli — is also belied by mounting evidence. In her 2010 book *Do Fish Feel Pain?*, Penn State biologist Victoria Braithwaite argued that “there is as much evidence that fish feel pain and suffer as there is for birds and mammals — and more than there is for human neonates and preterm babies.”

Such findings haven’t ended the fish

pain debate — indeed, it’s almost irresolvable, given that pain is a subjective experience as well as a physical response. Still, Mike Burns, the founder of Seattle-based Blue North Fisheries, gives his slippery quarry the benefit of the doubt. “Maybe they don’t feel pain — although I believe they do — but they certainly undergo stress,” Burns told me. “Just look how a fish acts when you take it out of water.”

Burns’ concern for piscine well-being arrived via a roundabout route. In 1994, Mike and his brother, Patrick, purchased a ranch in eastern Oregon to supplement their small commercial fishing business. As they boned up on the beef industry, they became acquainted with the work of Temple Grandin, the legendary Colorado State University animal scientist who revolutionized livestock treatment, developing, among other innovations, standards for pre-slaughter stunning and curved loading chutes to make cows’ final moments less stressful. The Burns brothers incorporated Grandin’s techniques on their ranch, then adapted her principles for fish when they designed the *Blue North*, their flagship.

“I think it’s a good approach,” Grandin told me. Rendering fish unconscious before slaughter, she says, is among the best steps fishermen can take to facilitate a humane death.

Although Grandin points out that inventors have filed dozens of patents for stunning devices, the *Blue North* is, so far as Burns knows, one of only two commercial boats in the world to use one. Fish welfare has progressed further in the aquaculture industry, particularly abroad. Some Canadian fish farms, for example, knock salmon out with a pneumatic hammer before slaughter. U.S.-based Humane Farm Animal Care, which has developed humane labels for land-based livestock, is currently working on fish farm protocols, although Mimi Stein, the nonprofit’s director, said they have yet to be implemented.

For wild-caught fish, market pressures may ultimately spur considerate killing; a survey released last fall suggested that half of American consumers are more likely to buy well-treated fish. At the moment, Burns said, Blue North’s “Humane Harvest” cod is sold at a handful of Seattle-area restaurants and markets, and, like organic produce, fetches a modest price premium. Still, real reform must come from seafood purveyors themselves, Grandin said. In 1999, McDonald’s, its public image singed by a legal battle with animal rights activists, hired her to overhaul its slaughterhouses. “I saw more change (then) than I had in a 25-year career prior to that,” Grandin said. The fish welfare revolution will have truly arrived when the Golden Arches and its ilk source their pollock sandwiches from boats that humanely kill their catch. □



Ben Goldfarb lives in Spokane, Washington. A frequent contributor to *High Country News*, he is the author of *Eager: The Surprising, Secret Life of Beavers and Why They Matter* (Chelsea Green Publishing, 2018). [@ben_a_goldfarb](#)



Santa Cruz County Sheriff Tony Estrada has worked on the border for 51 years. Currently, he is the only Hispanic sheriff in Arizona.

ANITA SNOW/AP IMAGES

An Arizona border sheriff confronts the wall

President Trump's pitch is 'a sound bite, not a cogent public policy position'

BY SARAH TORY

From his office perched on a bare hillside just north of downtown Nogales, Arizona, Sheriff Tony Estrada can see past the rust-colored wall that cuts right through this city on the U.S.-Mexico border. For Estrada, who was born in 1943 on the Mexican side of Nogales, the past few decades have brought so much change to the region that it is almost unrecognizable — from the 18-to-30-foot-high bollard steel wall to the drones, helicopters, floodlights and cameras, not to mention the 1,000 Border Patrol agents now stationed in his jurisdiction.

Last November, President Donald Trump dispatched active-duty troops to the Southwest border to install razor wire atop the border wall that slices through neighborhoods and Nogales' downtown shopping district. The move came in response to a much-publicized caravan of Central American migrants who hoped to apply for asylum in the U.S. By early February, coils of concertina wire covered the wall from top to bottom — a sight more common in a war zone or a prison than in an American city.

"It's surreal," Estrada told me at his office in March. Migrants do not pose a

"threat" to his city, he added. "Sure, razor wire will stop people from coming illegally. You put some land mines there, and that'll stop people, too. But how far are we going to go?"

Estrada, a soft-spoken man of 76 with snowy hair, questions the current tactics, in part because of his 51 years of experience in law enforcement on the border, as well as his personal history. He was a toddler when his mother brought him and his three brothers from the Mexican side of Nogales to the Arizona side. "I'll show you the picture," he said, pointing to an old black-and-white image of his mother holding him as a baby, his older brothers standing around them.

Estrada grew up a few blocks from the border, in a three-room house without indoor plumbing. Rent was \$10 per month. At 22, he joined the Nogales Police Department, eventually becoming a captain before running for sheriff in 1992. Estrada, who is serving his seventh term, is currently the longest-serving — and only Hispanic — sheriff in Arizona.

"I'm very cognizant of the people who struggle," he said. Unlike his parents, who were able to immigrate legally, most of today's migrants have no such option. "If you don't have the right documents and financial resources, you're not going to make it," he said.

In 1995, two years after Estrada was first elected, an economic crisis in Mexico spurred a big increase in illegal immigration; between 200,000 to 300,000 more people came that year than was usual during that decade. Migrants rushed the car lanes at Nogales' main port of entry, Estrada said, and there were not enough Customs and Border Protections officers to stop them.

That year marked the beginning of a military-style security buildup inside the city itself. More Border Patrol agents arrived, and the city's border fencing was replaced by new fencing built using corrugated steel from old Vietnam-era helicopter landing pads. In the years that followed, far fewer people crossed illegally, but Estrada saw other problems emerge: Migrants were pushed to cross the border in more dangerous, remote sections of the desert, and drug traffickers began building tunnels under the wall through Nogales.

"When I look at the drug problem we have in this country, illegal immigration pales in comparison," he said, noting that the amount of hard drugs smuggled into the country has soared in the past five years — the vast majority coming through legal ports of entry, including Nogales.

But while Trump has asked for \$211 million in his 2019 budget request to hire 750 additional Border Patrol agents, he did not request more customs officers to staff the ports of entry and prevent the influx of more illegal drugs. "If you're going to vet people and find drugs, you need to put officers at the ports of entry," said Estrada, adding that the main crossing in Nogales currently has about 100 customs officer vacancies.

In recent months, Estrada has watched with increasing frustration as Trump continues to ignore the sheriffs along the southern border in his demands for a wall. In a letter released on Jan. 8, all 31 border sheriffs wrote that Trump's push for a wall was "a sound bite, not a cogent public policy position."

That wall. "That magical panacea — that silver bullet," said Estrada, chuckling. He recalled how, back in the '90s, a new kind of latticed steel border wall was erected through Nogales. Almost immediately, Estrada started noticing small square-shaped cuts in the fence, too small for a person to go across. Why, the sheriff wondered, would people cut holes too small to climb through? He smiled, remembering: "What they were doing was cutting out sections to use as barbecue grills." □

The amount of hard drugs smuggled into the country has soared in the past five years — the vast majority coming through legal ports of entry, including Nogales.



A California tribe's battle to protect itself from the growing threat of fire

One million acres of land was stolen from the Karuk. Now they have to break the law to protect that land from wildfires.

BY LAURENCE DU SAULT

Lisa Hillman, program director for the Píkyav Field Institute, writes grants for community firefighting.

LAURENCE DU SAULT FOR
HIGH COUNTRY NEWS

Deep in California's Six Rivers National Forest, a satisfying "crack" breaks the early morning silence as Lisa Hillman snaps a dead branch from a bush. Behind her, apple trees line up like children before recess. On the ground, there's barely a dead leaf. Clouds hang low in the mountains.

A Karuk tribal member and program director for the Píkyav Field Institute, a unit of the Karuk Tribe's Department of Natural Resources (DNR) dedicated to environmental education, Hillman often devotes her mornings to gardening. When wildfires ignite, she says, dry vegetation becomes deadly fuel.

With drier forests and rising temperatures due to climate change, the Karuk and other tribal nations face more frequent — and more violent — wildfires. But with no direct funding from the federal government, tribes have few options: Compete with each other for grants, or break the law by relying on the traditional practice of prescribed burns to protect their homes.

"They used to call us the 'incendiary Indians,'" Hillman said. "But it's the responsible thing to do."

Laurence Du Sault is a reporter from Canada. She is currently based on the West Coast, earning her master's degree at the University of California, Berkeley Graduate School of Journalism.

In 2014, about 3,000 firefighters battled the Happy Camp Complex Fire, which swept through the nearby Klamath National Forest, burning more than 132,000 acres and destroying eight buildings and residences. The year before, 450 firefighters worked to contain a 650-acre wildfire that destroyed a Karuk elder's home. But in the remote town of Orleans, home to Hillman and many Karuk tribal members, the DNR's fire unit is composed of fewer than 20 volunteers. The resulting lack of manpower forces locals to take on the task of wildfire management.

"You can't expect that someone is going to take care of you here," Hillman said. "You've got to do it yourself."

The Karuk's more than 1 million acres of tribal territory, which spans two states, four counties and two national forests, is subject to the authority of the Bureau of Indian Affairs (BIA), California Department of Forestry and Fire Protection (Cal Fire), U.S. Forest Service, U.S. Fish and Wildlife Service, Bureau of Reclamation, and Environmental Protection Agency, among others. Navigating this complicated web of jurisdiction is made even harder by funding problems. Of all the states, California has the largest emergency assistance budget — \$1.4 billion for fiscal year 2018, more than two-thirds of it from federal funds

— yet none of that money goes directly to the 106 tribal nations within the state's boundaries. More than 20 percent of Native Americans in the U.S. live in areas highly prone to wildfires, areas insurers often refuse to cover, but less than 18 percent of tribes in the country have fire departments.

The smell of old wood and smoked salmon fills the Hillmans' home. Children run circles around the dining room table, a massive piece of furniture carved from a thick reddish wood. In the kitchen, Lisa Hillman's husband, Leaf, puts the finishing touches on his famed clam chowder.

Thirty years ago, Leaf built the Karuk's Department of Natural Resources. The DNR is responsible for land management, fire mitigation, emergency response and natural resource administration for the tribe. It keeps afloat through grants managed by Lisa.

"Lisa's become a professional grant writer," Leaf said between bites of caramelized fish. "Building the programs, finding the money, fighting the fire," Leaf said, "the same 30 people do that."

Protecting the tribe's land and citizens from wildfires has always been, at its core, a family affair.

Last year, the Píkyav Institute, in conjunction with the University of California, Berkeley, received a \$1.2 million Agriculture and Food research grant from the U.S. Department of Agriculture. "So, I'm writing a cookbook!" Lisa says, pointing to kitchen shelves filled with homemade jams. The grant project, which will analyze cultural ecosystems, aims at informing land management decisions at the federal, state and local levels. But that money barely scratches the surface; Lisa counts 10 projects she manages

simultaneously, and the Hillmans say they still struggle to keep people employed at the DNR. Grants are competitive, their renewal unpredictable, and the application process can take months.

"You're making a gamble," Leaf says. "You're spending valuable, limited resources, and your chances are often astronomically low."

In the 1850s, the Karuk became one of 18 tribes in California to sign treaties with the federal government establishing reservations for the use of tribal members. However, Congress never ratified those treaties, leaving the Karuk's ancestral territory, including the agreed-upon reservations, to be divided between the state and federal authorities. The tribe was left effectively landless.

Currently, 30 out of 109 tribes in California have a land base of less than 10 acres. Almost half have less than 100 acres, and another 81 tribes are still seeking federal recognition. Bureau of Indian Affairs grants are allocated in proportion to a tribe's land base. In 2018, the Karuk Tribe received \$200,000 in funding from the BIA, and after indirect costs were deducted, the money was barely enough to fund two full-time positions. Of 573 recognized tribal nations, less than 5 percent receive sufficient funding from agencies like the Federal Emergency Management Agency (FEMA) or the Bureau of Indian Affairs. Meanwhile, no tribal nation in the Golden State has the taxing authority to fund efforts like the Karuk Department of Natural Resources.

"I don't think tribes in remote areas can handle it," said Michael DeSpain, natural resource director for the Miwok Tribe. Between 2010 and 2016, DeSpain sat on FEMA's panel for reviewing tribal grants. "Most of the time," he said, "tribes don't get any funding."

A recent study in *PloS One* found that, compared to other ethnic communities, Native Americans are more likely to live in areas with both the highest potential for

wildfires and the lowest capacity for effective response and recovery. Income, education, access to transportation and other social services impact vulnerability to wildfires, said Ian Davies, the study's author. "Communities in Northern California ... fall in high-vulnerability areas, particularly because of their low income," Davies said. Native Americans have the highest poverty rate in the country — 26.8 percent, compared to a national rate of 14.6 percent.

More than 700,000 Native Americans live in the Golden State, and the Karuk Tribe boasts more than 4,000 members. In the U.S., only 100 out of 573 tribes have fire departments. "Some of them are really vulnerable because they have no program," DeSpain said. "They're not prepared. They're on their own."

While Cal Fire and the Forest Service use prescribed burns for prevention, a 1911 federal law made it illegal for non-state or federal agencies to burn public land. To engage in traditional burning, the Karuk Tribe has to spend its limited resources negotiating individual agreements with the several agencies that have jurisdictional power over its land. When agreements are lacking, tribal members end up burning under cover of night.

"(The tribe) may be liable for setting a fire to the land, even if it was totally ecological and beneficial," said Don Hankins, professor of geography and planning at California State University, Chico, and a descendant of the Miwok Tribe. "From a self-determination side, tribes shouldn't have to follow those standards."

To make matters worse, insurers increasingly refuse to renew policy and cover properties located in extremely fire-prone areas. The Hillmans say they couldn't find insurers for their wooden house, and other Native American homeowners also lack insurance because of rising premium rates and denied renewals. Rebuilding after a fire could prove impossible for many. For the Hillmans and other Karuk tribal members, their often-outlawed fire

mitigation efforts and the DNR's poorly funded firefighting forces are perhaps the only protection against losing it all.

On Highway 96, the Department of Natural Resources' pickup flies by patches of burnt trees that stick out of the red soil. Leaf Hillman points to five men standing outside the DNR's one-level building. Chook Chook, one of his sons, wears a large basketball jersey that matches the DNR's cerulean roof tiles and a pair of heavy black boots. Chook Chook is a land steward for the tribe, a job that requires him to teach partners like the U.S. Forest Service how to thoughtfully manage the land. "You have to look at the ground, you have to see what's around you, the vegetation," said Hillman. "He's teaching them how to think critically. He's teaching them how to read the landscape." He also has to be careful not to cross jurisdictional boundaries, Hillman adds, so the team doesn't tread in areas that can get them in trouble.

In the coming days, Chook Chook and other land stewards will join up with the Somes Bar Integrated Fire Management Project, a Karuk initiative in cooperation with state and federal agencies that will oversee the prescribed burning of 5,570 acres in the Six Rivers National Forest. Anything outside that area, though, tribal members may have to take care of clandestinely. "We're raising our kids to be criminals," said Lisa Hillman. "And that's the only way, if they're going to be raised appropriately."

The Hillmans say that increasingly violent wildfires have brought more attention to alternative practices like prescribed burns, but projects are too few and the costs too high. In the meantime, Lisa and Leaf Hillman and other Karuk tribal members are busy applying for funding, writing reports, negotiating agreements — and waiting for the next fire.

"It's not a matter of 'if,' it's a matter of 'when,'" Leaf said. "And we should be out there burning right now." □

"(The tribe) may be liable for setting a fire to the land, even if it was totally ecological and beneficial. From a self-determination side, tribes shouldn't have to follow those standards."

—Don Hankins, California State University, Chico professor and a descendant of the Miwok Tribe

Leaf Hillman, director for the Karuk Department of Natural Resources, started the department three decades ago.

LAURENCE DU SAULT



A chimney is all that remains of a home that burned down years ago in Orleans.

LAURENCE DU SAULT



RESEARCH FUND

Thank you, Research Fund donors,
for supporting journalism that
can't be imitated

Since 1971, reader contributions have made it possible for *HCN* to report on the American West. Your tax-deductible gift directly funds nonprofit, independent journalism.

Thank you for supporting our hardworking journalists.

INDEPENDENT MEDIA GUARDIAN

Julie Bryant & Bill Roach | Summer Lake, OR
Andy Darrell | New York, NY

PHILANTHROPIST

In memory of Liz Johnson | Missoula, MT
Adam & Stacy Coyle | Ann Arbor, MI

STEWARD

Martha Newell & Mike Kadas | Missoula, MT

GUARANTOR

Rob & Sally Miller | Salem, OR

BENEFACTOR

Rick & Susan Neff | Missoula, MT

SPONSOR

Dan Hess | Wickenburg, AZ
Susan D. Hopkins | Nevada City, CA
Malcolm & Pam Kinney | Sandpoint, ID
Rob Lang & Bev Lynch | Salt Lake City, UT
R.L. Latterell | Shepherdstown, WV
Madeline Mazurski & Peter Landres | Missoula, MT
Lisa Poppleton & Jim Stringfellow | Salt Lake City, UT
Andrea J. Ray | Boulder, CO
Gene & Polly Reetz | Denver, CO
Dan Schroeder | Ogden, UT
Tutti & Gary Skaar | Bozeman, MT

Farwell Smith & Linda McMullen | Big Timber, MT
The Colorado Trust | Denver, CO
Wendy Warrington | San Francisco, CA

PATRON

Anonymous (20)
In honor of William L. Berry Jr. | Carmichael, CA
In honor of Ric and Dorry Bradley | Colorado Springs, CO
In honor of Bob McCready | Longmont, CO
In honor of Phil Pister | Coarsegold, CA
In honor of Rod Smith | Telluride, CO
Reed & Karen Dils | Buena Vista, CO
Gregory Dixon | Anchorage, AK
Clinton Dodge | Albuquerque, NM
Sandy & Dave Doubleday | Fountain Hills, AZ
Dana Downs-Heimes | Bellemont, AZ
Margaret Dreyfous | Salt Lake City, UT
Pam Eaton & Ted Zukoski | Boulder, CO
Richard S. Eckert | Woodland Park, CO
Beverly & Myles Edwards | Garfield, CO
Don Eicher | Boulder, CO
Duane L. Ferdinand | Lewistown, MT
James Flaherty | Huntington Beach, CA
Darrell Floyd | Rancho Palos Verdes, CA
William Foisy | Red Lodge, MT
Stephen & Alice Keil | Pagosa Springs, CO
Ogden Kellogg | Ashland, OR
Tom Kemp | Calgary, AB
John Keogh & Peg Herring | Corvallis, OR
Candace McNulty | Prescott, AZ
Richard McSwain | Salem, OR
George & Abbie Meeks | Glen Ellen, CA
Robert Mekus | Las Vegas, NV
Laura Mills | Elk, CA
Montagne Family Charitable Fund | Bozeman, MT
Tom & Nancy Moran | Whitefish, MT
Allyn & Joyce Mosher | Breckenridge, CO
Steve & Randi Murray | Evergreen, CO

Matthew Nahan | Decorah, IA
Hugh Nichols | Lewiston, ID
Ana M. Novak | Corpus Christi, TX
Tom & Corinne Nyquist | New Paltz, NY
Kent & Ruth Obee | Colorado Springs, CO
Malcolm Parks | Lakewood, CO
David Parsons | Florence, MT
Jim & Mare Payne | Cerro Gordo, IL
John J. Phillips | Seminole, FL
Mark & Fay Plummer | Greenwood Village, CO
Bill & Jane Quinn | Bozeman, MT
Linda J. Randall | San Carlos, CA
Karen Renne | Missoula, MT
Ken Rice & Linda Finley | Erie, CO
Richard Ridgway | Cody, WY
Milly Roeder | Lakewood, CO
Rogue's Farm | Longmont, CO
Donald & Sally Romig | Santa Fe, NM
Martin Rosen | Carmel, CA
Ellen Rosenau | Berkeley, CA
Richard N. Ross | Bend, OR
Melanie Rowland | Twisp, WA
Richard Rubin | Arroyo Seco, NM
Peter Rudolph | San Francisco, CA
Robert Ruffridge | Reno, NV
Bettie Rushing | Albuquerque, NM
Allen Russell | Shoshone, ID
Edward Sands | Rifle, CO
Douglas Schneider | Olympia, WA
Jan & Jim Senneker | Perry, MI
William Shade | Greeley, CO
Donald Shaff | Boise, ID
Gil Sharp | Hood River, OR
Mark Sheehan & Patricia Powell | Coupeville, WA
Scott Smidt | Laramie, WY
Becca Smith | Pagosa Springs, CO
Brian Smith | Pagosa Springs, CO
James Sorenson | Las Cruces, NM
James M. Souby | Denver, CO
Tory Starr | Sacramento, CA
Rhoda Stauffer | Park City, UT
J. Winans | Silver City, NM
Wren & Tim Wirth | Washington, DC
John C. Wise | Hidden Valley Lake, CA
Gordon P. Wolfe | Littleton, CO
Susan Woodside | Portland, OR
Mary Ann Wright & Paul Anderson | Emery, UT
Hugh & Karen Zackheim | Helena, MT
Wendy Zeigler & Jamie Longe | Holladay, UT
Renate & John Zinn | Santa Fe, NM

FRIEND

Anonymous (28) |
In honor of Marc Haverland | Denver, CO
In honor of Suzanne Hildebrandt | Corning, CA
In honor of Ranard Pickering | Arlington, VA
In honor of Stephanie Walton | Lakewood, CO

In memory of Cecil D. Andrus, former governor of Idaho & former secretary of the Interior Department | Moscow, ID
In memory of Karen Bailey-Bowman | Socorro, NM
In memory of Janet Bare | Chromo, CO
In memory of Bob Brower | Berkeley, CA
In memory of Jane Smiley Burgoon | Chester Springs, PA
In memory of Susan Cadena | Reno, NV
In memory of Pat Chatfield | Durango, CO
In memory of Kawika Chetron | Ashland, OR
In memory of Terry Cornelius | Ridgefield, WA
In memory of Eric Dissel, mountain man | Aurora, CO
Gregory Gessay | Phoenix, AZ
Neil & Betty Gest | Sammamish, WA
Dennis Ghiglieri | Reno, NV
Gary Gianniny | Durango, CO
Charles & Becky Goff | Gold Canyon, AZ
Jeff Goldstein | Bow Mar, CO
Diane Penna Gorski | Laramie, WY
Robert Grangaard | Hayden, ID
M. A. Greco | Seattle, WA
Margaret Griffes | Greenwood Village, CO
Glenn Griffith | Corvallis, OR
Amy L. Gruber | Anchorage, AK
Mike & Dee Ann Grummett | Juneau, AK
Kevin Haas | Nashville, TN
Susan Hager-Smith | Portland, OR
Catherine Hansen-Stamp | Golden, CO
Patricia Hartshorne | Tucson, AZ
Katherine Haven | Methow, WA
Cole Hawkins | Royal Oak, MI
Peter & Elaine Hebard | Albuquerque, NM
Raymond Herrmann | Fort Collins, CO
James Hight | Buena Vista, CO
Jeff Hollowell | Albuquerque, NM
Michael Howard | Salt Lake City, UT
Martha Hut | Tabernash, CO



☒ YES! I care about the West!

☐ \$35 Friend	Amount of gift \$ _____	☐ Make this amount recurring
☐ \$75 Patron	☐ Here's my check (or voided check/1st month's gift for recurring gifts)	
☐ \$150 Sponsor	☐ Charge my credit card	\$15/month minimum
☐ \$250 Benefactor	Card # _____ Exp. date _____	
☐ \$500 Guarantor	Name on card _____	
☐ \$1,000 Steward	Billing Address _____	
☐ \$2,500 Philanthropist	City/State/ZIP _____	
☐ \$5,000 Publisher's Circle		
☐ \$10,000 & up Independent Media Guardian		

High Country News | P.O. Box 1090 | Paonia, CO 81428 | 800-905-1155 | hcn.org D016A010



MARILYN, By Emily Berl
96 pages, hardcover: \$49.
Sturm & Drang Publishers, 2018

When Emily Berl moved to Los Angeles in 2012, she saw Marilyn Monroe everywhere. “Her image was so ubiquitous that it blended into everyday life,” as she writes in her 2018 book, *Marilyn*. Berl’s portraits study Monroe’s image as reflected by impersonators in the U.S. and beyond, particularly in Los Angeles, Las Vegas and the Netherlands. They reveal Monroe as both a tragic Hollywood icon and something closer to a mood, both vague and variable. Some women sport their blond wigs and red lips in front of mirrors, while others appear in gardens. The most striking images show women posing outside stucco houses in Nevada, bringing costumed glamour to bland suburban sprawl — creating replicas within replicas. *Marilyn* gives the impersonators the last word. “Everyone says now, ‘If I had been there in her life, I could have saved her,’ ” a model named Jami says. “Everyone wants to save Marilyn.”
ELENA SAAVEDRA BUCKLEY

Jennifer Inglet | Yuba City, CA
Aric Johnson & Melanie Sutton | La Grande, OR
Mary Kay Johnson | Las Vegas, NV
Kathy Jubitz & Steve Hawley | Hood River, OR
Peter Kaufman | Brooklyn, NY
Cathy Kay | Tucson, AZ
Debora Kelly | Aspen, CO
Del Kelley | Littleton, CO
Elaine Kendall | Friday Harbor, WA
Ken & Sue Kerchenfaut | Fort Collins, CO
Robert Kohut | Ithaca, NY
Daniel Kowal | Louisville, CO
Mark Kramer | Oakland, CA
Joseph Lange | Pearl River, NY
Ricky Lanham | Springfield, IL
Sarah Layer | Carson City, NV
Garn LeBaron | Fayetteville, AR
John A. Lee | Langley, WA
Erica Lindemann | Steamboat Springs, CO
Tawnia Litwin | San Francisco, CA
John M. Livingston | Boise, ID
Becky Long | Talkeetna, AK
Wendy & Joe Lowe | Loveland, CO
Alston Lundgren | Santa Fe, NM
Mac & Kate MacMillan | Bend, OR
Sarah Madsen | Portland, OR
Sean & Lori McConnor | New Meadows, ID
Ryan McDermott | Salt Lake City, UT
Thomas McKoy | Santa Cruz, CA
Pete & Jan Metzmaker | Whitefish, MT
Katherine Meyer | Santa Fe, NM
Martin & Barbar Milder | Los Alamos, NM
Todd Miller | Nibley, UT
Steve Mimnaugh | Sandy, UT
Janet Mizelle | Pine, CO
Christopher & Kit Muller | Washington, DC
Amy Murphy | Anchorage, AK
Stewart L. Murray | Capay, CA

Peter Neal | Palo Alto, CA
Frank Gabby Nelson | Olympia, WA
Frank Nelson Jr. | Olympia, WA
Maddie & Randy Nichols | Lakewood, CO
Jay C. Nietling | Las Vegas, NV
John & Christine O’Byrne | Thermopolis, WY
Gary & Kathy O’Neal | Portland, OR
Martin & Martha Onishuk | Missoula, MT
Rebecca Maes | Pueblo, CO
Ron Marquart | Boise, ID
Susan & Spencer Martin | Park City, UT
Matyas Matlo | Aurora, CO
Sonia L. Perillo | Scottsdale, AZ
Shannon & Steve Planchon | Portland, OR
Sherry Potter | Lafayette, CO
Stephen Powell | Central, SC
Elizabeth Pratt | Grand Ledge, MI
Margo Proksa | Pocatello, ID
Joan Pryor | Lake Stevens, WA
Bruce Richardson | Boulder, CO
Donovan & Phyu Rieger | Aurora, CO
Gordon & Paula Stuart | Bernardsville, NJ
Gary & Cindi Stuckey | Littleton, CO
Stephen W. Studebaker | Durango, CO
Ron Tabaczka | Big Sky, MT
Lane Taylor | Flagstaff, AZ
Barbara Tidball | Long Beach, CA
Lee Travis | Helena, MT
Evelyn Treiman | Las Cruces, NM
Eric Trimble | Kalispell, MT
Les Tumidaj | Portland, OR
Nick Ulmer | Georgetown, CO
Ermanno Vanino | Piñon Hills, CA
Lindsay Vivian | Oakland, CA
Sara Walsh | Augusta, MT
Anne Wasko | Lakewood, CO
Becky Weed | Belgrade, MT
William H. Wellman | Santa Barbara, CA

A return from our spring hiatus

High Country News is back in action after a quarterly issue break. We hope you used the extra time to work through that ever-growing pile of old issues from the past few months.

At the end of March, we said goodbye to Contributing Editor **Cally Carswell**, who is taking a staff position at the New Mexico state Legislature. She is joining a team that does in-depth research projects on state programs and makes policy recommendations, so her reporting chops are sure to come in handy. We are excited for Cally, but sad to see her go; her keen-eyed, elegantly written stories and steady editorial hand will be hard to replace. Cally joined the magazine as an intern in 2009, then served a stint as a staff editor. Her stories have won numerous awards, most recently in the “Outstanding Reported Essay” category of the American Society of Journalists and Authors annual awards for her Aug. 6, 2018, personal essay exploring the challenges of living in the arid Southwest as climate change gets worse. Cally said she will miss her colleagues, but added that, “I still count many people I’ve met through *HCN* as some of my best friends, so I don’t have to miss them too much.”

Spring can’t come soon enough to Gunnison, where the snow is still piled high. Editorial fellow **Jessica Kutz** recently borrowed a shovel from helpful reader **Butch Clark** to break up a particularly icy patch on the sidewalk. Clark and his wife, **Judy**, founded the Coldharbour Institute, a nonprofit that strives to spread sustainable land-management practices, and *HCN*’s editorial team sees these good people regularly: Their offices are right across the hall at our Gunnison location. There, we recently received a visit from **Jim Pribyl**, a subscriber and reader since the 1970s, who stopped by while touring Western Colorado University, where he is a new member of the board.

Over in Paonia, reader **Penny Heuscher** of Cedaredge, Colora-

do, delivered a framed photograph in memory of longtime *High Country News* publisher **Ed Marston**, who died last August. Underneath a photo of the Northern Lights, a small plaque lists some of his many roles: “physicist, journalist, publisher, public lands advocate.” It also bears a quote from Johann Wolfgang von Goethe: “Knowing is not enough; we must apply. Willing is not enough; we must do.” Thank you for the lovely tribute, Penny!

Finally, we have a couple of corrections. The story “White fragility and the fight over Marin County’s Dixie School District” (*HCN*, 3/18/19) stated that school board trustee Mar-nie Glickman began advocating for a school name change in 2017. In fact, her work began in 2018. And there were two errors in a recent “Heard around the West” (*HCN*, 3/4/19). The referenced story about a wandering bison and his owner took place in Montana, not Oregon, and the bison’s name is Tonka, not Tonto. We apologize for the errors.

—Nick Bowlin, for the staff



Cally Carswell, pictured at home in Santa Fe, recently received renown for an essay on living there.

STEFAN WACHS FOR HIGH COUNTRY NEWS

■ SCENE OF THE CR



How the death of a pupfish put a man in prison

Feature by Paige Blankenbuehler

They passed around a bottle of Malibu rum as gunshots bellowed into the desert night. A trio of young men had set up camp near the unincorporated town of Crystal, 80 miles outside of Las Vegas, Nevada. As recently as 2005, the tiny town hosted two brothels, but by April 2016, it was pretty much empty, ideal for carefree camping on a moon-like stretch of desert, the perfect place to pass around a bottle and a shotgun for some bunny blasting.

As often happens on a night like that, things went downhill. Drunk on rum and the roar of the gun, the three men fired up an off-road vehicle and drove away from camp. Riding in back was Trent, a chestnut-haired, bearded 27-year-old, who carried the shotgun and blasted away at road signs as they tore across the Amargosa Valley and Ash Meadows National Wildlife Refuge. They headed toward a remote unit of Death Valley National Park: Devils Hole, a deep pool inside a sunken limestone cavern. The area's surrounded by 10-foot-tall fencing, a fortress erected to protect an endangered species of pupfish found there.

Trent shot at the gate to the pedestrian walkway area and then shot the surveillance camera and yanked it from its mount. Then he and one of his companions, Steven, stumbled into the enclosure. Steven was so intoxicated that it took him multiple tries to clear the fence. Inside the enclosure, he paused to empty his bladder.

Filled with mischief, Trent lunged toward his partner and punched him in the crotch with a left hook. Then, as Steven stumbled over to a large boulder to vomit, Trent dropped the shotgun, stripped off his clothes, and slipped into the deep warm water of Devils Hole. He didn't know it yet, but that would prove to be his worst mistake of the night.

SIXTY THOUSAND YEARS AGO, a narrow fissure opened up in the Amargosa Valley, releasing water pooled deep in the earth and creating Devils Hole, the opening to an underwater cavern. Scientists disagree over just how it happened — whether by way of underground tunnels, ancient floods or receding waters — but several desert fish were separated from the larger population and trapped in Devils Hole. There, a tiny sub-population — the Devils Hole pupfish (*Cyprinodon diabolis*) — evolved in extreme isolation for tens of thousands of years, eventually, according to scientific consensus, becoming an entirely new species.

Today, visitors to Devils Hole get a rare window

into one of the Mojave Desert's vast aquifers. Steep limestone walls surround a tiny opening into turquoise water. Divers have descended over 400 feet into the cave without reaching the bottom. The water is so deep that earthquakes on the other side of the world cause it to slosh, shocking the fish into spawning.

The environment in Devils Hole is so remote and extreme that scientists have long puzzled over how the pupfish can live there at all. Still, a modest population has managed to survive on a shallow, sloping rock shelf that gets just enough sunlight — only four hours per day at its peak — to allow algae to grow for the fish to eat.

The Devils Hole pupfish are truly unique. The males are a bright blue, the females a subdued teal, and they're only about an inch long. They are more docile and produce fewer offspring than their cousins, which are found in pockets ranging from the Southwest toward the Gulf of Mexico. The Devils Hole pupfish lacks the pelvic fin that enables its kin to be vigorous swimmers. But it is able to thrive in temperatures far warmer than similar species can tolerate. Trapped by geology in a consistent 93-degree womb, Devils Hole pupfish have nowhere to go. In fact, they have the smallest geographic range of any known vertebrate species on earth.

The pupfish were among the first species to be protected under the Endangered Species Preservation Act of 1967 — along with the American alligator, the California condor and the blunt-nosed leopard lizard — and that protection was carried over to the Endangered Species Act of 1973. At the time, around 220 survived in Devils Hole, but since the 1990s, the species has been in significant decline, sinking to just 35 fish in 2013. Today, there are modest signs that the population is growing; the last population count was 136.

The tiny fish has become an icon for those looking to protect endangered species and their habitat, but it's a target of deep resentment in Nevada, and particularly in Nye County, where, according to critics, the interests of an obscure fish are pitted against the livelihood of

Devils Hole pupfish — some of the rarest fish in the world — are found only in a deep geologic fissure fed by water from the aquifer that lies below the Mojave Desert.

BRETT SEYMOUR/NPS SUBMERGED RESOURCES CENTER



▲ Screen captures from security cameras in the Ash Meadows National Wildlife Refuge show three men entering the Devils Hole enclosure. Then, a few minutes later, the pool is disturbed by a foot splashing into the water and a man walking around. The final frame shows a Devils Hole pupfish swimming away from a foot.

NATIONAL PARK SERVICE

► Kevin Wilson ascends from the Devils Hole pool, reachable through the gate of a locked enclosure. In April 2016, three men climbed the fence and scrambled down the rocks to reach the pool, which is closed to the public.

LUNA ANNA ARCHIE/
HIGH COUNTRY NEWS

local agricultural families. The issue has tested water rights in this arid part of the American West and raised questions about how far officials should go to save a handful of imperiled fish. The drunken invasion of its habitat in 2016 was not unprecedented: Dozens of trespasses have been documented throughout the decades. But such crimes are difficult to investigate and rarely prosecuted.

This time, however, would be different.

ON MONDAY, MAY 2, 2016, Kevin Wilson, an aquatic ecologist and manager of the Devils Hole research program, arrived at the National Park Service outpost in Pahrump, Nevada, a beige, low-key building in the middle of anti-fed country.

"We have some news you won't like," one of his research associates told him, gesturing toward a surveillance video playing on her computer screen. Wilson peered at the images just as one of the three trespassers tried — and failed — to clear the fencing before barging his way in on the other side of the enclosure.

"As I watched the surveillance footage, I could tell they had definitely been drinking," Wilson told me when I visited in February. "But it was really just the one guy that had actually gotten in the pool that concerned me the most."

Wilson, who is 51 with dark gray hair and bright blue eyes, wears his green uniform comfortably, a slight potbelly protruding above his belt. He jokes often, but the deep wrinkles in his face, tanned from years in the unforgiving Nevada

sun, give him a stern appearance.

Normally, the nocturnal visitors would have been caught by a motion sensor that triggered a loud alarm. But a barn owl roosting in the area had caused too many false alarms, and rather than spook the bird, officials had disabled the device. So once the men broke in, they felt no real urgency to leave. Little did they know that multiple cameras captured their every move.

A small earth tremor that occurred over the weekend had prompted Wilson's staff to review the footage. "Obviously, we saw much more than we had been expecting," Wilson said, raising an eyebrow.

The video continued to play in Wilson's office. As one man swam, another remained at the edge of the water, while the drunkest one leaned against a rock. The swimmer climbed out of the water, dragged himself over the algae-covered shelf and got dressed. Then the party fled on their off-road vehicle.

Wilson paused the video and backed it up. The man who fired the shotgun and plunged into the pool had left a few things behind — his wallet and cell-phone. The next morning, in the fog of a hangover, he broke in to Devils Hole to retrieve them, ignoring the empty beer cans and his underwear, which was still floating in the water.

Wilson reviewed one particular piece of footage, a view from an underwater camera, over and over: A foot plunged through the placid, algae-filled water onto a shallow shelf — the only breeding area in the world for the Devils Hole pupfish.

The man had waded in at the most inopportune time possible, in late April, the peak breeding period for the pupfish. "I couldn't immediately tell if any fish were harmed," Wilson told me. "But I decided to do a site visit to find out for sure."

That morning, Wilson, his research team and a bevy of law enforcement officials assessed the damage. The area reeked of vomit; beer cans were scattered around and Trent's underwear still floated in the water. The group huddled around for a closer look. In the pool, a single bright blue pupfish was also floating on the surface — dead.

IN FEBRUARY, WILSON TOOK ME TO THE SCENE OF THE CRIME. Wilson has dedi-

cated a good portion of his life to pupfish. He first visited Devils Hole in the 1970s, when he was just 8 years old, tagging along with his geologist mother. Those early visits to national parks and camping trips with his family helped inspire his post-graduate work: the first-ever holistic study of the Devils Hole pupfish. And then the perfect job opened up at the perfect time. "As soon as I defended, this permanent position to study the Devils Hole environment and the pupfish opened up. I've been here ever since," Wilson told me as we stood near the edge of the pond, as cold raindrops began to fall. Just paces away, pupfish flitted through the water.

The 2016 trespass swiftly activated an intricate legal enforcement network designed to protect the fish. After reviewing the footage and finding that



Dozens of trespasses have been documented throughout the decades. But such crimes are difficult to investigate and rarely prosecuted.



A car streaks down the Bob Ruud Memorial Highway, above, west of Pahrump, Nevada. Above right, Scorpion Task Force leader Paul Crawford. A custom four-wheeler, driven by the suspects — spotted on Craigslist by one of the investigators — helped crack the case. LUNA ANNA ARCHIE

a pupfish had indeed died as a result of the incident, Wilson notified the National Park Service at Death Valley and in Washington, D.C., as well as the U.S. Fish and Wildlife Service, Nevada Department of Wildlife and the Nye County Sheriff's Office.

A team called the Scorpion Task Force was assembled. Its leader was the Park Service Investigative Services' Paul Crawford, a seasoned Brooklyn-born detective with a constellation of freckles across his face. In 2012, he was the lead detective investigating the murder of ranger Margaret Anderson in Washington's Mount Rainier National Park.

Based in Boulder City, Nevada, and nearing retirement in 2016, Crawford decided to make the trip to Devils Hole. He would supervise two other men: Morgan Dillon and Josh Vann. Dillon, a detective for the Nye County Sheriff's Office, jumped at the chance to work on the case. "I was excited that I might have an opportunity to go all the way down to the pupfish pool and see the fish," Dillon told me. "I originally went to college to be a wildlife biologist. I've always been passionate about that and still like to read scientific articles on the pupfish. Me, personally, though — I wasn't smart enough to be a scientist, so I became a detective instead."

Vann, a ranger at Death Valley National Park, worked alongside Dillon. At Devils Hole, they gathered three empty beer cans as well as two empty boxes that had held shotgun ammunition, two live rounds and multiple spent shotgun shells. Dillon attempted to fingerprint the beer cans and swabbed them for DNA evidence. He even collected the underwear and entered it into the case file.

Abundant surveillance footage gave the detectives clear images of the three suspects' faces. "We see you, and now

we're going to find out who you guys are," Crawford remembers thinking. The four-wheeler stood out most: a blue Yamaha Rhino, with flamboyant stripes along its doors. "It was altered with a second seat, extended roof, skid plates up front. It wasn't something these guys bought and just drove off the lot," Crawford said. "Those are a dime a dozen. We would have never found them."

On May 6, Crawford put out a crime-stoppers tip form. Meanwhile, back at the Nye County Sheriff's Office, Dillon showed his colleague, Sgt. Thomas Klenczar, an off-road aficionado, video stills of the customized vehicle. "We were really just BS-ing about it," Dillon said. "But he's into OHVs and is always on Craigslist, so he decided to take a look." Minutes later, Klenczar and Dillon found the vehicle on Craigslist. It had been listed for sale just one day prior to the drunken break-in. "The fact that the vehicle was so unique and that we were able to quickly find it on Craigslist was the one and only piece of this that allowed the case to move forward," Dillon said.

Dillon used the phone number from the Craigslist ad and a house number in one of the photos of the Yamaha to come up with the owner's name. A photo of the man — Steven Schwinkendorf of Pahrump — matched one of those on the Devils Hole footage.

THE EARLY 20TH CENTURY was an anxious era for the National Park Service. The fledgling agency hemmed and hawed over its identity and whether or not it included a responsibility to protect wildlife and wild spaces.

From the 1920s through the 1940s, the Park Service managed land mostly for tourists to enjoy. In one of the agency's founding documents, Interior Secretary Franklin Lane described developing the parks as a "national playground system."



The prevailing attitude at the time was that protecting a rarely viewed species like the Devils Hole pupfish was a project "better left to another agency," according to Kevin Brown, an environmental historian who authored a 2017 Park Service book on the history of Devils Hole.

With no entity charged to oversee Devils Hole and the pupfish, the deep cavernous pool gained fame among locals. The area, with the pupfish swimming serenely within it, was subject to constant trespass. To this day, locals often refer to Devils Hole as the "Miner's Bathtub."

In 1950, an ichthyologist named Carl Hubbs excoriated the Park Service for its refusal to protect Devils Hole. Early the following year, Lowell Sumner, a Park Service biologist, visited Devils Hole and did a pictorial study of it. He argued that it was in the national interest to include this geological wonder in Death Valley National Monument. In 1952, President Harry Truman added the Devils Hole unit to Death Valley National Monument under the Antiquities Act, specifically mentioning the "peculiar race of desert fish," and declaring that all of the species and ecosystems of Death Valley would be protected. "It was incredibly forward-looking at that time," said Patrick Donnelly, the Nevada state director for the Center for Biological Diversity. "That was really what began this saga of the role that pupfishes ended up playing in battles down the road."

ON MAY 9, 2016, THE SCORPION TASK FORCE — Dillon, Klenczar and Vann — drove through Pahrump, Nevada, to meet their first suspect in person. The harsh beauty of the desert around Pahrump clashes with the severity of the city's neon glow. Under the surrounding Black Mountains, the desert's sage seems greener, the needles of its barrel cactus redder and the flash of the nearby



casinos, motels and fast-food chains even brighter. One street is named “Unicorn,” another “Tough Girl.” “Don’t Tread on Me” flags wave above many front doors. The locals elected brothel owner Dennis Hoff to the State Assembly, a month after the self-proclaimed pimp and so-called “Trump of Pahrump” died of a heart attack on his 72nd birthday, at a bash attended by notorious Arizona Sheriff Joe Arpaio and the porn star Ron Jeremy.

The detectives located the suspect’s home and walked to the door. Steven Schwinkendorf, dark-haired, 6 feet tall and topping 200 pounds, answered it, facing Dillon, his arms crossed. A small boy, Schwinkendorf’s son, peeked around his legs. Dillon showed the photos from the surveillance video and asked him if the vehicle was his. Schwinkendorf admitted that it was and explained that he had already traded it in as part of a deal for a new four-wheeler.

“Is this you?” Dillon asked, pointing to one of the men on the video, according to investigation transcripts. Schwinkendorf said it was. The other two suspects had come to his house for a barbecue before they went camping, he said. “We had been drinking quite a bit,” Schwinkendorf admitted. He told the detectives that the trio then went to Ash Meadows to shoot rabbits. Schwinkendorf said he had only vague recollections of being at Devils Hole, though he remembered vomiting; his friends had teased him about it.

Schwinkendorf identified his companions — Edgar Reyes, a Las Vegas local, and Trenton Sargent, the skinny-dipper — and gave Dillon their phone numbers.

The next day, Dillon called the other suspects. He first dialed Reyes, who didn’t answer, though he quickly phoned back. Dillon remembers Reyes saying he was scared. “I woke up, and my face is plastered all over everywhere on the internet,” Reyes said. He admitted to the

trespass and confirmed that the shotgun belonged to him, but he said that all three of them had been shooting it. “Not long after speaking to him, I got a call from his attorney,” Dillon told me.

But Dillon had yet to reach Sargent. “I was afraid that Schwinkendorf and Reyes would get to Sargent and spook him. I felt like I was running out of time.”

That afternoon, Dillon called Sargent. “He told me that he heard I was looking for him,” Dillon said. “He was very cooperative and forthcoming.” The crime-stoppers tip had gone viral, and in the days since it went public, Sargent told Dillon he had received “hundreds of messages” and even a few death threats. He admitted that he had taken off his clothes and gone swimming in the pool. “I was showing off for my friends,” Sargent said, “and I wanted to see how deep it was.” His demeanor was extremely polite, Dillon remembers, and they spoke on the phone for several minutes.

“Sargent asked me, unprompted, if I had run his criminal history,” Dillon told me.

“I have so much to tell you,” Sargent said to Dillon. “I’m a convicted felon. I know that I can’t have a gun, that I can’t be around guns. I wasn’t intending to shoot that night and was just going to hold the spotlight while the others shot.” There was a pause — a long-enough silence that Dillon thought the phone might have been disconnected. “But because of the drinking, I shot as well,” Sargent told him.

Sargent had been convicted of grand theft of money and property three years earlier in San Bernardino, California. He had struggled with addiction for most of his teenage and early adult years, but since then, he had cleaned up his life and returned to his hometown, Indian Springs, Nevada. He lived in a trailer and often saw his son Logan, who was then only 1 month old and lived with his in-laws in town.

Sargent later admitted to knowing about the pupfish and their endangered status, but insisted he didn’t mean to harm them. His drunken break-in was a slip, he said, a momentary lapse of judgment.

TRENT SARGENT’S SWIM WAS JUST THE MOST RECENT THREAT to the existence of the Devils Hole pupfish. Back in the late 1960s, after the National Park Service began its first studies and population counts, the Cappaerts, a ranching family in Pahrump, decided to dig a number of wells on their 12,000-acre ranch just a few miles from Devils Hole.

When the Cappaerts began pumping, the water level in Devils Hole dropped, exposing large parts of the algae shelf. That exposure, the Park Service argued, decreased algae production and limited the pupfish’s spawning area, which in turn reduced its chance to survive. The aquifer level lowered so drastically that it alarmed not only Park Service staff, but

also the U.S. Fish and Wildlife Service and Nevada Department of Wildlife. The park’s staff ordered the Cappaerts to stop pumping.

The Cappaerts said they had spent a lot of money drilling the wells and changing their farming operation, and that they intended to go right on pumping without limitation under “Absolute Dominion,” also known as the “English Rule,” a 19th century common-law doctrine adopted by some U.S. states that allowed landowners to use as much groundwater as they pleased. (Nevada had actually abandoned Absolute Dominion in favor of prior appropriation for both surface and groundwater decades earlier.) The Park Service argued that the special status of Devils Hole pupfish under the Endangered Species Act and its habitat’s status as a national monument trumped the Cappaerts’ rights to the water.

The Cappaert case went all the way to the U.S. Supreme Court, testing the power of the Antiquities Act and the weight of the new Endangered Species Act. In 1976, the High Court affirmed the federal government’s right to maintain water levels sufficient to support the pupfish, even at the expense of water rights held by nearby ranchers.

The decision enraged the residents of Nye County. The attorney representing the Cappaerts argued, “There are two endangered species here: the pupfish and the American rancher,” and said the federal government had chosen a fish over the people. A Pahrump newspaper editor even threatened to throw the pesticide Rotenone into the sunken cave to “make the pupfish a moot point.” The community split into factions, and anger pervaded the air. Warring bumper stickers — “KILL THE PUPFISH” and “SAVE THE PUPFISH” — were plastered on cars, street signs and office buildings across the Southwest.

But the decision has stood the test of time. In the late 1970s, the Cappaert family sold their ranch. The land has since changed hands a number of times, eventually becoming the Ash Meadows National Wildlife Refuge. Had that case gone any differently, had the Park Service not decided that part of its mandate was to protect the species and stop the Cappaerts from pumping — had Truman not designated Devils Hole a national monument in the first place — the Devils Hole pupfish might now be extinct, though Pahrump would probably be a little greener. “If it weren’t for that decision, the Amargosa Valley would have been pumped dry a long time ago,” Wilson, the biologist, told me recently. “There would be no Death Valley, no Devils Hole, no Devils Hole pupfish — but there would be a whole lot more golf courses, I bet.”

The Devils Hole pupfish, a tiny species that has survived such obstacles, represents a paradox for Wilson, who would not live in Pahrump were it not for Devils Hole. He told me that adjusting

“There are two endangered species here: the pupfish and the American rancher.”

—An attorney representing a Nye County ranching family, after they lost a Supreme Court case over water use in Death Valley that threatened Devils Hole pupfish habitat



Josh Sargent, above, holds a photograph of his son, Trent (who is holding his son, Logan), and daughter, Bella. Josh and Norine Sargent, right, pose in their Indian Springs, Nevada, home, filled with Southwestern memorabilia, hunting trophies and family portraits. “Trent grew up hunting and fishing,” Norine said. “And now he’ll never get to go hunting with his dad ever again.”

LUNA ANNA ARCHIE



to a life in the gravel-covered, billboard-lined city was difficult for him and his wife, a Canadian, who, after a few years in Nevada, finally found her niche in, of all things, golf. “I do wish I could just pick up and move Devils Hole and put it somewhere with a higher standard of living,” Wilson told me. “But it’s worth protecting — and worth punishing people who threaten this little species.”

“The most important advances in science have come from the edges of what’s possible — from the most extreme environments,” Wilson said. “We have a lot to learn about how the Devils Hole pupfish has even been able to survive.”

TRENT SARGENT TURNED HIMSELF IN just after Memorial Day and pleaded guilty to violating the Endangered Species Act, destruction of federal property, and possessing a firearm while a felon. A few days before his October sentencing, he submitted a letter to U.S. District Judge Andrew Gordon, who would decide his fate.

“I’m not one to make excuses for what I have done wrong and I’m not going to start now,” he wrote, in all capitalized, slanted script. “I made a stupid mistake. ... I’m not a bad person, your honor, and I take full responsibility for my actions and the crimes I committed. ... I would like to ask you to accept this letter to you as my verbal ‘handshake’ that upon my release I will complete all stipulations given to me by the courts and you will not see me again in your courtroom.”

On the afternoon of Oct. 25, 2018, Sargent stood quietly beside his lawyer in a Las Vegas courtroom as Judge Gordon handed down his sentence: A total of 12 months and one day — nine months specifically for his violation of the Endangered Species Act — in the

custody of the Federal Bureau of Prisons. Once he is released from the Los Angeles Metropolitan Detention Center, Sargent must pay nearly \$14,000 in restitution to the National Park Service, along with a \$1,000 fine. He’s also forbidden to enter federal public lands for the rest of his life.

Four months later, I journeyed to Indian Springs, Nevada, an unincorporated community of fewer than 1,000, where Sargent has lived for most of his life. It’s home to Creech Air Force Base and the Desert Warfare Training Center. I met Sargent’s family at their spacious and warmly lit doublewide manufactured home. There was a chill in the air and a blustery wind, but his mother, Norine, sat outside, watching her grandchildren jump on a trampoline in the yard. Trent’s father, Josh, joined us a few minutes later, home from work at the Nevada National Nuclear Security Site, where he’s been employed as an ironworker for 30 years.

I had assumed that the Sargent family would consider what happened to their son unfair. But I was wrong. In fact, they defended the Endangered Species Act with a conviction that surprised me, and they knew a lot about Devils Hole and the pupfish that swam there. Norine recalled the family taking trips to Devils Hole when Trent was a boy, teaching him about the pupfish. “Trent would just as soon give first aid and mouth-to-mouth resuscitation to that little pupfish than have this thing go on and on,” Josh Sargent said. He acknowledged that his son was paying the necessary price for his actions. “He knows about endangered species, and he takes responsibility for what he did.”

The Sargents’ home was filled with pictures of family, including several of Trent throughout the years. In one, the

beaming 12-year-old holds up the first fish he ever caught, a minuscule rainbow trout. But now Trent can’t visit public lands or use a firearm. “Trent grew up hunting and fishing,” Norine said. “And now he’ll never get to go hunting with his dad ever again.”

Had that fateful evening unfolded just slightly differently — had that single pupfish not died — Trent would very likely be sitting in the living room with his family. Sometimes it is a bitter pill for the Sargents to swallow. “I understand the way people feel about the fish,” Josh Sargent said. “But what if someone runs over a cat? Are they going to stop and make sure the cat is alive? No, I don’t think so. They’re just going to keep on truckin’. But Trent kills a fish — and certainly not intentionally, and he’s in prison. ... We’re not trying to defend him; the Sargent family is deeply sorry for what happened.”

BECAUSE THERE ARE SO MANY ENDANGERED SPECIES, society is forced to make difficult choices about which ones to protect, and to what lengths we should go to save them. Climate change has quickened the pace of extinction, and already the number of critically endangered species exceeds our ability to save them all.

The Devils Hole pupfish, serene, obscure and tiny, has survived a very long time in an unkind place, just one drunken night or one jug of poison away from oblivion. It is a wonder, to be sure. But how far do you go to save a species like this? For Wilson and the others at Death Valley National Park, it means surrounding this biological wonder with an impenetrable cage. Biologists occasionally feed the fish and clean out Devils Hole as if it were a giant aquarium. They even have a backup population held in a huge climate-controlled tank nearby, insurance against outright extinction. Protecting the species means harsh punishment for anyone who kills even just one fish, according to Patrick Donnelly of the Center for Biological Diversity, which offered a \$10,000 reward for help in identifying the drunken skinny-dipper and his friends. “We desperately wanted justice for this. If they didn’t get the book thrown at them, what’s stopping others from doing whatever they want and eliminating an entire species?”

Since the incident, Devils Hole has become an even more formidable fortress. The Park Service capped its towering fences with additional barbed wire. The public can only view the sunken cave from a distance now, more than 20 feet above it. And inside the fenced viewing area are even more cameras, motion sensors and “No Trespassing” signs.

“I hate it,” Wilson told me this winter. “I hear from the public all of the time — ‘Why does this place look like a prison?’ People get really upset that they can’t get a closer look. But it’s just what we have to do — to stop people from doing stupid things.” □



Paige Blankenbuehler is an assistant editor for HCN.

🐦 @PaigeBlank

This story was funded with reader donations to the High Country News Research Fund.

WE PROTECT WOLVES



**Western
Environmental
Law Center**

We are a nonprofit that uses the power of the law to safeguard the public lands, wildlife, and communities of the American West in the face of a changing climate.

Join us:



/westernlaw

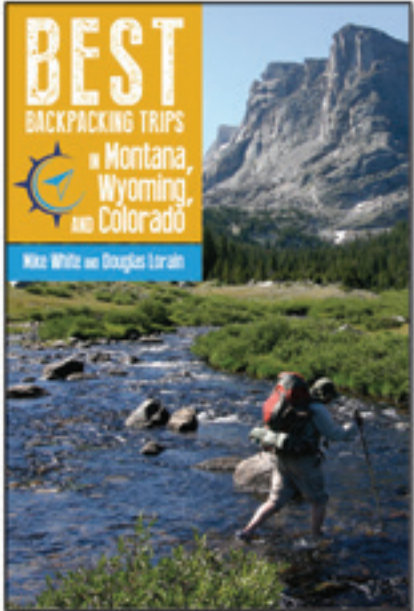
westernlaw.org

The Trump administration officially proposed removing endangered species protections for wolves in the lower 48 states. This is a political decision ignoring science. We won't stand for it.

Wolves are rebounding in parts of the West, but science shows they are not even close to being recovered throughout their historic range.

For decades, WELC has fought for wolves in the West and our expert attorneys will use the full power of the law to fight Trump's premature wolf delisting.

With your support, we will provide unparalleled legal representation for wolves. Together, we will serve as a firewall to the Trump administration's assault on our environment.



BEST
BACKPACKING TRIPS
in Montana,
Wyoming,
and Colorado
Mike White and Douglas Lorain

Best Backpacking Trips in Montana, Wyoming, and Colorado

by Mike White and Douglas Lorain

Everything you need to know to organize and execute the backpacking trip of a lifetime!

Available wherever books are sold.



university press of
colorado
A UTM STATE UNIVERSITY PRESS

High Country News

The 2019 outdoor&travel Issue

Publication – May 13, 2019
Space Reservation – April 19, 2019
Deadline for Art – April 26, 2019

Space is limited – Reserve Your Print Ad Now

Contact:
laurad@hcn.org
or
800-311-5852



High Country
outdoor&travel
SPECIAL ISSUE

Rethinking risk
Bikes in the wild?
Save your stoke

Notice to our advertisers: You can place classified ads with our online classified system. Visit hcn.org/classifieds. April 12 is the deadline to place your print ad in the April 29 issue. Call 800-311-5852, or email laurad@hcn.org for help or information.

Advertising Policy: We accept advertising because it helps pay the costs of publishing a high-quality, full-color magazine, where topics are well-researched and reported in an in-depth manner. The percentage of the magazine's income that is derived from advertising is modest, and the number of advertising pages will not exceed one-third of our printed pages annually.

Advertising is a great way to support High Country News and get your word out – Consider a classified ad in *HCN* when you have a conservation or green technology job to fill, a conference or event coming up, a house to sell, unique home and garden products, professional services to promote, travel opportunities or any other information you would like to get out to like-minded people. Visit <http://classifieds.hcn.org> or call 800-311-5852.

BUSINESS OPPORTUNITIES

Conservationist? Irrigable land? Stellar seed-saving NGO is available to serious partner. Package must include financial support. Details: <http://seeds.ojaidigital.net>.

CONFERENCES AND EVENTS

On the Wild Road with High Country News – Join *HCN* and Black Sheep Adventures on an expedition through the national parks and monuments of Utah and southwest Colorado, Sept. 7-15, 2019. Author and journalist Jonathan Thompson will be the tour leader as we explore Bears Ears, Zion, Bryce, Capitol Reef and Grand Staircase-Escalante. For more information, visit <https://www.hcn.org/advertising/wildroad-sept2019>.

EMPLOYMENT

Trout Unlimited North Idaho Field Coordinator – The field coordinator will work with TU members, other fishing organizations, community leaders, businesses and elected officials to build support for actions necessary to recover abundant, fishable populations of wild salmon and steelhead. The position location is in north Idaho with a preference for the Lewiston area. For complete job description, see website, www.tu.org. Send application materials to katie.becker@tu.org.

Trout Unlimited Director of Communications, Southwest Region – The Southwest Communications Director will be responsible for working with field staff in Arizona, Colorado and New Mexico to develop and execute detailed communication plans in support of issue-based campaigns and project work. See website for full job description and requirements. www.tu.org. Email applications/résumés to katie.becker@tu.org.

Grassroots Organizer – The Utah Rivers Council is looking for an energetic individual with strong communication and organizing skills. The Grassroots Organizer works to ensure our campaigns are successful by engaging our grassroots network in our campaigns, developing outreach materials, building relationships and managing partners and volunteers. The ideal candidate has a serious work ethic, personable communication style, excellent writing skills and an understanding of environmental advocacy. Two years' paid, professional work experience required. Nonprofit experience preferred but not required. Compensation DOE. Visit our website for more info: utahrivers.org. Send résumé, cover letter and a short writing sample to: Utah Rivers Council, 1055 East 2100 South, Suite 201, Salt Lake City, Utah 84106. Please, no phone calls. info@utahrivers.org.

Executive Director – The Cascade Forest Conservancy seeks a passionate ED to lead our forest protection, conservation, education and advocacy programs. www.cascadeforest.org/get-involved/employment/.

Stewardship Coordinator – Seeking motivated individual to build statewide land trust stewardship program. Visit nmlandconservancy.org.

Executive Director, HawkWatch International – We are seeking an experienced dynamic leader for a growing conservation organization; \$65,000-\$75,000 salary, plus benefits; see job description and apply at hawkwatch.org/executive-director.

Experiential Education Intern/Assistant – Actively introduce students to experiential education, outdoor recreation and sustainability while engaging and challenging them to learn and participate in these diverse opportunities. Room, board, salary, starts August 2019. Contact: joel.barnes@wasatchacademy.org.

Chief Operating Officer/Deputy Director – Friends of Cedar Mesa seeks a skilled nonprofit leader to play a crucial role in protecting the greater Bears Ears landscape. Experience working with government land managers, passion for public lands, financial management, and diplomacy skills are key. Salary \$45,000-\$60,000 DOE. Apply at friendsofcedarmesa.org/hiring.

Mountain Studies Institute (MSI) in Durango and Silverton, Colo., is hiring three staff. Please visit mountainstudies.org/careers for Associate Director, Development and Engagement Director, and Forest Program Associate descriptions and application instructions.

Executive Director – The Flathead Lakers are seeking a dynamic, self-motivated and proven leader to be our next Executive Director (ED). 406-887-2166. tomcoxmt@gmail.com <https://flatheadlakers.org/>.

Director of Business Development and Sales – Borderlands Restoration, L3c, is the founding organization of the Borderlands Restoration Network. Borderlands Restoration Network (BRN) is both an independent public charity and a collaborative of five organizations working to build a regional restoration-based economy in the U.S.- Mexico Borderlands. We are looking for an energetic entrepreneur to take responsibility for developing and executing business and marketing plans to commercialize more sustainably produced products developed by our collaborative. This position has primary responsibility for the development of products, markets, and sales contributing to the realization of a restoration economy. Email cover letter stating your interest, relevant knowledge and experience, and your most recent résumé with at least two references who are most familiar with you, your work and ability. Send to rgpbiophilia@gmail.com. More information at <https://www.borderlandsrestoration.org>.

Seeking an Executive Director to lead an organization that funds projects in national parks. Major gift fundraising and public lands experience critical. Position description and application details at peopleinparks.org.

Northern Rockies Regional Director Visit our website for full description and to apply. No phone calls, please. NPCA is an EOE. <https://www.npca.org/about/careers>.

Executive Director – The Blackfoot Challenge, a renowned collaborative conservation organization in Montana, seeks our next ED. blackfootchallenge.org.

Staff Attorney, Alaska – Earthjustice is hiring for a Staff Attorney. https://app.jobvite.com/j?cj=oL7H9fws&s=HighCountry_News.

HOME AND GARDEN

Western Native Seed – Specializing in native seeds and seed mixes for Western states. 719-942-3935.

MERCHANDISE

Lunatec Hydration Spray Bottle – Clean off, cool off and drink. Multiple spray patterns. Better than you imagine. Try it. www.lunatecgear.com.

PROFESSIONAL SERVICES

Expert land steward – Available now for site conservator, property manager. View résumé at: <http://skills.ojaidigital.net>.

PUBLICATIONS AND BOOKS

The Book of Barley – Collector's item! The story of barley, the field crop; 50 years of nonfiction research. www.barleybook.com.

The most comfortable wallet you'll ever own.



Rogue Front Pocket Wallet
in American Bison Leather. \$55

Back pocket wallets are poorly designed - they're bulky, uncomfortable and easy to have stolen. So at our little leather shop in Maine, we reimagined the wallet and what it could be.

We started with a new design that was slim, secure, and shaped for your front pocket. We put the finest American leathers in the hands of our craftsmen and women. And we ended up with a wallet you'll want to carry for a lifetime. Not everyone cares about well-made leather goods. But if you're the type of person who does, we're glad you found us.

Rogue Industries

rogue-industries.com | 800-786-1768

#AmericanWestFuture

Your support fuels
the engagement of young
– and not-so-young –
Westerners through
in-depth and fact-based
journalism.

Donate online at hcn.org/1904ad,
call our office toll free at 1-800-905-1155

Or mail a check to
P.O. Box 1090, Paonia, CO 81428.

High Country News

For people who care about the West.



Photo by campact/CC via Flickr

Profound eco-memoir is a vivid answer to how we can find our place in the world

“... her text exudes a deep love and respect for the world around her. Simply put, *Here Is Where I Walk* is a breath of fresh air.”
—Foreword Reviews

UNIVERSITY OF NEVADA PRESS

HERE IS
WHERE
I WALK

EPISODES FROM A LIFE IN THE FOREST
BY JULIE CARL ROBERTS



Maria's Bookshop
DURANGO, COLORADO

GROW MORELS
MOREL HABITAT KIT*
CREATE A PERENNIAL MOREL GARDEN IN YOUR OWN BACK YARD
\$32.95 + \$8.65 S/H

ORGANIC INDOOR MUSHROOM KITS
AS EASY AS GROWING A POTTED PLANT
Shiitake, Oyster & Pom Pom

ORGANIC MUSHROOM PLUGS
LOG & STUMP INOCULATION
Shiitake, Maitake, Lion's Mane, Ganoderma & Oyster

(970) 829-7381
www.gmushrooms.org
GOURMET MUSHROOM PRODUCTS
P. O. BOX 515 HCN19 - GRATON, CA 95444
Visa - Discover - Master Card - American Express

REAL ESTATE FOR RENT

Coming to Tucson? Popular vacation house, furnished, two bed, one bath, yard, dog-friendly. Contact Lee at cloler@cox.net or 520-791-9246.

REAL ESTATE FOR SALE

Qualify for California industrial hemp license? Former Northern Sierra winery, with 2,208-square-foot commercial building, big lot, room to expand. ron.lunder@gmail.com or call 530-256-3233.

40-acre Lamborn Mountain Retreat, Paonia, Colo. — One-of-a-kind gem borders public lands/West Elk Wilderness. Privacy, creek, spring, irrigation, access. \$265,000. Info at <https://hcne.ws/LambornMT> or call 970-683-0588.

Energy efficient — Unique custom home in Sangre de Cristo Mountains of Colorado near La Veta Pass. Three-bed, two-and-one-half bath, private gated park, two hours from Taos, N.M. Contact: karin81089@gojade.org or 719-379-3442.

TOURS AND TRAVEL

COPPER CANYON, MEXICO — Ten-day tour from Los Mochis airport. Two nights El Fuerte, train, two nights canyon rim hotel, five nights camping. 520-324-0209, www.coppercanyontrails.org.



13th ANNUAL AMAZING EARTHFEST

May 12-18, 2019
Kanab, Utah

Celebrate And Explore America's National Parks, Forests, Monuments And Public Lands

Southern Utah's Premier 7-Day Festival of Discovery, Arts and Adventure!

www.AmazingEarthfest.org
AmazingEarthfest



CELEBRATE
the
EARTH

Give the gift of a growing knowledge of the West.

This Earth Day, help others make sense of what's happening in our world by getting an in-depth look at the ways our land, species and people are adapting in the new American West. Gift an essential resource to those who care about the earth and its inhabitants.

Print Gift Subscription
\$33/year

Digital Gift Subscription
\$24/year

Visit hcn.org/earth-day for more info.

High Country News

Learn Your Craft. Elevate Your Art. Inspire the World.

Western Colorado University's low-residency
Graduate Program in Creative Writing offers an
MFA and M.A. with five concentrations:
Nature Writing, Poetry, Genre Fiction, Screenwriting
for Film and Television, and Publishing.



WESTERN
COLORADO UNIVERSITY

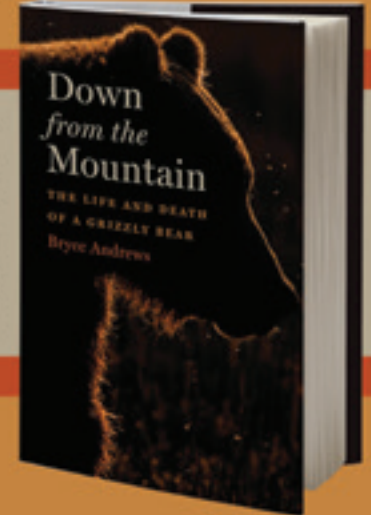
MFA, M.A. IN CREATIVE WRITING

www.western.edu/gpcw

*"Down from the Mountain will sear
its beauty and sorrow into your soul."*

—ELISABETH TOVA BAILEY,
author of *The Sound of a Wild Snail Eating*

The story of a grizzly
bear named Millie: her
life, death, and cubs, and
what they reveal about the
changing character of the
American West



"This book is by turns heart-
breaking and hopeful, even
while it zings along with the
high-stakes pace of a thriller."

—MALCOLM BROOKS,
author of *Painted Horses*

ON SALE NOW
hnhbooks.com

hnh
HMH

To **MOM** with love

Give Mom an inspiring gift subscription to *HCN*!

Print gift
subscription
\$33^{yr}

Digital gift
subscription
\$24^{yr}

Visit hcn.org/mom or call
1-800-905-1155 for more info.



High Country News





Kiowa writer N. Scott Momaday finally gets the film he deserves

Kiowa author N. Scott Momaday speaks with director Jeffrey Palmer. Also on set is Palmer's father, Gus Palmer, a Kiowa linguist and author. COURTESY OF YOUNGSUN PALMER

In the new documentary *Words from a Bear*, there is a scene in which the subject of the film, N. Scott Momaday, hangs on for dear life from the side of a tall cliff, somewhere in the outer regions of the Southwest. He is frightened, wondering if he will survive. There is no one around to help him. He then finds himself at the bottom of the cliff, alive, with no idea how he got there. Was it a fever dream? Did he somehow block out his fear and struggle safely to the bottom without remembering? Neither the viewer nor Momaday is ever quite sure. And that is fitting: After getting to know the man through the course of the film, you come to understand that Momaday himself resides in the liminal space between reality and dream.

Jeffrey Palmer's authoritative documentary is the first feature-length film about the life and work of prolific Kiowa author and artist N. Scott Momaday, the only Native American writer to win the Pulitzer Prize in fiction. Here we finally gain insight into a well-known and widely respected writer who is taught in Native American literature programs across the country, yet has never gotten the visual biography he deserves. This glimpse into the life of Momaday, an Indigenous intellectual powerhouse, portrays him as arguably the most important part of the first Native American literary renaissance of the late 1960s and early '70s. One can't help but wonder: What took so long for us to get a documentary of this magnitude on Momaday? It could be that the material was simply waiting for the right director (and fundraiser). Here we

have a subject that is at once historical and contemporary.

Palmer deftly intersperses Kiowa history and culture with Momaday's musings on life and art. It's not an easy timeline to navigate, and a lesser director might have had trouble with the story. "There's things in there that are definitely Kiowa," said Palmer. "But there's things in there that can be sort of crossed, and people can get what they want out of the film." Palmer, a Kiowa citizen himself, understands that to know Momaday, one must know Kiowa culture as well. The two are intertwined: Although Momaday grew up at Jemez Pueblo in New Mexico, he was born near the heart of Kiowa country in Lawton, Oklahoma. Like previous generations, he was a migratory man.

Palmer makes good choices in his talking-head interviews. There is a focus on Momaday's colleagues, writers and thinkers like Muscogee Creek poet Joy Harjo, Acoma writer Simon Ortiz and Oklahoma writers such as Rilla Askew. Notably absent are any interviews of white anthropologists or Native American "experts" in the field of Indian things. It makes a big difference when you have a Kiowa filmmaker making a film about a Kiowa subject.

An interesting, perhaps little-known side of Momaday is revealed: He is also a painter. Momaday lovingly speaks of his mother being a writer, but he also fondly remembers watching his father paint. It makes sense that he would do both. But Momaday is not content with merely creating "traditional" types of Kiowa art.

"A lot of my paintings, I hope, are disturbing," Momaday says. While his father painted in the traditional, flat painting style of the Kiowa 6 — an influential group of Kiowa artists who worked in the early 20th century — Momaday moves away from their strict realism with its emphasis on tribal regalia, anatomy and realism, and instead chooses to live and create in the threshold spaces on canvas. Anthropological documentation of traditional dress is not involved. Momaday's work is a more modernist, abstract expressionist style, reminiscent of Luiseño painter Fritz Scholder. "Realism is overrated," Momaday, ever the dreamer, says with a sly smile.

Words from a Bear doesn't tackle *House Made of Dawn*, the Pulitzer Prize-winning book that made Momaday a literary sensation, until well after the second half of the film. "I had something in me that I wanted to express," Momaday says of the novel, about the struggle of a young Native World War II veteran reconnecting to his community. It's a simple phrase, yet when you hear him say it in the documentary, it makes perfect sense. After hearing Momaday recite prose from the beginning of the book, accompanied by imagery of a young Indian man running on a reservation in New Mexico, one wonders what a film adaptation might look like.

Interestingly, especially in today's polarized political community, Momaday makes a point of saying that he resists obvious political associations in his work. He did take part in the occupation of Alcatraz, so he is no political pushover — far from it. But he has no interest in writing about political matters. In the documentary, Momaday says that his preference is for "literary matters." This is in contrast to many of today's Indigenous creatives and artists, who tend to directly attack the status quo, creating work in protest of land and water rights issues. Momaday has never done this and still chooses not to. "I think that everyone has their own way of dealing with the matters that we deal with," Palmer observes.

In *Words from a Bear*, Jeffrey Palmer shows us a man who has devoted his life to the poetics of living and creating. Here is a man who lives in the space between dream and reality — a man who understands how important it is for all of us to know where we come from, and how meaningful it is to understand what our place in the world is, even if we are hanging from a cliff. These are not small things to ponder. Long after watching the film, I am still pondering them. □

Jason Asenap is a Comanche and Muscogee Creek writer and director (and an occasional actor) based in Albuquerque, New Mexico.

We shouldn't celebrate the killing of a mountain lion

NEWS
COMMENTARY
BY BETH PRATT

I split my time between living outside Yosemite National Park and in Los Angeles. That I have the chance to see mountain lions in both places provides me with unending awe, and with hope: If a mountain lion can live in the middle of Los Angeles, wildness and wild things just might have a future on this planet after all.

I recently received a message about a famous cougar named P-22 that calls Los Angeles home, together with a well-known photo of the animal and the headline, "Man Says He Killed Mountain Lion After It Attacked Him on Colorado Trail." At first, I took issue with the case of mistaken identity. In fact, P-22 is a model of coexistence, a predator that has lived in the second-largest city in the country since 2012 without threatening any of the 10 million people a year who recreate in Griffith Park — the lion's own backyard.

As I learned more about the incident, though, I quickly became less concerned about P-22 being accused of crimes he didn't commit, and more about the pervasive and inaccurate frame of the story, which vilified the mountain lion — celebrating a bloodthirsty predator receiving justice in an against-all-odds heroic contest of man vs. beast. As I dug deeper, I discovered that most of the stories ignored the fact that the cougar in question was not even an adult, though the photos from almost every media outlet I saw showed fully grown lions, sometimes snarling, threatening-looking ones for dramatic effect. In fact, the animal was likely a starving youngster that weighed about 40 pounds and perhaps was not yet mature enough to even be independent from its mother. For perspective, I posted on Facebook a photo of myself with a kitten of the same size — Sam, Project Survival's Cat Haven resident mountain lion.

I don't question the right of the runner to defend himself against attack. But let's be clear: This was not an adult animal targeting human prey; it was a hungry kitten resorting to desperate tactics. I am very glad the runner survived, and that fact should be celebrated. Yet I am also saddened that so many needed to celebrate the resulting death of the cat. As one of the commenters on the Facebook post I shared so aptly observed, can we look at this incident as unfortunate rather than remarkable?

As someone who works in wildlife conservation and deals with mountain lions, I want to disrupt the prevailing narrative of this story. I think it does a disservice to everyone involved, and indeed can even threaten public safety. Vilifying mountain lions (or runners) serves no one. It's important to educate the public about the real risks of wildlife encounters, and the most effective measures people can take to minimize the chance of an attack. Portraying cougars as man-eating animals that will attack at any moment only causes unneeded hysteria.

Most encounters between wildlife and people end without incident. In fact, most Americans' encoun-

ters with mountain lions occur without us even being aware of our brushes with these majestic creatures.

Mountain lion attacks are extremely rare. If public safety is a concern, wild animals should be far down on the list of what we should fear. For example, automobiles cause on average over 3,000 deaths each year in California. Meanwhile, mountain lions have killed just three people since 1986, in a state with a population of 40 million.

These statistics don't diminish the tragedy when a person is killed or injured by a lion, but it puts the risk in perspective. Living in lion country is much safer than living in car country.

Why do we keep perpetuating this feud between wildlife and people, encouraging unwarranted fear? I am not asking us to judge or condemn either party. Instead, let's rewrite the headline: "Man kills immature mountain lion in self-defense, after starving animal attacked him." For wildlife to have a future in our increasingly human-occupied spaces, we need to start regarding wild animals (even predators), not as foes, but as Henry Beston calls them: "Other nations, caught with ourselves in the net of life and time, fellow prisoners of the splendor and travail of the earth." □

Mountain lions have killed just three people since 1986, in a state with a population of 40 million. These statistics don't diminish the tragedy when a person is killed or injured by a lion, but it puts the risk in perspective. Living in lion country is much safer than living in car country.



Beth Pratt befriends Sam at Project Survival's Cat Haven in Dunlap, California. Sam is roughly the size of the juvenile mountain lion recently killed by a jogger in Colorado. COURTESY OF BETH PRATT

Beth Pratt, author of *When Mountain Lions Are Neighbors: People and Wildlife Working It Out in California*, serves as the California regional executive director for the National Wildlife Federation.

WEB EXTRA

Read more from all our commentators at www.hcn.org

We welcome your feedback. Send letters to editor@hcn.org

Three decades after the *Exxon Valdez* oil spill, Alaska's coast faces an even bigger threat



MICHAEL LIONSTAR

NEWS
COMMENTARY
BY CHARLES
WOHLFORTH

With the blustery wind of an overnight storm still blowing, our helicopter bucked and lurched above rows of froth on Alaska's Prince William Sound. Swift-marching ranks of waves were driving oil away from the *Exxon Valdez*, the supertanker still held by a rock it had hit three days earlier.

For those three days in March 1989, the oil — at least 11 million gallons of it, though some say much more — had lain like a still pool around the ship, virtually untouched by cleanup efforts. Now the storm clawed the oil across the sound's tracery of rocky islands, into their infinite crevices, and ultimately over more than 1,000 miles of rich coastal wilderness.

We landed on the first rocky beach we reached. Oil was ankle-deep. Our pilot pulled a dead cormorant out of the black muck. I stuck my hand into the oil, and my colleague, a photographer at the newspaper where I was a young reporter, took a picture.

As the 30th anniversary of the *Exxon Valdez* oil spill clicks by, I had the disquieting experience of seeing that photograph again. This time, it was displayed as a historic icon. Like a piece of the Berlin Wall, which fell the same year, it belongs now to the story of the past.

Except the story isn't over. Indeed, the tragedy of that coastal Alaska paradise is only deepening as it enters another, even darker act.

Experts at the time said a comeback would take decades, but that the spectacular biological wealth of these waters would return if given the chance, without another oil spill to knock it down. What they didn't anticipate was a much larger, more diffuse threat. Changes brought by human emissions of carbon dioxide — warming and acidifying ocean waters — have proved as destructive as the spill, and they will not disperse, as the oil eventually did.

In my 20s, I reported on the futile and ultimately destructive \$2 billion beach cleanup demanded by an enraged public and paid for by Exxon, at that time the world's third-largest company. I watched scientists and volunteers gather dead wildlife, filling freezer trucks. Hundreds of thousands of seabirds died, whole flocks of them rolled up into windrows on remote beaches by the sticky, emulsified oil.

Now that has happened again, this time without the oil, as long, stinking piles of dead seabirds wash ashore, apparently having starved in anomalously warm Northern waters that no longer produce abundant fodder. But this time, on winter days at remote beaches, visitors are scarce and news coverage has been local and scant.

The climate crisis is too large, too diffuse, and is hitting too many places at once — everywhere, really — to produce the outrage that exploded when lovely animals choked on Exxon's oil. That spill was a singular, discrete disaster for the sound. But the carbon dioxide in the atmosphere just keeps increasing every year.

Thirty years ago, I first made my mark as a

writer describing oiled tide pools where, in better times, we used to discover intertidal organisms to study, play with, and eat — we would pick a pot of mussels to steam over a beach fire. Some tidepools were smothered by oil; others remained clear under a sickly sheen, but poisoned, the creatures within blanched.

Now, tidepools where I took my children have emptied again. Within the last few years, all the sea stars of this Alaska coast sickened and dissolved into slime — all of them — victims of a disease that apparently moved north because the water had warmed.

Where a small rocky island hosted a blizzard of nesting birds, spring is quieter now. In another generation, perhaps the spot will not be known as a seabird colony at all.

That's how it has gone with the herring. In the sound, their spring spawn created a joyous circus of life, as birds, marine mammals and other fish fed on astounding, flashing schools that were miles long. The males' milt clouded the sea. They seemed to fertilize the entire coast.

But after the oil spill, herring began showing up with deformities. A few years later, they didn't come back. Thirty years later, they still have not returned in numbers adequate for a fishery, or to feed those crazy collections of wildlife that used to gather for the spring feast.

Why didn't the herring come back? Ecosystems confound simple questions. Where are the mussels and sea stars? Can all this be repaired? Can we get back the abundance of my youth, or the greater abundance of generations before me?

We cannot know what will live on these shores 30 years from now. Nature always changes and always adapts. But one lesson seems clear: Under the assault of repeated destabilizing shocks — an oil spill, a changing climate — natural systems become poorer.

A rich, complex community of life established on these shores after ice receded 10 millennia ago. It probably takes a period of stability that long for the relationships of a many-channeled food web to develop. At my life's halfway point, I've watched this place long enough to see how human errors and appetites could break its system of life, and to feel the urgency of addressing the carbon crisis, which I believe will happen. But the dream of recovery, climate stability and a newly healthy ecosystem — that vision may lie beyond the horizon of living generations. □

The climate crisis is too large, too diffuse, and is hitting too many places at once — everywhere, really — to produce the outrage that exploded when lovely animals choked on Exxon's oil. That spill was a singular, discrete disaster for the sound. But the carbon dioxide in the atmosphere just keeps increasing every year.

Writer Charles Wohlforth, a lifelong Alaska resident, began his career in a small coastal town before covering the *Exxon Valdez* oil spill disaster for the *Anchorage Daily News*. He is the author of 12 books.

WEB EXTRA

Read more from all our commentators at www.hcn.org

We welcome your feedback. Send letters to editor@hcn.org



WHY BUILD WHAT WON'T LAST?

To make the most durable work denim possible, we turned to the strongest lightweight fiber in the world.

The newest addition to the Patagonia Workwear line, our Steel Forge Denim blends 92% organic cotton with 8% Dyneema®, a fiber that's light enough to float on water but 15 times stronger than steel. It's used in crane slings, tow ropes and anchor cables, and now it's helping us fuse a traditional fabric with advanced technology to build a more durable material that will withstand years of demanding work.

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



Dyneema content more than doubles the fabric's tear strength, and the organic cotton is Texas-grown

Hammer loop and large drop-in utility pockets hold small tools and larger phones

Double-fabric knees accommodate knee pads, with bottom openings that allow easy cleanout

Dyed with natural indigo grown in Tennessee, replacing petroleum-derived synthetic dyes

Men's
Steel Forge
Denim Pants

patagonia®

MONTANA

It seemed like an open-and-shut case. In Walkerville, Montana, a suburb of Butte with just 675 residents, someone fired a high-caliber rifle and struck the home of Renee Neary, hitting the building just inches from a window in a room where two people had been standing. The near miss was enough to alarm some neighbors, so they asked the town to include Walkerville in a county “no-shooting zone” that covers most of Butte and some of the surrounding area. Town officials agreed, noting that some people were shooting deer on other people’s property, making the mix of shooters and homes “dangerous,” reports the *Montana Standard*. Maybe so, but at a public hearing on the matter, the council encountered loud opposition. “People moved out to the country for a reason,” said Shawn Coates, one of 30 crammed into the town hall — “the most people we have had at a meeting since 1976,” according to Mayor John Ries. Shane Hollingsworth added that he needed to shoot coyotes and foxes, and that his nearest neighbor was 11 football fields away. “I chose to live in the country to do country things,” he said, and a woman agreed, shouting: “If you don’t want to hear bullets whizzing about, why the hell are they living out here?” Hoping to damp down the outbursts, Ries said, “I don’t know of any incorporated city in Montana that doesn’t have a (no-shooting) zone. It has become a safety issue.” And ban supporter Dan O’Keefe pointed out that he won’t let his twin boys shoot deer on their property because “that’s not hunting; that’s shooting a damn pet off your porch.” The argument raged for an hour until the council agreed to table the issue. “It’s possible they will just leave everything the way it is,” said the mayor.

CALIFORNIA

Lake Elsinore, a town of 66,000 just over an hour from Los Angeles, was invaded by some 50,000 people during this spring’s golden poppy “super-bloom.” At first, the town’s chamber of commerce ballyhooed the event, telling the *Los Angeles Times* that the “hills are just covered with millions of poppies. It’s ‘on,’ as they say.” But after “Disneyland-size crowds” arrived, Lake Elsinore tried frantically to shut down the celebration. “We know it has been miserable and



CALIFORNIA Another hazard to add to the list of climate change dangers. KARLA ARENS

has caused unnecessary hardships for our entire community,” Mayor Steve Manos said. “One of our employees was hit and run over by a driver. A rattlesnake bit a visitor. Residents have been screaming at the people directing traffic.” The *Washington Post* said that videos shared by Manos “showed rows of cars stuck in traffic on the highway as far as the eye could see.” Even worse, said the mayor, was the weather forecast, which called for more rain, meaning: “More flowers. The rain’s gonna be like vitamins for these poppies.”

COLORADO

Mabel Nesmith, who just turned 110 in Littleton, Colorado, remembers breaking her arm trying to hand-crank her Model T; she also recalls the thrill of seeing television for the first time in a store window. Nesmith, who has seven great-great-grandchildren, told the *Denver Post* how much she loves jewelry — “I was in a quandary: What to wear, silver or gold?” — and that she not only adores football, she would “kill for” it. Her only medical problem is arthritis. Her secret? “Live to the fullest, every day.”

WYOMING

Moose can run up to 35 mph and swim up to 10 miles without stopping, but in Jackson, Wyoming, in mid-March, some of them preferred to spend their days “lunching at McDonald’s, napping in front yards and stubbornly sticking to plowed and compacted trails and roads.” The animals, which can weigh as much as 1,800 pounds, behaved in a calm and dignified manner — if you didn’t try to boss them around. “Our advice,” said the state Game and Fish Department’s Kyle Lash, “is that (people) go around the moose if there is a way around.” Lash told the *Jackson Hole News & Guide* that any attempt to force a moose to mosey on down the road tends to backfire, “and then you have an angry moose running down the street, which could be dangerous for other people.” But with the snow more than two feet deep, moose found themselves stranded in town, causing residents to barrage wildlife officials with complaints: “There’s a moose in my yard that won’t leave and I don’t know what to do.” Lash recommended patience: “We’re just trying to ask the public for some acceptance of them being there.”

UTAH

Former San Juan County Commissioner Phil Lyman does not believe he has a “heightened moral obligation” to pay off the \$96,000 he owes the public for damaging a canyon rich in Native American archaeological sites, even though he’s now a state representative. According to the Associated Press, federal prosecutors want him to pay \$500 a month in restitution instead of the current paltry \$100. That still gives him until 2034 to pay off the \$90,000 he still owes for the illegal 2014 ATV ride he led through the canyon. Lyman told a judge that the government’s request revealed a conspiracy involving environmentalists and even worse — “jiggery pokery.”

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.



High
Country
News

For people who care about the West.

High Country News covers the important issues and stories that are unique to the American West with a magazine and a website, hcn.org. For editorial comments or questions, write *High Country News*, P.O. Box 1090, Paonia, CO 81428 or editor@hcn.org, or call 970-527-4898.

U.S. \$5 | Canada \$6

