

A RIVER'S RIGHTS | DISEASE AT SEA | SMOKE SIGNALS IN RETROSPECT

High Country News

For people who care about the West

WHERE
HUNTING
STILL HAS
MEANING



WHERE HUNTING STILL HAS MEANING

Arrow Lakes Band tribal member Rick Desautel scouts for game on ancestral Lakes lands in what is now British Columbia, Canada. ANNA V. SMITH

On the cover

Moonlight reflects across the still waters of the Columbia River where Kettle Falls once roared. It was the most important fishing location for the tribes of the upper Columbia before the construction of Grand Coulee Dam erased it.

JOE WHITTLE
FOR HIGH COUNTRY NEWS

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Editor's note

The power of hunting

Some 11.5 million people in the U.S. went hunting in 2016. That may sound like a big number, but it represents just a small fraction of the population — about 4%. And it's likely that even fewer people will pick up a bow or a rifle this year: The 2016 tally was the lowest it's been in at least two and a half decades, according to a survey on hunting, fishing and wildlife viewing conducted every five years by the U.S. Fish and Wildlife Service.



Yet hunting holds a broader significance than those numbers alone suggest. There are pockets of the West where people rely on hunting and fishing to procure enough food for themselves and their families. And even in places where grocery stores, restaurants or other alternatives abound, hunting remains relevant — yes, as a source of organic, free-range meat, but also as a powerful tool that can be put to many uses, such as asserting the fundamental rights of a nation.

That's what Rick Desautel, a member of the Arrow Lakes Band of the Colville Confederated Tribes who lives in Washington, was doing when he shot an elk nine years ago. As Assistant Editor Anna V. Smith writes in this issue's cover story, Desautel was hunting on land his forebears never surrendered to another nation, in what is now Canada. Canadian officials deemed the hunt illegal, having declared the Arrow Lakes Band "extinct" in 1956; Desautel's hunt defied this determination.

Indigenous nations have long used their hunting and fishing rights, codified in treaties with other governments, to protect their natural resources and affirm their sovereignty. Desautel killed that elk where he did to force the Canadian government to reckon with his right to hunt ancestral lands, and to treat the Arrow Lakes Band as a nation-state.

Hunting has other meanings, of course. Elsewhere in this issue, we consider this: how, even when a hunt doesn't go as planned, it can facilitate a deep connection with the non-human world; and how, even when the hunt itself is unsurprising, it can act as a reminder of the risks both humans and animals face as diseases spread across the landscape. We also examine the world of high-dollar trophy-hunting tags, which generate hundreds of thousands of dollars for state wildlife agencies and a commensurate amount of controversy.

Ending the life of another being is a profound act, and exploring the meaning behind that act is a worthy endeavor, even for the 96% of Americans who don't participate in hunting. Establishing your rights and identity, providing food for your family, finding your place in the natural world — these are deeply human activities that each of us pursue in some way. Perhaps reflecting on the motivations that unite hunters and non-hunters can inject a needed bit of empathy into all of our lives.

—Emily Benson, associate editor



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Aerial view of Shasta Dam.

ROBERT CAMPBELL,
CC VIA FLICKR

THE LATEST

Backstory

For decades, agricultural and municipal **water districts have sought to raise the dam containing California's largest reservoir, Shasta Lake**, to capture more water as it flows out of the Cascade Range through the McCloud, Pit and Sacramento rivers. Some in Congress and the Trump administration's Interior Department have given the project renewed consideration, though environmentalists have long rallied against it, and state officials contend that it would violate California law. It is also opposed by the Winnemem Wintu Tribe, whose members were forced out during the dam's construction; they say even more ancestral land would be swallowed up. ("Interior revives the push for a higher Shasta Dam," *HCN*, 6/11/18).

Followup

In a recent turn of events, according to *E&E News*, the Westlands Water District announced in early October that it is **halting its environmental study of raising the height of Shasta Dam**. The study was meant to evaluate the environmental impacts as well as assess whether the project was worth the investment.

KALEN GOODLUCK

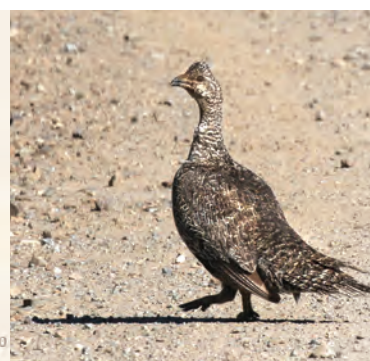
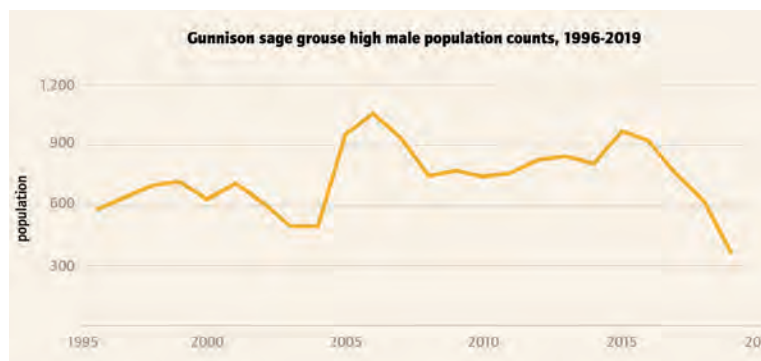
Amid climate chaos, a grouse population plummets

An increasingly erratic climate is threatening the Gunnison sage grouse. A dry winter and spring in 2017-'18 and a long, frigid winter the following year decimated chick survival rates. Now, the population count sits at the lowest since counts began in 1996. Things are only expected to get worse, and local, state and federal agencies are struggling to help. The Gunnison sage grouse is listed as "threatened" under the Endangered Species Act, but the climate crisis may result in an "endangered" listing for this ponytailed bird, resulting in more stringent federal

oversight. Conserving and maintaining the bird's wetland habitat also requires combating invasive cheatgrass. Between habitat loss and worsening climatic conditions, the grouse is at risk of a possible "extinction vortex," according to Western Colorado University professor Jessica Young: "Extreme environmental conditions coupled with a lack of genetic diversity can increase the vulnerability of small populations, causing a rapid spiral to extinction."

NICK BOWLIN

Read more online: hcne.ws/sage-grouse-climate



COLORADO PARKS AND WILDLIFE, LEFT; ALAN SCHMIERER, CC VIA FLICKR

“For too long, sacred Native American sites and items have been damaged and stolen by those who faced little to no consequences.”

— Rep. Tom O'Halleran, D-Sedona, after hearing that Finland will release Hopi and Navajo ancestral remains that have been held in a museum there for almost 130 years. O'Halleran — whose district includes both Navajo and Hopi lands — is a co-sponsor on the Safeguard Tribal Objects of Patrimony Act, aimed at returning tribal items.

HARRISON MANTIS/CRONKITE NEWS Read more online: hcne.ws/ancestral-remains-returned

Video



EMILY KINSKEY

“I’d see the sun shining through the window onto the stairs. I would say ‘I want to go out, at least to see the light.’ But no. I wouldn’t see the sun except to take out the garbage.”

—“Itzel,” an undocumented worker who was forced to work for an El Paso family for four years without a day off. A new report shows 50% of undocumented workers are asked to do different work than they were hired to do, 25% were threatened, and nearly 20% were physically pushed or hurt.

EMILY KINSKEY AND
ANNA CLARE SPELMAN

Read more and see the video online:
hcne.ws/ticket-to-deportation

Trending

BLM head: ‘What I thought, what I wrote, what I did in the past is irrelevant.’

When William Pendley, the Bureau of Land Management's acting director, sat down to answer questions at the Society of Environmental Journalists conference early October, he refused to talk about his history of climate denial and denigrating immigrants. "What I thought, what I wrote, what I did in the past is irrelevant," Pendley said. "I have orders, I have laws to obey, and I intend to do that." Pendley has compared climate change to a "unicorn" because "neither exist," and, in 2007, he said undocumented immigrants were "spreading like a cancer" in a fundraising mailer for his legal fund resurfaced by CNN. CHRIS D'ANGELO AND ALEXANDER C. KAUFMAN/HUFFPOST VIA CLIMATE DESK

You say

COLLEEN MATSON: "It is not irrelevant. Even if you have changed since then, what you did in the past contributed to who you are today. Do not disavow it, unless you are so ashamed of it you want to re-write history."

STEPHEN DENNEY: "Like in Orwell's novel 1984, when it was Winston Smith's job to send such matters down the memory hole."

DEBRA KLINNE: "The best predictor of future behavior is past behavior."

Read more online:
hcne.ws/thought-wrote-past and
Facebook.com/highcountrynews

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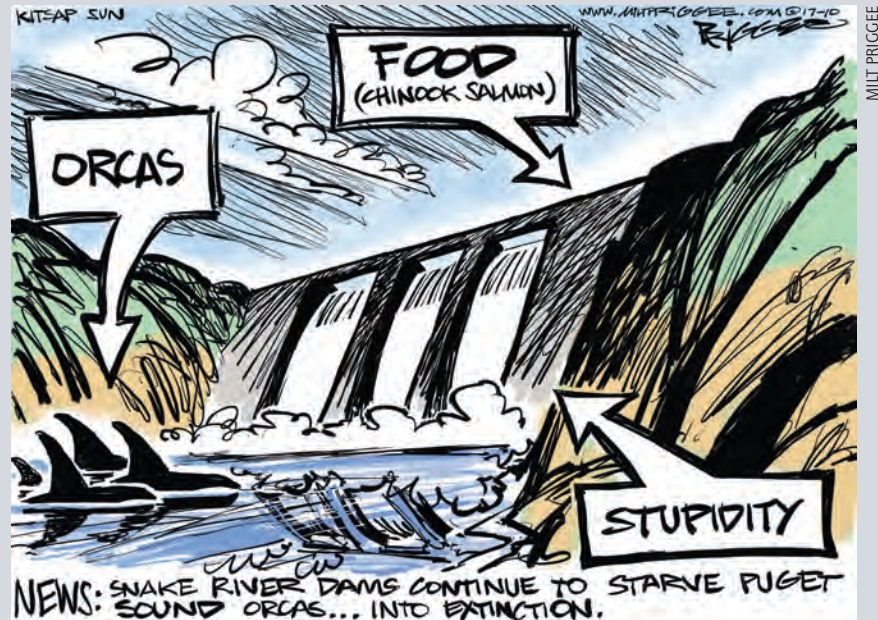
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SNAKE RIVER DAMS

Thanks for this important article on the shifting politics of the movement to breach the four Snake River dams in southeast Washington ("Courts can't keep salmon from the edge of extinction," *HCN*, 10/14/19). It needs to be added, however, that the court-mandated National Environmental Policy Act, or NEPA, review, a draft of which is expected in February 2020, will absolutely not recommend breaching the dams. As described by the Save Our wild Salmon coalition: "This process is being badly manipulated — with pre-determined outcomes, skewed analyses, and significantly limited opportunities for public input." This has been confirmed in several ways: "(1.) NOAA spokesperson admits that FEIS outcomes have been determined. Aug. 20, 2019. (2.) Federal agencies' announce deeply flawed EIS (environmental impact statement) alternatives, including a failure to address climate impacts or impacts on endangered orca. May 16, 2019. (3.) Council on Environmental Quality's letter to members of Congress omits mention of salmon, emphasizes a 'commitment to water infrastructure'. May 14, 2019. (4.) Trump administration directive to compress EIS timeline — Oct. 23, 2018. And (5.) the EIS will ignore the public's support for protecting Snake River salmon and southern resident orcas from extinction."

This is vitally important information for your readers and anyone interested in trying to protect and restore Snake River salmon and southern resident orcas from extinction.

But there is another way to get the dams breached. The Army Corps of Engineers has complete authority to breach the dams, without awaiting permission from Congress or any new EIS. The dams continue to be operated under the Army Corps' 2002 EIS, by which the commanding general can, at any time, issue a record of decision to declare the dams nonoperational, (for operating at massive losses and not providing any irreplaceable services), and breach the earthen berms beside each dam, within months. The Army Corps is happy with the status quo, however, and needs to be told to breach the dams by the public and by an alliance of elected officials. Rep. Mike Simpson, R-Idaho, is in a good position to help arrange such an alliance, but needs at least one courageous Washington official to join him. So our challenge is to convince at least one U.S. representative from Washington state, and/or our senators or governor,



all of whom have so far remained silent, to contact Rep. Simpson to offer to help. Or let the Snake River salmon and southern resident orcas go extinct.

Howard Garrett
Freeland, Washington

TREAT ALL FIREFIGHTERS EQUALLY

Editor's note: Pablo Aguirre received this letter from his brother, Francisco X. Aguirre, a participant in Arizona's Inmate Wildfire Program, who asked him to share it with High Country News. This letter has been edited for length and clarity.

Thank you for highlighting the heroics and challenges of imprisoned Arizona wildland firefighter crews in your recent article ("From Prison to Fireline," 8/5/19). We are presently lobbying Arizona House Rep. Walter Blackman, chairman of a House ad hoc committee "tasked to ... study, gather input, and develop recommendations regarding the earned release credit (ERC) system for prisoners ..." to introduce and sponsor legislation that would make imprisoned wildland firefighters eligible for ERCs. Currently, we serve at least 85% of our time. Similar legislation in other Western states allows wildland firefighters to earn one day of credit per two days served, serving 50%. The wildland fire program for Arizona prisoners was started in 1984 and is composed of 13 crews, including an all-female crew from Perryville, and Phoenix One, an ex-inmate crew based out of Apache Junction. At any given time, there are between 250 and 350 inmates working

as wildland firefighters. On average, each crew responds to between 18 to 22 fires and prescribed burns per year.

As wildland firefighters, we perform the same functions and are exposed to the same dangers as any other civilian crew. We must complete and pass the same physical and classroom requirements as any civilian wildland fire crew. Imprisoned wildland firefighters make \$1 per hour for "project work," like prescribed burns or firewising, and \$1.50 per hour when dispatched to a wildland fire. Why do inmates join the wildland fire crew? Here are some of the answers provided in an informal survey of Florence's fire crew (spoiler alert: It is certainly not for the pay): character building, discipline, physical and mental challenges, prison prestige, time away from the prison environment, helping the community, redemption, diversity, learning new skills, future career opportunities, an outdoor lifestyle, helping the environment, dignity. Since its inception, the wildland fire program has changed inmates' lives and resulted in lower recidivism, personal transformation, better and broader post-prison job opportunities, personal growth, facilitated re-entry, and made our communities safer. Legislation that would provide earned release credits for imprisoned wildland firefighters will enhance the quality of recruits and reward those who risk their lives to make our communities safer.

Francisco X. Aguirre
Wildland firefighter, Florence, Arizona
Earned Release Credits Committee

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The Klamath River now has the legal rights of a person

In tribal court, cases can be brought on its behalf

BY ANNA V. SMITH

This summer, the Yurok Tribe declared rights of personhood for the Klamath River — likely the first tribal nation to do so for a river in North America. A concept previously restricted to humans (and corporations), “rights of personhood” means, most simply, that an individual or entity has rights, and they’re now being extended to nonhumans. The Yurok’s resolution, passed by the tribal council in May, comes during another difficult season for the Klamath; over the past few years, low water flows have caused high rates of disease in salmon, and canceled fishing seasons.

With the declaration, the Yurok Tribe joins other Indigenous communities in a growing Rights of Nature movement aimed at protecting the environment. Last year, the White Earth Band of Ojibwe adopted the Rights of Manoomin to protect wild rice — *manoomin* — and the freshwater sources it needs to survive in Minnesota. And in 2017, the New Zealand government adopted the Rights of the Whanganui River, stemming from a treaty process with Māori iwis, or tribes, that gives the river its own legal standing in court. “By granting the rights of personhood to the Klamath River, not only does it create laws and legal advocacy routes, but it’s also an expression of Yurok values,” says Geneva Thompson, associate general counsel for the tribe and citizen of the Cherokee Nation, who worked on the resolution. “The idea is that the laws of a nation are an expression of the nation’s values.”

The Yurok resolution draws inspiration from the Rights of Manoomin, as well as the United Nations Declaration on the Rights of Indigenous People, which

enshrines the right of Indigenous people to conserve and protect their lands and resources. Legal personhood provides a different framework for dealing with problems like pollution, drought and climate change, though no case has yet been brought to put the Whanganui, Manoomin or Klamath rights to the test in court. The crucial aspect to establishing these legal frameworks, Indigenous lawyers say, involves shifting relationships and codifying Indigenous knowledge — in other words, recognizing non-human entities not as resources, but as rights-holders.

“From New Zealand to Colombia, the powerful idea that nature has rights is taking root in legal systems,” says David Boyd, U.N. special rapporteur on human rights and the environment, of the Yurok Tribe’s resolution. “We must no longer view the natural world as a mere warehouse of commodities for humans to exploit, but rather a remarkable community to which we belong and to whom we owe responsibilities.”

In essence, the Yurok resolution means that if the river is harmed, a case can be made in Yurok tribal court to remedy the problem. Currently, says Yurok Tribe General Counsel Amy Cordalis, laws like the Clean Water or Endangered Species acts can be used to protect rivers by addressing symptoms of problems like diseased fish or pollution. But the Yurok resolution seeks to address the river’s problems directly and holistically, including the impacts of climate change. “You’re working towards making the river whole again,” Cordalis says.

In December 2018, the White Earth Band of Ojibwe and the 1855 Treaty Authority, an organization that upholds treaty rights for Chippewa bands, established legal personhood for wild rice.

The resolution draws from the Rights of Nature — an international concept that argues that nature should have the same rights as humans — and is the first law to recognize legal rights of plant species. The rights spell out that within White Earth and other Chippewa ceded territories, wild rice has “inherent rights to restoration, recovery and preservation,” including “the right to pure water and freshwater habitat,” the right to a healthy climate and “a natural environment free from human cause global warming.” Frank Bibeau, executive director of the 1855 Treaty Authority and a White Earth tribal member, says the rights are an extension of Ojibwe treaty rights both on and off the reservation. And they may soon be put to the test — the proposed crude oil Enbridge Line 3 pipeline, which requires state approval, would cross into off-reservation areas where manoomin and freshwater sources are.

“The idea of having legal avenues to address the harms of climate change is an important next step as legal systems adapt to the climate crisis.”

The resolutions give tribal nations new legal strategies for use in court, especially in regards to climate change: “The idea of having legal avenues to address the harms of climate change is an important next step as legal systems adapt to the climate crisis,” says Thompson at the Yurok Tribe. And they also encourage a change in mindset, says Maia Wikaira, an environmental law attorney who worked with the Yurok Tribe’s legal team, and a member of the Ngāti Tūwharetoa, Te Rarawa and Ngāpuhi tribes of New Zealand. As tribal nations establish rights for nonhumans, it creates an opportunity for states to follow suit, and incorporate the concept into their own court systems. “It’s another example of where long-held Indigenous perspectives and association with the natural world are not only being embedded within our legal system — they’re being seen in popular environmental movements as an innovative way forward and a necessary step,” Wikaira says. “So, old is new again.”

Rights of nature have already been established in Colombia, Ecuador and India, with varying success, and have also appeared in non-Native communities in the U.S. In Ohio this February, voters passed a law — which is already being challenged — granting Lake Erie personhood rights. An attempt in 2017 by Coloradans to force the state to grant the Colorado River rights of personhood collapsed after the state threatened possible sanctions against the lawyer behind the case.

Now, Thompson says, the relationship between the Yurok Tribe and the Klamath River is reflected in the tribe’s law. “It shifts the conversation, and it shifts the value system, because you see the environment has a right to be clean and protected for the environment’s sake.” □

The Klamath River runs through Redwood National Park, California. The Yurok Tribe passed a resolution seeking to protect the river from harm by granting it the same rights as a person. DON WHITE/ALAMY



Antibiotic resistance is spreading among marine mammals

A new study of seals and porpoises in the Salish Sea shows how antibiotic-resistant bacteria proliferate in coastal waterways

BY JANE C. HU

About half of the 28 seals tested in the Salish Sea harbored antibiotic-resistant bacteria.

IAN MACRAE YOUNG/ALAMY

One Friday afternoon in August, Stephanie Norman was performing a routine necropsy, hacking away at the remains of a large, pneumonia-stricken harbor seal, when she nicked herself with the scalpel. She thought nothing of it until she woke up Sunday morning. “My finger was this big around,” she said later, making a circle the size of a silver dollar with her thumb and index finger.

Norman, a veterinary epidemiologist, examines stranded seals and porpoises in the Salish Sea for antibiotic-resistant bacteria. Despite her injury, she rushed to the airport to travel to a research conference. But on the flight, her symptoms worsened: “The biologist sitting next to me said, ‘Do you know that you’ve got a red streak going up your arm?’” So, after she landed, Norman sought help at an urgent care clinic. Knowing her infection could be resistant to antibiotics, she was nervous.

Each year, around 2 million people in the U.S. develop antibiotic-resistant infections, and 23,000 of them die as a result. Scientists need to understand how resistant bacteria travel to control their spread, but that path is far from

straightforward. To illuminate the pathways among humans, pets, and livestock to wild animals, researchers must collect samples from a variety of species, including those that live in the ocean.

But sampling marine animals, especially wild ones, is hard. Taking a swab from a creature’s body requires removing it from the water, which disturbs the animal and requires significant time and effort. As a result, there are only a handful of studies on resistant bacteria in wild marine animals and resistant bacteria, leaving scientists with an incomplete picture of how superbugs spread in coastal waterways.

To remedy that, Norman is enlisting help from volunteers who respond to stranded marine mammals around the Salish Sea. They take samples from fresh dead seals and porpoises, which are analyzed for resistance to 16 antibiotics. They bring some carcasses to Norman for necropsies, which provide clues about the animals and their potential exposure to resistant bacteria: what they ate, how they died and any contact they may have had with human-made materials, like fishing lures.

Resistant bacteria might also be latent in the water, partly due to the aquaculture industry’s use of antibiotics. The FDA has authorized three antibiotics to treat ailing fish, which are related to medications

also used to treat humans. The treatments, dumped into the water directly or via fish food, easily disperse from open pens; a 2013 study estimated that 80% of aquaculture medications make their way into the greater environment. These trace amounts stimulate the growth of resistant bacteria by killing off all but the hardest strains. Those bacteria can then afflict wildlife and sometimes even find their way back to land, infecting humans. In Washington, studies from as early as 1992 show resistant bacteria proliferating around commercial Atlantic salmon pens.

Other potential sources include sewage, agriculture and stormwater runoff. Tracking superbugs in the ocean as well as on land will provide a clearer picture of how they spread and perhaps suggest ways to minimize transmission. Norman’s test results will be entered into the archives at ARMADA, a nonprofit organization building a database of antibiotic-resistant gene data for researchers. Evgeni Sokurenko, a University of Washington microbiologist on the organization’s advisory board, said this information could help researchers stop bacterial outbreaks before they start. “If you imagine bacterial strains as criminals, what we’re doing is creating a database of these criminals so they can be caught, and (we can) figure out where they’re coming from,” he said.

So far, Norman and her team have collected samples from 28 seals and 10 porpoises. About half carried resistant bacteria, while a sizable portion — half the porpoises and a quarter of the seals — also harbored what Sokurenko calls “nightmare bugs”: bacteria that are resistant to more than one antibiotic, and thus less treatable by the medications doctors and vets typically use. These strains were resistant to ciprofloxacin and third-generation cephalosporins, medications commonly used to treat a wide range of infections in humans. That’s “quite unusual for wildlife,” said Sokurenko.

Norman’s goal is to sample 130 marine mammals by the end of the year. One project can’t unravel all the intricacies of how antibiotic-resistant bacteria spread, but Norman hopes her samples yield some answers. After all, ocean health and human health are inextricably linked, she said. “It’s a two-way street.”

Her finger infection in August drove this home. At first, Norman didn’t know which bacteria was the culprit — just that it came from an ill seal that may have harbored resistant bacteria. “Wow, that’s concerning,” the clinic nurse told her. Together, they decided on two antibiotics, hoping at least one might work: a shot of cephalosporin and a course of doxycycline. A week later, the seal’s lab results came back: It was a type of resistant *E. coli*, which, luckily, was not resistant to doxycycline — and Norman’s finger was healing nicely. □

Jane C. Hu is an independent journalist who writes about science, technology and the outdoors. She lives in Seattle. [@jane_c_hu](#)

The price of a top-dollar trophy tag

Exclusive hunts draw cash — and controversy

BY LEVI PULKKINEN

Eight days after he killed an elk nicknamed “Bullwinkle” in a hayfield east of Ellensburg, Washington, Tod Reichert had some explaining to do. Again.

Over at least two decades, the south-west Washington business owner spent hundreds of thousands of dollars buying the exclusive hunting licenses he used to kill more than 100 elk. His license for the Ellensburg hunt, a “governor’s tag” auctioned to fund elk-related conservation efforts by state wildlife managers, cost him \$50,000.

On that hunt in the waning days of fall 2015, Reichert had hoped to stay out of the spotlight and quietly kill a trophy elk. But the bull Reichert shot — in an area the Washington Department of Fish and Wildlife had closed to hunting — was

something of a local pet. Neighbors were incensed that Bullwinkle was gone and questioned the fairness and legality of the hunt. Hunters unable to shell out for pricey hunting tags feared Reichert would kill a second gigantic elk before they could shoot one themselves.

Reichert’s hunt laid bare the economics undergirding wildlife management across the West. State wildlife agencies are largely funded by taxes and fees tied to hunting and fishing, most of which don’t amount to much for ordinary hunters and anglers. But trophy hunters willing to spend big to hunt exactly when, where and what they want demonstrate what happens when that system is taken to its extreme. While the revenue high-dollar trophy hunting generates pays for recovery efforts that help game species flourish, it also binds wildlife managers to a style of hunting that most Americans, and even many hunters, find distasteful.

The fee-based framework supporting America’s state wildlife agencies stems from historic wildlife mismanagement. By the late 1890s, wanton slaughter by recreational hunters — coupled with commercial hunting for valuable meats and hides, often aimed at culling species sustaining Native peoples — had devastated North American ecosystems. Hunter and angler dollars were tapped to launch a wildlife management scheme that allowed some species, particularly game species, to rebound. The system persists today: About 59% of the \$5.6 billion spent annually by state wildlife departments comes from fees and taxes paid by hunters and anglers.

About three decades ago, agencies began issuing special hunting tags that turn a handful of hunts into revenue engines. Some tags are sold at auctions conducted for species-specific hunter organizations like the Rocky Mountain Elk

*Please see **Trophies**, page 19*

Levi Pulkkinen is a Seattle-based journalist specializing in law and justice issues in the Pacific Northwest. [@levipulk](#)



About 59% of the \$5.6 billion spent annually by state wildlife departments comes from fees and taxes paid by hunters and anglers.

High-dollar trophy hunting contributes to species recovery efforts, but most people in the U.S. don't approve of the practice.

HELEN H. RICHARDSON/
DENVER POST VIA
GETTY IMAGES

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Clockwise from left, *Mary Retrack Wells, 1986. Reminiscence: Portrait with my sister, 1980. Artifact, 1976.* ANNE NOGGLE/COURTESY OF MUSEUM OF NEW MEXICO PRESS

FLIGHT OF SPIRIT: THE PHOTOGRAPHS OF ANNE NOGGLE, By Marta A. Shawn, ed. 160 pages, hardcover: \$45
Museum of New Mexico Press, 2019

Anne Noggle was born in Evanston, Illinois, in 1922. In her mid-teens, she saw the legendary aviation pioneer Amelia Earhart and persuaded her mother to let her take flying classes. She joined the Women Airforce Service Pilots, or WASPs, during World War II and achieved the rank of captain. After the war, she turned to odd jobs, working as a flight instructor, aerial circus performer and crop duster. At 38, suffering from emphysema, she retired from flying and studied photography in Albuquerque, New Mexico.

Flight of Spirit: The Photographs of Anne Noggle collects 82 of her remarkable black-and-white images, most of them portraits of aging women. She often turned the camera lens on herself, documenting what she called “the saga of fallen flesh” in the female face and body with respect and a touch of wry humor. Her photographs express the conflicts of aging in a beautiful, bold and honest way. **JOLENE YAZZIE**

Jars of jam and a lot of joy

It’s getting cold here in Colorado, both at our Gunnison, Colorado, satellite office and our Paonia headquarters, and we both had our first snow — at least a very light sprinkling of white — in early October. Still, autumn is holding on, and the quaking aspen are scattering lovely gold across the surrounding hillsides.

Things have been busy for our dispersed editorial staff, even by *High Country News* standards. Associate Editor **Emily Benson**, Assistant Editor **Carl Segerstrom** and intern **Helen Santoro**, all from our West-North Desk, got together in Missoula, Montana, in early October for a public-lands conference at the University of Montana’s law school. Carl and Helen even got to take a trip up to Lolo Pass to learn about wildfires and geology.

HCN was well represented at the mid-October Society of Environmental Journalists conference in Fort Collins, Colorado. Editor-in-Chief **Brian Calvert**, Associate Editor **Maya L. Kapoor**, Assistant Editor **Anna V. Smith**, Contributing Editor **Josh Zaffos** and **Kalen Goodluck**, our editorial fellow, attended and spoke on a range of panels. Meanwhile, in sunny St. Petersburg, Florida, Associate Editors **Emily Benson** and **Paige Blankenbuehler** attended the Poynter Journalism Institute’s Leadership Academy. The training gathered promising leaders in journalism — people like our own Emily and Paige — who returned with new skills for working effectively with reporters.

Back in Gunnison, reader **Alan Rose** stopped by the office with a grim message: *HCN*’s journalism, while excellent, often makes him sad. Then, later on, he returned with a postcard

that read: “*High Country News* Folks — Your writing is not depressing. Being informed is power.” That encouraging postcard now hangs in our office. The best part? He gave us three jars of homemade jam. Two of them are plum and one is an “experimental variety,” according to Rose. It bears the label “BIRuGi.” We’re still trying to figure out what that means.

Warren and Teresa Carlson from Utah visited the Paonia office just days after attending our “On the Road to Salt Lake City” event, where they joined 100 other enthusiastic people for food, drink and conversation about the region’s important issues. And longtime readers **Gil and Barb Cerise** visited from Seattle, joined by another faithful subscriber and supporter, **Edna Loehman**, from Denver. Gil and Barb shared fond memories of an expedition they took with *HCN* in 2017 to Bears Ears National Monument.

And last, but most certainly not least, **Jolene Yazzie**, our dear editorial intern, just got married to **Hannabah Blue** in Lupton, Arizona, Jolene’s hometown, with a beautiful reception the next day in Upper Fruitland, New Mexico, where Hannabah grew up. Family members and friends from all over attended for mutton stew and lots of merrymaking. Congratulations, Jolene and Hannabah, from all of us at *HCN*!

We have a correction, from “California’s contradictions embody the West,” (*HCN*, 9/2/19): Tuolumne, both the county name and the name of the local Tuolumne Band of Me-Wuk Indians, is spelled Tuolumne, not Tuolomne.

—Helen Santoro, for the staff



Indigenous Affairs Desk members
Kalen Goodluck, Tristan Ahtone, Anna V. Smith and Graham Brewer surround **Jolene Yazzie and Hannabah Blue.** HCN STAFF

Desautel's Decision

In 2010,
Rick Desautel
shot an elk.
Now, he's
fighting
to prove his
tribe still
exists.

IN THE EARLY MORNING HOURS of an October day in 2010, Rick and Linda Desautel left their hunting camp on traditional Sinixt lands near Vallican, British Columbia, and drove to the steep, thickly forested hills a few miles away. After the road faded to gravel, they turned left at a blue Valhalla Provincial Park sign, and continued to climb. At seven in the morning, Rick spotted a cow elk and a calf down a steep embankment, standing among the shrubs about 100 yards away. They rolled to a stop off the road and crept back toward the elk. Rick raised his Mauser 98 bolt-action rifle, aimed down the hill, and shot the elk.

Six years later, in a courtroom in Nelson, British Columbia, Desautel described his relationship to the area like this: "When I come up here, I'm walking with the ancestors. ... It just runs chills up and down me that I can be where my ancestors were at one time, and do the things that they did." Desautel, a member of the Arrow Lakes Band, descendants of the Sinixt, bent to work dressing the carcass: He pulled out the heart and liver, then quartered the meat.

Linda sweated up and down the hillside, a packboard heavy with a hundred pounds of elk strapped to her back, the climb slippery with frost. After loading up the truck, the two went back to camp to hang up the white cloth game bags, full of meat and spotted with blood. Then they drove until they had cell reception, called the game wardens and told them what they'd done.

The Canadian government had declared the Arrow Lakes Band "extinct" in 1956, after the death of the last known member in Canada. But just south of the U.S.-Canada border, Arrow Lakes Band members were alive and well on the Colville Reservation in Washington, where the Desautels live. The planning behind the hunt had been in the works for years — some would say decades — and it was a strategic attempt to force the

Canadian government to recognize the Arrow Lakes Band's right to hunt and, by extension, its tribal sovereignty.

To the Arrow Lakes Band, what Rick Desautel had done was a ceremonial hunt on land his ancestors had never ceded to the Canadian government. But to Canada, it was a crime. Although the charges eventually brought against Desautel were for hunting, at the heart of the case is something bigger — whether or not Canada will have to recognize the Arrow Lakes Band as a modern First Nation, acknowledging their right to hunt and use their traditional lands. If Desautel loses, it means the Lakes will remain, in the government's eyes, "extinct."

THE CONFEDERATED TRIBES of the Colville Reservation are composed of the Arrow Lakes Band and 11 other tribes from the region, who share a 1.4 million-acre reservation in Washington state. To go forward with the hunt, the tribal council representing the 12 bands had to agree to support it, and the court case they knew would follow. For months leading up to the 2010 hunt, tribal officials spoke with their British Columbian counterparts and with wildlife biologists, explaining their plans. The Canadians continued to insist that Arrow Lakes Band people did not "presently exist" in the province. The tribal representatives, who had expected as much, responded that they were going ahead with the hunt regardless.

Afterward, prosecutors charged Rick Desautel with hunting without a license and hunting as a non-resident of Canada. (Linda Desautel was not charged.) He pled not guilty.

Desautel's case is unique because the Lakes are, as far as they know, the only First Nation to receive an explicit declaration of "extinction." But his case, if it succeeds, means that other tribes cut off by the U.S.-Canada border with Aboriginal ties to the land could make a First Nations claim, too, even if their

members aren't Canadian residents. And that would require Canada to consult with those nations if any activity or development could impact their traditional lands. The right to own, use and control ancestral lands is enshrined in the United Nations Declaration on the Rights of Indigenous People. Canada announced its full support of the U.N. declaration in 2016, the same year Desautel's case went to trial, as "Canada's commitment to a renewed, nation-to-nation relationship with Indigenous peoples."

During the trial, Desautel and other Arrow Lakes Band members listened while experts debated their existence in Canada. The judge ruled in favor of Desautel on March 17, 2017. But the B.C. government has since appealed twice, most recently to the Supreme Court of





Canada, which has yet to decide if it will hear the case. During his preliminary hearing, Desautel recalls, an interim court lawyer told him, “You’re going to go to the Supreme Court with this case, you know, but when you do get there, you’re going to be an old, old man.” Well, Desautel laughs now, at 67, “I’m starting to believe him.”

RICK DESAUTEL WAS ABOUT 10 years old the winter he went on his first deer hunt. He’d been trapping small animals for years already, rambling the pine woods and grassy meadows around his grandmother’s house in Inchelium, on the Colville Reservation, with his brother Tony. They’d shoot ground squirrels and grouse with a .22-caliber Remington rifle and bring the meat home. But the deer hunt was something else — it was a rite

of passage. “When that day comes, it’s mind-shaking,” Desautel said.

Since his dad had died when Rick was young, it was Tony who took him out, borrowing a .25-35 lever-action rifle from the neighbors. The pair pushed through seven inches of snow, up to a ridge about 15 miles from home, when two mule deer jumped out about a hundred yards away. Rick aimed for the buck, but he hit the doe instead, bringing her down. “When it’s your first deer, it’s distributed with the community. None of it is ever kept,” Desautel said. “Everything that you kill is gone; deer hide, deer head, deer hooves, deer meat.” But, he added, you get the honor, “and glory.”

As a former game warden for the Colville Tribes, Desautel is used to testifying in court in cases involving poachers or drug smugglers. As in his everyday

life, he’s consistent and unflappable on the stand. He has a deep knowledge of Colville Reservation lands, and has spent most of his life outside: 23 years as a logger on top of a lifetime of trapping and hunting. He’s survived half a dozen falls through ice in the winter and getting caught in a beaver trap. In 2006, while still working as a game warden, he shot down a floatplane smuggling \$2 million worth of drugs onto the reservation. As a wild animal damage control officer — his current title — part of his job involves removing wildlife, “whether it be bats in your attic, elk in your field, bear on your porch.” At the direction of the tribal council, Desautel also carries out ceremonial hunts for community events. And he’s hunted in Sinixt territory over the Canadian border since 1988.

Rick and Linda Desautel live in a

The U.S.-Canada border crossing next to the Columbia River was once a primary canoe traffic corridor for Indigenous nations. It lies within unceded Sinixt territory.



Linda and Rick Desautel sit outside their home near Inchelium, Washington, as Rick describes his legal battle and his adventures as a hunter, trapper and game warden.

tidy log cabin on 40 acres of land, with a view of a meadow and Twin Lakes in the distance. In August, golden grasses shush in the breeze while sunflowers nod along the road. Linda grew up in Omak, three mountain passes to the west, just over the bridge from the reservation's border. Now a school custodian, she's also been a stay-at-home mom as well as a corrections officer. Together they've fostered fawns, hawks, eagles and other wildlife. People too; even after raising six kids, they're always providing for more.

They've also been partners in resistance. In 1988, Arrow Lakes Band tribal members got word that the construction of a road near Vallican, B.C., in Sinixt territory, was going to affect Sinixt graves. A caravan of people went to Vallican to block the road; including the Desautels and their kids. In the end, the road was built and the graves relocated to a property called the Big House, which the Arrow Lakes Band bought as a home base in their ancestral territory. But had the Arrow Lakes Band been a recognized First Nation, the result may have been different.

That was the first time Desautel had the chance to talk with a whole community of Lakes people, standing together for a purpose. At the same time, he got

to see the lands that generations before him had inhabited. "It infuriated me that people would desecrate graves and stuff like this here, and pick up their bones and move them," Desautel said. "I said, 'OK, I'm ready for it. I'll head up there and see what I can do to stop this.' And that's what I did."

INDIGENOUS PEOPLE have long employed hunting and fishing as a form of civil disobedience. It's been a critical method for getting courts and governments to recognize tribal nations' legal rights to land, water and wildlife — even freedom of religion. In the 1960s and 1970s, tribal members in the Pacific Northwest, from the Nisqually Tribe to the Yurok Tribe, were beaten and arrested for salmon fishing in defiance of state laws that violated their treaty rights. Their actions resulted in multiple victories in the U.S. Supreme Court, reaffirming their right to fish. And more recently, in 2014, Clayvin Herrera and several other Crow tribal members shot and killed three bull elk without a license off-reservation in the Bighorn National Forest in Wyoming. The state charged Herrera with poaching, but a Supreme Court decision in 2019 upheld the Crow Tribe's rights to hunt on "unoccupied lands of the United States," in

accordance with its pre-statehood treaty with the federal government.

In Canada, important cases testing Indigenous rights include the 1990 decision in *R v. Sparrow*. In 1984, Ronald Sparrow, Musqueam, was arrested for deliberately using a fishing net twice as long as legally allowed. While lower courts found him guilty, the Supreme Court of Canada found that his ancestral right to fish was not extinguished by colonization and remained valid. "It's definitely a very common tactic to use in Canada, which raises a lot of interesting questions about having to break the law to get certain (First Nations) rights recognized," said Robert Hamilton, assistant professor of law at the University of Calgary.

Desautel is navigating the Canadian court system and the unique histories between Canadian federal and provincial governments and Indigenous nations. Early in Canada's history, throughout the 18th and 19th centuries, tribal nations on the eastern side of the continent signed treaties with the federal government. But as settlers pushed west, that stopped. As a result, First Nations in what is now British Columbia ceded almost no territory to Canadians. "The vast majority of the province is not covered by any treaty, and so the First Nations there have not

given up their rights to the land,” said Mark Underhill, Desautel’s attorney. “We’ve been wrestling for an extraordinarily long time to deal with those rights in large part because for many, many decades, the governments of the day, both federal and provincial, simply pretended they didn’t exist — that there were no such rights.”

That began to change with First Nations land claims — when tribal nations pursue legal recognition of their right to land and resources — which set the stage for Desautel. A landmark case brought by Nisga’a Chief Frank Calder in 1973 was the first time that the Canadian courts recognized that unceded First Nation lands exist. Another big change came in 1982, when Canada’s Constitution was amended to explicitly protect Aboriginal rights. That, together with other early court cases, resulted in a modern-day treaty process as an alternative to costly court proceedings. More than 25 treaties between First Nations and the Canadian government have since been negotiated over territory, water and other resources, with more in progress. Many First Nations are not participating, however, instead calling for an overhaul of the process.

Michael Marchand, a former Colville tribal chairman and Lakes tribal member who helped plan Desautel’s hunt, said that the Arrow Lakes Band were concerned that, as other First Nations in B.C. began to make land claims through the courts or treaties, its own claims could get edged out. But before the band could officially assert its ownership over its ancestral lands, it had to re-establish its legal presence as a First Nation.

The core of Desautel’s defense was the evidence that the Sinixt people inhabited the valleys and riversides around the Upper and Lower Arrow Lakes before Canada’s government existed. He and his legal team also demonstrated that their lifeways persisted throughout colonization, as Arrow Lakes Band members, and that they never ceded their Aboriginal rights. It’s been shown in court through Sinixt sturgeon-nose canoes, a main source of transportation before the Columbia River was dammed. It’s been shown through their place-based language and family trees. It’s been shown through the stories of Sinixt culture persisting, despite tribal members being killed by settlers and pressured out of their land, or swept off to boarding schools. It’s also been shown through Canada’s own laws: An 1896 law passed by British Columbia, for example, made it illegal for non-resident Indians to hunt. That is proof, said Underhill, of how many Indigenous people cut off by the border were continuing their way of life despite colonization.

One of the difficulties of the case is how few living tribal elders can speak to that history, because so many from that time have died. Still, the words they left behind remain influential. Shelly Boyd,

Arrow Lakes Band facilitator and tribal member, represents Lakes interests in Canada with community members and First Nations. She points to a series of letters that had a strong impact, written by Arrow Lakes members Alex and Baptiste Christian, her husband’s ancestors, and sent to Indian Affairs agents in 1909. The Christians requested that the agents reserve lands around Brilliant, British Columbia, for the Arrow Lakes tribal members. The areas contained graves and were their home prior to settlement. Instead, the agents sold them to someone else, and the bones were eventually churned up under settlers’ plows. “It was a really sad story,” Boyd said. But the mark that they left mattered. “They lived through a time where after all of their work and all of their sadness and all of their pain, they had to leave ... but those letters that they wrote, they helped us win this case.”

Desautel is matter-of-fact about the lawsuit, as he is generally about doing what needs to be done. The actual elk hunt itself was routine, much like the hundred or so hunts that came before it. When he turned himself in to the game wardens, he knew they were just doing their jobs. “If I let (the charges) pass, it’s going to go on to the next generation,” Desautel said. “I’m gonna throw out an anchor now. I mean, if it doesn’t hold and I go dragging on through life, my daughter or my granddaughter can come along later on and say, ‘Look here, my grandfather was doing this here. He was up here. He was doing this.’”

If the Supreme Court decides to hear the case and rules against Desautel, it would be the final say — period. “If we lose, we’re out of the game, we’re extinct,” Boyd said. Though 10 years younger than Desautel, Boyd knows him from growing up in Inchelium, where their grandmothers were best friends. She sees, and feels herself, what the land means to him. “He is risking something he loves very much.”

Regardless of the final outcome, Desautel will continue hunting in his ancestral lands in the years to come. If he loses, he shrugged, “They’re going to have to put handcuffs on me then.”

THE TRIAL PROGRESSED SPORADICALLY over four months. The early mornings and long days away from home wore Rick and Linda out, and court proceedings were often mind-numbingly boring; Linda joked that the prosecutors sounded like Charlie Brown’s teacher. In essence, the prosecution argued that the Sinixt people voluntarily left their lands, moving south to become farmers and abandoning their traditional lifeways, thus giving up their rights as a First Nation.

About halfway through the trial, Dorothy Kennedy, a leading ethnographer who documented Sinixt histories in the ’70s and ’80s, took the stand as an expert witness for the government. Despite her past work for the tribe and her conversations with Arrow Lakes elders, Kennedy

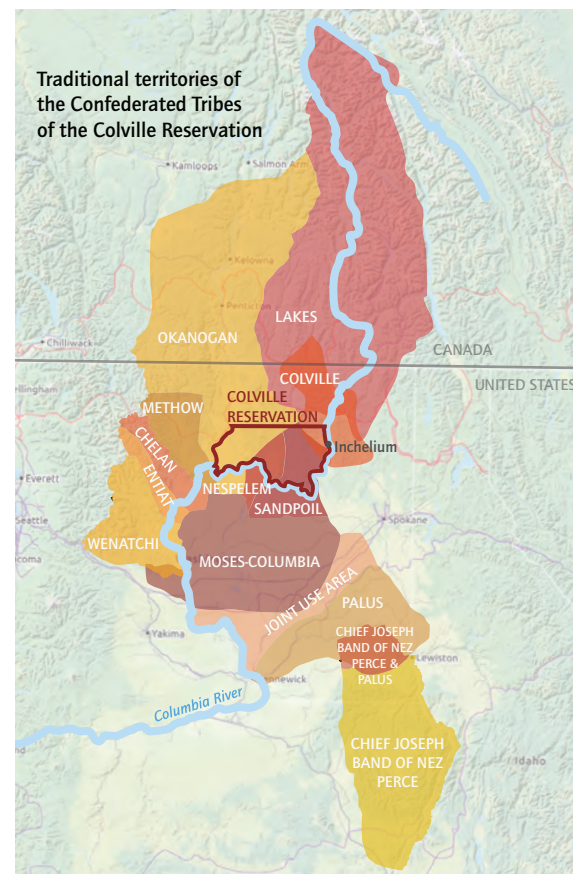
did not consider the Arrow Lakes Band a First Nation. Nor did she believe that the Sinixt experienced racism from settlers. Instead, she testified about “isolated incidents” of harassment that went “both ways” — because, she said, the Arrow Lakes were Americans in Canada, not because they were Indigenous. In the report she submitted to the court, she wrote that instead of “meekly fleeing settlement ... they enthusiastically took up a different lifestyle south of the border.” To Desautel and his team, it felt like a betrayal.

When Mark Underhill was hired by the Colville Tribe to take on Desautel’s case, multiple senior attorneys told him that they’d never win. But nearly four months after the trial finished, the judge found that Desautel was within his rights as an Aboriginal person to hunt within his ancestral territory. The courtroom, filled with Arrow Lakes tribal members and extended family, erupted in cheers and applause. So far, after two appeals, other judges have agreed with the first ruling. After the most recent one in March this year, from his office in Vancouver, B.C., Underhill called Rick and Linda on the phone at their home in Inchelium, and read the judge’s statement aloud on speakerphone. “(The judge) said some amazing things,” Linda said. “She made me cry.”

As long as the lower court ruling stands, the Canadian government now has a duty to consult with the Arrow Lakes Band concerning activities like logging and hydroelectric developments, or anything else that might impact their rights in the area. But there are also

“The vast majority of the province is not covered by any treaty, and so the First Nations there have not given up their rights to the land.”

*—Mark Underhill,
Rick Desautel’s
attorney*



SOURCE: THE CONFEDERATED TRIBES OF THE COLVILLE RESERVATION

"I grew up knowing I was declared extinct in Canada. As an 8-year-old girl, it's like, what? Dinosaurs are extinct. It is still really inconvenient for us to exist."

—Shelly Boyd, Arrow Lakes Band facilitator and tribal member

more intangible benefits of *Desautel*, as the decision has come to be known. "There's some kind of indescribable freedom to it," said Boyd. "I grew up knowing I was declared extinct in Canada. As an 8-year-old girl, it's like, what? Dinosaurs are extinct. It is still really inconvenient for us to exist."

DESAUTEL AND THE ARROW LAKES BAND are still waiting to hear if Canada's Supreme Court will take up the case; they could know by the end of this year. Despite the resolute language of the past three judges, the Desautels aren't assuming they'll win. "(We've) never felt totally confident," Linda said. "You're dealing with the government. I don't care who you are and what country you're in. Never feel confident of your government, especially Native people. We know." Still — Rick wants them to take up the case, to have Canada's highest court affirm his rights.

If the Supreme Court declines to hear the case, it ends in Desautel's favor. But if the court takes it up, the case could drag on for another year or longer. Already, as Arrow Lakes Band facilitator, Boyd's sights are set on what comes next for the tribe. They've reintroduced salmon to the upper Columbia River for the first time in almost 80 years and resumed canoe journeys using their traditional sturgeon-nosed canoes. Next, they're planning to re-establish the Sinixt language, Nsyilxcen, in their territory. And every fall, Desautel will continue to cross the northern border to hunt.

The hillside in British Columbia where Desautel shot the cow elk is overgrown now, nine years later — 20-foot-tall white pine, tamarack and western hemlock trees crowd out the view of Slocan Valley below. In late September, not far from there, he explored the steep draws and thick forests of Sinixt lands for signs of elk. Scouting for game with Desautel, the place comes alive even without any wildlife in sight. Faint prints of a bear cub crossing a road. Scat of a bigger bear from the morning, bright with berries. Torn tree bark from where an elk rubbed its antlers two weeks before. Alder saplings stripped of their leaves, a snack for a meandering moose. After a life lived outside, Desautel can read the forest's early autumn activity like a book he's paged through a hundred times before.

Desautel doesn't usually hunt until later in October, when the days are colder. For now, he's exploring — glassing the countryside with his binoculars, occasionally bugling for elk, searching for a spot that "looks elk-y." As he hiked back down to his red Toyota Tacoma, the shoulder-high fireweed released its seed tufts like a cloudburst, swirling in his wake. As he drove north, cresting over Strawberry Summit, Desautel looked out at the expanse before him. "This country is so vast," he said with a note of pride. "I've only checked out 1% of 1%, and I've got hunting rights as far as the eye can see." □



Anna V. Smith is an assistant editor for *High Country News*.

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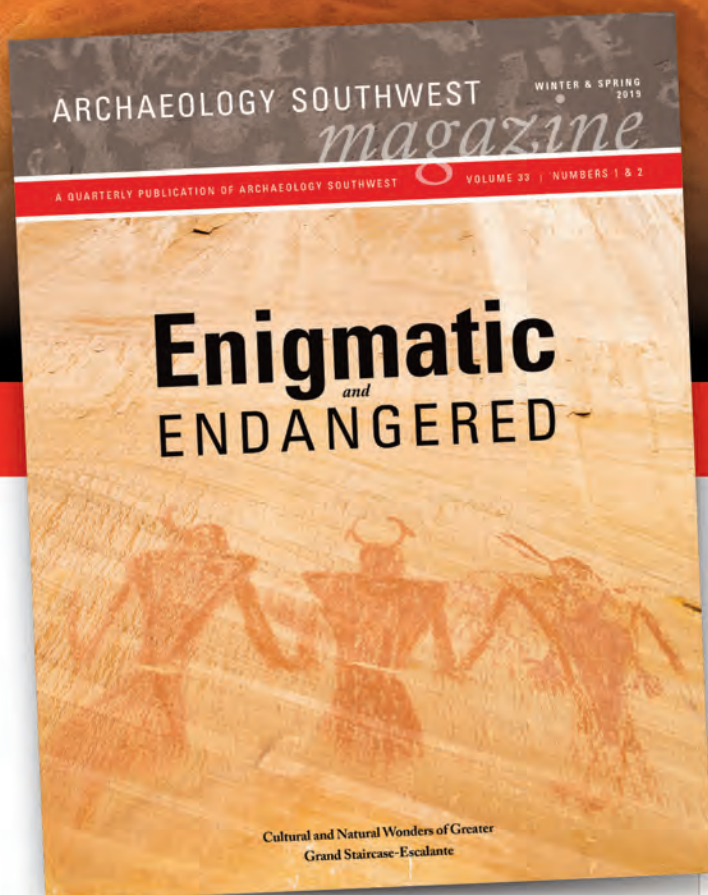


▲ Dakota Green and Sam Ankney (holding the fish) share in a salmon release as others look on.

◀ Elders Barbara Aripa, Bernadine Phillips and Veronica Redstar prepare necklaces for a celebratory giveaway after the salmon release.

A court case drags, but life goes on

On Aug. 16, members of the Confederated Tribes of the Colville Reservation gathered on the shores of the Columbia River to release 30 chinook salmon above Grand Coulee Dam. Those salmon are the first to swim above the dam since its construction blocked fish moving upstream nearly 80 years ago. The project is an example of the ongoing efforts of the Colville Tribes to preserve their sovereignty and cultures: Ceremony, prayer, songs and speeches welcomed the salmon back to the Upper Columbia. Tribal members gathered in a "bucket brigade" to pass each fish gently down the line from a tanker truck to the water in specially made rubber containers. Upon reaching the river, people took turns releasing the salmon so that many could have a hand in their return. The hope is that the fish will spawn and their offspring will pass downstream through the turbines of the dam while they are small enough to do so, then grow to maturity in the ocean and return, where they will be captured and transported above the dam to repeat the cycle. JOE WHITTLE



Enigmatic and Endangered:
Cultural and Natural Wonders of Greater
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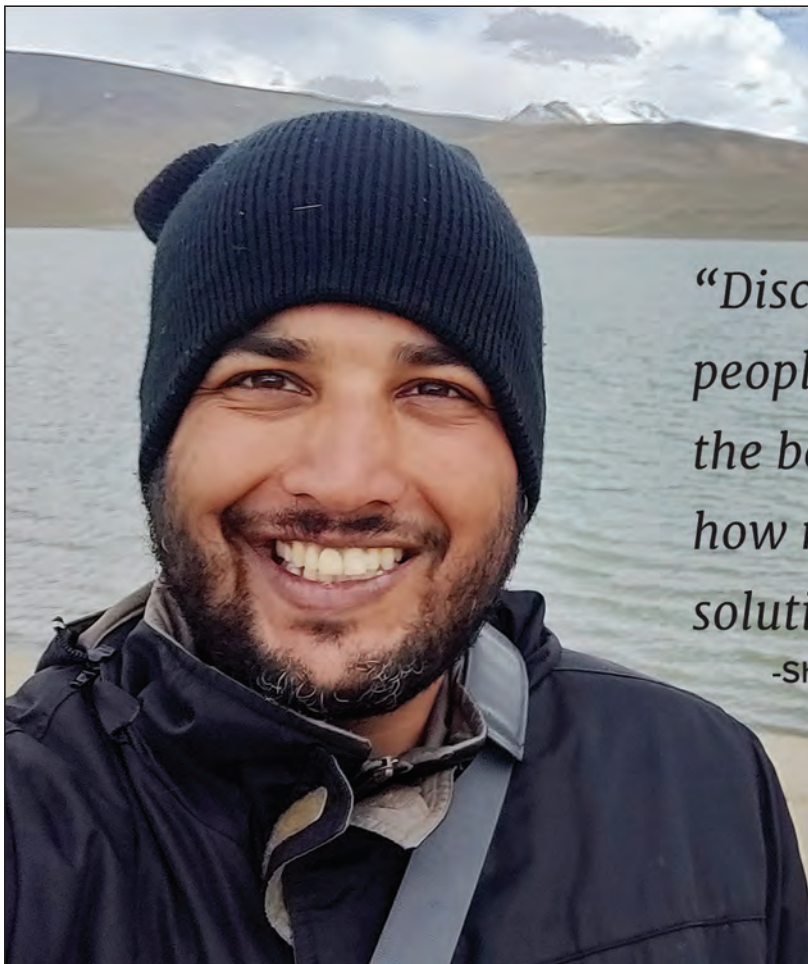


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Trophies *continued from page 7*

Foundation, which sold Reichert his tag. The organizations then return 75% to 90% of the revenue to the states to fund management of those species. Other tags are sold in raffles that often see a single hunter spend upwards of \$10,000 buying hundreds of tickets for a coveted tag.

The high-dollar tags fight a receding tide of revenue as the popularity of hunting fades. The number of Americans who hunt fell 16% between 2011 and 2016, according to a U.S. Fish and Wildlife Service survey, leaving state wildlife agencies increasingly dependent on trophy hunters willing to shell out. Thirteen big-spending hunters, for example, provided 10% of the revenue California collected selling 184,020 big game tags in 2018. Bighorn sheep permits issued everywhere from British Columbia to New Mexico regularly run into the six figures.

For 25 years, Washington has relied on revenue from auctioning or raffling off hunting tags for bighorn sheep, deer, elk, moose and mountain goat. While hunting opportunities abound in the state, hunters seeking permission to kill choice species in choice spaces — bighorn sheep most famously, but mountain goats, moose and large deer as well — must rely on either dumb luck or deep pockets. In 2018, nine high-cost hunting permits auctioned on Washington's behalf and 14 unlimited-entry raffles contributed \$847,000 to the department's \$15.4 million wildlife management budget. Washington issues just two permits in the state's premier hunt, bighorn sheep. One is awarded by a lottery that saw 6,734 tickets sold in 2018 at \$11.50 each; the other is auctioned off, often for over \$100,000.

General hunting seasons change the makeup of an animal population and can endanger its viability if not properly managed. But so few exclusive tags are issued that the deaths of those particular animals have a negligible impact on the health of a herd, said Anis Aoude, the Washington Department of Fish and Wildlife game division manager. "It's basically a way to gain revenue from that species to manage it," he said. "There's really not anything biological that goes into it."

Because state wildlife management efforts prioritize game species — the source of most of their funding — they tend to overlook creatures that aren't hunted or fished. Wildlife managers stress, however, that the species that do receive their attention do well in part because of the revenue generated by auctions and unrestricted raffles. Many species that wildlife viewers regard as part of the natural environment thrive mainly because of extensive management that includes painstaking tracking and counting of bighorn sheep by helicopter and the airborne reintroduction of mountain goats to areas where they were hunted out decades ago. "There are people that are challenging the notion of hunting. That it has no value, has no modern relevance," said Keith Balfourd of the Boone and Crockett Club, a hunters'

organization based in Missoula, Montana. "A lot of that is based on the belief that wildlife exists today because it's nature. ... None of that is reality anymore."

Trophy-hunting dollars help pay for high-profile recoveries in Western states. In Montana, record-setting bidding wars for bighorn tags underwrote a recovery effort that has helped the sheep rebound, Balfourd said. Similarly, Rocky Mountain elk had been wiped out in Washington until they were reintroduced in the 1930s as a game species. Since then, revenue from tag auctions has helped protect thousands of acres of elk habitat in Washington, including a 4,486-acre migration corridor west of Yakima that was moved into state ownership in August.

Still, a wildlife management system supported by trophy hunting is an awkward fit for a country that increasingly sees the practice as objectionable: Just a third of U.S. residents approve of it, according to a 2019 Association of Fish and Wildlife Agencies survey. And it's hard for those outside the hunting community to join in discussions about the practice, said Chelsea Batavia, an Oregon State University ecological ethicist who studies trophy hunting. The lines between hunting for food, culture or trophy blur as hunters' motivations don't cleanly fit in a single box. A hunter interested in feeding their family may display an animal's antlers; those hunting for trophies may give the meat to their guides to share with their communities.

When hunting practices are questioned, Batavia said, hunters tend to point to their self-prescribed ethical codes, which restrict the use of technology and require hunters to engage in "fair chase" practices that give their quarry a chance to escape. "That mentality doesn't leave a lot of space to consider that we need to reform," Batavia said. "I think that's a defense mechanism, because they feel like something they love is at risk."

To Batavia, the trophy hunting that props up wildlife management systems in North America and around the world evokes the enduring legacy of colonial expansion. Heads and antlers taken by trophy hunters, she said, testify to a desire to dominate nature. "We're treating them like they're these objects that we can defile and defame," Batavia said.

Hunters tend to offer a different complaint about the high-dollar tags — their exclusivity. Hunters seeking permission to hunt highly restricted species like bighorn sheep, Balfourd said, can wait "a lifetime" to win the state wildlife management lottery. "A lot of hunters are playing in that system," he said. "Governor's tags are one way to circumvent that process, if you will, and that rubs guys the wrong way."

Idaho stands apart in the West, auctioning only a single bighorn sheep tag. Roger Phillips of Idaho Fish and Game said state leaders have opted to uphold "a long tradition of keeping Idaho's big game tags equally accessible to all hunters."



Outrage and resentment often follow when trophy tag holders gain attention. Reichert, who died in 2018, stirred scandal with a 2007 elk hunt involving a helicopter spotter that saw him convicted of lying to wildlife officers. The spotlight again found him when he shot Bullwinkle. That he killed the neighborhood elk in a hayfield closed to hunting prompted Kittitas County prosecutors to charge him with a misdemeanor violation of state hunting regulations; the charge was later dismissed on a technicality.

Calls poured in to game managers in the days after the shooting. One of those callers was Chris Keller, a hunter who lives in Cle Elum, Washington. It didn't seem right to him that Reichert, who had a second exclusive tag and was preparing to shoot another elk, had bought permission to shoot two trophy bulls during a single season. Reflecting recently on that contentious season, Keller suggested that Reichert's mistake, beyond violating state hunting rules, was flaunting his special status.

Bullwinkle could often be found in the scrubby hills northeast of Ellensburg, Keller said. Had Reichert killed the elk there, the wider public would've remained unaware of his hunt and the system of exclusive, expensive permits that made it possible. "It was bad PR," Keller said. "That bull didn't just live out on the farmer's field year-round. He had a huge herd of cows up in the hills, on public lands."

"If it had happened up in the hills, no one would've cared." □

Tod Reichert, left, with Bullwinkle, the celebrity elk that he killed on a trophy hunting tag.
LOWER KITTITAS COUNTY DISTRICT COURT



KILLING THE



In Southeast Alaska, a hunter seeks kinship with the wild

We watched a wolf, silhouetted against the horizon, and wondered what that lone scout smelled. Through binoculars, we examined several groups of mountain goats feeding on distant peaks high above Chilkat Lake, in Southeast Alaska. My hunting partner and I sat on huge ash-colored boulders spilled on the bottom of a mountain slope, at the edge of a large open basin. The goats' impossible footing as they navigated the distant gray scree made my body tense; I felt small, insignificant. As the wolf slid away from the saddle, I turned to scan the ridge behind us. And there, feeding above us, was a single goat.

Her flint-colored horns curved backward, and a small jut of beard hung under her chin. I remember her posture, legs taut with muscle; that long face nestled into alpine green. Even our whispers seemed too loud for the cool, still air of a late August evening. We decided that I would move toward the goat alone, and shoot when ready. I began a slow crawl, scratching my palms on the rough mats of black lichen that cloaked the huge boulders underneath me. As I climbed, the goat stopped eating to gaze below, meeting me, it seemed, eye to eye. Then she turned her attention back to the tufts of greenery, and I wondered if animals experience the inexactness of perspective, the sense of a subjective reality. What was I to her, as I moved closer?

I was lucky there was no breeze; I didn't want to think about imperfect shots. And I had a clear sightline in the flat gray mountain light, but I needed to get closer — to see in my scope the steady crosshairs fixed on her coat. At roughly 150 yards, she worked her way to a boulder that jutted from the hillside. She looked down at me with her small black eyes, the muscles of her chest folded neatly under the white smoothness of her fur. Her pause seemed deliberate, open to possibility. My heart pounding, I contorted myself into an awkward position, belly to stone and thighs braced, the rocks under me sharp and unforgiving. I steadied my sights on her chest, where I visualized her lungs. I pulled the trigger.

Two days earlier, we had boated up the silt-heavy Chilkat River, then through a narrow slough where Chilkat Lake edged a thick blueish-green Sitka spruce forest, several hundred miles from my home in Anchorage. On the hike up the mountain, we trailed paths made by bears that had thrashed through dense alder and devil's club, the scat they'd left behind filled with salmonberries. We too pulled the wet bursting berries from their stems and savored the juices that ran down our chins; they tasted like fresh rain. Devil's club needles traced thin red marks along my arms. I was drenched in sweat, my pack heavier with every stride. We shimmied on our bellies under deadfall, the duff under our feet thick and deep. We made camp where the last wind-blown hemlocks stood, nestled between spongy moss and lichens, the edge of the alpine.

I had come to the mountains primarily to bring wild meat home. Yet I also sought something more fundamental: a chance to feel closer to a wild animal's life and, perhaps, to access a part of myself that I hadn't before. The intent to take life is to discover an element most modern humans are shielded from — our untamed selves. The farther and faster we are shuttled along an ostensibly inevitable course of "progress," the more disconnected we become from every other living thing. Hunting, to me, is a way to reverse that, and, in so doing, become more fully myself.

GOAT

FEATURE ESSAY BY GABRIELA HALAS

The mountain slope high above Chilkat Lake in Southeast Alaska, where the goat left its bloody trail and the hunter pursued it. Next page, after the unexpected kill. GABRIELA HALAS

There was
nothing
to do but
watch,
breathe and
wait for the
unknown
things that
come with
taking a life.

THAT AFTERNOON ABOVE CHILKAT LAKE, I didn't hear the recoil of the rifle, its sound seemingly absorbed by the landscape. The goat hadn't moved. I chambered another round, looked, and shot again. She turned, half-trotting toward the ridge behind her as I grasped my binoculars, and then — a hard stumble. My stomach dropped: excitement, disbelief, a pang of grief mixed with joy. I knew I had taken her life, and as I watched her climb toward the saddle of the ridge, I thought, *I did this to you*. I scrambled toward her across the steepening slope, clutching bunches of garnet-colored *Haematoma lapponicum*, blood-spot lichen; they loosened their rhizines as I shattered what delicate hold they possessed in the scree.

When I saw the first pool of blood, it startled me, the way brilliant red can. It continued: rose-pink, burgundy, crimson, layered like the folds of carnations. I carried my rifle in my left hand as I came over the saddle. I bent down and touched a wet star-burst of red, then brushed the back of my neck at the hairline with her blood. I had wrongly assumed I could deliver a quick death, and waves of disappointment and guilt came over me.

Hearing stones tumbling down the talus, I looked across the long open side of the mountain slope where the goat stood, her right front quarter scarlet. We stood quietly watching one another. If I continued the pursuit, she would keep moving — and I couldn't risk increasing the distance between us. Instead, I turned and headed back to camp. As I hiked, I thought of her life in the moments before I shot her, focused on late summer lichens. I felt I had failed her, and sadness arced through me as I questioned if I had been ready for this hunt.

The next morning, after a half-slept night filled with goat dreams, I crawled out of my tent. My partner and I climbed to where I had turned back. Through my binoculars I saw the small white figure on a rock. She had the characteristic slender horns of females, more sharply angled at the tip than male goats, and a smaller body. Now she was still, though no part of her body was arranged as I thought death might look, limp and soft. I had known hunters to track bleeding animals for days, yet never anticipated she might live through the night.

And then, she moved.

She stood, placing her weight tenderly on the leg stained red. My mind replayed where my scope sights had focused on her chest and the feel of my cheek on the rifle stock. She took steps on her wounded leg, then stumbled. But, slow and dogged, she climbed a vertical seam of rock, summited, and came to rest at the base of a large boulder. Overpowering loss flooded my brain as she seemed more and more out of reach.

The possibility of driving her farther away from us raised again a hunter's worst fear: to leave a wounded animal in the field. We knew we had to wait before moving closer. Watching the goat rest, we decided that my partner would go back to camp, and I would wait — either for the goat to move out of sight, or for the billowing fog above the lake below to rise higher and offer enough cover for me to start my hike toward her. In the meantime, there was nothing to do but watch, breathe and wait for the unknown things that come with taking a life.

THE NIGHT BEFORE, AS THE SUN WANED behind craggy peaks and shadows overtook our small camp, my hunting partner and I had talked of patience, fear and loss, and she had shared some of her hunting stories with me. We cradled hot mugs of tea in our hands and waited for our dinners to rehydrate. *Usnea* lichen hung in tufted masses, its pale-yellow dusty cord wrapped around long-dead tree limbs. My hunting partner was a firm believer in the company of fire, and I watched her coax flames to life on a small patch of cleared ground. I had worked and recreated in the wilderness, and felt that was where I best connected with myself. Yet when I hiked or camped, I merely moved *through* landscapes, as a passerby or observer. I wanted to hunt to give myself the chance to more deeply understand that life itself depends on death, to feel my hands accept the responsibility of obtaining what keeps me alive.

In my own life, I have gone from being a young immigrant girl, barely aware of moving half a world away, to questioning values I once thought reflected a deep land ethic. My parents, sister and I immigrated in the early 1980s from communist

Czechoslovakia and settled in northern Alberta. My parents, like many immigrants, reveled in the grandeur of the North American landscape and raised us to know and love the natural world. Somewhere in teenagehood, I became horrified at factory farming and quit eating meat. Years later, I worked seasonally in remote parts of interior Alaska and the Beaufort Sea coast, where months sleeping in tents and the real possibility that a bear might wander into camp left me increasingly comfortable in tough terrain and stressful situations.

I began to question my food habits again a few years ago, when I was working on a master's degree in natural resource management. My studies took me to northwest Alaska, where Inupiat caribou hunters expressed concerns about the increase of non-local hunters and aircraft and the effect they were having on caribou migration. The local hunters depended on either caribou or frozen packs of beef and pork flown thousands of miles to get to their plates. Sure, I didn't eat meat, but where did the rest of my food come from, and how far had it travelled to get to me? I had always considered myself a part of nature, not apart from it: the air, the water, the trees, the animals I loved. But I began to see fishing and hunting as viable options for a way of living more in-tune with what I felt was being degraded on a daily basis: humanity's understanding that we are actually of the earth, physical, material beings entirely dependent on the health of the very elements we come from: the water, the soil, the dirt.

BACK ON THE SADDLE OF THE RIDGE above Chilkat Lake, I moved my binoculars from the goat to the near-vertical seam of mountain she had climbed. The strength she maintained was tremendous. Lichen, soft on my thighs, waved low in the building winds, and I settled on a bed of soft mosses. The scent of wet earth and the slight musty fragrance of plant life rose around me each time I shifted position. Caressed by near silence, I could hear tender operculum explode on the head of fruiting *Sphagnum*, the spores billowing skyward. Fog over the lake brushed up the mountain slope where I lay, and the colors, though fixed in forest and rock, seemed to shift with folds of light and shadow. In that moment, time stilled, free of structure. My focus narrowed to just me — sole human — the lone goat, and a bed of green. I felt a purpose I wasn't sure I'd felt before. There was a reason I was here, and it was not simply to enjoy the view. I thought about how the trip had merged from potential to reality; how over my lifetime I had made decisions that brought me closer to a shared ecology with other living organisms, not further away.

An hour or so later, the goat stood up, took a step, and was gone. It was time for me to follow; this was the cover I had hoped for. As the trail shifted in and out of tufted vegetation, it was easy to see where the goat had walked, her route marked by sprays of dulled red. The path, long and angled sharp along the mountain's slope, did not curve behind a wall of rock and come up on grassy slopes, as I'd imagined. Instead, it inclined severely downwards, into a couloir — narrow and tall, like a gouged-out tower. From there, perhaps 50 yards down, I saw thinly worn ground: The goat trail was carved into the cliffside, but below it the chute continued, no bottom in sight. My legs tensed, the muscles already responding to the rising panic triggered by my fear of heights and falling.

I would only give up on the goat if I felt like my life was truly at risk; simple fear, on the other hand, I needed to manage. I braced my body into the gravel of the couloir and began slipping downwards, trying to clench my feet and hands against rocks that rolled and skidded, dust filling the air. I slid down to the shallow depression of goat trail snaking out of the couloir. The path was narrow, and as I tried to take a few steps, my pack rubbed the tight vertical wall to my right. A wave of fear and panic caught in my throat as I considered a steep fall. My breathing was irregular, my palms tacky with sweat. Injured though she was, the goat had gone where I could not. The pursuit was over. I stood on the side of the mountain, heart heavy with loss and shame; I felt disconnected from the weave of life around me.

The chute loomed above me, the only route back to camp.



I began to climb, small avalanches of dusty slate sliding away with every step. When my path reappeared, I rolled myself onto it, unable to stand. I let go all the pack weight and felt my legs melt. Deliberately, slowly, I ate salmon jerky, the smooth fat of it filling my mouth, willing my body back to itself.

I looked up the curve of the trail back to camp. And there — paused, still — stood a bear.

She was a small adult black bear, with brown tufted fur that ridged her back. She had, as I had, followed the trail of blood across the mountain slope. She was maybe 50 yards away, and I felt the fear in my blood rise once again; I suddenly felt more alone than I had in the couloir. I banged my trekking poles at her, the tinny noise insignificant. I called out, my voice small. Time stretched as I reached for the rifle in my pack, and she stood still, watching. I unclicked the safety and chambered a round. I saw nothing to steady the gun on, so instead I crouched, the bear in front of me, the couloir's impossibility behind. After long minutes of waiting, she made a purposeful advance down the trail toward me. And there was my chance; I shot. A stark sound, and she was hit. She turned, limped hard, her back leg shattered; I shot again. I saw her take a last step — two — and it was done. Hard in the rocks and clustered grasses, she died. A slight wind carried the one word I managed to say: *Help*.

I looked at the bear's body through my binoculars. It was hard and dead and still. Two shell casings lay in the shale dust and I placed them in my pocket. I stowed my rifle, adjusted my pack, and turned for camp. The soft ridge, once so full of green

promise, now seemed steep, dangerous — and burdened with sorrow.

Later, I thought about how the hunt was nothing like I had expected. I had caused the death of two wild beings, and although I had gone to the mountains with the intention to kill, I felt weight on my conscience. The reality of life means my actions cause a ripple effect — outcomes cannot be undone. Yet I also found an elemental connection I had been searching for, a feeling like true kinship with the goat and the bear — the recognition that our actions had continued the millennia-long thread of relationship between our species. Their deaths forced me outside the confines of my domesticated life to an intimacy with their wild ones.

The next day, my partner and I processed the bear's body and carried her skull and hide, with feet attached, down the mountain. We salvaged all the meat we could. In my last look at her, she lay almost as she had died. My partner asked if we were leaving the bear in honor, in a respectful pose — laid upon the rock as we would no doubt want our bodies to be. We looked at her near-human form, shorn of her outer bear being, her ghost face rested in the crook of her paw-less limbs.

Back at camp, we hunched under a tarp against heavy rains. As my fingers hovered above a tiny struggling fire, built on two flat stones above the drenched earth, I felt certain borders thin, the membranes of our skin and muscle merging with the edges of soil, rock, flame, the flesh of another. Then, an affirmation of perspective when closeness still scorched, and surprised us with its waiting heat. □



Gabriela Halas immigrated to Canada during the early 1980s with her parents and sister, grew up in northern Alberta, and lived in Alaska for seven years. She has published short fiction, poetry and essays.

Weighing the risks

Hunters are critical for game management, but the spread of chronic wasting disease means some may put down the rifle

THE FALL SUN WARMED MY FACE and a breeze rustled the leaves of a nearby aspen as my husband returned from a morning elk hunt.

“Any luck?” I asked.

He nodded, describing elk bugles and a clean kill as he headed to the truck for his pack, saw and knives.

I scooped up our 1-year-old from a nap in our tent.

“Daddy got an elk,” I said softly. “He needs our help.”

The three of us stepped up a south-east Wyoming hillside covered in pines and fall grasses. The elk died not far from where Josh, my husband, shot it with his bow. It would fill our freezer for a year.

Josh and a friend got to work: removing organs, peeling hide, placing tenderloins and backstraps in white cheesecloth bags. Both men learned to hunt from their fathers, who learned from their fathers. They continue because of tradition, relishing the lean organic meat and weekends spent sitting, backs against lodgepole pines, listening for the squeal of a cow elk or the bugle of a bull.

We were passing this tradition on to our daughter, who toddled up in her fox-and-rabbit-covered snowsuit and felt the elk’s smooth antler and coarse fur. I spoke of gratitude for sustainable meat, then I loaded her in a pack on my back, wrapped my arms around one of the elk’s shoulders and walked down the hill to our truck.

Leaving camp, the thought hit me: Would we test this elk for chronic wasting disease?

Chronic wasting disease (CWD) kills every deer, elk and moose it infects by slowly boring holes in their brains. Our hunt region has one of the highest-known prevalence rates on the continent in deer.

No study has yet confirmed that CWD can be transferred to humans, but the Centers for Disease Control and World Health Organization urge hunters not to eat animals that test positive. It was September 2017, and I’d just read early results from a study showing that CWD can infect macaques.

We had eaten two elk from here already without worrying about the disease. But the stakes were higher now: We had a child.

I knew we had a higher chance of dying in a car wreck or lightning strike than of CWD. But if a test came back positive, dared we take even the smallest chance of turning our brains to mush? Could we feed that meat to our daughter? Could I let us hunt in an area with CWD again? But with CWD so prevalent,

where would we go?

Staring ahead at the empty dirt road snaking down through golden foothills, I asked my husband: Should we test our elk?

He was quiet.

CHRONIC WASTING DISEASE is the ungulate version of mad cow in cattle, scrapie in sheep and Creutzfeldt-Jakob in humans. It’s a naturally occurring protein, or prion, that mutates, causing spongiform encephalopathy. It makes deer and elk weak and lethargic. If they’re not hit by a car or eaten, they wither and die.

The mutated protein isn’t a virus or bacteria, so cooking cannot kill it. It clings to metal and can only be destroyed through 900 degree Fahrenheit heat, lye or bleach. It can live in soil for years. And no cure exists. Animals carry CWD for years before developing symptoms, making it difficult for hunters to follow typical don’t-shoot-if-it-looks-sick protocols.

CWD was first discovered in the ’60s at a research facility in Colorado, and then two decades later in wild deer in southeast Wyoming. It has spread to at least 24 states and two Canadian provinces, likely through physical contact, transported through sick animals to captive facilities. And it keeps spreading; it appeared two years ago in Montana and shortly after in western Wyoming. One study showed the deer herd with the highest rate in Wyoming may, by some estimates, be gone in less than 40 years.

As Josh and I kept driving, we discussed the data, then sat in silence.

“I have to know,” I said, finally. I couldn’t open the freezer each day for a package of elk burger, steaks or roasts and wonder — however small the chance — if that would be the one to kill my family. I pulled my phone out of my pocket and called a Game and Fish biologist I knew in a nearby town. He would meet us in the office parking lot.

I’M NOT THE ONLY WORRIED HUNTER; hundreds, if not thousands, of others share my concern.

Hunting is the backbone of North America’s wildlife agencies — license fees pay for nearly all wildlife management, and with fewer top predators like bears and lions, herds need human hunters to control their numbers. Wildlife managers believe hunting may well be one of the best ways to contain the disease, by thinning herds and slowing its spread. If the disease ever reaches humans, though, hunters are likely to face the biggest health risks.

Game and fish agencies are increasing public outreach, leaving hunters to

decide what to do. While the CDC recommends that hunters throw away infected animals, there’s a difference between theoretically throwing an animal away, and the reality of actually carrying 200 pounds of meat that you’d planned on eating all year to the dumpster.

It’s the uncertainty — not knowing whether CWD will or won’t transmit to humans — that stokes our fears, inspiring ominous headlines about “zombie deer.”

I talked with Dave Clarendon, a rancher and outfitter near Story, Wyoming, who said he’d watched a friend die of Creutzfeldt-Jakob disease three years ago. It couldn’t be linked to CWD — Creutzfeldt-Jakob spontaneously occurs in one out of every 1 million people. The autopsy showed his friend had holes in his brain the size of pencils. Clarendon believes he could have contracted the disease from a sick animal — that CWD crossed the species barrier from ungulate to human. He blames wildlife officials for not issuing enough warnings or spending enough money seeking a solution. It is, he says, a “moral issue.”

Over coffee at a local diner, Keith Culver, a former Wyoming Game and Fish commissioner and fourth-generation Wyomingite, shook his head over the problem. He said he understands the tiny risk of CWD. But he’s considered not hunting elk or deer again. What if a meat processor runs a CWD-positive animal through the grinder right before his?

“My wife far prefers elk to beef, but I’m to the point where, eh, maybe I’ll just eat beef,” Culver told me. “And I was a commissioner. I shouldn’t be like that. ... I hate to skip hunting, but CWD scares me.”

Culver isn’t alone, said Hank Edwards, wildlife disease specialist with Wyoming’s Game and Fish. The department doesn’t require testing, but Edwards received almost 6,000 samples in 2018 — more than three times as many as in 2014.

The free test analyzes lymph node tissue from an animal’s neck. Hunters can remove a sample, but the marble-sized bit of white can be tricky to find, buried in glands, muscle and blood.

Edwards calls hunters with positive test results. When a Mississippi hunter heard the news, he burned his clothes, cellphone and got rid of his gun. Others have trashed their freezers, concerned the disease could contaminate other food.

Yet one hunter responded: “Thanks for letting me know. I’m still eating it.”

STANDING IN A GAME AND FISH parking lot that fall day, we watched as Justin Binfet dug into the base of our elk’s head with



forceps and blue rubber gloves. The wildlife coordinator placed a lymph node in a small bag and sealed and labeled it. The results could take between two and three weeks.

He's talked to many hunters like us recently, people weighing the health impacts against the loss of a hunting heritage that is as much about a year's worth of food as it is our lifestyle and connection with the land.

Binfet tells hunters to follow recommendations from the CDC and WHO. But he also asks us to have some perspective; *E. coli* and salmonella outbreaks have actually killed people, but most of us are still eating cantaloupe and spinach. Binfet worries about hunters staying home out of fear over something that hasn't been proven.

"We will lose a key way to manage

wildlife," he said. Not just in a loss of license fees but also the ability to control herds and possibly prevent spread of CWD.

At home, our elk hung in a cooled garage before we began the days-long process of removing rump for roasts, slicing backstraps for steaks and grinding bits of scrap for hamburger. We wrapped pieces in plastic and butcher paper, then labeled them with the cut and year, taking turns tending to the meat and watching our daughter play in the yard.

The process usually fills me with a primal sense of satisfaction, an awareness of where our food came from, start to finish. But I couldn't shake the cloud of disease, the unanswered question of what we would do if it was positive — or the bigger question of if we could keep hunting.

Two weeks after we carried the bull

out of the woods, I contacted the lab in southeast Wyoming. The results were negative. I called Josh at work to tell him, and heard the relief in his voice.

One year's question was answered, but I kept thinking about the next year, and the year after that. Someday, we'll be confronted with a positive result, as will other hunters as the disease spreads. Hunting may be the best way to control chronic wasting disease. Yet we'll all have to grapple with whether to keep doing it, or give up this tradition that ties our families to the land. □

Christine Peterson has written about wildlife and the environment for the past decade from her home in Wyoming. Her first story for HCN was about landlocked public land.

With her daughter on her back, Peterson carries an elk shoulder to the family's truck.

JOSH PETERSON

Smoke Signals was needed, but it hasn't held up

The seminal film, while important for Native representation, relied on stereotypes



OPINION BY
JASON ASENAP

I remember watching *Smoke Signals* in Oklahoma City many years ago and thinking, “Yes! Finally, somebody has made a film about us, for us.” I was 21 at the time. “Now they’ll learn, and from an actual Indian screenwriter and director,” I thought. But today, *Smoke Signals* feels clunky, even cringe-worthy. The film’s creative team seems to have been inspired by the same impulses I had as a young idealistic kid: People didn’t know anything about Indians, I was usually the first one they’d met, and I often felt the need to teach them a few things, whether they wanted to hear about them or not.

Since its release in 1998, *Smoke Signals* has become a seminal movie in Indigenous cinema and Indian Country. It was the first real Indigenous film, written, directed and largely acted by Indigenous people, and it did what no other Native film had done before: It successfully crossed over to mainstream. The film did well at the box office, grossing nearly \$7 million, and was even added to the National Film Registry in 2018. But today, in light of our evolving notions of Indigeneity and what it means to be a Native person in this century, the film feels dated. One need look no further than the title card in the opening credits and the use of that damn Papyrus font.

Essentially a buddy picture — a road-trip movie about self-discovery — the film explores how Indians relate to American popular culture as well as to ourselves, along with the power of story and the lies we tell others within those frameworks. There is a missing father; there is alcoholism; there are notable rez accents. There is redemption.

Yet the film relies almost entirely on Western, pop-culture-influenced notions of Indigenous people, referencing classic Hollywood tropes about Indians being warriors or acting stoic, culminating in a musical number with a catchy song about John Wayne’s teeth — a moment I’m still unclear about. At one point in the movie, Gary Farmer asks his son, “Who’s your favorite Indian?” It’s a ludicrous statement, written for a white audience, as if Indians sit around and think of themselves in this pop-culture way. Americans have always loved this kind of narrative, and the film often tries to “Indigenize” clichés for laughs, but in the end, *Smoke Signals* mines Indian stereotypes much the way Quentin Tarantino mines ’70s exploitation cinema, only far less elegantly.

Smoke Signals is a film that constantly stops its own narrative to teach viewers how an Indian is supposed to act. It commits one of the cardinal sins of screenwriting in order to do so: It tells rather than shows. Still, as Janet Maslin of *The New York Times*

put it, the movie’s protagonists, Victor and Thomas, played by Adam Beach and Evan Adams respectively, were “enormously likable characters.” That meant that white people could discuss the film at dinner parties and feel good about themselves, while Indigenous people were just happy to see ourselves represented on the screen.

But even in the arena of representation, there is a rub: *Smoke Signals* employs ideas of Pan-Indianness so heavily that the writing feels downright lazy. It’s not surprising, considering that author and screenwriter Sherman Alexie’s prolific body of fiction and poetry regularly plays in this sandbox. By leaning away from any sense of a tribally specific identity, it manages to talk about Indians without really talking about Indians. Today, Indigenous cinema is best when it embraces specificity, or brings Indian Country into a popular genre rather than the other way around. Jeff Barnaby’s (*Mi’gMaq*) upcoming film *Blood Quantum* recently screened at Cannes and may prove to be an exciting exercise in the zombie genre, while Navajo director Sydney Freeland has done a deep dive into various genres that have nothing to do with Indigenous themes.

Many of us who grew up watching and loving *Smoke Signals* grumble when we think of how influential we found a film that is based on short stories by Alexie, especially given that the prolific Spokane author’s career has effectively been cancelled following allegations of sexual harassment. Yet the film remains alive in our collective memories. “Hey, Victor” is burned into our brains after viewing the film, and “Frybread Power” shirts can still be purchased.

When *Smoke Signals* hit theaters, Indigenous people were thirsty for representation. Hell, we’re still thirsty. The lack of understanding of what it means to be Indigenous still looms large in American movie theaters. But we don’t overcome it by playing into those stereotypes; at least we shouldn’t anymore. When *Smoke Signals* was made, it was overdue. Necessary, even; many of us cried silently in the theater when we saw ourselves finally represented on the screen. But it would be disappointing to see a film like it made today. □

Today, in light of our evolving notions of Indigeneity and what it means to be a Native person in this century, the film feels dated. One need look no further than the title card in the opening credits and the use of that damn Papyrus font.

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

WEB EXTRA

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A close-up photograph of a pair of Patagonia work pants made from a coarse, brown hemp canvas. The pants are folded, showing the texture of the fabric and the stitching. A small, rectangular brand label is visible on the waistband area, featuring the Patagonia logo and a mountain range illustration. The lighting is warm and focused, highlighting the rugged texture of the material.

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COLORADO

Would you like to call a school bus home?

Charlie Kern, founder of Denver-based Chrome Yellow Corp., can make that happen. He builds “skoolies,” used school buses that he guts and converts into homes for up to eight people, the *Denver Post* reports in its special section, *The Know*. They’re ideal for travelers who want to camp a couple of weeks on public land or at RV parks, though some prefer to park the retrofitted buses permanently. Since he started his business in 2014, Kern has put 60 skoolies on the road. “Honestly,” he says, “I think part of it is that good-looking people on social media are doing it.” Tony LoVerde, who lives in the Boulder area, said that he’s been converting a \$7,500 school bus into a home since 2015. He hopes to be done this fall, \$40,000 later, having created a recreational vehicle with solar power, refrigerator, an AC unit and a washing machine. “I learned if you’re living in it while you’re doing it, every comfort you install feels like (expletive) magic,” LoVerde said. Yet Kern warns that skoolies have downsides, including engine repair costs that can mount to \$20,000, and diesel fuel that only gets you 9 or 10 miles to the gallon. There’s also the little problem of living in a cramped tiny house. LoVerde, however, is looking forward to driving his rig to Ehrenberg, Arizona, this winter for “Skooliepalooza 2020,” where more than 300 skoolie owners show up in order to show off their rigs.

OREGON

A tree that started growing in 1599 — about the time Shakespeare was thinking about *Hamlet* — died suddenly this May. Not because of thieves, wildfire or disease: The 420-year-old Douglas fir was logged by the College of Forestry at Oregon State University in Corvallis, reports the *Oregonian*. The sale of the 16 acres of old-growth trees, many of them more than 250 years old, brought in \$425,000, but destroying “this alley of big, majestic trees” was a terrible thing to do, said Doug Pollack, a former sustainability engineer who discovered the logging while out on a run. Norm Johnson, a retired Oregon State professor who fought unsuccessfully to include the trees in the college’s protected areas, was equally appalled: “They knew it was special, they knew it



CALIFORNIA Maybe they should ask Oregon State University (see below).
ROY E. GLAUTHIER

was different,” he said. “You got these really old trees here, which are themselves magnificent, but there’s a stand of them. It’s just remarkable.” There is no denying that Oregon State University has divided loyalties when it comes to preservation versus profit. The forestry college “has strong financial links to the timber industry (and) numerous faculty positions are endowed by timber companies — including the deanship,” according to the *Oregonian*’s Rob Davis. The forestry school’s interim dean, Anthony Davis, has acknowledged that he should not have approved the logging and has since temporarily halted the cutting of trees more than 160 years old on the university’s 15,000 acres of research forests.

WASHINGTON

Let’s hear it for the bees that defied some not-very-bright poachers who were out to steal a prized bigleaf maple in Washington’s Olympic National Forest. The trees are much sought after for their patterned wood, which is used to make guitars and violins. When the thieves, in what the *Washington Post* described as their “bumbling efforts,” set a fire in the maple to kill the bee colony, it

ultimately ravaged trees on 2,300 acres of protected federal and state land, at a firefighting cost of \$4.5 million. When Justin Andrew Wilke and Shawn Edward Williams first located the maple with its enormous, fanlike leaves, they “doused the nest in wasp killer.” The bees refused to budge. The poachers’ next bad idea was that “Wilke would kill the bees by burning the nest.” Not surprisingly, the blaze spread and became unstoppable; only a lucky rainfall calmed it four days later. The two men face charges with possible sentences of up to five or 10 years in prison and fines of \$250,000.

MONTANA

A sleepy black bear opened a door to the mudroom of a home in Missoula, reports KPAX, then accidentally used a deadbolt to lock himself in. Once trapped, the bear began ripping the room apart. Tearing apart rooms is hard work, though, so he “then decided he was tired and climbed up into the closet for a nap.” The Missoula County sheriff unlocked and opened the door, hoping the bear would leave, but the only response was more “big bear yawns.” State wildlife finally tranquilized the bear and moved it out of town.

THE WEST

“Forest bathing,” defined as a ramble among trees with all senses opened to the outdoors, began in Japan in the 1980s, and is now spreading across America, reports the *Denver Post*. Kayla Weber, who leads forest-therapy outings in Vail, says, “We don’t go far and we don’t travel fast. We take the opportunity to slow down and connect back to our surroundings.” Researchers say a forest visit can reduce concentrations of the stress hormone cortisol and also lower blood pressure and pulse rate. In Colorado, though, it can be difficult to find a path through a forest that doesn’t turn into a high-elevation slog. “The goal is to find those rolling, relaxing trails,” says Weber.

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

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



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