

Promise and Betrayal

Wyoming's Hamilton family fights the dreadnought of regulatory folly—wilderness.

Words by Joan Chevalier. Photos by Carol Hamilton.

As a rancher, do you think wilderness designation can work out for you? The environmentalist seems right enough, telling you how you are preserving a pretty place, especially from all those recreationists who always leave the damn gates open. He encourages you to keep “frontier values” alive for your grandkids. And you want to do all those things. You figure it's better to strike a

deal with these environmentalists to get the best possible compromise for the place and for your community. Ease them off your back, earn some brownie points with the feds who run your life anyway, and, heck, it won't really cost you because the Congressional Grazing Guidelines guarantee that you can go on doing what you have always done.



Yes, indeed. That's what reasonable, honorable people might think. Oops.

Just to whet your whistle, here's how Dave Foreman, an advocate for "rewilding" (that's wilderness on crack), describes you to his buddies in his "Around the Campfire" blog posting in January 2008: "We can't begin to understand anti-conservationists without knowing how anti-intellectualism marbles through their *skull meat*. ... We most often are slapped with hostility to facts in *strongholds of ignorance* like New Mexico's Catron County.... When I was talking to crusty old ranchers about wilderness in the 1970s, I played up on how we needed wilderness areas to keep *frontier virtues* alive and to toughen

our young people with self-reliance... because of *deep-seated anti-intellectualism*, we need to be careful in how we approach them." [Emphasis my own.]

I am an eastern environmentalist, and I am here to tell you the Congressional Grazing Guidelines won't protect you; the guy who seems "right enough" has been trained to speak "rancherese" (by people who would presumably be ashamed of themselves if they trained others to speak "ghettoese"); and there is no deal on the planet brokered with one environmental group that won't prevent another one from torturing you later on.

This is the story of Richard and Carol Hamilton, ranchers near Fort Bridger, Wyo., who run cattle across state bureaucratic lines (Utah and Wyoming) and across federal bureaucratic lines (Forest Service and the Bureau of Land Management), but the bane of their existence is the dreadnought of all regulatory folly, wilderness.

When you drive up to the Hamiltons' sturdy ranch house, which is tucked next to a stream with a neat white fence separating it from what seems like the endless rest of the place, you might think that you could park anywhere. That would be wrong. Every horseshoe, saddle, oil can, truck, hay bailer, dog, rusted-out bit of machinery, and certainly your rental car, has a spot on the ground in Richard's mind. Richard's mind is very orderly—bracing itself in perpetual battle with errant and foolhardy cows, calves, neighbors, children, dogs, and nitwit speechwriters from New York (that would be me).

So, when I brought the Hamiltons' wilderness debacle to The Wilderness Society (TWS), their ranching-outreach guru, fluent in rancherese, asked with a sneer, "Well, has Richard read The Wilderness Act or the Congressional Grazing Guidelines?"

I replied that Richard has both laws committed to memory.

When I emailed all the Hamiltons' documentation to the ranching-outreach guru, he admitted, "The Hamiltons were royally screwed over." But he offered no remedy for that and claimed that he will stand by ranch-

ers on any agreements reached on wilderness designation. I asked him to give me an example of where TWS did that, but he had none to offer.

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The Hamiltons began their wilderness experience back in the halcyon days of the Reagan administration in 1983. Forest ranger Roderick Howard approached the permittees in the Uinta Primitive Area in the southwest corner of Wyoming to support its transformation into the High Uinta Wilderness Area. At a



community meeting in 1984, the Forest Service promised, "This wilderness expansion will not affect your operation *in any way*." The Utah Wilderness Association, represented by Dick Carter, nodded its head and danced its happy promise dance.

Richard Hamilton wrote in his journal, "We as honorable men reached an agreement, shook hands, and as our word is our bond, fully expected the U.S. Forest Service to live up to its end of the bargain."

Thirteen years passed. The permittees ran their ranches as they always had and as they were promised they could. Their operations fell well within Congressional Grazing Guidelines and were so modest and conservative, wilderness designation was possible in the first place. Then, a Democratic president in his first term of office was rebuked by the voters in the midterm election. President Clinton endured his own shellacking. He had to move to the center, while keeping his base appeased. What is a Democratic president to do but offer up to his largely urban base the lives and livelihoods of those so remote from it? What else can President Obama do now



LEFT: Cattle graze on a meadow inside the Uinta Wilderness Area. ABOVE: Richard and Carol Hamilton. In 1996, a "minimal tool assessment" suddenly had to be conducted. The Soviets might have used this little bit of bureaucratic mischief instead of gulags to drive its citizens insane.

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but set the BLM on a wilderness shopping spree? [See story, page 42]

It costs nothing for eastern representatives to support wilderness. No one back home will be affected and the well-intentioned urban dwellers like myself don't have a clue what wilderness designation actually means or how undemocratic and restrictive it is. You could put most New Yorkers on an average ranch on a four-wheeler with a chainsaw purring in their hand, and they would still think they were in the middle of wilderness. For those of us who live far enough from it, wilderness will save the world.

Chess pieces in a world-class brawl between the left and the right, the Hamiltons received notice: they had "no" authorization to operate motorized equipment in the High Uinta Wilderness Area. And no motorized use meant no longer using pickups to haul 1,500 pounds of salt to a distribution point or to haul in materials for fence repairs; no use of chainsaws to clear roads and trails; no trailers to retrieve lame and sick animals.

Having hauled salt into the Uintas on

horseback with Richard, I know the long hours and outright danger involved. In the midst of having my butt beaten into a pulp by the jackhammer trot of the Hamiltons' most reliable horse, Chester, I was shocked out of my painful stupor into high-alert survival mode. Out of nowhere, a mountain storm came in. Lightning with my name on it. I could read the writing, "This one's for you, eastern liberal environmentalist."

We dashed to get to the trailer, most probably because Richard figured I couldn't handle a spooked horse. He figured right. Thankfully, Chester's notion of rearing up doesn't include anything so self-defeating as falling over backwards.

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So, Clinton loses his first midterms. Enter forest ranger Steven Ryberg, claiming that Richard only requested the use of motorized equipment in 1996. The Hamilton family has run cattle on that land since 1858. The use was granted in 1984 when they shook hands on the assurances already made repeatedly—"no change to existing operations at the time of the wilderness designation."

But in 1996, a "minimal tool assessment" suddenly had to be conducted. The Soviets might have used this little bit of bureaucratic mischief instead of gulags to drive its citizens insane. Among other inanities, the Forest Service concluded that Richard could coordinate salt dispersal with other ranchers, using their horses. How easily the Forest Service decides what resources ranchers should have on hand, not just for their own operation, but for their neighbors, too.

After endless correspondence, Richard got a hearing. He specifically asked that Dick Carter of the Utah Wilderness Association, the press, and his congressional representative be included. This was refused. Richard had one meeting. Dick Carter had the next meeting. No press. But there was a new result. Persistence will be punished. All motorized use was denied—with one exception: sick or lame animals could be retrieved by pickup on a case-by-case basis with the permission of the regional forester. By the time the forester is located, cajoled, and properly arrayed in paperwork, the animal is probably dead.

Richard demanded an appeal. This time, he intended to have overwhelming evidence in hand. He found and contacted every known principal involved in the inception of the wilderness agreement on the High Uintas. Everyone—including Forest Service personnel and James V. Hansen, the congressman who sponsored the necessary legislation—agreed that continuing established motorized use was a given. The one exception was—you guessed it—Dick Carter of the Utah Wilderness Association. The sad effect of too many happy promise dances is environmental amnesia.

Roderick Howard, the forest ranger at the time of the designation, wrote this: “I doubted the long-range commitment to the promises [being made to ranchers]. I felt strong enough about the situation that I publicly told Mr. Acord, the secretary of the Utah Wool Growers, to document the promises made that day. I do recall that I felt dirty as I left the meeting and that the promises were to minimize opposition to the Wilderness Bill without much sincerity.”

Arthur Carroll, the forest supervisor of the Wasatch Cache National Forest, wrote: “Mr. Hamilton portrays this current situation and ensuing appeal as an issue about access for a four-wheel-drive vehicle to about two miles of primitive road to serve grazing permit work one to two times a year. I don’t

think the spirit and intent of the Utah Wilderness Legislation passed in 1984 ever intended there would be a conflict around such an issue in 1997-1998.”

Appeal denied.

Beware all who shake hands with the Dick Carters of the world. To this day, The Wilderness Society ranching-outreach guru is failing to warn ranchers to get all their management practices at the time of wilderness designation in writing.

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Wilderness is not the ecological mecca that supporters claim. Wildlife and rangeland biologists cite example after example of unhealthy hermetically sealed federal landscapes versus neighboring and thriving ranch lands. Poop and hooves are necessary in a landscape shaped by grazing herbivores.

The Wilderness Act may be a beautiful idea but a landscape is not frozen in time. It is about change, people, communities, and survival, and its health depends on rural Americans and the ranchers who know it best and love it well.

Joan Chevalier is a speechwriter in New York. She was the only eastern contributor to “Home Land: Ranching and a West That Works,” published in 2007. Her opinion pieces have appeared in the Boston Globe and Washington Times, and have been picked up by the Wall Street Journal Political Diary as

“Quotes of the Day.” Her opinion pieces for others have appeared in most major U.S. national newspapers. She also occasionally writes blog postings for Femisex, one of which included a posting about docking lambs. She has passed both a wilderness management training course and a rangeland management course.

Warnings From Richard Hamilton

1. Get everything in writing! But first make sure the official signing the agreement has the authority to sign.
2. Realize that fire control in wilderness will in all probability not happen unless human lives are at risk. Livestock will be at risk.
3. Historical management practices either won’t be allowed or will become so onerous that they are essentially lost.
4. Management ability is reduced to non-functional. Look at the effect the 1988 fires had on the Yellowstone ecosystem without management. Thousands of acres were sterilized and totally unproductive.
5. Livestock numbers can never increase in a wilderness area.
6. Wilderness designation excludes everyone who cannot ride horses or walk. All motorized use is prohibited.
7. There are already many millions of acres that shouldn’t have been included in the existing wilderness.
8. Snowmobile use will be crowded into ever-smaller areas.
9. Improvements are nearly impossible to establish within a wilderness area. (Permittees proposed a drift fence to better manage their livestock. They were informed it would take a minimum of three years to clear the paperwork, all-natural materials would have to be used [contrary to Colorado Wilderness Act], and spikes may even be prohibited.)
10. Placing weather stations in the higher reaches where knowledge of precipitation levels are the most critical to forecasting stream flows, irrigation water, reservoir storages, floods, etc., is eliminated.
11. Cell-phone towers (desperately needed to report fires and emergencies especially since radio bands have been curtailed) are verboten.
12. Pine-beetle infestations can’t be treated.
13. What is to be gained from restricting all of these uses?



ABOVE: Roundup crew and dogs at Bald Lake on the southern edge of the cattle allotment.
OPPOSITE: View of Bald Mountain and Uinta Wilderness Area, looking south.