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September/October 1993 \$2.50

**Right-of-way Claims**  
**Grizzly Bears**  
**Brown v. Board of Education**







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JOHN ELK III

R.S. 2477, page 28

#### EDITOR'S NOTE

An 1866 statute threatens to allow rampant road building in the national parks and other public lands. Revised Statute 2477, originally enacted to grant rights-of-way for major highways that would open the West to mining, is now being interpreted to allow even a foot-path or set of tracks across federal land to be turned into a paved road. Thousands of right-of-way claims have been asserted across national parks and public lands, including Denali National Park in Alaska and Canyonlands National Park in Utah. Along with other conservation groups, NPCA's Alaska and Rocky Mountain regional offices are joining together in the fight to revoke and replace R.S. 2477.

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# National parks

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Paul C. Pritchard, Publisher

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Established in 1919, the National Parks and Conservation Association is the only national nonprofit membership organization that focuses solely on defending, promoting, and improving our country's National Park System while educating the public about the parks.

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## OUTLOOK

# Taking Responsibility

ON July 5, 1993, James Hudson suffered a fatal heart attack as he carried out his maintenance duties at the Lincoln Memorial. Washington, D.C., was in the midst of an extended heat wave, with the combined effects of air temperature and humidity creating a "heat index" of over 100 degrees. Yet Mr. Hudson, a man dedicated to his duties, worked extra shifts that holiday weekend to be sure that this important monument, visited by millions every year, received the care and attention it deserved.

The story of his death is noteworthy for a number of reasons. First, Mr. Hudson, a Vietnam War veteran and the father of seven children, gave his life doing his job on behalf of people he did not know. He helped preserve a resource that inspires millions of people—and that is what the National Park System is all about.

Second, newspaper accounts pointed out that, despite Mr. Hudson's eight years of service for NPS, his family was not eligible for a government-subsidized pension or life insurance benefits. Hudson was one of many Park Service workers denied the privilege of being permanent NPS employees despite their dedication and years on the job. He and many other full-time "temporary" employees have been locked into positions without benefits, not even the



DOMINIC R. TIDMARSH

minimum benefits enjoyed by other public- and private-sector employees.

The reason is that for years Congress and various administrations have not allowed the Park Service the staff it needs to properly administer our National Park System. The number of Park Service employees is barely higher today than it was in 1980 when Alaska lands were added to the system, doubling the acreage under NPS care. With no authorization to hire the staff it needs, and with a chronic shortage of funds, the Park Service has resorted to hiring "temporary" employees for extended periods—even though federal rules prohibit using temporary workers on a continuous basis for more than four years.

On July 15, 1993, the plight of the Hudson family was brought before Congress, resulting in compensation equivalent to the basic life insurance provided to most federal workers. But isn't it a shame that Congress had to pass a special piece of legislation in order for James Hudson's family to be able to receive benefits for eight years of service?

There is no excuse for the federal government not to treat with dignity the people who help preserve the monuments and watch over the parks. This man deserved better treatment—as do many other Park Service employees who are asked to survive on sunsets.

*Paul C. Pritchard*





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## LETTERS

### No Fishing

I greatly enjoyed Yvette La Pierre's article "Taking Stock" [May/June 1993] on fisheries in the national parks. The fact that one can pursue and kill an animal within a national park for sport when ostensibly all other forms of life are protected has always struck me as a great hypocrisy. Fish are often regarded as a second-class form of life, separate even from wildlife.

La Pierre, however, makes one important error that needs correction. There is nothing in the enabling legislation of North Cascades that requires a continuation of stocking. The fact that stocking still occurs is a complex result of precedent, political pressure, compromises, and referral to "promises" made during the congressional hearing related to the establishment of the park in 1968. North Cascades National Park

Service Complex is an administrative designation made up of two national recreation areas and one national park. Each has its own separate enabling legislation. The fish-stocking agreement that runs to the year 2000, referred to in La Pierre's article, applies only to North Cascades National Park. There is absolutely no requirement for such stocking within the park legislation.

*Jonathon B. Jarvis*

*Superintendent*

*Craters of the Moon NP, Idaho*

I am writing to comment on the article "Taking Stock." Removing fish from an ecosystem denies that food to other animals, such as bears and otters. And certainly stocking non-native fish simply to provide recreation for one group of people goes against what national parks should be. I also cannot support catch-

and-release fishing, which seems to torture animals for fun.

La Pierre did a good job of showing different points of view on this topic. National parks should be for nonconsumptive uses; they should be special places. There are other places to fish.

*Denis Jones*

*Metuchen, NJ*

We were distressed to learn in Yvette La Pierre's article "Taking Stock" that catch-and-release fishing is becoming a favored management tool in our national parks. To impose trauma and suffering and in some instances even death, no matter how unintentional, is appalling and disgraceful and should not be encouraged.

*Norman and Sallie Hogg*

*Anchorage, AK*

### The Perfect Fit

Cheers to NPCA for selecting Dr. Li-ane Russell as winner of the Marjory Stoneman Douglas Award. Both she and her husband, Dr. William Russell, are

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enriching the lives of future generations of park lovers. For more information about bequests, please write or call:

**Jessie Brinkley**

Director of Development

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Michael Frome  
Bellingham, WA

### Memories of Manzanar

I have just read the article "Remembering Manzanar" [May/June 1993], which concerns the internment of Japanese-Americans during World War II. Today, this internment seems barbaric, inhumane, and totally unjustified. For those living in the United States when Pearl Harbor was attacked without warning, however, it is impossible to describe the fear of the population and the anger against the Japanese and people who looked Japanese. Fifty years ago it seemed wise to take every precaution. I knew of no one who disapproved; at the time it was not shameful but prudent.

M. Lovelace  
St. Louis, MO

I am writing to express an opinion on the article "Remembering Manzanar." It is easy now, with 20/20 hindsight, to criticize actions taken 50 years ago to intern Japanese-American citizens. It would have been the height of folly and a criminal dereliction of duty for any government charged with defending the nation not to have taken drastic action under the prevailing circumstances. We were losing the war.

I have been to Lone Pine, California, a few miles south of Manzanar, to hike from Whitney Portal across the Sierras into Sequoia National Park, and to Onion Valley, a few miles north of Manzanar, to hike into Kings Canyon National Park, and have driven past Manzanar many times. Manzanar admittedly is no garden spot.

Let's not get carried away by making a mea culpa national park of Manzanar because someone has a 50-year-old ax to grind. The National Park Service has enough demands on its personnel without inflicting Manzanar on them. It would be far better to bulldoze what's left at Manzanar and spend NPS's limited resources in Sequoia or Kings Canyon where it will do some good.

Charles W. Phillips  
Palm City, FL

### Wolf Tracks

"Bringing Back the Pack" [May/June 1993] by Todd Wilkinson really struck home to our students at Dogwood Elementary School. The children have written letters asking that wolves be returned to Yellowstone National Park.

*National Parks* will be used as a teaching tool for explanation of the Endangered Species Act, the environment, and wolf recovery. It is clear, concise, and informative for all age groups. Thank you for a great magazine.

Joyce Weldon  
Smithtown, NY

I can sympathize with ranchers who are trying to make an honest living, but my sympathy wanes when the [people in the] livestock industry think they can dictate how we manage our public wildlands and ignore biology in the process. As Todd Wilkinson's story so clearly conveys, we need to make a place for predators, especially wolves in national parks, if we want our ecosystems to remain natural and whole. The value of wolves and of tolerance toward creatures that have a rightful place in nature is immeasurable. Thanks for the wonderful story.

Kevin Hart  
Riverside, CA

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# NEWS

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## EVERGLADES PLAN COMES UNDER FIRE

After years of litigation over the dying Florida Everglades, the Clinton Administration announced an apparent breakthrough in July. The pollution-control plan it outlined would end the long legal battle over cleanup, allowing it finally to begin.

"I don't think there's any question that the most imperiled national park, the most in danger of extinction, for some years has been the Everglades," said Secretary of the Interior Bruce Babbitt at a July 13 press conference.

The agreement, arrived at in negotiations with Florida sugar growers who pollute the Everglades, will permit "the largest, most ambitious ecosystem restoration ever undertaken in this country," Babbitt said. But the plan has come under fire from NPCA and others who say it makes so many concessions to the powerful sugar industry that it will not bring the necessary reduction in pollution.

The Everglades is the biggest freshwater marshland in the world, a vast expanse of saw grass and water stretching across south Florida. Over the last several decades, massive engineering projects have drained surrounding lands for agriculture and residential development. In doing so, they have brought the Everglades to the brink of ecological catastrophe. Dikes and canals cut off its

natural water supply, creating artificial droughts and floods that have decimated wildlife populations. High levels of phosphorus seep in from sugarcane and vegetable farms, fueling an invasion of cattails, which replace the native saw grass and further choke off water flow.

Since fresh water that once flowed through the Everglades into Florida Bay has been diverted, the bay has become

Everglades National Park and the nearby Loxahatchee National Wildlife Refuge.

A settlement reached in 1991 laid out a clean-up plan the sugar industry immediately challenged with some three dozen lawsuits. Those cases dragged on, and the government agreed this year to work toward a mediated settlement with the growers. On July 12, the day before the issue was to be returned to the

courts, the two sides agreed to a general "statement of principles" outlining the new plan and to 90 more days of negotiations to hammer out specific details. "With this action," Babbitt said, "we expect to head off what could have been another decade of litigation and to immediately begin restoration."

"This administration has made more progress toward helping the Glades in the last six months than was made in the 12 preceding years," said Don Barger, NPCA Southeast regional director, "but there are certain standards by which we have to measure a restoration plan, and this doesn't meet them presently."

The plan backs off the strict pollution-control requirements of the 1991 court settlement. The settlement set a goal of reducing phosphorus pollution to 50 parts per billion by 1997. By 2002, it required that water flowing into the Everglades from the agricultural areas be clean enough not to cause environmental damage, with no more than five to 15



LEO DE WYS, INC./FRIDMAR DAMM

**A federal clean-up plan for the Everglades may end years of court battles, but critics say it reduces pollution too little and too slowly.**

unnaturally warm and salty. A giant algae bloom is spreading across the bay, threatening the coral reefs and fishing industry of the Florida Keys.

In 1988 the U.S. Attorney's office brought suit against the state of Florida, charging it with failing to enforce its own laws by not preventing pollution of Ev-



parts per billion of phosphorus. But under the new agreement, the first stage of cleanup will not be reached for 11 years. There seems to be no guarantee the second stage will be reached at all.

The 1991 settlement called for land between the agricultural areas and the park and refuge to be reclaimed as marsh. As water flows through the marshes, natural filtration would reduce its phosphorus content. The new plan does make use of filtering marshes. Beyond a certain point, however, it relies instead on water treatment plants that would be built to reduce pollution. This leaves the sugar growers operating the plants in control of the amount of water that reaches the Everglades.

A final criticism concerns the agreement's 20-year mechanism for financing Everglades cleanup. Of the total \$465 million cost, the sugar industry will pay between \$232 million and \$322 million. Under the agreement, it will have no further financial liability.

The amount, said Nelson Fairbanks, president of U.S. Sugar, is "much more than we wanted to pay." But, he said, "it's the last bill." The rest will be picked up by Florida taxpayers and water users and the federal government.

NPCA and other environmental groups wrote to Babbitt in July, stating, "We believe that the proposed framework will fail to clean up the Everglades system and is inherently unfair in its division of financial obligations."

The agreement "has the potential to become the 'Munich' of the Everglades, in which the government buys 'peace in our time' with Big Sugar, leaving to others at a later day the difficult task of actually saving the Everglades," said Dexter Lehtinen, the former acting U.S. attorney in Florida who brought the original suit against the state.

Negotiations on the final agreement will continue until mid-October, and, according to Babbitt, environmentalists will be included. "We have hope the agreement can be fundamentally redirected," Barger said. "The Everglades can't afford years more of litigation, but it also can't afford a plan that, instead of stopping the pollution that is killing it, simply provides for a slower death."

## WOLVES ON THE WAY BACK TO YELLOWSTONE

After a half-century absence, wolves will again roam Yellowstone National Park if a federal proposal becomes reality.

The U.S. Fish and Wildlife Service released plans in July to begin reintroducing the gray wolf to Yellowstone and central Idaho in October 1994.

Wolves were exterminated from the area in the 1920s and '30s, as part of federal anti-predator campaigns. The animals are now listed as endangered in every state but Alaska and Minnesota. "Reintroducing the wolf would be a monumental step," said Terri Martin, NPCA Rocky Mountain regional director. "It means bringing back one of the West's major species and making its native places more ecologically whole."

Under the plan, 15 wolves would be transplanted from Canada to the park each fall for three to five years. Another 15 would go to Idaho. By the year 2002, officials expect ten breeding pairs of wolves—and overall populations of 100 animals—to inhabit each region. The same number is projected for northwestern Montana, where wolves from Canada are resettling on their own.



ERWIN AND PEGGY BAUER

**Gray wolves would return to Yellowstone and central Idaho under a new proposal.**

When the three populations reach this size, wolves will be considered solidly re-established in the West and can be taken off the endangered species list.

Federal agencies and groups such as NPCA have been working for years toward the eventual reintroduction of wolves. Opponents are afraid wolves will kill livestock and will mean additional land-use restrictions. But under

## NEWSUPDATE

▲ **Conrad Wirth dies.** Former National Park Service director Conrad Wirth died of cancer July 25 in Williamstown, N.Y. He was 93.

Wirth spent 33 years as a Park Service employee and was director of the agency from 1951 until his retirement in 1964. He led the "Mission 66" campaign, a ten-year, \$1 billion improvement and expansion program that ended in 1966, the 50th anniversary of the Park Service's founding.

By the time of its completion, Mission 66 had resulted in 1.7 million acres of additions to the National Park System, and new roads, trails, campgrounds, and facilities for parks across the country.

▲ **Crime in the parks.** Kim Aufhauser, a ranger at Yosemite National Park, was shot three times by a lone pedestrian the night of July 15 when he approached the man on the park's Tioga Pass Road. Aufhauser, a law enforcement ranger, was wearing a bulletproof vest that deflected two of the bullets; the third hit him in the leg but did not seriously wound him. His assailant is still at large.

At Manassas National Battlefield Park in Virginia, a historic building was heavily damaged in a July 26 fire. Park officials say they suspect arson. The house, built in 1926, occupies the site of an 1855 house that was owned by a free black man, James Robinson.



the Fish and Wildlife Service's proposal, wolves that repeatedly prey on livestock could be moved to another area or killed, and no new land-use restrictions would be imposed.

Although wolves may kill a small number of livestock, they are expected primarily to eat elk, along with deer and moose. According to park scientist John Varley, in summer there will be more than 50,000 of these animals available to wolves within Yellowstone. "It's wolf heaven," he said.

✍ *The Fish and Wildlife Service will accept public comment on its plan until October 15. Send letters supporting wolf reintroduction to Ed Bangs, Gray Wolf EIS, P.O. Box 8017, Helena, MT 59601. Public hearings on the plan will be held in Cheyenne, Wyoming; Boise, Idaho; and Helena, Montana, on September 27; Salt Lake City, Seattle, and Denver on September 28; and Washington, D.C., on September 30. For more information, contact NPCA's Rocky Mountain regional office, Box 1563, Salt Lake City, UT 84110.*

◆  
For wolves in Alaska, the news is not as good. This summer the state approved a plan for limited reduction of wolves.

The move is a partial retreat from the plan Alaska announced last November, to reduce the number of wolves by having state employees shoot them from airplanes. Alaska Gov. Walter Hickel (I) suspended the plan after angry public reaction, including a tourism boycott by NPCA and other groups.

In a second action, the state permitted expanded use of aircraft in public hunting and trapping of wolves and extended the season until April. "This plan is a disappointing backslide from past agreements regarding wolf management," said Chip Dennerlein, NPCA Alaska regional director. "It abandons the principles of fair chase and encourages unethical hunting."

Under the new proposal, hunters would be permitted to use airplanes to spot and track wolves, as long as they land the plane and move at least 300 feet from it before they begin firing. While shooting wolves or harassing them from aircraft remains illegal, there



Canada will preserve the Alsek and Tatshenshini wilderness, rather than open it to mining.

are not enough wildlife officials to guarantee these restrictions will be observed.

The wolf reduction program excludes an area on the eastern border of Denali National Park and Preserve to protect park wolves that roam beyond the border. But no such buffer zone applies to the new hunting regulations. Dennerlein wrote to Hickel in July asking that Denali wolves be better protected.

While hunting with airplanes is still barred in national parks and preserves, it will be permitted on national wildlife refuges and other federal lands in Alaska under the new regulations.

✍ *Write Interior Secretary Bruce Babbitt (Department of the Interior, Washington, DC 20240) and ask him to give wolves on these lands the same protection they receive on Park Service lands.*

## CANADA PROTECTS VAST WILDERNESS REGION

A region of magnificent wildlands on the Canada-Alaska border will be preserved as a park rather than opened to mining, the government of British Columbia declared in June.

"This is one of the most spectacular wilderness areas in the world, and today B.C. is living up to its global responsibility to keep it that way," British Co-

lumbian Premier Michael Harcourt said in announcing the decision.

By protecting the area surrounding the Tatshenshini and Alsek rivers, Harcourt ended a Canadian company's plans to build an enormous copper mine there. NPCA and other groups fought the plans for five years, warning that mining could devastate the area.

The new Tatshenshini-Alsek Wilderness Park, which spans 2.3 million acres, borders Canada's Kluane National Park and Wrangell-St. Elias and Glacier Bay national parks in Alaska. Together the parks total nearly 21 million acres, constituting the largest protected area in the world.

The Tatshenshini, often called North America's wildest river, and the Alsek, into which it flows, form the heart of an extraordinary region of mountains and glaciers. The area holds one of North America's most significant grizzly bear populations, as well as the rare glacier bear, a variety of black bear whose fur is sometimes a steely blue. Wolves, Dall sheep, bald eagles, and moose all inhabit the region, and the rivers provide one of the continent's largest salmon runs.

Geddes Resources Ltd. planned to excavate Windy Craggy Mountain on the Tatshenshini to create the world's largest open-pit copper mine. The greatest danger the plan posed was run-



off of sulfuric acid. Research showed the ore at the site to be up to seven times as acidic as most copper ore.

Geddes planned to build a giant dam to contain the mine waste. But studies by the Canadian government called the proposal "based on novel and as yet unproven assumptions, methods, and techniques"; found "the area has registered some of the largest earthquakes in the history of the planet" and that if the dam was breached, "destruction of fish habitat would be essentially permanent"; and concluded "the risk of serious environmental damage is high."

The Alsek joins with the Tatshenshini below the mine site to flow into Glacier Bay National Park and Preserve and from there into the Gulf of Alaska. Along with Glacier Bay, the mine plan threatened Alaskan fisheries worth \$50 million to \$60 million a year, as well as the region's wildlife, the burgeoning white-water rafting industry, and the hunting and gathering lifestyle of the Yakutat Tlingit, who inhabit the area.

The United Nations declared Glacier Bay a World Heritage Site in December, increasing the pressure on Canada not to allow the mine.

Canada's final decision was "critically important...for this rare and pristine region and all its citizens," said Vice President Al Gore, who as a senator introduced a resolution to Congress calling for protection of the area.

British Columbia is recommending that the adjacent Canadian and U.S. parks be managed together as a world wilderness reserve.

## PARK SITE STRUGGLES TO PRESERVE KING'S LEGACY

The Atlanta neighborhood central to the life of Dr. Martin Luther King, Jr., is now contending with deterioration and visitor numbers soaring far beyond its ability to accommodate them.

The National Park Service, NPCA, and Rep. John Lewis (D-Ga.) are working to gain help for Martin Luther King, Jr., National Historic Site.

Congress established the park in 1980 to preserve the house and street

where King was born; Ebenezer Baptist Church, where he, his father, and his grandfather preached; and King's tomb, which adjoins the private Martin Luther King, Jr., Center for Nonviolent Social Change. But since then it has provided little of the funding necessary to carry out these goals.

In 1990, the lack of funds had disastrous consequences for a building two doors down from King's birth home. "We had been making it known for several years that the building was in poor condition. It eventually collapsed,"

**During the Olympics, 150,000 visitors are expected to tour King's birthplace each day.**



JOHN ELK III

## MARKUP

### KEY PARK LEGISLATION

#### Bill

**Old Faithful Protection Act**  
H.R. 1137

**Glacier Bay**  
H.R. 704

**Shenandoah battlefields**  
H.R. 746  
S. 208

**Concessions**  
H.R. 1493  
S. 208

**California desert**  
S. 21

**California desert**  
H.R. 518

#### Purpose

Prohibits geothermal drilling and pumping around Yellowstone and mandates research on the risk geothermal and other energy development poses to the park's geysers. NPCA supports.

Permit commercial and subsistence fishing at Glacier Bay National Park and Preserve in Alaska. NPCA opposes.

Establish a national battlefield park in Virginia's Shenandoah Valley to preserve Civil War sites and set up a heritage commission of local landowners, business people, officials, historians, and preservationists. NPCA supports.

Increase concessions fees and return them to the park system; establish competitive bidding for concessions contracts; reform possessory interest. NPCA supports.

Create Mojave National Park, expand Death Valley and Joshua Tree national monuments and redesignate them as national parks, and designate 4.4 million acres of Bureau of Land Management wilderness. NPCA supports.

Create Mojave National Monument, expand Death Valley and Joshua Tree national monuments and redesignate them as national parks, and designate 4.1 million acres of BLM wilderness. NPCA supports.

#### Status

H.R. 1137 is before the House subcommittee on energy and mineral resources.

The House Merchant Marine Committee reported out H.R. 704 in August. It is still before the House subcommittee on national parks.


H.R. 746 is before the House subcommittee on national parks. S. 1033 is before the Senate Energy and Natural Resources Committee.

H.R. 1493 is before the House subcommittee on national parks. The Senate Energy and Natural Resources Committee held a June 24 hearing on S. 208.

S. 21 is before the Senate Energy and Natural Resources Committee.


June hearings were held on H.R. 518. The bill is before the House subcommittee on national parks.






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said Rick McCollough of the park's planning staff. "The roof fell in, and it was so far gone, the whole structure had to be demolished." After the incident, Congress increased the park's 1992 budget, allowing it to restore more than half the houses on the block. Some of the rest are still badly deteriorated.

Rapid growth in visitation to the park has proved another problem. From 350,000 in 1984, the number of visitors increased to 3.2 million in 1992. An estimated 80 to 90 tour buses and 1,500 carloads of people arrive on peak summer days. A parking lot some distance from the site has room for 35 cars. The rest roam the neighborhood's streets in search of parking spaces.

The park itself contains no public rest rooms. The more than 8,000 visitors on an average day must line up to use two stalls in the King Center and two in a nearby city community center.

The park lacks exhibits on King's life and curatorial space where his papers and personal items can be preserved. Its administrative offices have been split among four different buildings on the birth home block since 1983.

The approach of the 1996 Olympics, which will be held in Atlanta, gives the park's problems an extra degree of urgency. Major Olympic venues are being built nearby, and during the games the number of visitors is projected to skyrocket to 150,000 per day.

NPCA, the Park Service, Lewis, and other members of the Congressional Black Caucus are working to secure funds for the site. "It is imperative that we make the necessary improvements to the site before the Olympics, when Atlanta and the United States will be under international scrutiny," said Lewis, a veteran of the civil rights movement.

The city of Atlanta has agreed to turn over to the Park Service the adjoining community center. If the funds to do so are available, the park will renovate the facility to include public rest rooms, a visitor area with exhibits on King's life, and the needed office and curatorial space. It also will turn a vacant lot near the site into parking space and finish rehabilitating the historic buildings.

While the appropriations bill passed by the Senate included \$11.8 million for these improvements, the House bill did not. A final decision will be made in mid- to late September congressional negotiations.

*Write to Sen. Robert Byrd (U.S. Senate, Washington, DC 20510) and Rep. Sidney Yates (U.S. House of Representatives, Washington, DC 20515), who have responsibility for Park Service funding.*

## ROAD PLAN THREATENS SOUTHWESTERN PARKS

NPCA is working to block a proposal to build a four-lane interstate highway through the canyonlands of northern Arizona and southern Utah.

Last February, NPCA joined with other conservation groups to write to Gov. Fife Symington (R) of Arizona, urging that the proposal to extend Interstate 17 northward from Flagstaff, Arizona, through Utah's canyon country be reconsidered for environmental, cultural, safety, and economic reasons.

The highway extension would slice through Glen Canyon National Recreation Area in Utah. It would also pass five miles from the eastern border of Grand Canyon National Park in Arizona and within a short distance of Zion National Park in Utah.

NPCA believes the highway would severely damage the fragile desert ecosystem of the area, worsening air quality and destroying habitat for endangered plants and animals.

"The road not only would have huge environmental impacts but would set off a development boom near the parks," said David Simon, NPCA Southwest regional director.

The proposed route cuts through the western part of the Navajo Reservation, which is noted for one of the largest concentrations of prehistoric remains, burials, and archaeological sites in North America. The highway, intended as part of a Canada-to-Mexico trucking corridor, would also direct traffic into one of the most hazardous winter driving regions in the nation.

A significantly shorter route could



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TOM TILL

NPCA is fighting proposed highway construction through Arizona and Utah canyonlands.

be created by upgrading existing roads between Phoenix and Las Vegas. The cost of upgrading these roads has been projected at \$165 million less than the cost of the I-17 extension.

Sen. Dennis DeConcini (D-Ariz.) has called for a look at alternative routes.

In early August, it appeared that public opinion was solidly in favor of the Phoenix-to-Las-Vegas alternative, and the Arizona Department of Transportation had begun consideration of routes besides the I-17 extension.

—Laura P. McCarty

## BABBITT RESCINDS TWO DEVELOPMENT PERMITS

This summer, Secretary of the Interior Bruce Babbitt put on hold two controversial projects—jetties planned for North Carolina's Outer Banks and oil and gas drilling proposed near Glacier National Park in Montana—that NPCA and other groups had gone to court to block. In doing so, he reversed decisions made in the final months of the Bush Administration that, critics charged, circumvented environmental review processes.

"We are relieved that Secretary Babbitt has taken charge of these two contentious issues," said Elizabeth Fayad, NPCA staff attorney, "and are confident that he will continue to protect the fragile resources involved."

Babbitt in June withdrew conditional permits issued for the proposed mile-long North Carolina jetties, which would frame Oregon Inlet, the only opening along a 120-mile stretch of the Outer Banks. They are intended to sta-

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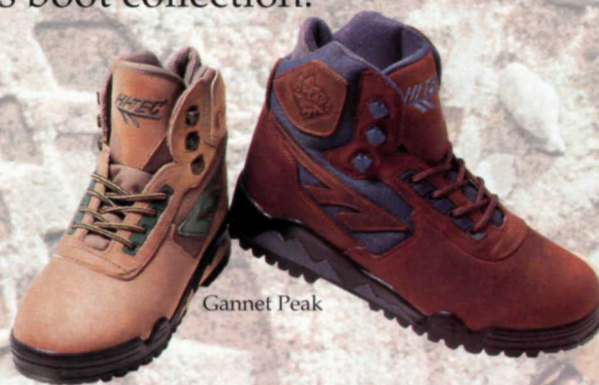


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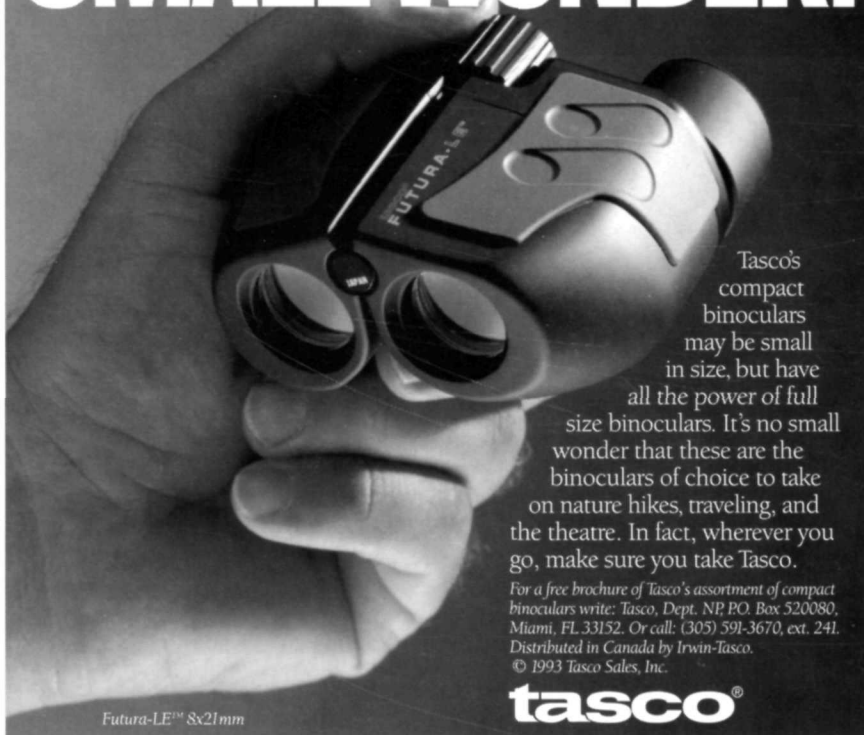
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bilize the inlet and make access to fisheries and a seafood processing plant more predictable. Conservationists and many scientists believe, however, that they will not work.

Congress approved the jetty project in 1970. The Interior Department has never issued the necessary permits, arguing that the project would severely erode the fragile shorelines of Cape Hatteras National Seashore and Pea Island National Wildlife Refuge.

The effects of the project are still being studied. By law, federal agencies can approve such projects only after thorough environmental review. But last October former Interior Secretary Manuel Lujan, Jr., issued permits authorizing construction to begin as soon as the studies were done—seemingly, no matter what conclusion they reached.

NPCA and five other conservation groups, represented by the Sierra Club Legal Defense Fund, filed a lawsuit in November contesting Lujan's decision.

In rescinding the permits, Babbitt emphasized, "I am not now taking a position on whether the jetties should

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be built....Rather, I am simply taking a more neutral approach to the decision-making process."

Also in June, Babbitt put a one-year hold on a permit Lujan issued just before leaving office in January. The permit allows oil and gas drilling in the Badger-Two Medicine area near Glacier National Park.

NPCA, other conservation groups, and Native American groups filed suit this spring to block the drilling. The Badger-Two Medicine, in the Lewis and Clark National Forest, is sacred land to the Blackfeet and is located at the heart of some of the most important grizzly bear habitat in the lower 48 states. For several years Congress has been considering it for wilderness status. The Forest Service usually does not allow energy exploration in areas under such consideration.

In a letter to NPCA President Paul Pritchard, Babbitt said, "Congress will [now] be provided the opportunity to consider legislation to conserve and protect the natural resources of the area."

## CONCESSIONS REFORM INCHES FORWARD

The campaign to reform national park concessions law, a top NPCA priority, is gaining momentum. Members of Congress appear increasingly convinced that the system under which private companies provide visitor services in the national parks needs changing.

The Clinton Administration voiced "strong support" for reform legislation at a late June Senate hearing.

There were also signs of progress at an August 3 Senate Energy and Natural Resources Committee meeting, held to debate Sen. Dale Bumpers' (D-Ark.) reform bill. At the hearing, Sen. Bennett Johnston (D-La.), chair of the committee, and Sen. Robert Bennett (R-Utah) endorsed change of the concessions system. They made a commitment to work during Congress' August recess to craft legislation addressing their concerns.

Johnston cited a need for reform of possessory interest, the escalating financial interest concessioners acquire

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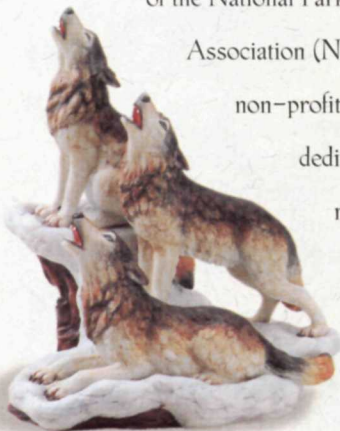
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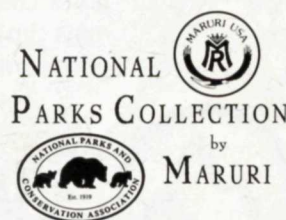


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in park facilities. He argued for open competition when contracts come up for renewal, rather than the granting of preference to incumbent concessioners. He also called for a better return of concessions revenues to the government. In 1991, concessioners grossed a total of \$618 million in the parks but returned only 2.9 percent of that in franchise fees.

In an August telephone interview, Bennett said, "We have to do what is best for the visitor, what produces the best services at the fairest prices." When concessions operations are large or highly profitable, he said, "the government ought to benefit from that." But without special arrangements for more marginal operations that provide needed visitor services, he said, it may be that "they'd get out of the business, and the visitor would suffer the most."

Support for such changes to the system is growing, but concessioners are at the same time lobbying hard against reform. Some of the information they are providing has come under question.

At the June hearing, the National Park Hospitality Association, an industry group, stated that park concessioners provided \$80 million in benefits to the government in 1991. In a letter of response, the Park Service said the group wrongly counted ordinary business taxes and other such items in the figure. It said the actual total of concessioner franchise fees and contributions to park maintenance funds was slightly more than \$27 million.

"We welcome the bipartisan consensus on reform," said William J. Chandler, NPCA director of conservation programs, "but we can't forget that the clock is running on this issue." More than half of all contracts will be up for renewal by late 1994. "If the system is not changed by then, the parks will be locked into another round of anti-competitive sweetheart deals," Chandler said.

*The votes of the following senators are crucial. Write to Sens. Wendell Ford (Ky.), Richard Shelby (Ala.), Robert Bennett (Utah), Mark Hatfield (Ore.), Arlen Specter (Pa.), Pete Domenici (N.M.), and Trent Lott (Miss.), at the U.S. Senate, Washington, DC 20510, asking them to support reform legislation. Send NPCA a copy of your letter, attn: Conservation Programs.*

## NPCA COURT VICTORIES WILL AID UTAH PARKS

NPCA won two lawsuits this summer to protect national parks in Utah.

The first case will help protect the natural quiet of Glen Canyon National Recreation Area. The federal Tenth Circuit Court of Appeals ruled in early July that the Federal Aviation Administration acted illegally in 1990 when it approved funding and construction of an airport adjacent to the park.

The FAA had asserted that noise from overflights associated with the airport would have "no significant adverse effect" on the park. The National Park Service and the Environmental Protection Agency had disagreed and asked for restrictions on flights over Glen Canyon. NPCA, joined by the Southern Utah Wilderness Alliance and the Sierra Club, contested the agency's decision in a 1990 lawsuit.

The court found that the FAA provided "no empirical evidence to support" its position, relying instead on "subjective evaluation." It ordered the FAA to reassess the impact of the airport. NPCA will now press for restrictions on overflights.

"This is a major victory for everyone who treasures the tranquility of our national parks and wants it preserved," said Terri Martin, NPCA Rocky Mountain regional director.

The court also found that the Bureau of Land Management violated legal requirements when it transferred federal land to San Juan County for construction of the airport.

In late June, the Utah Supreme Court ruled in favor of NPCA on another case. It determined that in 1987 the state of Utah unlawfully transferred to Garfield County a square mile of land it owns within Capitol Reef National Park. Garfield County sought the land as part of its long-running attempt to gain control of the Burr Trail, a 66-mile backcountry road that traverses Capitol Reef and Glen Canyon. A portion of the road runs through the square-mile parcel. The county claims it has a right-of-way across the road and therefore may pave and expand it. (See page 28 for more information on such claims.)

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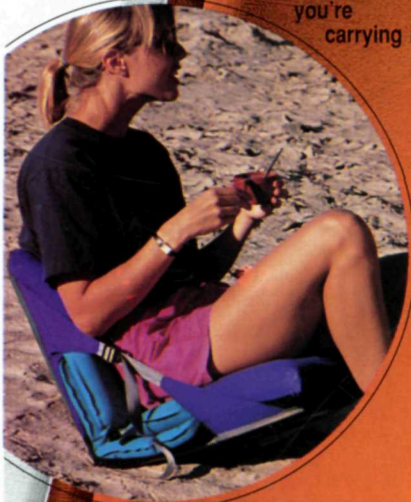


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## NATIONAL PARKS GRAPPLE WITH ROCK CLIMBING

As rock climbing soars in popularity, the National Park Service is examining ways to reduce its impact on the national parks.

For climbing fans, Yosemite National Park and Joshua Tree National Monument in California, City of Rocks National Reserve in Idaho, and several other parks are meccas that provide some of the best climbs in the country. In an effort to protect park resources as the numbers of climbers and climbing routes multiply, NPS announced in June its plan to develop overall climbing regulations for the national parks.

Park officials have expressed concerns about some heavily used climbing areas, including vegetation loss from overuse of trails and areas that lead to climbing routes; damage from permanent metal bolts drilled into the rocks; and the discoloration of rock faces from chinks used by climbers.

A number of parks have already issued their own plans for managing climbing. In February, Joshua Tree released a plan that placed a temporary ban on the drilling of new bolts and the replacement of old ones in its wilderness area. The park has also closed climbs located near petroglyph and pictograph sites. Yosemite and City of Rocks have adopted similar regulations.

David Moore, superintendent at Joshua Tree, said that the park is not against climbing but part of his job is to prevent damage to the resources. "Climbers are actually some of the most conscientious visitors out there. But we don't allow a person to pick a dandelion; how can we allow [bolting]?" he asked.

NPCA believes recreation in national parks must be balanced with the protection of resources. In November it will sponsor a cooperative workshop in the Denver area for climbers and NPS officials on finding this balance.

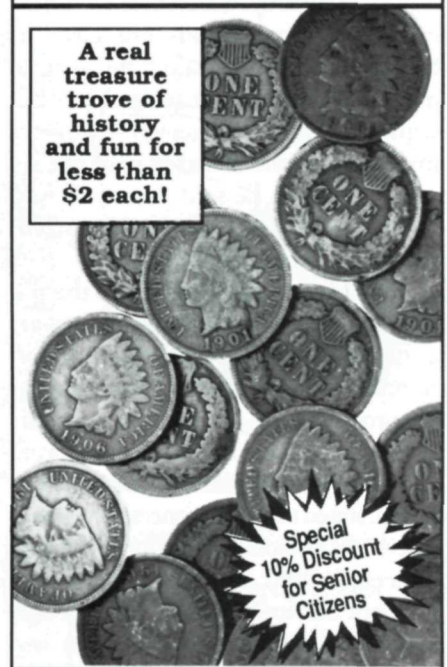
*NPS is accepting suggestions and comments as it begins work on its overall climbing regulations. Write to Tony Sisto, Division of Ranger Activities, Department of the Interior, Washington, DC 20013-4784, by September 13.*

—Laura P. McCarty

The coin that won the West . . .

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# REGIONAL REPORT

## News Briefs from NPCA's Regional Offices

### ALASKA

*Chip Dennerlein, Regional Director*  
Alaska's delegation to Congress is pushing legislation that would authorize commercial and subsistence fishing within Glacier Bay National Park and Preserve, a move opposed by NPCA and other conservation groups. Dennerlein obtained from Congress an agreement not to hold hearings that would move the bill forward until this fall. The delay allows time for Secretary of the Interior Bruce Babbitt to visit Alaska and for environmental, fishing, and Native Alaskan groups to meet with one another on the issue.

◆  
The 1989 *Exxon Valdez* oil spill tainted 40 miles of Kenai Fjords National Park's coastline, with disastrous effects for seals, otters, and sea birds. NPCA wants to see some of that damage compensated for with money from the settlement of criminal charges against Exxon. Much of the coastline within the park is owned by Alaska Native corporations, who have expressed an interest in selling the land to the Park Service. "Purchasing this land for the national park is an ideal use of settlement funds," said Dennerlein. "It would give some of the hardest-hit animal populations additional protected habitat to help compensate for the habitat that was damaged by the oil spill."

### NORTHEAST

*Bruce Craig, Regional Director*  
NPCA, along with other environmental groups and Washington, D.C., civic associations, filed a lawsuit in June to contest the Interior Department's transfer of an undeveloped island to the city of Washington. The island, in Washington's Anacostia River, is home to bald eagles and more than 50 other varieties of birds. The city plans to turn

it over to the Island Park Development Corporation, which will build a for-profit theme park there. The suit contends the Interior Department violated federal law by failing to assess the environmental effects of the plan and by failing to allow public input before making the decision.

### PACIFIC NORTHWEST

*Dale Crane, Regional Director*  
The once-tremendous salmon runs of the Olympic Peninsula's Elwha River can be brought back if two dams blocking the river are removed, according to a Department of Interior report released in draft form this summer. Congress asked for the report in a bill it passed in 1992. The legislation authorizes removal of the 60-year-old dams, one of which was built within Olympic National Park, if it is necessary to fully restore the river's ecosystem and salmon population.

◆  
The North Cascades region of Washington and British Columbia contains some of the most spectacular scenery and important wildlife habitat in either country. NPCA and other U.S. and Canadian environmental groups are working to establish an international park in the region, with surrounding zones in which limited development will be permitted. The idea has received support from political leaders on both sides of the border.

A conference in Seattle March 24-27, sponsored by NPCA and the University of Washington, will examine how best to preserve the North Cascades' ecological integrity in a way that also benefits the regional economy. Funding for the conference has been provided by the Skagit Environmental Endowment Commission. For more information, contact Crane at 618 S. 223 Street, Des Moines, WA 98198.

### ROCKY MOUNTAIN

*Terri Martin, Regional Director*  
The U.S. Fish and Wildlife Service acknowledged in July that operation of a Yellowstone development in crucial habitat for grizzly bears results in periodic bear deaths.

NPCA and other environmental groups announced this spring their intent to file suit over the Lake and Bridge Bay tourist complexes. They argued that the National Park Service was violating the Endangered Species Act by allowing this "taking" of grizzlies, a threatened species, to continue without formal permission from the Fish and Wildlife Service. In July, the agency conceded the point and extended the necessary permission to the Park Service, making the lawsuit moot.

"What is still needed," Martin said, "is action by the Park Service to reduce the effect of the developments on grizzlies." The Lake and Bridge Bay complexes are located along streams where bears gather to feed on spawning trout in springtime.

To preserve human safety, the Park Service must sometimes relocate bears from the area. In other cases, the situation has resulted in dead bears.

### SOUTHEAST

*Don Barger, Regional Director*  
NPCA and the Gulf Islands Conservancy have worked successfully to persuade the Army Corps of Engineers not to renew a general permit for energy exploration along the coast of Mississippi. This means that the environmental effects of drilling will be examined on a case-by-case basis. Under the general permit, companies would have been able to receive permits automatically as long as they met certain conditions on paper. The new requirement will help protect Gulf Islands National Seashore.



Study after study has shown that high levels of air pollution are causing serious environmental damage in the Southern Appalachian region, including Shenandoah and Great Smoky Mountains national parks and the Blue Ridge Parkway. Governors of eight nearby states recently formed the Southern Appalachian Mountain Initiative to address the region's air-quality problems. Although they will work on a pollution-reduction plan, none of its stipulations will be binding.

NPCA and 20 other conservation and public health groups came together as a coalition this year with the goal of making sure that action, rather than just more study, comes out of the initiative. "While there is certainly information we need to gather," Barger said, "we cannot afford to do nothing while we wait for further research."

## SOUTHWEST

*David Simon, Regional Director*

A new director, David Simon, will take over NPCA's Southwest office this fall. Simon has worked in NPCA's Washington, D.C., office for eight years, serving as its specialist in natural resource issues.

Russ Butcher, who has directed the Southwest office for 13 years, will take on the title of NPCA senior fellow. His first project in that role is revising *Exploring Our National Parks and Monuments*. The book, first published in 1947, was written by his father, Devereux Butcher, executive director of NPCA from 1942 to 1950.

After five years of often difficult negotiations, comedian Bob Hope in June sold the National Park Service a 2,300-acre ranch he owns in the Santa Monica Mountains near Los Angeles. Hope had originally planned to build 750 luxury homes and a golf course on the land. The ranch is a crucial piece in the 35,000-acre expanse of canyon, ancient oak groves, and habitat for bobcat, coyote, and deer that the Park Service is trying to stitch together, tract by tract, as Santa Monica Mountains National Recreation Area.

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## U.S. Population Growth, Do We Really Want To Stop It?

As Mark Twain said, "Everybody talks about the weather, but nobody does anything about it." The same could be said of U.S. population growth.

Recognizing that our population growth is the root cause of the degradation of our environment, many environmental organizations are in favor of halting it, but how many are willing to actually recommend specific measures designed to **REDUCE FERTILITY AND IMMIGRATION?**

Like it or not, **THOSE ARE THE ONLY TWO FACTORS THAT ARE THE DRIVING FORCES BEHIND OUR ALARMING GROWTH IN NUMBERS.** If we cannot come to grips with that reality, then we can do nothing to halt our population growth.

Are we in a crisis situation? You bet we are. The Census Bureau projects (middle series) that our present U.S. population of 257 million will grow to about 383 million by 2050, with no end to growth in sight. Many feel that even these alarming projections are far too conservative.

**THE IMPACT OF SUCH NUMBERS ON OUR ALREADY OVER-STRESSED ENVIRONMENTAL, AND ECONOMIC SYSTEMS WOULD BE DISASTROUS.**

If U.S. population growth is a major problem, then **WHY DON'T WE DO SOMETHING ABOUT IT?** Are we just going to keep on sitting around doing nothing while the ship sinks under us? What a tragedy that would be!

Simply being for an end to population growth is of little or no effect. U.S. population growth will not be influenced by generalized statements that it should stop. Wishing will not make it go away.

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# Who Owns the Land?

*A fierce controversy surrounds attempts to balance private rights and public good.*

By Richard M. Stapleton

A MAN'S HOME may be his castle, but what is his land? The answer depends in part on where he lives and where he grew up. The right to own and use land and the limits over those rights are not fixed; they are fluid, subject to intense debate—both philosophical and pragmatic—and they change with both time and place.

"Property rights" is a hot-button issue, a topic for discussion all the way from the counter at the local doughnut shop to the bench of the U.S. Supreme Court. It is also a potent membership and fund-raising tool for the Wise Use Movement, one of the few that plays as well Down East as it does out West.

I grew up on the land, tending cows on a small farm in Connecticut. I know land the way a farmer knows land, as something to hold and squeeze to see whether it balls or crumbles. I know the smell of the earth. I know to this day every rock in every stone wall that held back the woods encroaching on our fields.

There were other stone walls, too. Woven through the woods, they told of other farmers who had owned this land and relinquished it to nature. Ownership, I came to realize, is temporal: the land belongs to none of us.

One stone wall was anchored at the roadside by a granite post—NY on one

side, CONN on the other—marking the state line. The farmer on the NY side sold the right to mine gravel from his pasture, and for a year a steam shovel gouged a hole in the landscape that endures even today. "No zoning over there," my father grouched. "Next thing you know, they'll put up a trailer camp." Our town had zoning, and I learned that restrictions can be set on land use, limits to protect the public interest.

**We are running out of land, and public policy is shifting...setting up the fight over property rights.**

As I explored the woods, I would occasionally run into a fisherman or a hunter or a trapper. We owned the land, but others had the right to use it. And then gradually, as city-slicker hunters mistook more and more cows for deer, the farmland was posted, and trespassers were barred. The right to use land can be changed, can be lost through abuse.

Before you condemn me as an Easterner incapable of understanding the Western land culture, let me remind you that the East was once the West.

Free land enticed families to cross the ocean in small boats centuries before the Homestead Act launched fleets of prairie schooners across the plains. In fact, to understand how deeply rooted property rights are in the American psyche, it is helpful to visit England. Read the real estate ads in London; house listings speak of the number of years left on the land lease. The average English citizen may own the house, but to this day the local lord owns the land that house is built on. Our ancestors fled this leaseholder system, and the right to own land became a cornerstone of American culture.

The King's land grants in colonial America were part of British public policy, just as the Homestead Act was part of American public policy. In different centuries, both countries saw the need to encourage settlement of far western lands. Political leaders of the 19th century believed in the inevitable coast-to-coast expansion of the United States. And so Manifest Destiny used public property, which involved giving free land to the railroads and grazing, mining, and timber rights to developers, to further the national interest.

We are only now coming to the end of that era. Surprisingly, just seven years ago the Homestead Act finally passed into history. We no longer need to encourage people to move West. We are running out of land. Public policy is shifting to reflect this, and with it, the rights of ownership and use, setting up the fight over property rights.

The issue in the West is the use of *public* land. Both the economy and the national interest are turning against the ranchers, foresters, and miners. The anachronistic legislation that encouraged development and exploitation is doomed. President Clinton may have bowed to Western politics this time around, but the topic has not died.

In the crowded East, the issue is the use of *private* land. As the Atlantic Ocean inexorably chews away at dune systems and the mega-buck summer homes that violate them, we are learning that keeping development back from the dune line is in the national interest. We have learned—the hard way—the



value of breathing room, for nature as well as for people.

We are learning, but it is a fight. It is a fight not just against the Wise Use Movement and its offspring, The Property Rights Movement, but against the belief that property is one of those inalienable rights endowed to us by our Creator through the Declaration of Independence. We may know in our minds that to shape our destiny, land use must be controlled, but in our guts, we still equate private property with personal freedom.

The Wise Use Movement understands this dichotomy and plays it both subtly and blatantly. Its message is simple: government is trying to take away an inalienable right. With lies and distortion, Wise Users have exploited fear and ignorance to destroy efforts to gain Wild and Scenic River status for the Pemigewasset in New Hampshire and the Farmington in Massachusetts. In Maine, the Washington County Alliance killed efforts to identify the Cutler Coast as a National Natural Landmark. The group, operating as the Maine Conservation Rights Institute, is now challenging Park Service initiatives throughout the Northeast.

Park Service employee Edie Shean-Hammond, whose regional office has dealt with the Maine group, says property rights advocates are costing time, money, and, ominously, the public trust. The threat of the Wise Use Movement was one of the top five issues covered by the Park Service in briefing papers prepared for the new administration.

The fights until now, however, have been mere skirmishes. The property rights people are mounting a campaign in the courts and in Congress that could bankrupt conservationism and make prohibitive any public effort to control land use. They call it the “takings” is-

sue. Simply stated, property rights advocates argue that if the government

## **The right to do this or that on any given parcel of land is not inalienable; it has been given by the community...**

“takes away” a land use, the government must compensate the landowner.

They carried the issue to Capitol Hill, where they tried to get legislation passed that would block any Environmental Protection Agency regulations that in-

ing, the state eventually paid Lucas.] In fact, the concept of “private property taking” has been carried to such an extreme that a Nevada rancher has sued for damages because the Forest Service stopped him from grazing cattle on *public land*, and Alaska’s governor has sued the U.S. government for \$29 billion for depriving the state of mineral revenue bound up in more than 100 million acres of national parkland, wildlife refuges, and wilderness areas.

The catch in the “takings” argument is that nothing is being taken. From the first tenuous settlements that included village greens and commons, land use in America has historically been determined by, and in, the public interest. The right to do this or that on any given

parcel of land is not inalienable; it has been given by the community, and it can be taken away by the community. Like the farm I grew up on, land does not stop at the property line, and neither do the effects of how the land is used. It is the developers and exploiters who have been doing the taking. It is time to set the record straight.

**Postscript:** The farm I grew up on is gone. I moved on, my parents passed on, and so did the land. Two houses stand in the alfalfa meadow now, one on the blackberry hill and another in the night-pasture. But most of the

land—the cornfields where we waged war with ’coons, the swamp where I once accidentally set cattails on fire, the outcropping where I would show off glacial scratches—most of the land was sold to the Park Service. Now you can walk it, too; it carries the Appalachian Trail north from New York into Connecticut. It is no one’s land today; it is everyone’s land. And it is still my land.

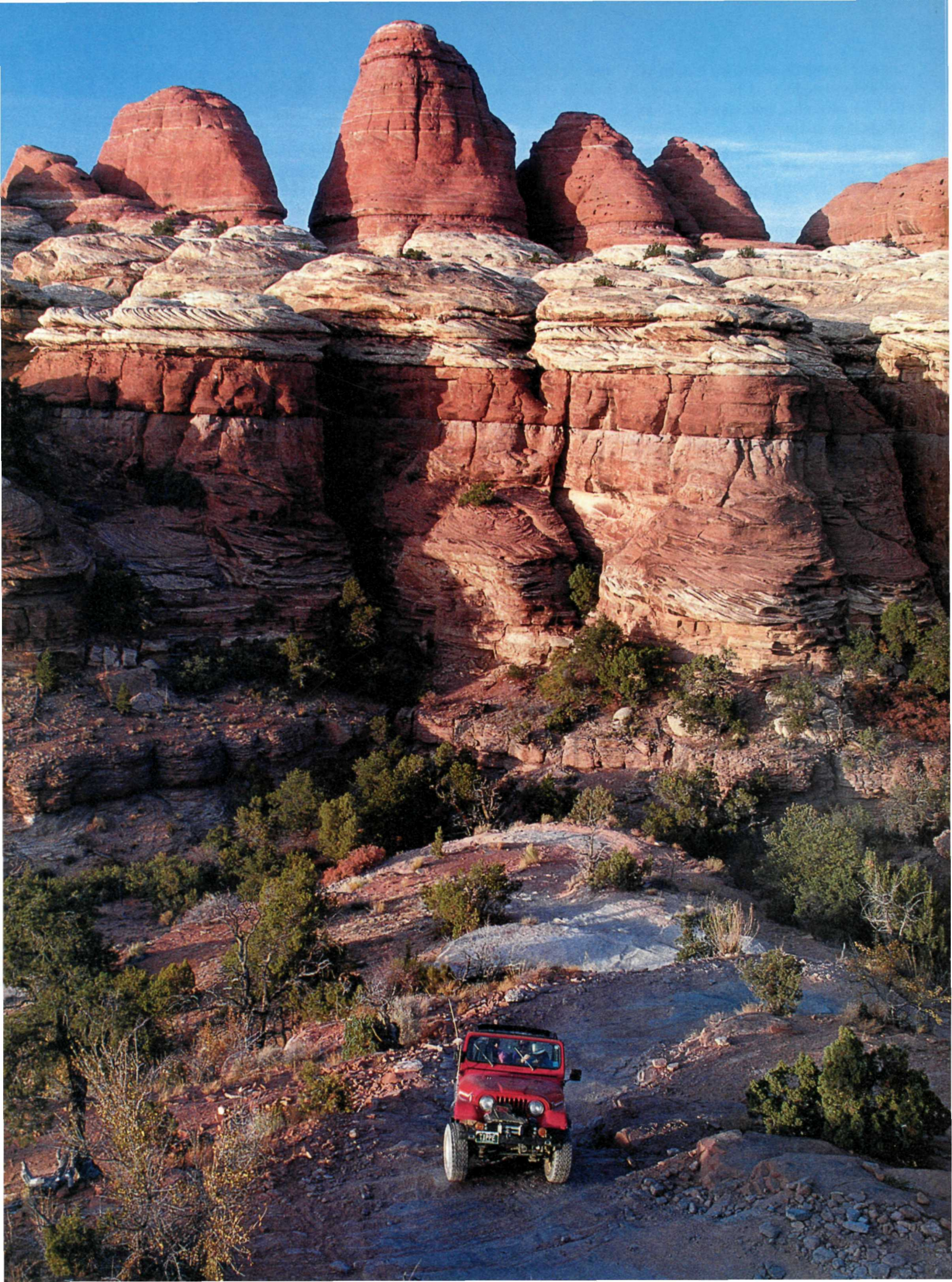
*Richard M. Stapleton wrote a three-part series for National Parks about the Wise Use Movement.*



ANDREW TOOS

involved a “taking”—a determination that would be left to the Department of Justice. And they brought the issue to the Supreme Court, where developer David Lucas wanted more than \$1 million from South Carolina because the state said his beachfront property is too close to the ocean to support a building. (Ironically, Lucas is willing to allow the government to subsidize the flood hazard insurance that gives value to his and all other beachfront property.) [Note: Although the Supreme Court did not rule the South Carolina action to be a tak-







# ROADS TO RUIN

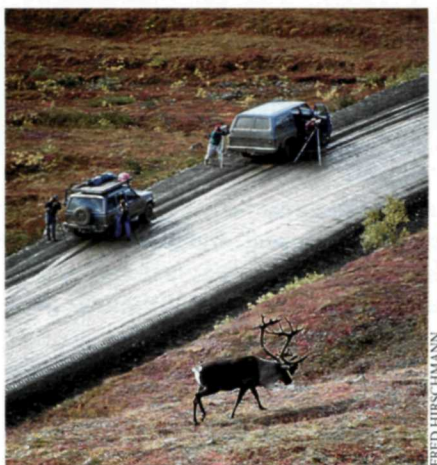
An archaic federal law may allow paving of obscure dirt roads and trails through national parks and other public lands.

By Michael Milstein

**I**MAGINE YOU ARE STANDING on the north slope of Mount McKinley, the highest peak in North America. Scanning Denali National Park and Preserve's deep green tundra, a cushion of plants with a growing season measured in weeks, your view would take in the ranges of the Toklat and Savage wolf packs. With a spotting scope, you might see herds of caribou moving along the glacier-fed Toklat River. One of the few signs of human use is a dirt road—off-limits to most private vehicles and used mainly by park shuttle buses—winding its way from the east.

Now envision a paved road slicing down from the northwest, crossing designated and potential wilderness and splitting the caribou corridor; another road from the north, open to rumbling trucks and motor homes; and perhaps a tourist railroad. Another part of this picture would reveal roads from the east and three or four more from the west, intersecting those already built to form a web-like highway network in the midst of one of America's most pristine natural reserves.

If it sounds like a nightmare, it is. Under an archaic and once-obscure federal law, the state of Alaska has claimed the right to turn 30 historic



**Park advocates fear that developers using a loose interpretation of an outdated federal law will transform dirt roads through parklands such as Canyonlands in Utah, left, and Denali in Alaska, above, into major thoroughfares.**

routes—some now invisible in the boggy muskeg—into roads through Denali. “We would be looking at a significant portion of the park crisscrossed by roads that would open up areas to off-road vehicles and interfere with wildlife,” says Denali Superintendent Russell Berry. “This park is larger than the state of Massachusetts. I have five permanent rangers. There’s no way you could control something like that.”

This may be a worst-case scenario, since state engineers have pushed to construct only a few highways so far. But the state of Alaska claims it has the right to develop 1,700 roads, trails, and dogsled routes into major highways, including 200 in Alaska’s national parks and preserves, and hundreds more across national wildlife refuges and other federal lands. Add road claims in other states in the West, and there may be nearly 17,000 across the nation.

Whatever the scene—southern Utah’s rust-red slickrock country, the national forests of Colorado and Montana, or the sagebrush desert of eastern Oregon—the culprit is Revised Statute 2477. Enacted when giveaways of public lands were the order of the day, the vague 18-word statute granted rights-of-way for “construction of highways” with few limitations. Originally added to an 1866 mining law in a last-minute congressional maneuver, the statute is being wielded by developers as a sword to cut through the hearts of America’s wildlands without giving land managers or the public any say in the matter.

“[R.S.] 2477 is right up there with the 1872 Mining Law,” says NPCA Rocky Mountain Regional Director Terri Martin. “Both statutes just let people go out and do whatever they



want on public lands without worrying about the environmental consequences. The time for that kind of an attitude is long gone."

Prodevelopment states and counties are churning out right-of-way claims for thousands of miles of roads, tracks, and trails, which they say will preserve access to the West's resources. But conservationists say legitimate transportation needs can be met in other ways, and these claims could disqualify potential wilderness areas and undermine the integrity of national parks. Under most R.S. 2477 claims, the state would own a mere 100-foot strip of right-of-way surrounded by millions of acres of federal lands, yet that strip could control land use and impacts within some of the nation's most magnificent parks and refuges.

Until last year, the road grab was aided by top federal appointees and a tangle of conflicting court decisions. But R.S. 2477 foes hope Congress and the new administration will finally erect a stop sign in front of the outdated statute that threatens to beat up the West like a four-wheeler careering out of control.

An Italian dish has become a striking metaphor in this fight, because some proponents boast and opponents fear that new road claims may make maps of the West look like a plate of spaghetti. In fact, road boosters in Alaska call themselves "the spaghetti guys."

Last year, Congress ordered the Department of the Interior to prepare a report on R.S. 2477 rights-of-way. Shortly after, the Interior Department imposed a temporary moratorium on processing most new claims. A January report by the Congressional Research Service said legislators should clarify the law. Then in June of this year, the Interior Department released its report and announced that it would develop and adopt regulations to guide decisions on these road claims.

When the statute was enacted in 1866, the Civil War had just ended. In the midst of debate over whether to sell off federal mineral reserves to pay the war debt, the Senate amended a ditch and canal bill to include the Lode Mining Act. A new provision allowed

for highways over public land so miners could get to their claims.

It read: "The right-of-way for the construction of highways over public lands, not reserved for public uses, is hereby granted." That deceptively simple sentence, written when the philosophy of Manifest Destiny reigned, would be the focus of intense debate more than a century later.

In 1873 Congress reorganized the federal laws, labeling the right-of-way ordinance Revised Statute 2477. At the time, the government paid little mind to land use in the West, and miners and ranchers built roads as they pleased. When the public sought better protection of federal lands in 1976, Congress passed the Federal Land Policy Management Act (FLPMA) and in doing so, repealed R.S. 2477. The management act offered a new system for granting rights-of-way over federal land, including requirements for avoiding or limiting environmental damage.

But that did not put the old law to rest. When it repealed R.S. 2477 in 1976, Congress inserted a clause to protect "existing rights," including any rights-of-way that may have been established before the repeal. But nobody knows for certain how many existed at that time, where they were, or which were authentic.

In 1988 Interior Secretary Donald Hodel magnified these problems when he established a broad definition of what qualifies as a "pre-existing" right-of-way. Hodel said a party—most likely a state or county—could gain control of a route as long as it was "constructed" prior to 1976 as a "public highway" across unreserved federal lands—the basic requirements of R.S. 2477. But Hodel said even a track or trail may meet the "highway" requirement if it was used by "a pedestrian or pack animal," or if "an appropriate public body" simply asserts that a road or track "is considered a public highway." Similarly, Hodel said the construction requirement could be met by "removing high vegetation [or] moving large rocks out of the way." Even "the passage of vehicles by users over time may equal actual construction."



JOHN ELK III

In other words, tire tracks in a dusty wash could provide enough evidence to make the government turn over the route to be widened, re-aligned, and paved with little or no environmental review or federal regulation. And it does not matter whether that track is now in a national park—if the road was there first, according to Hodel's interpretation, it not only stays, but also may be converted into a major highway.

"I don't think anyone argues about real roads," says National Park Service (NPS) Realty Officer Dick Young, who helped write the Department of the Interior report. "We've got spots in the desert, though, where some uranium miner drove a jeep back in the 1950s. When you start turning these into roads, that's got to concern us."

Politics helped drive R.S. 2477's excesses. Hodel's generosity with the public lands was encouraged by pressure from Alaskan politicians eager to use R.S. 2477 to promote development on remote, wild, and protected lands, including parks and wilderness areas.

Alaska's Lt. Gov. Jack Coghill is a prime R.S. 2477 supporter. The only still-active politician who signed the State Constitution in 1955, Coghill recalls watching as a boy from the second floor of his father's trading post in Nenana as 16-dog teams left for the Alaska outback carrying mail and supplies. Later, airplanes made quick hops between settlements, and a statewide road system was unnecessary. Now, Coghill says, it is. The dogsled routes that served as the state's arteries decades ago must be modernized to convey today's traffic—cars and trains. And R.S. 2477 is the key.

Roads would permit development of Alaska's rich mineral reserves, the lieutenant governor says. A private company built the dirt road along the trans-Alaska oil pipeline thanks to R.S. 2477. Alaskans, Coghill maintains, simply want the same chance as the pioneers of the American West to take advantage of the land.

"We have a vast resource base, and we have wonderful, vast areas of unique

arctic and subarctic wilderness that should be experienced by the common people like you and me, not just the rich and privileged," says Coghill. "You've got to have places where you can take your camper, your Toyota, or your Ford."

Alaska's leaders have identified a whopping 1,700 routes, including dogsled trails, as potential R.S. 2477 rights-of-way. But, "If I were a gambling man," Coghill says, "I'd say no more than 250 will be activated." Many, he adds, could be built for low traffic volumes and low speeds so they could not harm the environment.

"People think we're going to take a bulldozer out across the tundra," he says. "That's just not true."

But neither conservationists nor the Park Service is willing to gamble. In a memo to the task force writing the Interior Department report, NPS said the potential impact of R.S. 2477 claims on Alaskan parks could be "devastating"—strong language for bureaucrats. Possible routes "cross many miles of un-

**NPCA is fighting efforts to pave the scenic Burr Trail, a portion of which crosses Capitol Reef National Park in Utah.**

disturbed fish and wildlife habitat, historical and archaeological resources, and sensitive wildlands." Validation of the claims would "seriously impair" the Park Service's ability to manage for its protection mandate.

If a grandfather of the R.S. 2477 controversy exists, it would be the Burr Trail in southern Utah. In 1987, Garfield County decided to pave this scenic road that extends for 66 miles from the hamlet of Boulder, Utah, to the Bullfrog Marina on Lake Powell in Glen Canyon National Recreation Area. The road crosses polished sandstone of Capitol Reef National Park as well as Bureau of Land Management (BLM) lands proposed for wilderness designation. Paving the road, a 1988 study suggested would increase traffic by more than 1,000 percent and foster off-road vehicle damage, vandalism to archaeological sites, and roadside development. De-



spite legal action by NPCA and other environmental groups, the county has paved the BLM segments of the road under a right-of-way claim that is still in dispute.

In the years that followed, road advocates recognized the potential of R.S. 2477. For years, Utah's quiet Arch Canyon was closed to motorized vehicles. Then off-road vehicle users asserted a claim for a rough track that follows the trickle of water on the floor of the canyon. BLM eventually approved the route as a historic right-of-way and lifted the prohibition on vehicles, opening the canyon to a yearly jeep safari that crushes streamside vegetation and sends fragile soils downstream. The newsletter of the pro-ORV Sahara Club boasted: "The eco-freaks are crying in their beer."

In 1991 BLM asked Utah counties to identify R.S. 2477 claims to aid in planning. Only five of Utah's 29 counties have responded so far, but claims represent more than 4,000 separate routes, totaling thousands of miles. One claim targets a road through Glen Canyon National Recreation Area from a proposed coal mine on the Kaiparowits Plateau. Kane County has submitted old maps showing that the road—which might carry ten giant trucks an hour—was present before 1910, when the federal land was set aside, ironically, for coal mining.

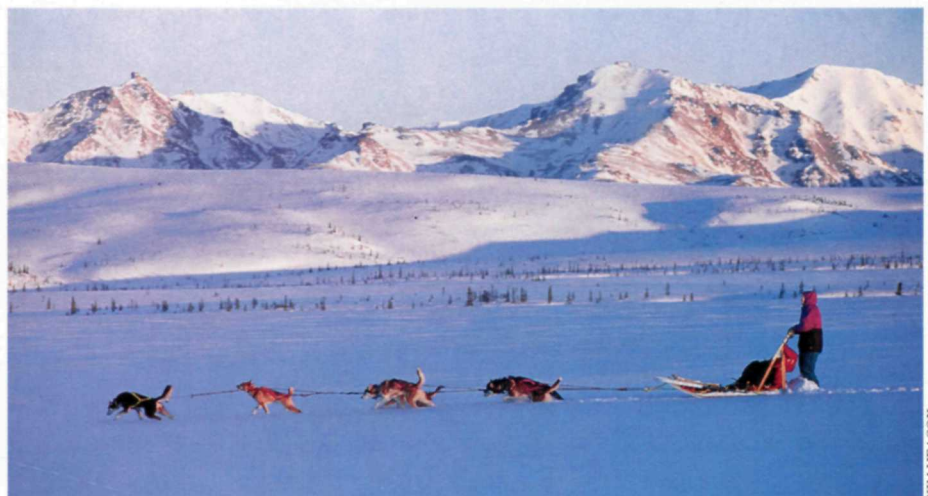
"That's now a backcountry road that's really a rural experience," says Victor Knox, Glen Canyon's chief of professional services. "If you put however-many hundred coal trucks a day out there, it's going to be a whole different place."

In BLM's Henry Mountains Resource Area, a wonderland of sinuous sandstone, forested mountains, and shale badlands roughly the size of Yellowstone National Park, counties have filed 327 claims under R.S. 2477—many of which slice up areas that environmentalists are promoting for wilderness designation.

Admittedly trying to convert listeners to "the church of the revised statute," Garfield County Engineer Brian Bremner says his county does not have



FRED HIRSCHMANN



KIM HEACOX

funds to turn every cow trail into a highway, nor would it want to. County leaders, he cautions, just want to be sure the public always has a way to get to its lands across the West.

"What if the opponents find the road that goes to the Grand Canyon and shut it down?" Bremner asks. "Then you'd say, 'I'm sorry, the Grand Canyon's closed until further notice.'"

Conservationists say that is an exaggeration since R.S. 2477 is not needed to provide access to public lands. Federal statutes, including FLPMA and the Alaska Native Interest Lands and Conservation Act, provide processes for granting rights-of-way across public lands and parks, and require measures to avoid or limit environmental damage. "R.S. 2477 is not a transportation issue, it is a resource management issue," says Chip Dennerlein, NPCA's Alaska regional director. "Nowhere in the assertions of R.S. 2477 has the notion of management been mentioned—not even for the road, and certainly not for the public resources that will be so

dramatically affected."

The Interior Department report to Congress identifies alternative methods of obtaining access and legal rights-of-way. It states: "While R.S. 2477 played an important part in building the road infrastructure on the public lands, its role should not be overstated...R.S. 2477 is only one of several different ways that access has been developed, and other viable alternatives continue to provide access to and across federal lands."

Access is not the only motive of R.S. 2477 champions. After chafing under federal control of as much as 80 percent of the land in some Western states, locals finally saw in R.S. 2477 the chance to gain greater authority. Some county leaders admit they want to claim roads through potential wilderness areas—which must be roadless—simply to make them forever ineligible for federal protection.

By allowing development even of dogsled routes, Hodel's lax interpretation may have opened the door far wider





FRED HIRSCHMANN

than the law's authors intended. Only "significant roads" should qualify, says the Congressional Research Service report, although proof of "exactly what Congress intended" is lacking.

Court rulings are less conclusive. One ruling suggested that R.S. 2477 applies only to mining access roads, since the law was originally part of a mining act. In some cases, including one where a miner began bulldozing a road through Yukon-Charley Rivers National Preserve in Alaska, federal judges have said that agencies such as NPS and BLM can and should regulate R.S. 2477 roads. And other courts have said a statute of limitations gives parties 12 years after a route falls into disuse to claim it as a right-of-way. But still others—particularly in the Burr Trail case—said R.S. 2477 can incorporate less restrictive aspects of parallel state laws.

As a result, Alaska and Idaho have enacted their own procedures for recognizing rights-of-way—which the federal government has so far refused to accept. In Utah and Nevada, develop-

ment groups are promoting similar action and encouraging miners to assert road claims. Counties in California and Oregon are also researching R.S. 2477 routes.

NPCA and other conservation groups are pushing Congress and the Clinton Administration to revoke Hodel's interpretation. They want the policy replaced with new legislation and administrative procedures to prevent rights-of-way claims that could harm parks, other protected lands, or important resources.

That might keep the maps of the West from becoming spaghetti-like. "If there ever comes a day when we look out across the wilderness of Denali and see even one more road," says NPCA's Dennerlein, "we will have stolen from our children a wonder that we can never give back."

*Michael Milstein, a writer for the Billings Gazette in Montana, last wrote for National Parks about threats to park water resources.*

Dogsled routes served Alaska's more remote areas for decades, but now politicians want to use R.S. 2477 to develop highways alongside these routes as well as the pipeline. Supporters believe this will enable the state to reach mineral reserves, but opponents fear it will ruin wilderness areas, such as the Yukon-Charley Rivers National Preserve, above.

## What you can do

Write to Secretary of the Interior Bruce Babbitt (Department of the Interior, Washington, DC 20240).

▲ Urge him to revoke Hodel's lax interpretation of R.S. 2477.

▲ Encourage him to adopt new administrative policies and regulations that prevent recognition or development of R.S.2477 rights-of-way that could harm parks, other protected lands, or natural values on those protected lands.



# SEGREGATION OVERRULED

The National Park Service preserves the site that was central to the Supreme Court's landmark decision in *Brown v. the Board of Education*.

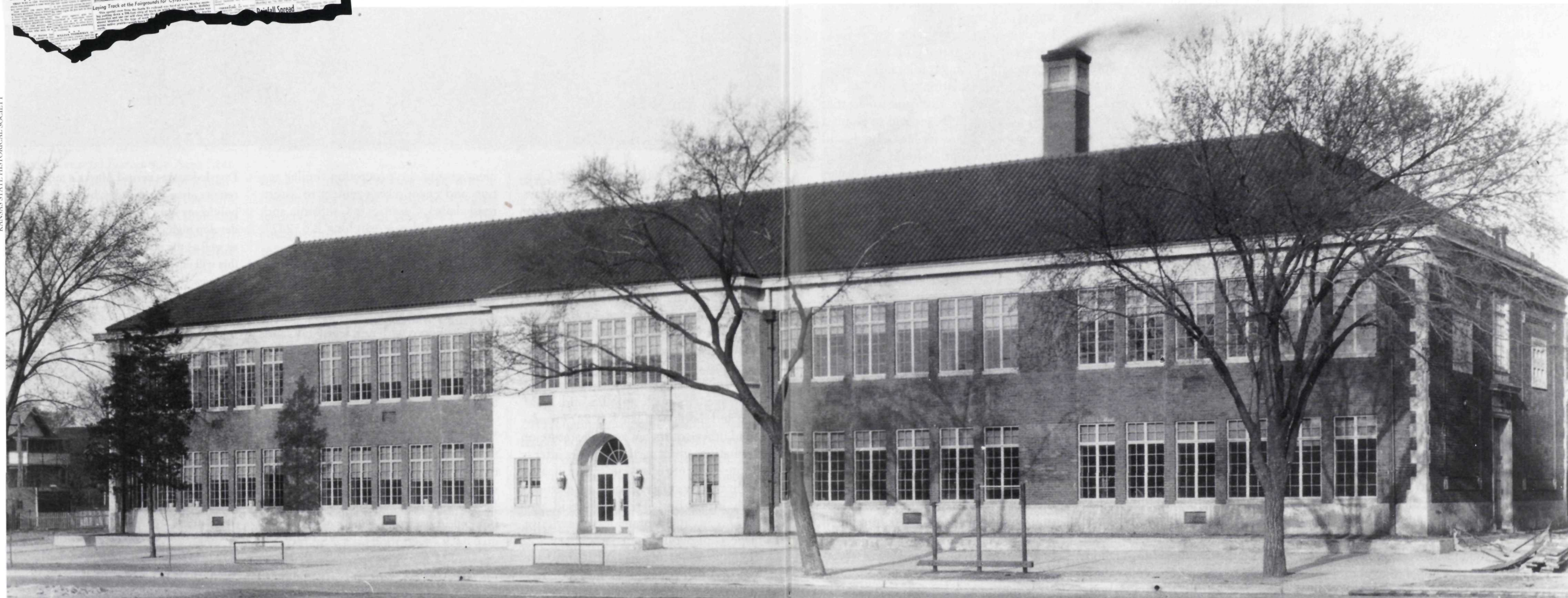
By Robert A. Pratt



ALTHOUGH MOST African peoples resisted their subordinate status immediately after arriving in the Americas, many historians point to 1954 as the year that marks the beginning of the black civil rights movement.

For it was on May 17, 1954, that the U.S. Supreme Court ruled unanimously that "separate but equal" had no place

A banner headline in a Topeka newspaper trumpets the Supreme Court's landmark decision to end segregation at elementary schools such as the Monroe School, below, and in public buildings, such as the bus station, right. Before the *Brown v. Board of Education* case was decided, many states supported racial separation through laws enacted during Reconstruction.





in public education, overturning the segregationist doctrine established 58 years before in *Plessy v. Ferguson*. The Supreme Court's landmark ruling in *Brown v. Board of Education* renewed black Americans' faith in democracy and inspired them to continue the crusade against racial injustice.

Next year will mark the 40th anniversary of that decision, and in a move that is certain to highlight its significance, Congress last year officially designated the *Brown v. Board of Education* National Historic Site in Topeka, Kansas. Monroe Elementary School, the black school at the center of the Supreme Court's ruling, provides the focal point for the historic site.

*Brown v. Board of Education* was the culmination of events that began following the Civil War, when former slaves sought access to public schools. Because of the efforts of the Freedman's Bureau, created in 1865, and northern white missionaries who volunteered their services, many blacks were exposed to education for the first time in their lives. In some towns, black and white children attended schools together. But as Reconstruction gradually came to an end, and as the Bourbon Democrats regained control of the South, the rigid caste system associated with slavery re-emerged with legally sanctioned segregation. In 1879, the Kansas state legislature allowed communities of more than 15,000 residents to segregate their schools, although high schools were exempted. Many blacks fought this second-class treatment, and legal challenges were common. But in 1896 the U.S. Supreme Court ruled in *Plessy v. Ferguson* that accommodations for blacks and whites could indeed be separate, as long as they were equal. Although this case focused only on railroad car segregation, soon "separate but equal" would become the guiding principle in all aspects of life.

The National Association for the Advancement of Colored People (NAACP), formed in 1909, would play a leading role in the campaign to abolish segregation. Although white attorneys had dominated the organization's legal staff since its founding—W.E.B.



**Linda Brown in a recent photo. Her father fought segregation in Kansas so she could attend a school closer to home.**

Du Bois was the only black on the board of directors in 1909—blacks would gradually play more active roles in the litigation process. In 1934 Charles Hamilton Houston joined NAACP's legal staff as special counsel. Houston, a brilliant black legal scholar who had studied at Harvard University, quickly became the driving force within the organization. While serving as dean of Howard University's Law School in Washington, D.C., Houston produced a cadre of black attorneys who would become leaders in the campaign to end segregation. Thurgood Marshall, denied admission to the University of Maryland because of his race, was among them. Marshall would later argue *Brown v. Board of Education* before the Supreme Court—a body to which he would be appointed by President Lyndon B. Johnson.

Before 1950 the NAACP's strategy regarding segregation had been to fight the system on its own merits. If whites wanted to live by the "separate but equal" rule, then they would have to emphasize the latter as much as the former. During the 1930s and the 1940s, NAACP attorneys traveled throughout the country to compare public school systems. Most of their journeys took them through the deep South, where it was generally easier to substantiate dis-

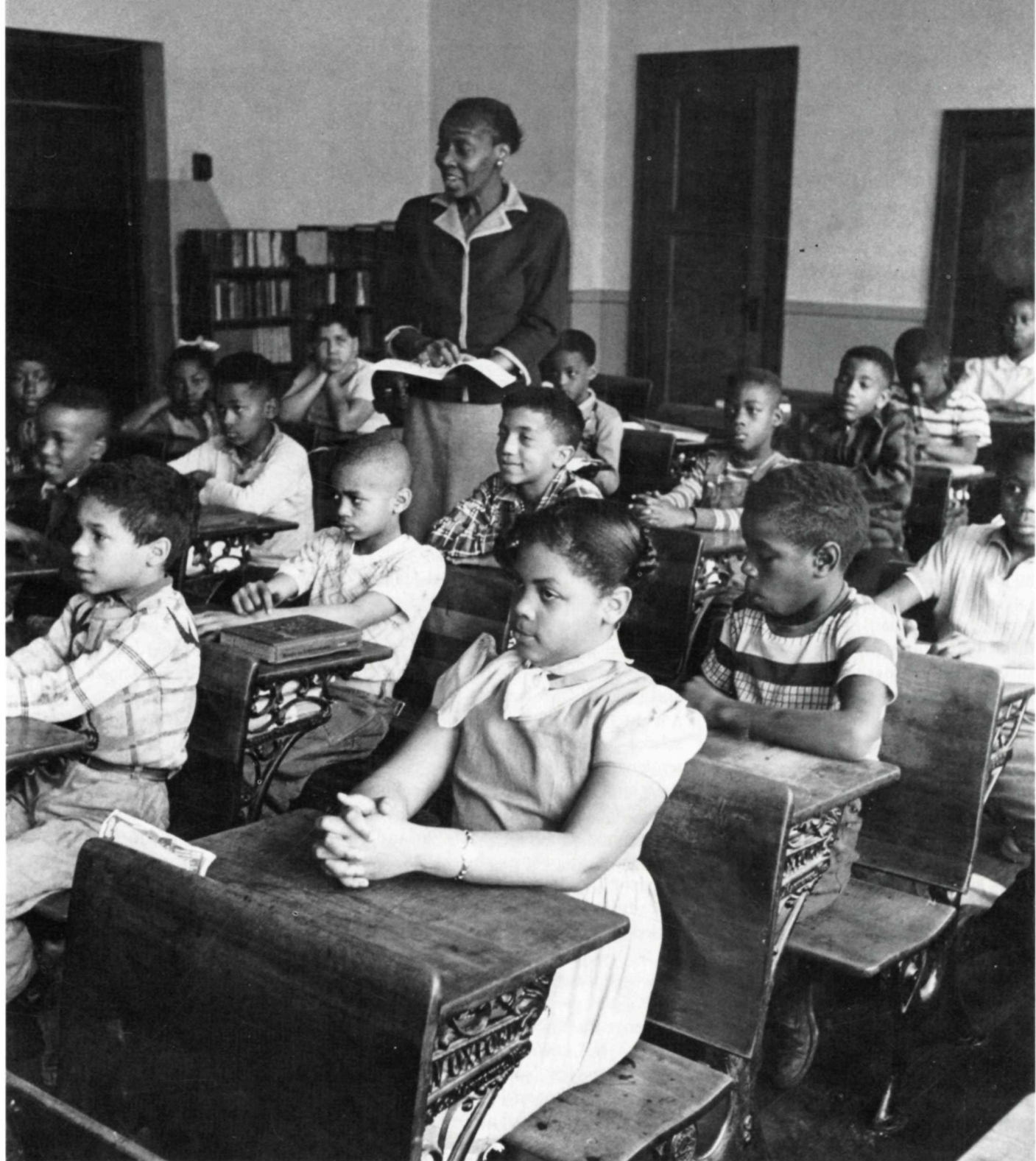
parities between black and white schools. While this approach proved effective, and many communities were forced to equalize black and white schools, NAACP officials discovered that the white South was willing to pay, and pay dearly, to maintain segregation. White officials made it clear that they would rather operate two segregated schools—even if they had to pay to equalize them—than to operate one integrated system.

Before the NAACP dared to challenge segregation head on, it had to be sure its case was solid and that the Supreme Court would be sympathetic. The NAACP feared that discrimination could become even more entrenched if the court ruled against the organization. Over the years, the court, at best, had sent mixed signals, but in two decisions handed down on the same day in 1950, the court gave a strong indication that it would no longer tolerate a state's blatant manipulation of the law. In *Sweatt v. Painter*, the court ruled that the University of Texas had to admit a black applicant to its law school, and that the makeshift "school" created in the basement of the state capitol building did not satisfy the law. Similarly, in *McLaurin v. Oklahoma Board of Regents*, the court ruled that after admitting a black applicant, a university could not "re-segregate" that student through assignment to "reserved" sections of the classroom, cafeteria, and library.

But the optimism generated by these decisions was tempered by the fact that neither one declared segregation unconstitutional. In this regard, Kansas was no more progressive than the states of the former Confederacy. Since 1903, when the state supreme court refused to allow William Reynolds, a black resident of Topeka, to enroll his son in a school reserved for whites, segregation in Kansas had not been challenged in the courts. For the next 51 years, all public schools in Topeka remained segregated.

In most respects, Topeka was a typical Jim Crow city at mid-century. By 1951 it supported more than 100,000 people, of whom 7.5 percent were black. Although the train and bus stations did





CARL IWASAKI, LIFE MAGAZINE © TIME WARNER

Linda Brown, front, sits among her classmates 40 years ago at the all-black Monroe School in Topeka, Kansas.

not have separate waiting rooms, and blacks did not have to ride in the back of local buses, segregation was maintained in most other ways as effectively by custom as by law. In his masterful

*Simple Justice: The History of Brown v. Board of Education*, Richard Kluger portrays Topeka before 1954. White students could attend 18 elementary schools, while blacks were allowed to enroll at four. Most restaurants downtown did not serve blacks at all, and the few that did strictly enforced segregation. Only one hotel, the Dunbar, ac-

commodated black guests. Before World War II, some of Topeka's eating establishments had signs in the windows reading: "Negroes and Mexicans served in sacks only," meaning that they could take food out in bags but could not eat on the premises. One movie theater in town admitted blacks to its balcony; another, called the Apex, was for blacks



only. The other five theaters were for whites only. Blacks were not allowed to use the swimming pool at Gage Park, except for one day a year when they were allowed in for a picnic.

The employment situation for blacks in Topeka also was bleak. Few blacks belonged to a union, and still fewer held white-collar positions. A black clerk at a retail shop or a black stenographer at an insurance company was a rarity. The principal black businesses in town were beauty and barber shops, barbecue restaurants, and after-hours bars. Most other black workers held positions as janitors, maids, and cooks. A hundred or so black professionals made a living by serving their own community. In general, Topeka's blacks retreated into their own world and survived as best they could. This attitude would change as World War II came to an end.

After the war, black servicemen returned from the battlefield to a country that still maintained a segregated society. Blacks, both those who had served and those who watched relatives go off to war, became emboldened to take a more active role in the fight for racial equality. Topeka was not immune to this changing attitude and would soon discover that many of its black citizens no longer were satisfied with the status quo.

Among them was Oliver Brown. A quiet, hard-working man, the 32-year-old Brown served as an assistant pastor and sexton at St. John African Methodist Episcopal Church. Brown also had worked for several years as a welder in the Santa Fe Railroad shops and had the advantage of union membership. Although he was not considered one of Topeka's black leaders, Brown was willing to serve as a plaintiff in a test court case because his union membership protected him from the possibility of economic reprisal.

Brown's oldest daughter, Linda, attended Monroe Elementary School, which was more than three miles from her home. Her trip to school involved a six-block walk along the train tracks to catch a bus that took her the remaining distance. In September 1950, Brown sought to enroll his daughter in the third grade of the nearby white Sumner El-



**Thurgood Marshall, who would become the first black man to serve on the Supreme Court, represented the plaintiffs.**

ementary School. Kenneth McFarland, who had been superintendent since 1942, had always favored segregation and informed Brown that Topeka was not yet ready to make a change. The school board supported the superintendent, refusing to give any ground even after a series of heated meetings with Topeka's black activists, many of whom had challenged McFarland's segregationist policies since 1948. On August 25, 1950, Lucinda Todd, secretary of the local NAACP, wrote to the national office in New York, saying that the school situation in Topeka had grown "unbearable" and that the local branch was prepared to go to court to challenge the Kansas law.

With the encouragement of headquarters in New York, local attorneys Charles Bledsoe and John and Charles Scott drew up the legal papers; however, rallying Topeka's black community to support the suit was a difficult task. As usual, the white newspapers provided very little coverage, and some black groups were openly hostile. One black Parent Teacher Association even sent a letter of support to the school board endorsing its position. Given the prevailing political climate in Topeka, finding blacks willing to serve as plaintiffs was not easy. Lucinda Todd was

one of the first to volunteer. Eventually 12 others would join her, all of whom were parents of children denied admission to elementary schools for whites. They were Mrs. Richard Lawton, Mrs. Sadie Emmanuel, Mrs. Iona Richardson, Mrs. Lena Carper, Mrs. Marguerite Emerson, Mrs. Shirley Hodison, Mrs. Allen Lewis, Mrs. Darlene Brown, Mrs. Shirila Fleming, Mrs. Andrew Henderson, and Mrs. Vivian Scales. Because he was the only male in the group, Rev. Oliver Brown was listed as the lead plaintiff.

The case was officially filed with the U.S. District Court for Kansas on February 28, 1951. Though sympathetic with the plaintiff's argument, the District Court unanimously refused to grant relief. District Court Judge Walter Huxman, who delivered the court's opinion, later explained that the District Court's decision was designed to force the Supreme Court's hand. "We weren't in sympathy with the decision we rendered," he said in 1970 at his home in Topeka. "If it weren't for *Plessy v. Ferguson*, we surely would have found the law unconstitutional. But there was no way around it—the Supreme Court had to overrule itself."

Immediately after the lower court's ruling, the NAACP attorneys began to prepare their appeal. Similar school desegregation suits were being filed in the District of Columbia, Delaware, Virginia, and South Carolina, where Thurgood Marshall had been concentrating most of his energy. The central issue in all of the cases shifted from unequal funding to the fact that segregation itself was unconstitutional and a violation of the equal protection clause of the 14th Amendment. In December 1952, the Supreme Court decided to hear all five cases simultaneously. Collectively, the cases became known as *Brown v. Board of Education*.

On May 17, 1954, Chief Justice Earl Warren wrote for a unanimous court that "separate educational facilities are inherently unequal." In summing up the court's opinion, Warren concluded: "To separate them [black children] from others of similar age and qualifications solely because of their race generates a





**Before 1954, segregation was maintained as much by custom as by law, a situation that began to change after World War II.**

feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone." The following year, the court handed down its enforcement decree in *Brown II*, which said that the desegregation of public schools should proceed "with all deliberate speed."

With these two decisions, the legal barriers to integration had finally been destroyed; but customs die hard. The push to desegregate public schools and universities was met with intense resistance and violence throughout the 1950s and the 1960s, sometimes erupting into riots. Crises developed at places such as Central High School in Little Rock, Arkansas, the University of Mississippi, and the University of Alabama.

Ironically, by the time the court handed down its decision in *Brown v. Board of Education*, Linda Brown had left elementary school and was enrolled at an integrated middle school in Topeka. Although the decision came too late to admit Linda Brown to elementary school, thousands of other schoolchildren benefited from it. Eventually, the decision would be used to dispel other segregation laws and practices as well. The national significance of this event was officially recognized in 1987 when the Sumner School, owned and oper-

ated by the Topeka Board of Education, was designated a National Historic Landmark.

Three years later, in September 1990, Rep. Dan Glickman (D), and Senators Robert Dole (R) and Nancy Kassebaum (R) of Kansas wrote to the Interior Secretary asking that a National Historic Landmark study be conducted for the Monroe School, and suggesting that several *Brown v. Board of Education* sites might be included in the National Park System. As a result, Monroe Elementary School was designated a national historic landmark in 1991 and the *Brown v. Board of Education* National Historic Site in 1992.

NPCA supported the designation of the site, a significant addition to an underrepresented theme in the park system. "The *Brown v. Board of Education* National Historic Site provides NPS with an opportunity to educate the American people about the *Brown* case, and also provides opportunities to raise Americans' awareness of the continuing struggle of many groups to achieve racial and social justice," says Bruce Craig, NPCA's Northeast regional director and former cultural resources program manager.

The Monroe School, located at 1515 Monroe Street, closed in 1975 because of declining enrollment. The school building, purchased for use as a warehouse in 1985, was scheduled to be auctioned off in 1990. When he real-

ized the significance of the building, owner Mark Stueve, president of S & S Builders, Inc., of Topeka, canceled the sale. Since then, the building has undergone a series of renovations: the roofing and windows have been repaired or replaced, asbestos has been removed from all heating pipes and equipment, and some areas have been remodeled. The architectural integrity of the building has been maintained, although some of the second-floor classroom walls have been removed. Most of the original wooden doors, floors, and paneling in the school have survived.

The National Park Service will rely on local agencies and organizations, such as the Brown Foundation, Kansas State Historical Society, Topeka Board of Education, Washburn University, and the Black Historical Society of Topeka to assist in the interpretation of the Brown site and to ensure its preservation for future generations. While the Sumner School will continue to operate as an elementary school, the Monroe School will likely serve as a visitor center for all related historic sites in Topeka. Films, exhibits, tours, and other interpretive media will be used to tell the Brown story and provide some insight into the 14th Amendment, which granted civil rights to blacks, local black history, and the history of the civil rights movement in Kansas.

The *Brown v. Board of Education* National Historic Site represents African Americans' struggle to achieve racial equality and the fulfillment of the U.S. Constitution's guarantee of equal justice under the law. Although blacks would win other victories as the civil rights movement reached its peak, the *Brown* decision will forever stand as one of the greatest chapters in American history. It symbolizes the long-repressed yearnings of a people to be accepted as full-fledged citizens of a country founded on the principles of egalitarianism and democracy.

*Robert A. Pratt is a professor of history at the University of Georgia in Athens and has written extensively on the subject of segregation.*



# Losing Ground

*Dwindling habitat and human disturbances threaten grizzly bear populations in the Lower 48.*

By Elizabeth Hedstrom







MICHAEL H. FRANCIS

**T**HE WESTERN BOUNDARY of Yellowstone National Park, where it meets the Targhee National Forest, is sliced as neatly on the ground as it is on a map. A razor-straight line, visible from space, splits the forest still standing on the park's side of the line from the miles of land shaved to stubble and debris by clearcut logging on the Targhee. Logging began there in earnest in the 1950s and has continued at high levels since. By now, gazing across the Targhee from points on an adjacent plateau in Yellowstone, "you can look for miles and not see any live mature timber," says wildlife biologist David Mattson.

Grizzly bears have long roamed the Targhee in search of the berries that grow abundantly there and, more recently, in search of grazing sheep as well. Predictably, their taste for mutton did not endear the bears to owners of the sheep. Large numbers of grizzlies were shot on the Targhee from the late 1970s to the mid-1980s, until the U.S. Forest Service began to phase out sheep grazing in bear habitat there.

Since 1985, grizzly sightings on the Targhee have declined markedly. Matt-



TED WOOD

**Top: most grizzlies avoid roads and other areas with human activity, but as undisturbed habitat becomes fragmented and scarce, they are often forced to venture into dangerous territory. Above: the army cutworm moth, recently discovered to be a key part of Yellowstone grizzlies' diet.**

son thinks it likely that the killings "hammered" the population. The question now is how well it can recover, given the damage that logging, and the roads built to get workers in and timber out, have caused to the Targhee.

That area along the Yellowstone border is part of the official recovery zone for grizzlies, marked out after the bear was declared a threatened species in 1975. Its story is instructive in light of recent official pronouncements that

grizzly bears are making a major comeback. The number of bear sightings in the Yellowstone area has indeed risen in recent years. But, there and elsewhere in the continental United States, much of the habitat on which grizzlies depend is still being lost or damaged or encroached upon bit by bit.

Two centuries ago, grizzly territory stretched from the Pacific across the Great Plains, up to the Arctic and down to Mexico. Today, substantial populations remain in Alaska and parts of Canada. But in the lower 48 states, the bears have shrunk in number from perhaps 100,000 to fewer than 1,000.

What remains for these grizzlies is less than 2 percent of their original habitat, split into a few clumps of mountain wilderness scattered across the Northwest. The biggest piece, known as the Northern Continental Divide Ecosystem, is on the Montana-Canada border, with Glacier National Park at its heart. Estimates of its grizzly population vary wildly; the number the U.S. Fish and Wildlife Service gives out is 400 to 500. (Counting bears is not easy, and scientists disagree sharply about how to do it.)





TED WOOD

The bears of the Yellowstone area make up the only other substantial population. These are the country's best-known and most-studied grizzlies, the ones that get most of the headlines. The latest official guess is there are at least 258 of them.

Farther west, populations of two dozen or so bears each hang on along the Cabinet Mountains and Yaak River on the Montana-Idaho border, in the Selkirk Mountains between Idaho and Washington, and in Washington's North Cascades.

What all these bears are losing is what they need most: space. Grizzlies rely on large areas in part because of how much they eat. "To him almost everything is food except granite," the great naturalist John Muir noted of the bear. But whether the food is berries, nuts, moths, trout, pocket gophers, winter-killed bison, or elk calves, it takes a lot of land to supply enough of it. For grizzlies in the Yellowstone area, home ranges average 100 to 300 square miles for females and 300 to 600 for males.

The other reason grizzlies need undisturbed space is that it keeps them from being killed by people. "Most bears don't die of natural causes," says Christopher Servheen, director of the Fish and Wildlife Service's grizzly recovery efforts. Several years ago, a study found that 81 percent of all known bear deaths in the Yellowstone area were

**In the Absaroka Mountains just outside Yellowstone, researchers monitor grizzly populations. According to a recent count, there are at least 258 bears in the area.**

human-caused. The real figure is probably higher. Experts estimate that for every two bear deaths they know about, there is at least one more they don't.

Roughly half the known killings are illegal. Poaching of both grizzly and black bears is an extremely lucrative business. In Asian countries where bear gallbladders are still believed to be a cure-all, they can fetch \$35 to \$75 per ounce.

Some grizzlies, if judged a threat to human safety, are dispatched by officials or, when possible, exiled to zoos or research centers. These are bears that have taken to swiping food from campsites, in much rarer cases have attacked people, or have simply gotten into the habit of hanging around towns or developed areas of the parks. Most of them have learned that where people are, unsecured garbage and food can usually be found. Because these bears seek out rather than avoid human areas, they are also in danger of being hit by cars, caught in the sights of poachers, or shot lurking around hunters' camps. "A wild bear is a safe bear," says Servheen.

Most bears do stay clear of people or of anything that indicates their presence. They avoid roads and stop using places,

such as heavily logged areas, where there is no longer enough cover for them to feel secure. But if there is not enough undisturbed space to go around, they too are likely to end up dead one way or another. "Human development in bear habitat—it always comes down to that," says Servheen.

Human development, however, is exactly what's going on in much of grizzly habitat. The protected backcountry of Glacier and Yellowstone simply is not large enough to support a viable population of bears. In Yellowstone, for example, at least 60 percent of the recovery zone lies in national forests outside the park. While much of this land is designated as wilderness, an estimated 25 percent is open to some form of development.

In parts of these national forests, so many logging roads have been built that road density exceeds, several times over, the point at which an area becomes worthless as bear habitat. By one estimate, the miles of roads in the national forests of western Montana have increased 500 percent since 1960.

Grizzlies moving between Glacier and the wilderness areas to its southeast may soon run up against oil and gas exploration. They already must cross U.S. Highway 2. Parallel to the highway runs the Burlington Northern Railroad. At a steep pass along its route, there have been frequent grain spills,



**Yellowstone rangers often have to relocate “nuisance” bears to remote areas where they are unlikely to encounter humans.**

with deadly results for bears that gather near the tracks to eat the scattered corn.

The railroad and highway are within the valley of the Middle Fork of the Flathead River, on the park’s southern border, where development is soaring. Restaurants, bars, motels, a bungee jumping center, and a captive bear park line the highway. Private home construction is increasing dramatically, too, as it is in the valley along Glacier’s western border. “The area is being discovered,” Glacier’s Brace Hayden says, as people from outside Montana flock there to summer, retire, or raise families.

A similar housing boom is on around Yellowstone. And to the park’s northeast, a Canadian company plans to open a massive gold mine.

Not all problems are outside the parks. Yellowstone’s Fishing Bridge visitor complex sits within a prime grizzly feeding spot. In spring and early summer, bears are drawn to the area by cutthroat trout spawning in nearby streams. Since 1966, the Park Service has had to kill or remove more than 30 bears there.

Yellowstone agreed in 1981 to phase out Fishing Bridge if it could build a new visitor complex, Grant Village, to replace it. It did indeed build Grant Village, on top of five major spawning streams. But only part of Fishing Bridge was removed, after recreational vehicle groups and local communities lobbied their members of Congress to keep it open. (See page 24 for a discussion of a similar problem in the park’s Lake/Bridge Bay area.)

No one mine or road or resort will doom bears, but the combined effects of all of them might. “Like it or not, there’s always someone hammering the hell out of one more chunk of bear habitat,” says bear biologist Charles Jonkel. “The habitat is declining....If we don’t turn that habitat curve up, the population has to follow the habitat curve down, and it’s inevitable we’re not going to have grizzlies at some point.”



MICHAEL H. FRANCIS

The news is not all bad. Mortality levels are lower than they were ten or 15 years ago. One reason is the sanctions on killing grizzlies imposed by the Endangered Species Act. Parks, forests, and nearby towns have also made significant progress in tackling problems such as garbage and in keeping people and bears apart. To address habitat destruction, federal officials designated recovery zones for the various populations of bears. The zones are then divided into areas of lower and higher priority habitat, with guidelines for development and use in each.

This system has made a difference, but certain failings stand out. One is the way in which the recovery zone boundaries were drawn. In many cases, if an area had development potential, it was left out or given a lower ranking. “They don’t label it what it is, they label it what they want it to be,” Jonkel says. Another criticism concerns the guidelines. Louisa Willcox of the Greater Yellowstone Coalition calls them “very discretionary. There are no hard and fast standards.... Even when they have decent standards on paper, there are very few efforts to enforce or implement them.”

“Congress has said we’re going to keep the bear, and the American people have said we’re going to keep the bear, but we’re not doing what’s necessary to make it possible,” Jonkel concludes.

The more development cordons off each population from the others, or divides it up, the more likely the species’ eventual extinction becomes. The smallest grizzly populations are the ones most at risk.

But the threat is also real, if less immediate, for Yellowstone and Northern Continental Divide grizzlies. If vertebrate populations are isolated and number fewer than several thousand, conservation biologists say, they run a significant risk of extinction within a few centuries. Such groups not only lack genetic diversity but are often unable to bounce back from disease or changes in food supply.

There is still potential for cross-breeding between the bears of the Glacier area and larger populations to their north, although it takes crossing Canada’s Highway 3. But Yellowstone’s grizzlies have been isolated since at least the 1920s. A 1989 Montana State University paper concluded, “The Yellowstone grizzly population is doomed to extinction, though not in our lifetimes.” Mattson and biologist Matt Reid, in a 1991 review, were even more pessimistic about its long-term survival.

What provides some hope is the possibility of protecting or reclaiming linkages among areas of bear habitat. Strips of connecting land could stitch the scattered populations into one large one, raising the odds for survival. These





MICHAEL H. FRANCIS



THOMAS KITCHIN/TOM STACK & ASSOC.

connections, however, would rely largely on chance. "There is nothing to say bears would use them in our lifetime," Servheen says.

Others are more sanguine about the linkage system. "If it's there, they'll find it," says Jonkel. They wouldn't need to do so often. One new female every ten years would suffice for Yellowstone.

Almost everything having to do with grizzlies in the last quarter-century has been a source of controversy. The Fish and Wildlife Service's new recovery plan for the species, written by Servheen, keeps to that tradition. Released in 1990, the first version sparked 2,000 letters to the agency, most asking that the plan be strengthened. A second draft, similar to the first, was issued in July 1992 and resulted in as much or more mail.

One major criticism of the plan is that it does not provide adequate pro-

tection for bear habitat. NPCA and other conservation groups want to see specific standards for roads, grazing, and other uses of public land. They want the proposed five-year study of linkages speeded up, with interim protection for those lands. They also urge expansion of recovery zones to reflect the actual distribution of bears. In the Yellowstone area, for example, there are grizzlies living well to the south and east of the protected area. But the plan states that the zones cannot be stretched to include bears that live primarily outside them.

Servheen says those who want greater protection don't understand that "we have as many people on the other side saying the exact opposite thing." Among those chafing under the existing regulations are timber, mining, and energy companies; ranchers and hunters; and the states, which would like to take back

control of grizzlies from the Fish and Wildlife Service.

Joining conservationists in criticism of the recovery plan are many scientists who fault the Fish and Wildlife Service's counting methods. They say the much-touted increase in sightings of Yellowstone-area females with young may not mean more bears. It could mean that more people are looking for them, that bears are in places where they are easier to see, or even that they are being pushed out of remote areas.

"I don't think they're in a position to know from their data whether the population is still severely threatened, whether it is less threatened than it was ten years ago, whether it's approaching recovery, or has recovered," says John Craighead, whose pioneering studies of grizzlies provided much of what is known about the animal.

**Large areas of undisturbed habitat are needed to support a viable population of grizzlies. Even in Yellowstone, the protected backcountry is not large enough; at least 60 percent of the recovery zone lies in national forests outside the park.**

This is more than an academic dispute. Using these data, the plan sets criteria for taking grizzlies off the endangered species list. And the criteria it sets are ones that Yellowstone- and Glacier-area bears already meet in almost every respect, again according to those data.

Scientists and conservationists see a push to get grizzlies off the list and eliminate restrictions on their habitat, regardless of the bear's actual status. "The agencies are driven by political pressure from the states and from the Forest Service, which doesn't want to

hassle any longer with the Endangered Species Act," Willcox charges. Despite assurance to the contrary, she and others hold that without Endangered Species Act protection and with management in state rather than federal hands, the bear undoubtedly would be worse off.

Advocates say better protection for the grizzly doesn't require another spotted owl showdown. "Obviously we're not going to be able to stop everything adverse to grizzly bears," Craighead says. What he envisions is a way of guiding development so that bear habitat is not fragmented and the fabric of the natural system is kept intact. "When we begin to do that, I don't think there's any question we'll be able to preserve the grizzly bear." And enough space to sustain grizzlies, he points out, will also be enough to sus-

tain wolves, caribou, lynxes, and a host of other species.

"Holding on to the grizzly," says Terri Martin, NPCA Rocky Mountain regional director, "will mean the difference between preserving living wilderness and just preserving scenery."

But if the West's remaining wildlands are not protected, Craighead warns, "we're not going to be able to maintain biodiversity....And one of the first [species] to go would be the grizzly."

*Elizabeth Hedstrom is news editor for National Parks.*

Concerned readers should write to Interior Secretary Bruce Babbitt (Dept. of the Interior, Washington, DC 20240), urging him to replace the current plan with one that gives much stronger protection to grizzlies.



# Literary Legends

*The National Park System preserves the homes of some of America's most important writers.*

By Yvette La Pierre

**T**HIS HIDEOUS murder accomplished...I determined to wall it up in the cellar—as the monks of the Middle Ages are recorded to have walled up their victims,” wrote Edgar Allan Poe in his classic tale of horror, “The Black Cat.” The murderer, however, proved to be too confident. When the police came to visit, he rapped on the brick wall that hid the corpse of his wife and was answered by “a howl—a wailing shriek, half of horror and half of triumph....” The police quickly tore down the wall to find the source of the inhuman cry.

“The corpse, already decayed and clotted with gore, stood erect before the eyes of the spectators. Upon its head, with red extended mouth and solitary eye of fire, sat the hideous beast...whose informing voice had consigned me to the hangman.”

You can see the gloomy cellar that may have inspired the scene above by visiting the Edgar Allan Poe National Historic Site in Philadelphia. This is one of a handful of national park sites dedicated to literary figures.

Before visiting the parks, read some works by the authors, then explore the homes that inspired the muses of some of our most influential writers.

## Edgar Allan Poe NHS

October is an especially good month to visit Poe's house in Philadelphia. Rangers choose a special theme to discuss

Poe's life and art during this month of all things dark and mysterious.

Poe was born to actors in Boston in 1809 and raised by foster parents. When he was 22, Poe lost the support of his foster father, and from that time on he struggled to make a living. Poe was able to keep himself out of debt by selling stories and poems, and he eventually became the editor of a literary magazine, *Southern Literary Messenger*. In 1836 Poe married his cousin Virginia Clemm and enjoyed his most productive years with her in Philadelphia. Following Virginia's death in 1847, Poe's

health disintegrated, and he died less than three years later in Baltimore of “acute congestion of the brain.”

For decades after his death, Poe's memory was haunted by rumors that he was addicted to opium and used the drug to enhance his creativity. Rangers at the Poe site debunk this myth, although Poe was reported to have had a problem with alcohol. In learning games directed at high school and middle grade pupils, rangers educate the youths about the dangers of drugs. Students leave the house with black cat stickers and bookmarks that carry the slogan, “Creative minds don't use drugs!”

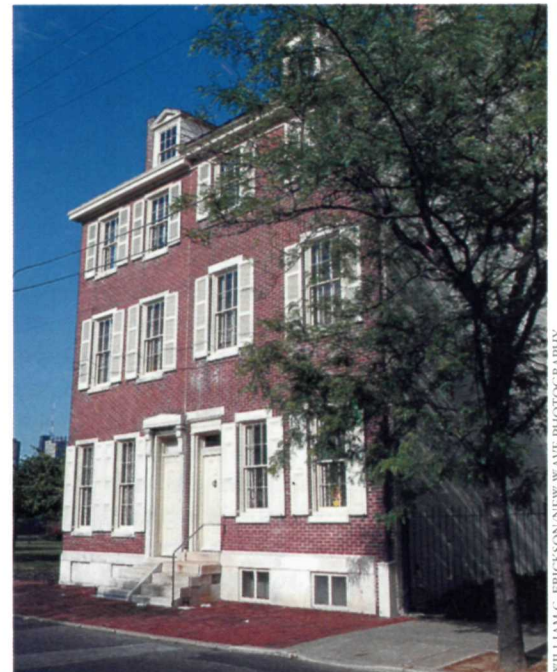
Of Poe's several homes in Philadelphia, only this small brick house on North Seventh Street remains. It is not known exactly how long he lived here, so it is difficult to say which stories he produced while living in this house. But it is likely that he wrote, among others, “The Gold Bug,” “The Fall of the House of Usher,” and “The Murders in the Rue Morgue.” And according to Ranger Jean-Lorre Smith, one trip to the basement will convince you that it provided the inspiration for the cellar in “The Black Cat.” Because little is known about Poe's furniture, the Park Service has chosen to leave the house empty except for the echoes of his work.

Poe is famous for his tales of terror



WILLIAM C. ERICKSON/NEW WAVE PHOTOGRAPHY

Statues of ravens, a bird featured in a famous Poe poem, are among the items at Edgar Allan Poe NHS in Philadelphia.



WILLIAM C. ERICKSON/NEW WAVE PHOTOGRAPHY





Eugene O'Neill wrote some of his better-known plays at this house in San Francisco, California, which is now a national historic site.

and is credited with inventing the murder mystery. But it is through poetry that he shows his gift for romance and melody: "And all my days are trances/ And all my nightly dreams/ Are where thy dark eye glances/ And where thy footstep gleams—/ In what ethereal dances by what eternal streams."

For more information, write to the Edgar Allan Poe National Historic Site, c/o Independence National Historic Park, 311-313 Walnut Street, Philadelphia, PA 19106.

### Eugene O'Neill NHS

Overlooking the San Ramon Valley and distant Mount Diablo in California, Tao House was once home to one of America's greatest playwrights and is now a national park site dedicated to Eugene O'Neill's life and work.

Born in New York City in 1888, O'Neill, like Poe, was the son of actors. He and his family lived a vagabond's existence. O'Neill left his troubled home life and traveled to Honduras on a gold-prospecting expedition in 1909, then to South America, and then to England.

O'Neill, who lived for a time in a flop-house in Manhattan, tried to escape from his problems by drinking and by one failed attempt at suicide. In 1912 when he was 24, O'Neill went into a sanitarium to be treated for tuberculosis. While recovering, he began to write plays, an activity that changed the direction of his life.

In the summer of 1916, a group of amateur actors first staged one of O'Neill's plays, *Bound East for Cardiff*. Four years later, he received the first of his four Pulitzer Prizes for the tragedy *Beyond the Horizon*. O'Neill, who quickly became known as America's most exciting dramatist, was awarded the Nobel Prize for Literature in 1936. With the stipend, he and his wife Carlotta were able to build Tao House, what O'Neill called his "final harbor."

Carlotta once described the Spanish-style house filled with Asian furnishings as "a sort of pseudo Chinese house" that expressed a serene existence. O'Neill called the 28-room cinder-block building "the mansion of the righteous way" after the Chinese phi-

losophy he admired.

It was here, while Carlotta guarded against visitors, that O'Neill wrote what are generally considered his finest works, including *The Iceman Cometh* and *Long Day's Journey into Night*. These plays represent O'Neill's belief that the theater should be taken as serious art, not just pleasant diversion. Sinclair Lewis in 1930 said that O'Neill transformed American drama "from a false world of neat and competent trickery to a world of splendor, fear, and greatness."

A worsening tremor in his hands slowly took away O'Neill's ability to write, and he did not complete another play after 1943. With the coming of World War II and the shortage of servants for the house, O'Neill had to leave his harbor and move once again. In a hotel room in Boston, he destroyed the drafts and notes for his unfinished plays. Carlotta said it was like "tearing up children." O'Neill died there in 1953.

Access to the site is limited, and visitors must make reservations. For more information, contact the Eugene O'Neill





LAURENCE PARENT

Carl Sandburg Home National Historic Site in North Carolina.

National Historic Site, P.O. Box 280, Danville, CA 94526.

### Carl Sandburg Home NHS

A trip to Carl Sandburg's home is a return to the idyllic life led by the poet, author, lecturer, minstrel, political activist, and social thinker. Visitors can stroll about the farm in North Carolina, as Sandburg did to refresh himself, and explore the barn area where the National Park Service maintains a small herd of goats and demonstrates cheese-making during the summer months. In Sandburg's day, his wife and daughters cared for 80 goats and made cheese, yogurt, and ice cream. The park staff also provides programs of music and poetry, just as Sandburg would read to or sing with his family after dinner before heading up to his office, cigar in hand, to work until morning.

Sandburg left a newspaper career in 1932 to pursue writing, which took many forms: poetry, biography, autobiography, history, children's literature, books on American folk music, and a novel. Among the works he produced in the next few years was *Abraham Lincoln: The War Years*, the four-volume set for which he won the Pulitzer Prize in 1940. Five years later, he came to the North Carolina farm and home, Connemara, and spent the last 22 years

of his long and productive life there. At Connemara, Sandburg published his only novel, *Remembrance Rock*, which traced American history from Plymouth Rock to World War II.

Molded by his travels as a hobo and as a soldier during the Spanish-American War and by his active political and social reform work, Sandburg emerged as one of the 20th century's voices of the American experience. He was known as the "poet laureate" of the people. As the close of his poem "Chicago" shows, Sandburg's work celebrates the lives of outcasts, immigrants, and common people and their contributions to American culture:

"Laughing the stormy, husky, brawling laughter of Youth, half-naked, sweating, proud to be Hog Butcher, Tool Maker, Stacker of Wheat, Player with Railroads and Freight Handler to the Nation."

For more information, write to the Carl Sandburg Home National Historic Site, 1928 Little River Road, Flat Rock, NC 28731-9766.

### Longfellow NHS

In the mid-19th century, American literature blossomed in New England. The Brahmins or privileged classes in Cambridge and Boston, the Transcendentalists in Concord, and the abolitionist

writers throughout the area were helping to create the literary tradition of a nation. One member of this group, Henry Wadsworth Longfellow, was the most widely read American poet in the world during his lifetime.

In 1837 at age 30, Longfellow moved into the house at 105 Brattle Street, now maintained and operated by the Park Service. The historic house was a gift to Longfellow and his bride, Fanny Appleton, from her father.

Before Longfellow lived there, the house served as General George Washington's headquarters during the siege of Boston. The Longfellows raised their five children here and entertained literary friends, such as Nathaniel Hawthorne and Ralph Waldo Emerson. Longfellow also wrote most of his best-known works at this house.

From 1846 until his death in 1882, Longfellow used Washington's former office as his study. On the far side of the room is the Hepplewhite armchair Longfellow pulled up to the fire to write "Evangeline" in 1847. This was Longfellow's first long narrative poem and remained one of his best-known works. Set during the French and Indian War when the English expelled about 6,000 French Acadians from Nova Scotia, it tells the story of Evangeline's separation from her bridegroom, Gabriel. Evangeline spends her life searching for her love, and finally finds him, old and dying, in an almshouse where she has become a Sister of Mercy.

Though not as widely read today, Longfellow was immensely popular in his own day. His admirers ranged from President Lincoln and Queen Victoria to all the schoolchildren who grew up reciting "The Song of Hiawatha."

The Longfellow National Historic Site has an outdoor concert series and periodic poetry readings, as well as an annual Christmas open house and commemoration of Longfellow's birthday on February 27. For more information, contact the Longfellow National Historic Site, 105 Brattle Street, Cambridge, MA 02138.

*Yvette La Pierre is a former associate editor of National Parks.*



# Idealists and the Lady

**I**F TIME CAN HEAL all wounds, it can also provide distance and perspective. Time was a commodity in short supply when the project to restore the Statue of Liberty was undertaken, and, unfortunately, when the book describing that project was written.

In *Idealists, Scoundrels, and The Lady*, F. Ross Holland provides a valuable record of a historic event, but some passages read as though meeting minutes have been packaged into chapters designed to stand alone.

Although the book may not win any literary awards, its value should not be overlooked. Holland has performed a service by presenting a critique of what went wrong and what went right with

this \$280-million fund-raising and restoration challenge.

The book is especially valuable in light of the more than \$2-billion backlog in maintenance and other projects that plagues the Park Service. Holland suggests: "There are sites of a lesser dimension that could be the center of public-private cooperation, but each, for the most part, will have less tolerance for failure; consequently, the project will have to be carefully structured and thought through before it is begun."

This advice, Holland suggests, was not necessarily adhered to during the Statue of Liberty project. The Reagan Administration, Holland says, fostered private-public partnerships not because

these were the best arrangement, but because the administration believed the "private sector could handle much of the work of the government better than the government employees could."

The restoration was a public-private experiment plagued by turf wars. But despite the hurdles, "The restoration was a patriotic effort that...marked the nation's emergence from the shadow of the Vietnam experience"—an accomplishment that Holland suggests was by itself enough to justify the project.

*Idealists, Scoundrels, and The Lady*, clothbound, \$39.95; published by the University of Illinois Press, Champaign, Illinois.

—Linda M. Rancourt

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## NOTICES

### Park Activist Network

NPCA's ongoing fight to protect and preserve the national parks is dependent upon grassroots pressure on local, state, and national legislators. In 1982 NPCA formed its Park Activist Network (PAN), a team of NPCA members and volunteers who play an active role in helping the association.

PAN combines three different approaches to citizen action. ParkWatchers, individuals who visit a particular park regularly, know the park staff and work with NPCA's regional and Washington, D.C., staff to oversee activities in and around the park.

Park Activists, self-selected NPCA members, are kept abreast of important park issues such as the California Desert Protection Act, the Endangered Species Act, concessions, and other national

and regional concerns through *The Park-Watcher*, NPCA's bimonthly newsletter, and through timely legislative "alerts."

The third approach to grassroots action involves park advocacy groups, organized groups that are NPCA's counterpart at the local level.

PAN also offers training for activists when possible. In May NPCA will sponsor a citizen action conference in San Francisco. Workshops will include training on park issues, fund-raising techniques, and lobbying. NPCA will also make available its new *National Park Activist Guide*, a training manual for grassroots activists. Activists can help by writing or phoning legislators on key park issues or by volunteering their time or skills.

NPCA needs your help. If you would

like to play a critical part in park protection by joining the Park Activist Network, write to Amy Rubin, c/o NPCA, 1776 Massachusetts Ave., N.W., Washington, DC 20036.

### Quality Journalism

*National Parks* won the 1993 National Clarion Award in June for best magazine published by a nonprofit organization. The award honors *National Parks* for its excellence in journalism and is given by Women in Communications, Inc., a national professional organization. The winning entry cited two consecutive issues—September/October and November/December 1992—for dealing with timely and controversial subjects, including political interference in the NPS "Vision" document, inadequate funding for cleanup of parks after the *Exxon Valdez* oil spill, and the Wise Use Movement.

### March for Parks

NPCA's fifth annual March for Parks

### "There's over five billion people on Earth right now.

Did you know that? But suppose there were another planet with just as many people. And they said that over the next forty years all five billion of them were coming over here to live with us. Imagine what that would do to our resources, our living conditions, unemployment, the environment.

Well, it's true. They're coming. And not from another planet. From this one. The Earth's population is growing so fast it can double in the next 40 years, creating immense hunger, unemployment, civil unrest, and environmental destruction. The irony is, millions of people want to limit the size of their families. They don't have the means. Helping them is probably our only chance of preventing catastrophe for all of us."

—Charlton Heston



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107 2nd Street N.E., Washington, D.C. 20002  
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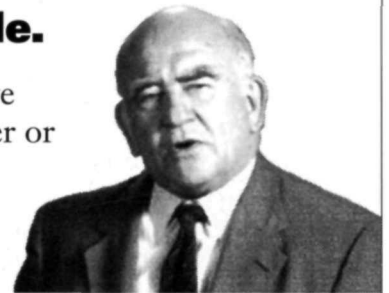
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### "The world today is home to more than five billion people.

And most don't have enough food, shelter or medical care.

What's going to happen if the world's population doubles in the next 40 years?"

—Ed Asner



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# TRIBUTE TO EXCELLENCE

## Marjory Stoneman Douglas Award

Presented by NPCA and the Faultless Starch/Bon Ami Co., this award recognizes outstanding efforts resulting in protection of a unit or a proposed unit of the National Park System. The award is named in honor of Marjory Stoneman Douglas, who devoted many years to preserving the fragile ecosystem of the Florida Everglades.

**DR. LIANE RUSSELL**, the 1992 recipient, led efforts to establish the Big South Fork National River and Recreational Area in 1974 and to designate the Obed River as a Wild and Scenic River in 1976. For 25 years, she and the group she formed, Tennessee Citizens for Wilderness Planning, have successfully fought off a variety of threats to both rivers.



*Liane Russell*

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## Stephen Tyng Mather Award

The Stephen Tyng Mather Award, named for the first director of the National Park Service, is presented by NPCA and the Faultless Starch/Bon Ami Co. in recognition of a Park Service employee who has risked his or her job or career for the principles and practices of good stewardship.

The 1992 recipient is **BILL WADE**, superintendent of Shenandoah National Park. He used every means at his disposal to gain more stringent air pollution controls on power plants surrounding the park. Despite limited funds, he has built a strong research and monitoring program and has established cooperative planning efforts with surrounding counties.



RICK FOSTER, WINCHESTER STAR

*Bill Wade*



The Faultless Starch/Bon Ami Company wishes to congratulate the recipients of these awards and thank them for the excellent contribution they have made to the protection of our environment.

The Faultless Starch/Bon Ami Company has actively supported the efforts of organizations such as NPCA for more than 100 years and will continue to work toward the goal of preserving our natural resources for future generations.



## AMERICA'S PARKS BY MAIL

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will be held April 22-24, 1994. Promoting the event early will help raise the most money and awareness for your local, state, or national park.

The 1993 event raised more than \$1.5 million through its 480 marches across the country. NPCA is working toward 1,000 marches in 1994. For more information about how to organize your own march, contact Tom St. Hilaire, NPCA grassroots director, at 1-800-NAT-PARK.

### Walk Across America

NPCA attended the American Volk-sport Association (AVA) convention in June to promote the annual March for Parks. Lynn Clark, AVA president and a member of NPCA's council of advisors, is encouraging the clubs of the walking association to organize their own marches for next year's event. AVA is a nonprofit charitable organization dedicated to promoting the benefits of physical fitness through safe exercise. Through affiliated local clubs, AVA sponsors noncompetitive sports events for all ages. AVA was founded in 1978

and has more than 550 clubs across the United States and Canada. With associations such as AVA raising funds for the parks, NPCA believes March for Parks 1994 will be an even greater success than the 1993 event.

### NPCA Wins Recognition

Secretary of the Interior Bruce Babbitt honored NPCA in June with a volunteer service award for its outstanding commitment to the stewardship of America's public lands and natural and cultural resources. Babbitt said NPCA's "leadership contributes measurably toward making the American community and landscape, respectively, as strong and as beautiful as possible."

NPCA and its more than 350,000 members continue to defend, protect, and preserve national parks.

### Restoration Through Donations

This summer NPCA donated \$9,700 to the National Park Service to help restore and maintain the historic carriage roads in Acadia National Park in Maine. The donation, which will be matched

## THE NPCA TRAVEL PROGRAM INVITES YOU TO LIVE A FULL MOON CANYON COUNTRY ADVENTURE.

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- 4-wheel drive excursion and western cookout in Monument Valley.
- River-rafting through Glen Canyon and scenic cruise on Lake Powell.
- Welcome reception and dinner in Scottsdale, Arizona, closing reception in Las Vegas.
- Special meeting with NPCA Regional Director in Zion National Park.
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Remember, with the NPCA Program you always receive a 5% rebate on the cost of your trip. Every reservation helps the NPCA preserve the parks, protect endangered species and more.

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SAVE THE PARKS.**



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by NPS, was made possible through a corporate partnership between NPCA and Matrix Essentials, a hair- and skin-care products manufacturer, which donates a portion of its sales to NPCA park projects.

## Earth Share

Federal employees can donate to NPCA through the Combined Federal Campaign (CFC), a program that encourages employees to contribute to charities through payroll deductions. NPCA is part of Earth Share, a CFC federation made up of 40 national environmental groups. NPCA received more than \$300,000 from last year's CFC campaign.

Federal employees can designate NPCA (agency #0910) on their CFC pledge forms or donate to a combination of environmental groups in the federation.

The following states have included NPCA in their employee campaigns: Arizona, California, Connecticut, Florida, Maryland, Michigan, New Jersey, North Carolina, Rhode Island, Utah, Vermont, Washington, and Wisconsin. NPCA is also included in many city and municipal campaigns as well, and the association continues to apply for inclusion in other state and city employee campaigns.

If you are a city, state, or federal employee, please remember the national parks by donating to NPCA through your payroll deduction program.

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# Canyon Country

**P**ARK PURSUIT tests your knowledge of the history and the natural resources represented within the National Park System. Clues can be found in past issues of the magazine, in books, or in literature about the parks.

The September/October quiz focuses on canyons within the National Park System, and information has been provided to aid you in identifying the sites depicted.

Geologists estimate that the Earth is 4.5 billion years old. They have been able to determine this figure, in part, by examining some of the rocks and fossils made visible in canyons. For instance, some of the layers that are visible in one

of the most dramatic canyons included in the park system are between 100 and 300 million years old. Extensive cliffs that drop from an elevation of one mile to a snaking river below reveal rock layers that record the surface-shaping events of the past. Buried within these and other rock formations visible in the canyons are traces of plants and animals that evolved over millions of years.

Whether the canyon extends through the Colorado Plateau, Alabama, or Utah, more often than not, rivers winding their way to the ocean have carved these magnificent sheer-cliff walls. Water from snowmelt and rain carried the erosive tools of mud, silt,

pebbles, and boulders through rock layers, washing away tons of silt, gravel, and sand to carve canyons. Different kinds of rock wear away at different rates, giving a stepped appearance to a canyon's walls. More than a dozen sites within the National Park System contain canyons.

If you are unable to wait until the next issue for the answers, call our 900 number from a touch-tone phone (see page 8). Answers to the July/August quiz are: 1. Golden Spike National Historic Site in Utah; 2. George Washington Carver National Monument in Missouri; and 3. Edison National Historic Site in New Jersey.

- 1.** At the base of sheer red-rock walls and in caves embedded in canyon walls are the ruins of villages built by Indians between A.D. 350 and 1300. Modern Navajo Indians live and farm in this desert canyon. What national park site is this?

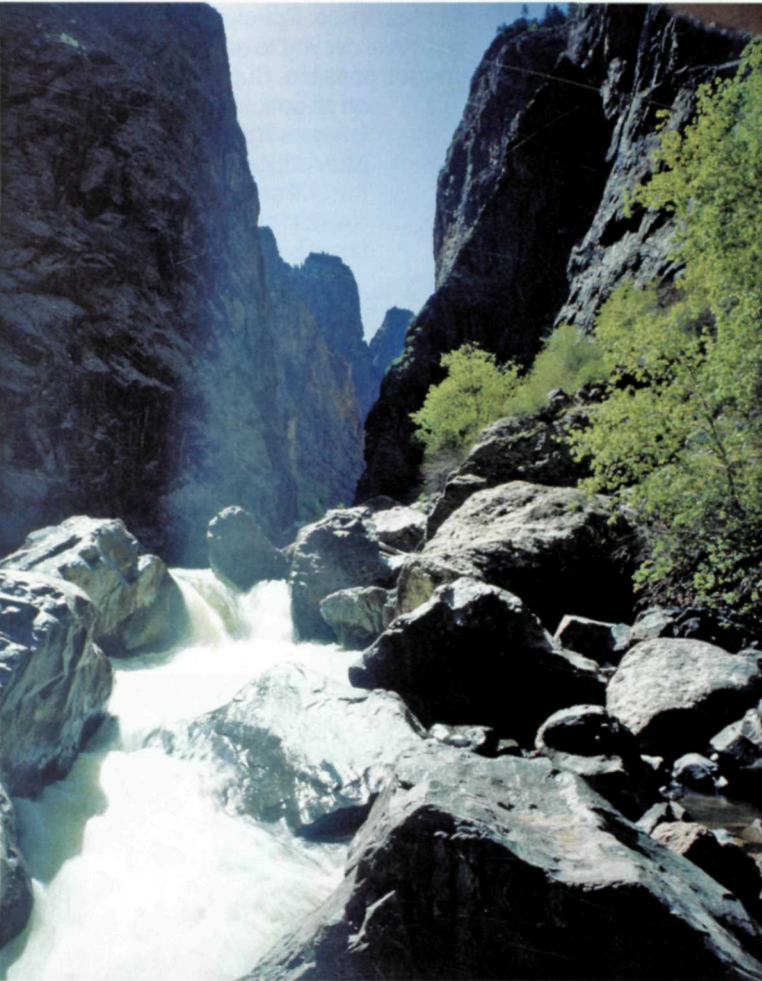


LEO DE WYS





2. Sometimes referred to as “the Grand Canyon of the south,” this gorge is one of the deepest east of the Rocky Mountains. The site was visited by Spanish explorer Hernando de Soto and was where the Cherokee Nation gathered before its march along the Trail of Tears. What national park site is this?



3. This narrow canyon’s dark gray walls—shrouded in heavy shadows most of the day—give the canyon its name. The river within this canyon drops an average of 95 feet per mile—one of the greatest rates of fall for a river in North America. What national park site is this?





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