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The history of wilderness in Nevada and the United States

Jerry Lynn Reynoldson
University of Nevada, Las Vegas

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THE HISTORY OF WILDERNESS
IN NEVADA AND THE
UNITED STATES

by

Jerry Lynn Reynoldson

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of the requirements for the degree of

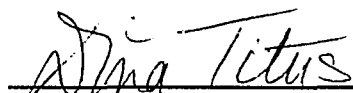
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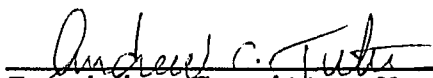
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Department of Political Science
University of Nevada, Las Vegas
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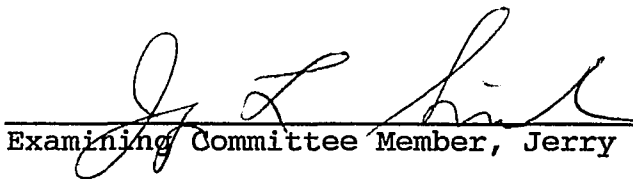
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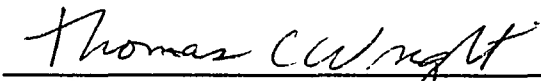
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University of Nevada, Las Vegas
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ABSTRACT

The following thesis addresses the role that interest groups play in the formation of policy within the government of the United States. Furthermore, it concerns itself with one specific policy issue as a means of accomplishing that goal; wilderness policy. Clearly, it can be established that interest groups are an integral part of the public policy process in democratic models of government. By charting the course of a policy issue, such as wilderness, from its inception through the various stages to final resolution, it is possible to see how a federal policy is influenced by interest groups. As this policy affects states and their constituencies, it can be argued that interest groups insert themselves at every step of the policy process under the federalism model of government, and the resulting policy is one that sets the standards for future generations.

TABLE OF CONTENTS

ABSTRACT	iii
LIST OF TABLES	vi
CHAPTER 1: INTRODUCTION	1
A Theoretical Framework of Group and Interest Group Study	1
CHAPTER 2: THE DEVELOPMENT OF THE WILDERNESS CONCEPT	20
CHAPTER 3: THE ADMINISTRATIVE AND LEGISLATIVE HISTORY OF WILDERNESS IN THE UNITED STATES	39
Events in Congress that Preceded the Establishment of the National Wilderness Preservation System	39
The Creation and Expansion of the National Wilderness Preservation System	47
Some Predictions on the Future of Federal Wilderness Legislation	63
CHAPTER 4: THE LEGISLATIVE HISTORY OF NEVADA WILDERNESS	84
Events Leading Up to the Passage of Nevada's Wilderness Legislation ...	84
The Nevada Wilderness Protection Act of 1989	92
Nevadans' Response to the Wilderness Issue	97
CHAPTER 5: INTEREST GROUPS INVOLVED IN THE NEVADA WILDERNESS ISSUE	110
The Players in the Nevada Wilderness Debate	111
Opponents: Economic-oriented Groups	111
Opponents: Social and Recreational Groups	112
Opponents: The Federal Government	112
Proponents: Preservation Groups	113
CHAPTER 6: CONCLUSIONS	144
BIBLIOGRAPHY	157

LIST OF TABLES

TABLE 3.1. Chronology of Wilderness Events	69
TABLE 3.2. Additions to the National Wilderness Preservation System, Congress	70
TABLE 3.3. Total State Acreage, Total Federal Acreage, & Area Managed by Federal Agencies	71
TABLE 3.4. Federal Designated Wilderness Acreage, by State and by Agency	73
TABLE 3.5. Additional Acreage Recommended for Wilderness, by State and by Agency	75
TABLE 3.6. Additional Federal Acreage Being Considered for Wilderness, by State and by Agency	77
TABLE 3.7. Federal Land Designated, Recommended, or Under Construction for Wilderness, by State and by Agency	79
TABLE 3.8. Total State Acreage, Total Federal Acreage and Percent of Federal Land in Eleven Western States	81
TABLE 3.9. Total Area Managed by Federal Agencies in Eleven Western States	82
TABLE 3.10. Total Wilderness Acreage Managed by Each Federal Agency Within the Eleven Western States	83
TABLE 4.1. Percent of Wilderness in Western States	104
TABLE 4.2. Land Distribution in Nevada	105
TABLE 4.3. Wilderness Fact Sheet	106
TABLE 4.4. Nevada Wilderness Survey	107
TABLE 4.5. Public Opinion in Nevada: The Future	108
TABLE 5.1. Organizations and Interest Groups Involved in the Nevada Wilderness Issue	133
TABLE 5.2. List of Contributors	137
TABLE 5.3. Nevada Mining Association's Evaluations and Recommendations on BLM Wilderness Study Areas in Nevada.	138
TABLE 5.4. Oil Well Activity in Nevada	141
TABLE 5.5. Land Acreage Withdrawn for Military Use in Nevada	142

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CHAPTER 1

INTRODUCTION

A Theoretical Framework of Group and Interest Group Study

The American political system may well be at a crossroads in terms of its ability to deal with the major issues facing the country. This crisis in government has been triggered by a number of changing elements within the democratic process, the most significant of which is the increased power of groups, that have led to what appears to be a new political order. The decade of the eighties certainly exemplifies this state of affairs, as attested to by the numerous contemporary policy issues that seem virtually unresolvable. On this list of current problems, environmental issues in general and wilderness questions in particular stand out as primary examples of stalemated policy matters, as will be demonstrated in the following thesis.

It has been established that one of the keys to understanding American public policy-making is to determine the role played by interest groups in the various stages of the process, from inception to evaluation. James Madison outlined this early on in number 10 of *The Federalist* when he stated,

"...A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests forms in the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of the government."¹

A.F. Bentley pointed this out when he said "pressure, as we shall use it, is always a group phenomenon. It indicates the push and resistance between groups. The balance of group pressures is the existing state of society." ² David Truman reaffirms this in *The Governmental Process* in which he relates, "the institutions of government are centers of interest based power, their connections with interest groups may be latent or overt and their activities range in political character from the routine and widely accepted to the unstable and highly controversial. In order to make claims, political interest groups will seek access to the key points of decision within these institutions." ³

Economist Mancur Olson, while not necessarily in agreement with the pluralist explanation of group activity, nonetheless argues that certain small or privileged groups may function as a policy advocate and determinant. "The small oligopolistic industry seeking a tariff or a tax loophole will sometimes attain its objective even if the vast majority of the population loses as a result. The smaller groups-the privileged and intermediate groups-can often defeat the large groups-the latent groups-which are normally supposed to prevail in a democracy." ⁴ Earl Latham suggests that "what may be called public policy is actually the equilibrium reached in the group struggle at any given moment, and it represents a balance which the contending factions or groups constantly strive to tip in their favor." ⁵

Thomas R. Dye comments that, "changes in the relative influence of any interest group can be expected to result in changes in public policy; policy will move in the direction desired by the groups gaining in influence and away from the desires of groups losing influence." ⁶ Theodore J. Lowi, in describing the new "American public philosophy"

remarked that is "interest-group liberalism because it is seen as both necessary and good that the policy agenda and the public interest be defined in terms of the organized interests in society." ⁷

In sum, this pluralistic approach contends that democratic values can be preserved and exercised through a system of competing elites who, through the process of being selected in a manner of purposeful choice by the electorate at the voting booth, represent their constituents in the policy process through bargaining and compromise. This process can be further broken down and observed by various individual characteristics, such as exerting influence through groups. These groups are constantly in a state of flux in terms of their leadership and membership and are therefore open to anyone wishing to participate. Because of the nature of leadership flexibility within the group infrastructure, power is widely dispersed, thereby placing more emphasis on certain skills, information about issues, and knowledge about the democratic process. Another facet of leadership that must be recognized is that it exists in large numbers of different groups that do not necessarily exert any specific power over the other. The result of this distribution of group power is a constant interaction of varying interests, which intimately produces public policy that may be assumed to be a reasonable approximation of the interests of the polity. ⁸

The notion of group theory as a means of understanding policy is by no means a recent application, nor is it unique to the American political system. Probably the earliest and most significant attempt to discuss groups in the United States as political

entities in any systematic manner was A.F. Bentley's *The Process of Government*, which was first published in 1908. Bentley argued that,

"The very nature of the group process (which our government shows in a fairly developed form) is this, that groups are freely combining, dissolving, and recombining in accordance with their interest lines. And the lion when he has satisfied his physical need will lie down quiet lamb-like, however, much louder his roars were than his appetite justified." ⁹

Bentley went further and claimed that all aspects of government, no matter how small or how large are determined by conflicting group pressures, and this was the key to understanding the general and economic policy of government. ¹⁰

Some fifty years later, David Truman, relying heavily upon Bentley's work, took up the task of further understanding the role that groups had begun to play in the American political system. Truman argued that prior to Bentley's attempt to fashion a tool to apply to the understanding of group behavior in a political setting, it had always been fairly well accepted that political man and economic man acted independently, and, in these roles, attempted to maximize their own self interests. This sense of individualism as a prerequisite for any meaningful political study, combined with the lack of any emerging patterns or concrete evidence of group activity, continued to stifle advances in the area of group theory in the first half of the century, according to Truman. ¹¹

In his seminal work, *The Governmental Process*, first published in 1960, Truman set parameters for his study quite vividly:

"Political interest groups are specialized combinations but are not unique. The origins, structure, and operation of these groups are shared, in their essential features, with nonpolitical patterns of social interaction. At the same time the political interest group derives its peculiar significance from its connections with the more formalized institutions of government." ¹²

Based on his in-depth analysis of interest groups in the United States, Truman concludes that interest groups provide a link between the citizen and government, act as a bargaining agent in allocation of the public's material and human resources, and provide a means of identification for an individual in the complex society in which we live, thereby affording some degree of efficacy in the process. Another term Truman uses to describe this overall process is functional representation.

The actual structure and membership of interest groups may vary from those with very broad agendas, such as the American Medical Association (AMA), to single-issue groups, such as Right to Life. The size of the membership also varies with the group's purpose and its longevity.

Truman further suggests that the one type of group that deserves special treatment is the associational groups such as the AMA, National Rifle Association (NRA), and the American Bar Association (ABA). These groups grow out of what Truman refers to as "tangent relations:"

"An association is said to emerge when a considerable number of people have established tangent relations of the same sort and when they interact with one another regularly on that basis." ¹³

These tangent relations constitute the interaction that takes place within the group that ultimately determines the influence and stabilizing effect the group has on its members. Though Truman considers the association the most common type of group, it is by no means the only group that may exert political influence in a society. In fact, Truman concedes that, "any group in the society may at one time or another operate as a political interest group." ¹⁴ Though a group such as Exxon Oil Corporation is not an

association, it may very well operate as a political interest group; also, its officers may act through another associational group such as the National Petroleum Institute. Truman concludes that "any society, even one employing the simplest and most primitive techniques, is a mosaic of overlapping groups of specialized sorts." ¹⁵

Robert Dahl, while addressing the problems involved in a pluralistic solution to the democratic process, offers the following thoughts:

"...a great many questions of policy are placed in the hands of private, semi-public, and local governmental organizations such as churches, families, business firms, trade unions, towns, cities, provinces, and the like. These questions of policy, like those left to individuals, are also effectively beyond the reach of national majorities, the national legislature, or indeed any national policy-makers acting in their legal and official capacities. In fact, whenever uniform policies are likely to be costly, difficult, or troublesome, in pluralistic democracies the tendency is to find ways by which these policies can be made by smaller groups of like-minded people who enjoy a high degree of legal independence." ¹⁶

There seems little doubt that Dahl foresees the role of groups to be absolutely essential in the democratic process, and, in fact, he later remarks that, "few groups in the United States who are determined to influence the government-certainly few, if any, groups of citizens who are organized, active, and persistent-lack the capacity and opportunity to influence some officials somewhere in the political system in order to obtain at least some of their goals." ¹⁷

Finally, Harmon Zeigler has also done extensive work on interest group politics in the United States. His findings indicate that interest groups play an integral part in the overall function of government, however, it is mandatory that all functions within the system be taken into account in describing the role of interest groups, or what Zeigler refers to as the "total way of life of the population." All factors taken into consideration,

Zeigler concludes that "public policy, then, is formed as a result of the interplay of groups interests." ¹⁸

It is simple enough to say that interest groups influence public policy, but that leaves much to be desired in terms of the vehicle or means by which they do this and what the resulting public policy actually reflects in relation to the group's input. Public policy is often referred to as anything the government wants to do or who gets what, where, and when. A more definitive meaning might be the cumulative effect of the interaction that takes place between the political culture, political institutions, and the political administration within a total political system. Numerous groups exist within the parameters of this definition and act in accordance with where they may be able to exert the most influence over certain types of policy.

It is prudent to point out that the pluralistic approach views the policy process as being incremental in nature. Seldom do major changes in public policy occur within the American system of government. This is due to a number of factors: the weight of existing policy, the limits on time and resources of those involved in the policy process, and lastly, the political risk in innovative changes in the event of failure. ¹⁹

There are certain steps that follow in a logical order in the policy process and at each juncture that interest groups most likely will be involved. This begins with the identification of a problem. Once the problem or issue has been identified, interest groups may define and formulate public policy through the process of interest articulation and interest aggregation and advance that policy through a chosen representative in

government. Certain events act as triggers to stimulate public policy, such as international tensions, economic crises, natural disasters, social needs, and environmental concerns, to name a few, and these factors lend themselves positively to getting policy matters on some type of agenda.

Once the issue has been placed on the agenda, the interest group begins to employ the full extent of its organization, from state and local to the national level, to utilize the media, influence public opinion, and finally those in Congress, who must enact the policy through law. Once the policy is in place, it enters the feedback stage, and again interest groups play a large role in how the policy is perceived to be either effective or ineffective and the degree thereof. If public policy works effectively, it will complete the cycle of the policy process as systematic support, and if it is not doing what was intended to do, it will return and begin all over again as demand on the system.²⁰

The type of public policy involved will depend on the nature of the group's interests. A handgun bill might be formulated and a law written and lobbied for by the American Peace Officers Association (APOA). This would be a prime example of a regulatory type of public policy.

Theodore Lowi offers a threefold typology that he suggests is useful in understanding the relationship between policy and process. This, in turn, is helpful in understanding the role that interest groups play in the overall process because certain types of policy generate more conflict than others, and there is a positive correlation

between the degree of conflict and the amount of influence an interest group can or must exert to impact the direction that policy will take in any given sphere.²¹

The three types of policy Lowi refers to are: 1) distributive, those governmental policies that provide tangible benefits to various individuals, groups, or corporations, 2) regulatory, those governmental policies that exert some kind of control over the behavior of individuals or businesses, and 3) redistributive, those policies enacted by government which attempt to redistribute certain resources and allocations among broad classes or groups in society.

In conclusion, public policy serves a wide variety of functions in terms of understanding the linkages that exist within a pluralist government. It may help us determine and understand the role the government should fulfill in order to be representative of its citizens. It provides the means by which groups take an active part in the democratic process within our government, and public policy provides us with that vital link that keeps us informed about the demands that the environment and society place upon us.

There is no question that, while interest groups have always been involved in the policy process, their role has been greatly enhanced by the drastic changes that have taken place within the polity over the past three decades. One of the key differences in the modern political arena is the apparent lack of individualism, which by its mere suggestion reinforces the role that groups play. R. Jeffrey Lustig, commenting on such changes in his book *Corporate Liberalism*, notes that "the modern social landscape is

occupied by collectives rather than be individuals. Those collectives are organized, however, in line with the requirements of a capitalist society, according to individualist principles."²² Accordingly, Lustig suggests that information and institutions are "hoarded, fenced off, and exchanged for profit, as people attempt to preserve privacy with association, and to assert control over elements of cooperation."²³

Similarly, William H. Whyte, Jr., in discussing what he refers to as the new organization man, cites three major propositions that provide the criteria for the contemporary social ethic: 1) The group provides the source of creativity for the individual, 2) the ultimate need of any individual is to belong to a group, and 3) to achieve this belongingness requires an application of science.²⁴ This strongly suggests an individual who has abandoned former traditional physical and spiritual virtues in favor of a laboratory, corporation, or research foundation. It also tends to discredit the one strongly held notion of the protestant work ethic and its overtones of rugged individualism in favor of a morality imposed and maintained within a group structure on behalf of the aggregate total of its members. In the final analysis, it places the emphasis on the linkages that exist within the American political and social systems squarely on the shoulders of groups and their byproducts.

A second major change which is systematic in nature and has enhanced the role of interest groups in the policy-making process has been the decline of political parties as a dominant force in the complex process of government. This is the result of societal changes, new technologies in the field of politics, and the unusual demands placed on the party organizations by an evolving electorate.²⁵ Two of the most predominant

aspects of these changes are the tendency of voters to become issue-oriented, and the rapid rise in the numbers of voters in the independent categories.

At a time when the electorate is becoming more issue-oriented than ever before, political parties and their candidates are moving in opposite directions; towards media and image-oriented campaigns. In the vacuum created by an absence of willingness on the part of parties to clearly define their position on a wide variety of issues, interest groups thrive and prosper and to some extent become actual extensions of the party. In sum, parties are suffering from their inability to organize, compete, and represent, thus failing to provide that vital linkage between the public and government as they once did.²⁶

The growth of the bureaucracy has likewise impacted the significance of interest groups on policy decisions. Countless institutions have become painstakingly large and must rely on an ever-expanding technical staff to provide the expertise necessary to formulate policy. This burgeoning development within the institutions of government creates additional problems in the areas of communication of information, coordination of personnel and resources, and implementation of policy. Once again interest groups find their services indispensable in terms of their expertise, the amount of invaluable information they are able to pass on to institutional staffs, and the organizational facilities and resources they are able to provide.

Alexander Matejko points out several reasons for the numerous problems involved with the growing bureaucracy and accompanying explanations. First of all, bureaucratic

organizations cannot adapt quickly enough to keep up with change. Secondly, vested interest groups develop and attempt to further their own goals to the detriment of the public interest. Thirdly, such organizations as educational institutions are often their own worst enemies when giving out grades and degrees, thereby defeating the funding of public education. This is a problem that is certainly being emphasized by the current Bush administration, and the final resolution of this critical issue will depend to a large degree on the input of a number of professional organizations each with their own special interests. Lastly, Matejko notes that the role of the media dilutes and confuses the perceptions the general public has about certain norms and values. This confusion carries over into the work place, and at a time when work organizations are struggling to establish structured identities, this lack of integration and loyalty creates a void that is often filled by the individual seeking out some interest group to join as a means of identification.²⁷

Even more significant has been the enhanced role of the media in the political process and its corresponding impact on how and how much interest groups affect policy outcomes. In *Mass-Media Culture*, Michael R. Real contends that for all practical purposes the media are controlled by three major corporations in the United States, and that the role assumed by these corporations in the dissemination of information through the media is one of maintaining the status quo. These corporations, in turn, are strongly represented by special interests through all forms of the media in a manner conducive to incrementalism in the public policy arena.²⁸ Gaye Tuchman offers strong support for this contention when he says, "political influence, personal associations, and professional

organizations reinforce this closed, monopolistic system more than they modify it ... the net effect is to maintain an ideological hegemony and legalize the status quo.”²⁹

Television has become the most significant medium or conduit for information on public policy, and regardless of the nature of the issues, foreign, domestic, or economic, interest groups spend vast sums of money to carefully shape and mold each sound bite in a manner that will elicit the most favorable response from the public. The hegemony that the television media has achieved offers those interests with the largest bankroll the best opportunity to strongly dictate and influence the direction that policy takes in all areas.³⁰

Campaign finance reform, began with a vengeance in the early seventies, has also worked to the advantage of interest groups. The 1971 and 1974 reforms were designed to limit campaign spending in the hope that more parity might be established on an individual candidate basis. Rather than achieve this end, the 1974 reforms allowed for the creation of Political Action Committees (PACs), and these organizations have provided the means for special interests to contribute millions and millions of dollars to political candidates whose political philosophies are similarly aligned with the interests of the PACs. This is born out by the fact that only 22 percent of the total contribution by PACs in the 1978 election went to challengers in contested races. The majority of funds contributed by PACs is given to incumbents.³¹ The largest number of PACs are affiliated with corporations, followed by the Trade/Membership/Health groups.

One of the most important developments in the area of PACs and campaign spending was the *Buckley v. Valeo* decision of 1976, in which the U.S. Supreme Court held that campaign spending was a form of free speech protected by the First Amendment, thereby allowing corporations to become actively involved in the process of campaign contributions. Corporations and special interest groups became synonymous in terms of their ability to contribute and influence elections after this decision by the Supreme Court.

Combined with the increasingly high costs of political campaigns, which make candidates dependent on PACs, these reforms have naturally placed politicians' futures in the hands of special interests. As Everson points out, "the power PACs can exercise over congressional actions is enormous. As their contributions to campaigns increase, as both incumbent and newcomer become indebted to special interest funds for election, their influence should grow. At present, there is no end in sight." ³²

Evidence of such far reaching changes in the political landscape can also be seen by examining certain institutions on an individual basis. Jeffrey K. Tulis aptly points out that the presidency has undergone dramatic shifts in its direction in this century. This shift to a more "rhetorical presidency" has tended to move the electorate and Congress farther and farther from the "deliberative process" of government, thus providing more access and giving way to the dictates of interest groups on a much broader scale. ³³ This process occurs when presidents, with the aid of the vast and efficient television media, take issues directly to the people through popular appeal. Presidents attempt to

mobilize large groups within society to act in support of the measures they are advocating. Tulis notes this process in the following excerpt:

"Today the pace of policy development follows less the rhythms of Congress and more the dynamics of public opinion. The consequence of this development is not only that Congress will often be left out of the deliberative stages of policy formation and that rhetorical imperatives will play a larger role, but also that Congress will be forced to respond in kind...the rhetorical presidency enhances the tendency to define issues in terms of the needs of persuasion rather than to develop a discourse suitable for the illumination and exploration of real issues." ³⁴

Congress has also experienced radical changes within its rank and file membership as well as the role it performs. The professionalization of congressional staffs has made members more dependent on outside technical expertise to provide information on issues that have become increasingly complex as well. In its desire to escape the inevitabilities of such an expansion and dependency on special interest groups, Congress has created its own catch-22. The more that members of Congress seek to add to their own staff to compensate for a lack of in-house technical input, the more compartmentalization and diversity they impose upon themselves and the more dependent they become on outside sources. ³⁵

Dye points out that the dilemma created by the growth of bureaucratic congressional offices results in the flow of information by representatives of "professional reference groups" ³⁶ to members of committees and subcommittees in Congress. This has lent itself to the development of the "iron triangle" in government. This do-called policy triangle suggests that members of regulatory commissions established by acts of Congress to protect the public interest often are called upon to testify in front of congressional committees about their performance or certain issues which fall under the auspices of their office. Additionally, the heads of clientele groups the commissions

represent, may also be required to appear and give testimony. In either event, the testimony given will tend to reflect positively upon the performance of both groups and ignore the public interest if necessary to protect and sustain their various agencies. Another aspect of this policy triangle is that members of the commissions and clientele groups tend to move from one organization to the other, thereby maintaining the status quo of both groups. Members of Congress often enter the field of professional consulting services and lobbyists when they leave Congress and often find themselves lobbying the lawmakers they previously worked with on a variety of special interests, thereby strengthening further in-house cartels of interests.

It is little wonder that scholars and politicians alike have begun to question the prevalence of special interests and the impact it is having, not only on specific policy matters but on the system at large. The campaign contributions made by PACs to political candidates in recent years have reached outlandish totals, thereby making both those aspiring to public office and incumbents more obligated and responsive to special interest groups. Senator Harold Hughes reflected this cumbersome practice when retiring by noting that his conscience would no longer allow him to raise money in the manner required to stay in office. James Abourezk, former Senator from South Dakota, recounted Hubert Humphrey's feelings about the power and influence of PAC contributions: "nothing was as demeaning and degrading as the way he had to raise money...he spoke of how politicians are treated by those who contribute, of how candidates literally had to sell their souls."³⁷ The increases in spending and the subsequent influence that special interest groups must certainly derive from these contributions.

Elections in 1980 and 1984 cost from 1.2 billion to 1.8 billion, more than twice the cost of the 1976 elections, and during these elections, PACs outspent political parties. This cannot be blamed solely on inflation, because while inflation increased by 100 percent between 1972 and 1982, spending for House races increased by 450 percent and Senate races by 500 percent. In the words of the late humorist Will Rogers, "Congress is the best money can buy," and this would be more accurate now than ever before.

This thesis will attempt to identify and examine the role played by various interest groups in the determination of wilderness policy. Special attention will be paid to the competing groups which have attempted to influence policy in the State of Nevada. The fact that the federal government owns and manages some 85 percent of the total land in the State of Nevada, coupled with the volatility of environmental issues in the Western United States, creates a surrounding atmosphere of extreme saliency. Equally as important and demanding is the high growth rate in Nevada, 4 percent in 1989, the highest in the nation, and the increasing economic diversity in the state, which brings with it a vast array of special interest groups seeking to further their individual goals. Against the backdrop of this dynamic set of circumstances the issue of wilderness unfolds.

NOTES

CHAPTER ONE

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CHAPTER 2

THE DEVELOPMENT OF THE WILDERNESS CONCEPT

The concept of wilderness is by no means new. It has its origins in the dawn of civilized life, or that time in history when agriculture and herding began to exert controlling influence over the natural processes of nature. Though there remain a few hunting and gathering societies in the world, it is interesting to note, as Roderick Nash points out in *Wilderness and the American Mind*, there is no word to describe "wilderness" in their vocabulary. In these societies all things are equally important and in harmony with their habitat and way of life.¹

Wilderness has meant many things to many people over numerous centuries, and understanding the evolution of the concept makes it much easier to identify and define its present context. In order to trace the evolution of the concept of wilderness, several other very important and relevant terms and concepts must also be considered as components of the broad picture. Conservation, preservation, and ecology are all integral components of the wilderness concept, and their origins can be traced to certain events and periods in time.

The actual use of the term wilderness, for all practical purposes, dates back to biblical times, and in fact, the first commonplace usage of the term can be found in the first English translation of the Latin Bible by John Wycliffe in the late fourteenth century.

In later translations by Europeans who discovered and colonized the New World, the word "wilderness" appears some 245 times in the Old Testament and 35 times times in the New Testament. This early usage of the term wilderness in the Bible most often referred to a place unfavorable for inhabitation and often a place to be feared as unholy. Phrases such as, the "howling waste of the wilderness", were commonplace.²

The negative attitude associated with "Wilderness" survived for centuries and was eventually brought to this country with the early colonists who settled the East. The Puritans, primarily the Calvinists, held firmly to the conviction that the wilderness was a harsh place to be tamed by hard work, and the last possible option should be deriving any pleasure from such places of beauty, which would surely be a transgression against the established work ethic. Thus began the history of wilderness in the United States.

Alexis de Tocqueville aptly pointed out the early prevailing attitude among Americans towards wilderness while writing in his journal in 1831:

"...In Europe people talk a great deal of the wilds of America, but the Americans themselves never think about them; they are insensible to the wonders of inanimate nature and they may be said not to perceive the mighty forests that surround them till they fall beneath the hatchet. Their eyes are fixed upon another sight...the march across these wilds, draining swamps, turning the course of rivers, peopling solitudes, and subduing nature."³

It was understandable that the struggle to tame the West and live in the wild would often be perceived and referred to as a hostile undertaking. While many early pioneers used adjectives such as grand, magnificent, and spectacular to describe much of the new country then encountered, they never transcended the prevailing thought that the wild places needed to be tamed. After all, the frontiersman drew much of the legitimacy of his existence from taming the wild places. Yet, it was also only a matter

of time before this attitude would give way to new inroads of thought and influence with regards to the land. Andrew Jackson articulated one evolving view in his 1830 inaugural address when he queried, "What good man would prefer a country covered with forests and ranged by a few thousand savages to our extensive Republic, studded with cities, towns, and prosperous farms, embellished with all the improvements which art can devise or industry execute?"⁴

In addition to Jackson's sentiments on the untamed lands, and during the mid-1800s when migration to the Western United States was in full swing, another significant development brought new meaning to the wild places in America. The romanticists, such as Henry David Thoreau, Ralph Waldo Emerson, Alexis de Tocqueville, and the painter Thomas Cole, began to refer to wilderness as a resource of great consequence in the New World. The underpinnings of this romantic thought flowed from the experiences of these writers in the cities of Europe and their desire to seek out and write about the pristine areas of the New World, which no longer existed to a large extent in Europe. Thomas Cole, who migrated to America in 1918 with his family, settled in the Upper Ohio River Valley. His paintings would be the first to portray the scenic splendor of the American wilderness, in particular the Catskill Mountains in New York.

Similarly, in an address before the Concord Lyceum in April 1851, Thoreau stated, "let me live where I will...on this side of the city, on that the wilderness, and ever I am leaving the city more and more, and withdrawing into the wilderness."⁵ These efforts by the romantics and transcendentalists truly began to cast wilderness in a new light, but ambivalence remained, and it would take concerted effort by opposing forces to really

create a clear distinction between the preservation of wilderness and the confusing past from which it emerged.

In August 1870, Nathaniel P. Langford and Cornelius Hedges were members of a nineteen man party that explored the Yellowstone region. Just prior to leaving the area, a campfire discussion regarding the future of Yellowstone took place. There was no clear consensus among the group, for many felt that the area held great promise as a tourist attraction; others wanted to file claims to protect the fur trapping rights in the area, and still others anticipated the time when the train might service the area and with it bring unlimited economic opportunities. Langford and Hedges wanted to see the area become a national park, and their efforts in the following two years were largely responsible for the first real instance of large-scale wilderness preservation in the United States. On March 1, 1872, President Ulysses S. Grant signed an act designating over two million acres in the northwestern part of Wyoming as Yellowstone National Park.

Though it came to be regarded as a wilderness preserve, Yellowstone was not conceived in that context. On the contrary, it was primarily out of utilitarian motives that the advocates of Yellowstone advanced their support for the park, and no sooner had the realization set in that it might indeed serve the purpose of preservation that outspoken opponents began to voice their objections to such a notion. Senator John Ingalls of Kansas commented in 1883 that Yellowstone was an "expensive irrelevancy", and that, "the best thing the government could do with Yellowstone National Park is to survey it as other public lands are sold."⁶ Clearly the battle lines were being drawn between use and preservation, but at this point there was no champion for the cause of preservation,

only those who made passing remarks about the beauty of nature. One was soon to emerge, however, with the arrival of John Muir.

John Muir was born in Scotland in 1838, and his family migrated to this country and settled in Wisconsin in 1849. Muir was born of parents deeply steeped in the Calvinist tradition, and yet, at an early age, Muir decided that nature was his greatest love. Muir spent two and one-half years at the University of Wisconsin in Madison and during that time he met Ralph Waldo Emerson through an acquaintance with the wife of one of his professors. Muir had always aligned himself with the transcendental philosophy that Emerson espoused regarding man and nature, and the two became good friends. Muir migrated to the Sierra Mountains in Northern California where Emerson often visited, and Muir's reputation as a wilderness advocate began to grow.

Robert Underwood Johnson, the associate editor of the nation's leading monthly, *Century*, learned of Muir's exploits and traveled to the Sierras to visit him. During this visit in June 1889, Muir and Johnson set out for the Yosemite Valley, and while exploring the area came to the conclusion that Yosemite should become a national park just as Yellowstone had earlier. Johnson returned to the East and began to lobby Congress to set aside what he editorialized as an effort to preserve "the beauty of nature in its wildest aspects."⁷ On September 30, 1890, this legislation passed both houses of Congress with little debate, and the following day President Benjamin Harrison signed it, thus giving the nation its first preserve that was consciously designed to protect wilderness, Yosemite National Park.

In addition to the creation of the Yosemite National Park, another extremely important development was taking place. As the new wave of favorable sentiment began to find firm footing among many immigrants to the West, a smaller group of professors were forming an alpine club for the purpose of exploring and enjoying these new scenic areas. On June 4, 1892, twenty-seven men from Berkeley and Stanford formed what was and remains today, the Sierra Club, the first interest group to strongly lobby the cause of preservation. John Muir was elected president of the Sierra Club and the debate over utilitarianism versus preservationism began in earnest.

In response to the wilderness-oriented Yosemite National Park, opponents lobbied Congress to create a law that would set a precedent for utilizing the resources that existed on the federal public lands, including those within the boundaries of national parks. The first of these to be enacted was the Forest Reserve Act of 1891, which withdrew certain public lands for forest reserves, later named national forests. Though this Act seemed innocent enough at its inception and was even geared towards protection of these forests, exploitation continued at a staggering rate, to the dismay of Muir and his followers. The lack of consensus and regulation stemming from this flawed management proposal made it necessary to explore other avenues of forestry control.

Amid this controversy, a young Yale graduate named Gifford Pinchot emerged as the promulgator of a new concept that would come to be known as conservation. Pinchot believed that there could be a degree of compatibility between preservation and productive forest management, and he initially convinced Muir of this seemingly adaptable arrangement. However, it was not long before Muir realized that a new era

was about to dawn with respect to forests in wilderness. On June 4, 1897, Congress passed the Forest Management Act, which stated that forest reserves were, "to furnish a continuous supply of timber for the use and necessities of citizens of the United States," leaving little doubt that forest reserves were not going to be managed as wilderness.⁸ This Act also opened the forests to both mining and grazing.

Once again the ebb and flow of opposing viewpoints demanded a balancing force in a vastly expanded debate concerning the utilitarian measures now being cloaked in the new conservation concept on the one hand, and preservation of a wilderness resource on the other. This need was accommodated by a number of changes within society. Much of the earlier antipathy towards wild places began to wane as a result of the establishment of many prominent cities in the West. As these cities grew, more people became enamored by the great open spaces and became strong vocal minorities. In addition to the changing American mindset towards wilderness, the role the media played also began to foster new feelings among Americans towards wilderness. Muir and his followers expressed their views in *Outlook*. The president of the American Civic Association, J. Horace McFarland, preached the advisability of protecting elements of beauty in our environment. Henry E. Gregory of the American Scenic and Historic Preservation Society appeared in front of the Senate to plead the case against utilitarianism, and the Sierra and Appalachian Mountain Clubs distributed literature in mass denouncing the intrusion by economic-oriented groups into wilderness areas.⁹ In essence, what was taking place was the emergence of large numbers of groups that represented the preservation side of the ongoing debate on wilderness. In the final accounting, however, it took a cataclysmic event to really give the issue momentum.

The city of San Francisco had long experienced a dire shortage of water, and as early as 1882 there had been forces at work trying to dam the Tuolumne River in the Hetch Hetchy Valley approximately 150 miles northeast of San Francisco. This area was part of the Yosemite National Park wilderness reserve, however, and it was not until the earthquake of April 18, 1906, that this plan began to gain favor. As events unfolded in the Hetch Hetchy controversy, a series of impending and profound changes loomed on the political horizon. Large numbers of the rank and file began to join forces with the emerging preservation groups, creating a pluralist atmosphere thus far unknown in the environmental struggle of this fledgling issue. On the other hand, partisan support was being mustered along regional lines in both houses of Congress in favor of business and multiple-use advocates. With strong support from members from the Midwest, the South, and those who had supported Wilson in his successful run for the Presidency in the previous election, the Hetch Hetchy Dam became a reality on December 19, 1913, with the signature of President Wilson.

The fallout from Hetch Hetchy was twofold. First, defenders of wilderness and preservation had learned what it meant to tackle the political forces in an organized manner, as reflected by John Muir when he noted, "the conscience of the whole country has been aroused from sleep."¹⁰ Henceforth, organized groups of preservationists would remain a pervasive force in the debate over wilderness. Second, trade-off voting and party and regional political allegiances would also remain a key element of future public land decisions.

As is often the case when opposing views or positions become polarized and seemingly beyond useful compromise, the dialectical process intervenes to create a new challenge; such was the case in the now-existing conservation-preservation debate in the early 1900s. The man who would, to a large extent, champion this new challenge was Aldo Leopold. Leopold's early interests in the environmental arena were mainly aimed at the protection of wildlife, but he soon came to realize that wildlife was only a small part of a much broader picture and turned his attention to the creation and preservation of wilderness.

After receiving a degree that qualified him as a "Forest Assistant" from the Yale Forest School in 1909, Leopold relocated to the Southwest and began his employment with the Forest Service. In 1918, he resigned because of policy differences with ranking officers within the Forest Service.

Events changed when the National Park Service, created in 1916 and led by the preservation-oriented Stephen T. Mather, began to lobby the case for recreational endeavors for Americans in National Parks. This movement was being well received by both the American public and officials in Washington, mainly because of the innovations in technology in the field of transportation, but it came into sharp contrast with the views of the Forest Service. The Forest Service, not wanting to be left out of the picture, quickly began to realign its priorities and made a concerted effort to extol the recreational virtues of scenic national forests. Sensing an opportunity to return in the middle of such a willingness for compromise, Leopold returned to the employ of the Forest Service in the summer of 1919.¹¹ Leopold's dedication to game management remained the same,

but the big picture was now beginning to unfold rapidly. Leopold was developing an entirely new outlook that would create a scientific management plan of both wildlife and the preservation of the wilderness in which wildlife existed. From this scientific approach would flow what was perhaps Leopold's most significant contribution to the overall issue; the study of ecology, a branch of science concerned with the interrelationship of living organisms and their environments.

Aldo Leopold did not discover the science of ecology, for there were many who had declared that such an ideal was an imperative mandate if man were to survive, but as Nash pointed out, "the science of ecology came of age during Leopold's lifetime."¹² From the standpoint of an ethical approach to the problems confronting mankind as to how to maintain some balance with nature, Leopold remarked, "in terms of what is ethically and aesthetically right, as well as what is economically expedient... a thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise."¹³ Leopold was consistently outspoken about the virtues of wilderness as well, and in 1941 stated that, "each biotic province needs its own wilderness for comparative studies of used and unused land," and later that, "all wilderness areas...have a large value to land science."¹⁴

Numerous other battles were fought during the 1930s and 1940s over the wilderness issue, but it was in the late 1940s that Howard Zahniser, Wilderness Society director, began to press very hard for a national wilderness preservation law. In 1951, Zahniser formally proposed such a wilderness preservation system in an address to the Sierra Club's Second Biennial Wilderness Conference. The first efforts to establish such

a law dated back to the early 1920s, but it was not until wilderness advocates had fought and won the battle over the Echo Park Dam controversy in 1956 that such legislation seemed a reality. The Echo Park Dam was a part of the Colorado River Storage Project on which Congress had begun hearings in 1954. The fate of the resolution of the Hetch Hetchy issue in the early part of the century still lingered, as the dam that had been created there had left irrevocable scars in the Yosemite National Forest. Accordingly, conservation groups had rushed in to protest the construction of a similar dam on the Green River on the Colorado-Utah border as a part of the Colorado River Storage Project bill. On April 11, 1956, the Colorado River Storage Project bill was enacted by Congress, but the portion that included the Echo Park Dam had been deleted in what was a major victory for the American wilderness movement.

With renewed vigor stemming from the Echo Park Dam victory, Zahniser drafted a four page plan for a national system of wilderness preservation and persuaded Senator Hubert Humphrey and Representative John P. Saylor to introduce bills in the Second Session of the Eighty-Fourth Congress. During the next eight years, Congress would conduct nine separate hearings on a total of sixty-six modified, rewritten, or resubmitted bills resulting from over 6,000 pages of testimony taken at the hearings. The extractive industries (mining, timber, and oil) squared off in direct opposition to such a preservation-oriented system. After countless revisions and compromises on the part of both sides, the Wilderness Act was signed by President Lyndon B. Johnson on September 3, 1964, thereby creating the National Wilderness Preservation System.¹⁵ As detailed in the next chapter, this Act was filled with contradictions which were to further confuse the issue of

wilderness for the next few decades, as state after state sought to enact their own wilderness bills.

As we enter the 1990's, divisions of opinion regarding wilderness seem to be growing even wider. Not only does the rift between the preservation forces versus development concerns seem to be greater than ever, but the Big Ten coalition of environmental groups, including the Wilderness Society, the Sierra Club, the National Wildlife Federation, Audubon Society, and others, cannot seem to muster a consensus of opinion on wilderness either. "De facto wilderness," those public lands under current consideration for wilderness and as such under wilderness management, are the least threatening to many groups on both sides of the issue. Once this "de facto" acreage is no longer under consideration for wilderness, a situation brought about by the passage of legislation by Congress, they then fall into the category of "release lands" and become valuable properties for economic-oriented interests.

Amid the myriad of emerging interests and their respective interpretations and applications of former terms and concepts, such as preservation, conservation, and multiple use, the reality and feasibility of wilderness have lost both meaning and potential as a valuable resource in the delicate balance of today's dynamic and precarious ecosystem. This loss ultimately serves to create uncertainty, tension, and lack of credibility among all that are affected by it, rather than creating a place of retreat and solitude, as many of its innovators and advocates had envisioned. The decade of the nineties will place great demands on many of the current players in the wilderness debate to remove the shroud of dispersion that has been cast upon this critical

environmental issue. The result of the wilderness debate in the current decade, and on into the future, will be a redefining of our natural resource policy, the standards by which multiple use is interpreted by all involved, and generally speaking, the dimensions by which the public versus the private good will be measured and dispensed.

Over the years, the concept of wilderness has grown increasingly complex as scholars and practitioners have debated the merits of preservation, conservation, and multiple use. Currently, new perspectives on this old topic can be found in the literature which further complicate the issue.

One of the many elements of this changing landscape addresses wilderness from the ecological perspective. In *The Eleventh Annual Report of the Council on Environmental Quality*, issued by the Council on Environmental Quality in 1980, it is argued that by reducing biological diversity we are squandering the resources needed for normal existence; material for clothing, building, medicines, food, water, energy, and even our psychological well-being are among the countless items that must be included in such a category.¹⁶

As it relates to the issue of wilderness, the question of a sound ecological approach, when addressed to the larger and overriding matter of biodiversity on a global scale, is equally disquieting. In 1986, David Challinor, while summing up essays from the *National Forum on Biodiversity*, suggested that, "controlled rational exploitation may be the answer, if the surviving humans have the foresight and sensitivity to carry it out."¹⁷ Though this may sound emphatically pessimistic, it may well be an adequate description

of how we have proceeded in the absence of a real compromise on wilderness policy during the past twenty-five years. Further, as Greg Cawley of the University of Wyoming points out, "If a compromise between development and preservation cannot be sustained in a country like the United States, which has the luxury to pursue both goals, it seems logical to ask what would make such a compromise work in Third World settings, where economic development frequently is a basic subsistence issue." ¹⁸ Clearly, wilderness policy fits into a broader context of environmental concerns that mandate ecological considerations and transcend national boundaries, in terms of both the demands and directives that will follow.

Approaching the wilderness question from the economic perspective, involves looking at the limits of utilitarianism. Hardin's theory in *The Tragedy of the Commons*¹⁹, suggests that each individual, in an effort to increase overall utility value, will add one of whatever is produced to increase the maximum gain involved in the production cycle by plus one. This rationale is shared by all individuals competing in that particular area or market, however, so the negative utility value of such an action is shared by all, or is only a fraction of minus one and therein lies the tragedy. "Each man is locked into a system that compels him to increase his herd without limit in a world that is limited. Ruin is the destination toward which all men rush, each pursuing his own best interest in a society that believes in the freedom of the commons." ²⁰ It is quite easy to put Hardin's argument in the context of the wilderness issue. Pro-development forces will sense that one more oil well, one more mine, or one more clear cut of trees will greatly enhance their financial standing. However, there are only so many locations from which these ends may be obtained, and when they are gone, it will constitute a clean sweep.

Kenneth Boulding offers another interesting slant to the prevailing economic predilections of this country when he notes that we seem to be conditioned by what he refers to as a "cowboy economy," in which consumption and production are prime movers, and those that extol the virtues of conservation or preservation are forced to fall back on vague ethical principles that cast the individual within the context of some historic or future society. Boulding notes that it is extremely difficult to answer the question, "What has posterity ever done for me? ...And so we continue to eat, drink, spend, extract and pollute with reckless regard for future generations." ²¹

Another key perspective that will undoubtedly manifest itself in future discussions on wilderness policy, combines an ever-present economic predisposition with the political implications that must surely be a factor in any final outcome. There are many who would argue that questions of environmentalism, in a broad sense, can be answered by economic analysis, or the act of performing a cost-benefit analysis to determine if the cost of resolving air pollution, for example, could be justified by innovation in procedures to control such pollution and then by passing on those costs to the consumer. Former President, George Bush expressed the administration's position quite vividly in this regard in the following excerpt from a speech delivered from the White House on February 5, 1990: "Our policies must be consistent with economic growth...Our goal continues to be matching policy commitments to emerging scientific knowledge--and a reconciling of environmental protection to the continued benefits of economic development." ²²

This is not to suggest that environmental problems have no ties to economic solutions, for though environmental groups did not create air pollution, water pollution, nor the problems of managing our public lands, correcting any of these will certainly cost money. It is, however, glaringly apparent that economic approaches relied on in the past twenty years to resolve environmental policy have purported to consider both the consumer and citizen values, or in a manner of speaking, have equated the public good with the private good. Economists have long been able to measure consumer interests through reliable market data, but the same data cannot be applied to determine citizen-preferences, or by asking what citizens would be willing to pay for a certain level of environmental protection.²³

Sagoff suggests that in the discourse of political philosophy the distinction between public and private interests is absolutely imperative.²⁴ When something is offered that can be determined to be in the public interest, the debate should be completely removed from the framework of private interests, and the pursuant discussion must be carried on in public terms with total disregard for what the individual has at stake. Critics will argue that it cannot be determined that wilderness is necessarily a public interest, but this issue must be resolved in the political arena, independent of private interests. This has obviously become increasingly difficult with the huge number of special interest groups that attempt to impact public policy, but that in itself does not suggest we should abandon the established tenets of democratic political discourse.

The political process draws its legitimacy from being creative in an atmosphere of debate and compromise, and the participants in this process, the political leaders,

should seek to elevate public opinion. It is too idealistic to suggest that trade-off voting and personal gain do not enter into the political decisions regarding environmental issues; yet at the same time, if we resort to economic underpinnings to answer such crucial policy questions, then we limit the debate to only those who have something at stake and are willing to pay, thus giving rise to the notion that those with the most resources will dictate policy. There are those who may argue that this is exactly what takes place in the environmental policy arena, and the next two decades will probably prove or disprove this.²⁵

Economic efficiency is a label often applied to the needs, demands, and resulting policy of an ever-increasing consumptive society, and the trade-offs by which we accomplish it often seem infinite, but efficiency is not an end in itself. As Sagoff posits, "...What about the trade-off between efficiency and dignity, efficiency and self-respect, efficiency and the magnificence of our natural heritage, efficiency and the quality of life? These are the trade-offs that are important in setting environmental policy."²⁶

Not only is the preservation of wilderness bound up in the set of complex issues presented here, but the very essence of nature itself hangs in the balance waiting for a jury that, at least for the present, seems to still be absent of the facts as well as the will and determination to decide its fate.

NOTES

CHAPTER TWO

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CHAPTER 3

THE ADMINISTRATIVE AND LEGISLATIVE HISTORY OF WILDERNESS IN THE UNITED STATES

Events in Congress that Preceded the Establishment of the National Wilderness Preservation System

The discussion of various wilderness proposals began as far back as in 1949, when several members of Congress requested a compilation of data from the Legislative Reference Service of the Library of Congress, but it was not until 1956 that major legislation was first introduced. Though the debate over wilderness was certainly not new, during this period of seven or eight years the key opponents in this battle, conservationists and western commercial interests, arrived at severe loggerheads over this issue. There were many differences of opinion over the values of wilderness, but the main compromises that were struck concerned provisions for the extraction of minerals and the addition of new wilderness areas after the establishment of a permanent wilderness system.¹

The first legislation introduced included House bills HR 11703, 11751, 11791, and 11806 by Saylor (R-PA), Metcalf (D-MT), Reuss (D-WI), and Miller (D-CA). On the Senate side, Senators Humphrey (D-MN), and Morse (D-OR), among others, introduced similar bills, including (S 4013). It is interesting to note that only one Republican was a major sponsor of the early wilderness legislation introduced in Congress. No action was taken on any of these bills.²

In the next two years, 1957 and 1958, the first hearings were held on Senate bills 1176 and 4028 by the Senate Interior and Insular Affairs Committee, bills that were opposed by the Agriculture and Interior Departments. Another significant fact that cannot be left out is that a Republican, Dwight D. Eisenhower, occupied the White House as President during this period. A slightly different version than the original S 4028 was endorsed by the Senate Interior and Insular Affairs Committee with some reservations, but the Committee took no formal action. The House Interior and Insular Affairs Committee also held hearings on similar legislation, but likewise, took no action. All bills that had been introduced died with the adjournment of the 85th Congress in 1958.³

Both the House and Senate Interior and Insular Affairs Committees held hearings again in 1959 and 1960 on new wilderness bills (S 1123, HR 1960 and others), but once again these bills died in committee when the 86th Congress adjourned in 1960.⁴

President John F. Kennedy, in his Special Message on Natural Resources on February 23, 1961, endorsed S 174, and on September 6, 1961, the Senate, by a 78 to 8 roll call, passed the measure, thereby sending the first wilderness bill to the floor of Congress. This initial bill would have immediately placed some 7 million acres in a National Wilderness System and an additional 45 million acres under review over a ten-year period. The President reserved broad sweeping authority over future wilderness areas in this proposed legislation, including the right to limit mining and make recommendations to Congress for new wilderness areas, a fact that strongly dismayed and chagrined opponents of wilderness. The strongest opposition was mounted by

Senators Gordon Allot (R-CO), and Allen J. Ellender (D-LA), both whom attempted to stall this legislation and to introduce amendments altering the role of the President's ability to request to Congress new additions to the Wilderness System when he deemed fit. Both Senators felt that this evaluation and recommendation process was better left to the Secretaries of Interior and Agriculture, subject to approval by Congress.

On October 3, 1962, the House Interior and Insular Affairs Committee reported HR 776, a bill that differed greatly from the Senate version passed in 1961 and one which conservationists strongly opposed. The most dramatic differences in the House version were, 1) it required the consent of the entire Congress to add to the initial 7 million acres designated for wilderness; 2) new mining operations were to be permitted on wilderness lands for the next twenty-five years; and 3) there would be a review of each wilderness area every twenty-five years to determine if it should remain in the wilderness system. Of critical importance in the discussion of HR 776 was the fact that Wayne N. Aspinall (D-CO), chaired the powerful House Interior and Insular Affairs Committee. Aspinall had assumed the leadership role of the opponents of wilderness by this time and attempted to bring HR 776 to the floor of the House under suspension-of-the-rules, a means of precluding any amendments being added to the measure. In the final accounting, HR 776 was not brought to the floor at all, and both that bill and S 174 died with the adjournment of the 87th Congress in 1962.⁵

On April 9, 1963, the Senate passed a wilderness bill, S 4, by a 73 to 12 roll call vote. This bill created a National Wilderness System consisting of all national forest lands currently classified as wild, wilderness or canoe. The bill also included those

national forest lands classified as primitive subject to a ten year review by the Secretary of Agriculture to determine their suitability for remaining in the system. Also, it directed the Secretary of Interior to study roadless national park, game, and wildlife refuge systems over the next ten years to determine their suitability for inclusion in the wilderness preservation system as well. Following these reviews, the President would make recommendations to Congress for which areas should be added to the wilderness system. This action would be taken automatically, subject to a resolution of disapproval by either chamber of Congress. Finally, the bill would provide for existing commercial or recreational activities to continue, but prohibited the construction of any new facilities on wilderness lands and the initiation of any new mining or mineral leasing activities unless the President deemed it in the national interest. ⁶

The Public Lands subcommittee, under the direction of the House Interior and Insular Affairs Committee, held hearings during January 9-14, 1964, in Olympia, WA, Denver, CO, and Las Vegas, NV, and April 27 - May 1, 1964, in Washington, D.C., on a number of wilderness bills. Initially, there were three major categories of bills being considered in these hearings. First, S 4, and companion House bills that were strongly backed by conservationists; second, HR 9162, sponsored by Rep. John D. Dingell (D-MI), and related bills which strongly resembled the measure put before the House in 1962 and supported by Aspinall, with one exception, which allowed for continued mining for ten years instead of twenty-five; and third, HR 9070, sponsored by Rep. John P. Saylor (R-PA), and related bills. These measures differed in that they did not initially include primitive areas, but they could be reviewed after a five year period when included in a wilderness bill that had been passed; the President could then recommend inclusion, but

Congress would have to approve. The bills did not allow for any new mining in wilderness areas.⁷

One of the key players in the testimony given during the hearings was Secretary of Interior Stewart L. Udall, who lent strong support to S 4 and limited support to HR 9162, stating that mining was inconsistent with the concept of wilderness, but clearing the way for some sort of compromise if necessary. Penfold, the conservation director of the Izaak Walton League of America, rallied behind HR 9070, mainly because of the provision within this measure which prohibited mining in wilderness areas. Thomas L. Kimball, executive director of the National Wildlife Federation, also came forward in support of the House bills that would require the approval of Congress prior to including certain areas in the System, but preclude any mining activity in wilderness areas.

Considerable testimony on both sides was recorded. On April 28, a day after the testimony of Udall, Penfold, and Kimball, Daniel W. Cannon, representing the National Association of Manufacturers, came out in support of HR 9162, citing the need for continued mining and prospecting within the System, to keep up with technological developments in the field and maintain pace with the U.S.S.R., which he stated was making steady progress in primitive areas with regard to mineral exploration. John C. Mason, general counsel of the Federal Power Commission (FPC), argued that any wilderness bills passed by Congress should include provisions for the FPC to retain its authority to construct, maintain, and operate hydroelectric power plants on public lands. Spencer M. Smith, Jr., secretary of the Citizens Committee on Natural Resources, made a strong case for maintaining the status quo of any primitive areas until such time as

Congress could determine whether or not to include them in the Wilderness System, as well as argued that mining should not be allowed to operate for ten years after the passage of any wilderness bills. On April 29, Carl W. Buchheister, president of the National Audubon Society, endorsed S 4 and HR 9070, and on April 30, W. Howard Gray, representing the American Mining Congress, stated that HR 9162, which would provide continued mining for ten years, was a marked improvement over S 4, but that realistically mineral exploration and development could not be expected to move forward within the constraints of a ten year time frame, and the AMC preferred the 1962 House-reported bill that would provide for mining and prospecting to continue for twenty-five years.⁸

Among the groups that were conservationist-oriented and favored the wilderness legislation, were the Wilderness Society, the Wildlife Management Institute, Sierra Club, AFL-CIO, National Wildlife Federation, Defenders of Wildlife, the Citizens Committee on Natural Resources, American Youth Hostels, American Planning and Civic Association, Garden Clubs of America, Council of Conservationists, Izaak Walton League of America, Trustees for Conservation, General Federation of Women's Clubs, National Audubon Society, and National Grange.

Among the groups opposing wilderness legislation on the basis that it would preclude or deprive future commercial interests of their right of access and use were: the American Forestry Association, National Lumber Manufacturers Association, American Mining Congress, American National Cattlemen's Association, Independent Petroleum Association of America, American Farm Bureau Federation, Chamber of Commerce of

the U.S., American Pulpwood Association, National Reclamation Association, Rocky Mountain Oil and Gas Association, and the National Lumber Manufacturers Association.⁹

The full House Interior and Insular Affairs Committee reported an amended version of the Saylor bill, HR 9070, which had some similarities to S 4 but differed in major respects. This new version of HR 9070 would allow for new mineral leases and mining claims through December 31, 1989, in areas that were placed in the Wilderness System. It also allowed for only the inclusion of the 9.1 million acres of forest lands that were at the time classified as wild, wilderness or canoe, and required an act of Congress to add any additional lands to the System, with the exception of some primitive areas to be acted on at a later date at the President's discretion.

The main arguments made by the committee in reporting this amended version of HR 9070 were that certain uses were not incompatible with wilderness designation and should therefore be permitted, and that the addition of new wilderness areas should not be determined by the executive branch, which could declassify as well with wide discretion, but instead should fall under the statutory domain of the Congress.¹⁰

HR 9070 was viewed as a compromise between the two major opponents in the wilderness debate. For the Western developmental interests, the guarantees that mining and other uses judged compatible would be continued for twenty-five years, and that any new wilderness additions would be subject to approval by Congress, best preserved their interests. The conservationists, on the other hand, certainly could not have liked the provision allowing these multiple uses, and, in particular, mining to continue for twenty-

five years, but must have felt it a necessary compromise to see a permanent Wilderness System established. A provision was added to immediately include primitive areas under existing protective regulations until Congress made a determination of their status. This gave some comfort to the conservationists. The argument could certainly be made, based on the testimony and support for various Senate versions of earlier wilderness bills, that the compromise struck strongly favored the western developmental interests.

In any event, on July 30, 1964, the House, on a 374-1 roll call vote, passed the amended version of HR 9070 establishing a National Wilderness Preservation System. The only dissenting vote was cast by Rep. Joe Pool (D-TX). After substituting the provisions of HR 9070 for those of S 4, the House returned that bill to the Senate.

In the conference committee, the House and Senate adopted the conference report (H Report 1829) on S 4 on August 20, clearing the way for President Johnson to sign the bill. For the Senate side, the measure was generally viewed as an effective means of balancing both the interests of wilderness preservation and economic or commercial use of public lands. The major changes in the conference version of S 4 are as follows:

- 1) A wilderness area must be at least 5,000 acres or a sufficient size to make it practical to be set aside for wilderness.
- 2) It provided for staggered periods by which the President should make his recommendations on roadless national park areas, and wildlife and game refuges as such, one-third within three years of enactment of the Act, two-thirds within seven years of enactment, and the remainder within ten years.

3) It extended the duration of mining and mineral leasing laws for a period of twenty years, or until December 31, 1983, rather than twenty-five years as provided for in the House bill.¹¹

Thus it was, that after eight years of intensive debate, Congress finally agreed to a wilderness bill, and President Johnson signed PL 88-577 into law on September 3, 1964, thereby creating the National Wilderness Preservation System.

The Creation and Expansion of the National Wilderness Preservation System

In 1964 Congress passed the landmark Wilderness Act, which set up a permanent administrative base for the management of 9.1 million acres of noncontroversial wilderness that had been designated previously. That was neither the beginning nor the ending of a policy story which has been unraveling in this country for decades. In fact, the first protected "wilderness area" was established in 1924 under the direction of the U.S. Forest Service in the Gila National Forest (New Mexico). Over the next forty-odd years, the total wilderness grew to some 14.6 million acres, in spite of the great concern over the lack of a permanent administrative system to provide security for the future of the system. As stated, the Wilderness Act of 1964 addressed the issue of permanence. It also directed the Secretary of Agriculture to review primitive lands managed by the Forest Service, and the Secretary of the Interior to evaluate the potential for wilderness within the boundaries of the National Park System and the National Wildlife Refuge System lands. These recommendations were to be reported within ten years or by 1974.

As a result of these directives, the Forest Service began the Roadless Area Review and Evaluation (RARE I) of certain undeveloped National Forest lands in 1970. RARE I failed as an effective evaluation tool and was abandoned in 1972. Four years later, the Federal Land Policy and Management Act (FLPMA) directed the Bureau of Land Management (BLM) to conduct a similar review and present its findings by 1991.

Meanwhile, the Forest Service implemented RARE II in 1977 to expedite the land management planning procedures mandated by the National Forest Management Act (NFMA) of 1976. This review set the stage for 15 million acres, approximately one-fourth of the area studied, to be recommended for addition to the Wilderness System. Additionally, 11 million acres were set aside for further study under the NFMA provisions, while the remaining 36 million acres (58.3 percent of the RARE II area) were made available for multiple use, such as mineral development, motorized recreation, and logging, which were considered to be potentially compatible with wilderness preservation. Both the Carter and Reagan administrations endorsed these recommendations with very few changes. See Table 1 for a chronological overview of wilderness events since 1924, the year of the first wilderness designation.

Since 1964, the area designated as wilderness has increased from 9.1 million acres to over 90 million, as Congress has passed a number of laws affecting various states. See Table 2. The actual expansion began in 1968 with the enactment of five new laws creating five new wilderness areas, or a total of 795,000 acres in four states. Wilderness designations continued to increase with each new Congress. The greatest

increase came during the 96th Congress when 60.8 million acres were designated in 1980 alone. A portion of that, and the largest designation to date, was the 56.4 million acres created by the Alaska National Interest Lands Conservation Act in Alaska.¹² The most recent designation was for 733,400 acres in Nevada passed by Congress on November 21, 1989, and signed into law by President Bush on December 5, 1989. (Pub.L.No. 101-195, 103 Stat. 1784.)

The Wilderness Preservation System has grown to approximately 9.1 million acres in a total of some 491 areas of extremely diverse and scenic places, including swampland, beaches, deserts, and prairies, and ranging in size from Alaska's 8.7 million-acre Wrangell St. Elias Wilderness to three-acre Pelican Island, an island off the Florida coast. The Wilderness System includes acreages in forty-six states and is managed by four federal agencies, the United States Forest Service (USFS), the Fish and Wildlife Service (FWS), the National Park Service (NPS), and the Bureau of Land Management (BLM). See Tables 3 and 4 for a breakdown of the totals each agency manages.

Wilderness designation is not a static, "one shot" procedure. Currently, over 16.5 million additional acres in twenty-eight states have been recommended by government agencies, while an additional 118 million acres in seventeen states are currently being studied by the agencies to determine if they should be added to the system. See Tables 5 and 6 for information on pending wilderness acreage under current consideration. Only four states, Connecticut, Iowa, Kansas, and Rhode Island have no federal lands designated, recommended, or under consideration for wilderness. In total, 226.3 million acres have been designated as wilderness, recommended for wilderness, or are being

studied and considered for wilderness designation. Approximately two-thirds of this 141.6 million acres is located in the State of Alaska and represents forty percent of the land in that state. The balance of this federal land, 80.2 million acres, is distributed among forty-five other states. This makes for a total of ten percent of the total land of the United States. If Alaska is subtracted, because most of the wilderness is located there due to the size of the state and the lack of substantial development, these lands represent only four percent of the total land in the United States. See Table 7 for a complete breakdown of all types of wilderness lands.

The most active period of time in terms of wilderness legislation was the 98th Congress (1983-1984). The National Environmental Policy Act (NEPA) of 1969, was largely responsible for creating the standards for environmental review of certain types of decisionmaking. The Natural Resources Planning Act of 1974 attempted to further clarify the purposes and application of Environmental Impact Statements (EISs) on proposed wilderness areas being evaluated under the RARE I and later RARE II guidelines. These guidelines were challenged by the State of California in *California v. Bergland*. The two basic questions that arose in this case were: 1) if an area meets the minimal requirements for wilderness designation, can the agency of jurisdiction nevertheless recommend nonwilderness status based on the potential for developmental interests in the area in question, and 2) should the responsible agency rely on an economic or cost-benefit analysis approach in balancing the intangible wilderness values against the more tangible values associated with loss of employment, jobs, and profits from development. California challenged the omission of 46 areas left out of RARE II evaluations based on these questions, and a federal district court held the EIS resulting

from the RARE II evaluations of these areas was, in fact, deficient because it did not describe and assess the intangible wilderness values of these areas adequately, and there was no "site-specific" discussion for alternatives for each of these areas.¹³

Another case decided by the Ninth Circuit Court of Appeals in the aftermath of the *Bergland* decision was *California v. Block*. Circuit Judge Tang, writing for the Court, further criticized the RARE II evaluation process by pointing out that the failure to designate an area that meets the requirement for wilderness in the initial evaluation period does not equate to a permanent denial of such area to the wilderness system; however, the manner in which the Forest Service had implemented the EIS on many such areas did, in fact, designate them as nonwilderness and constrain future consideration by making them immediately available for nonwilderness uses.¹⁴ These decisions forced the Reagan administration to re-evaluate all RARE II recommendations and set the stage for a compromise in May of 1984 that paved the way for the passage of twenty laws designating 8.3 million acres of wilderness in twenty states.

There have been numerous other developments with regards to the passage of wilderness legislation that reflect both state and regional implications and patterns. Although there are wilderness areas in the eastern United States, the bulk of the lands proposed in the early wilderness legislation were located in the West, as is still typical of wilderness proposals today. This stems largely from the fact that the U.S. Forest Service manages one-third of all wilderness and eighty-seven percent of all Forest Service land is located in Western States.

In December of 1974, Congress decided that the eastern half of the United States should be part of the wilderness system and designated 206,988 acres in fifteen national forests located in states east of the Mississippi (Pub.L.No. 93-622, 88 Stat. 2096.). There were a few wilderness areas existing in Eastern states prior to the 1975 Act that had been set aside in the original 9.1 million acres or added in later legislation. In 1978, Congress made a significant contribution to the wilderness system in nine western states when it included 17 million acres through the passage of the Endangered American Wilderness Act (Pub.L.No. 95-237, 92 Stat. 40). Other facts and figures can be revealed by looking at the passage of wilderness legislation on a year-by-year basis subsequent to the Wilderness Act of 1964.

The first additions to the Wilderness System after its establishment came in 1968 through the enactment of five new laws and the designation of approximately 800,000 acres of federally owned land in four different states; California, Oregon, New Jersey, and Washington. These areas constituted a small portion of thirty areas that had been recommended by President Johnson in 1967 and 1968. The balance of the areas requested by President Johnson, but not approved by Congress, involved the following states: Arizona, Colorado, Florida, Georgia, Idaho, Maine, Massachusetts, Michigan, Montana, Oklahoma, Wisconsin, and Wyoming.¹⁵

On October 7, 1970, Congress passed one bill (S 3014-PL 91-504) designating a total of twenty-three new wilderness areas in twelve states, which was signed into law by President Nixon on October 23. The new wilderness areas totaled 201,212 acres were located on public lands already owned by the Federal government. The states

gaining new wilderness were Alaska, Oregon, Washington, New Mexico, Florida, Oklahoma, Michigan, Wisconsin, Maine, Massachusetts, Idaho, and Arizona. Again, the pattern reflects the addition of many areas previously proposed by President Lyndon Johnson and the dominance of total acreage in the West. More than three-fourths of the total acreage designated was located in western states.¹⁶

Two wilderness bills were passed in 1972, designating 240,500 acres of wilderness in three national forests in Montana and the 78,982-acre Lassen Volcanic Wilderness Area in the Lassen Volcanic National Park in California.¹⁷

Though no wilderness bills were passed in 1973, Congress began hearings and debate on proposals to include reclaimed areas east of the Rocky Mountains in the Wilderness System. Simultaneously, the Forest Service announced plans to administer a new survey of some 12.3 million acres in a total of 274 areas, mainly in the western United States. Only three areas totaling 45,423 acres were selected for study in eastern states. This initiated the roadless review program and the requirement for an environmental impact statement prior to any use on wilderness study areas.¹⁸

Other significant implications of this new study involved the economic impact these future wilderness areas might have. Of the 187 million acres in the National Forest System, eighty-seven percent were located in the West where the bulk of the new proposed study areas were located. John A. McGuire, chief of the Forest Service, lamented that the designation of these 274 areas, should it occur, would reduce the allowable cut of timber in national forests by 300 million board feet per year.

Oddly enough, at the time the U.S. Forest Service announced the plans for an exhaustive wilderness study, lumber prices began to skyrocket, and it was contended that there was a severe shortage of domestic lumber. President Nixon went so far as to endorse an advisory committee report recommending increased cutting of timber, and stating that a 50 to 100 percent increase would not be harmful to either recreational or environmental concerns. Additional background information reveals that from the mid 1960s to 1973, timber consumption had increased some twenty percent a year, and exports to Japan to support their building boom had reached an all-time high as well. A number of other recommendations of the President's Advisory Panel on Timber and the Environment as equally interesting when looking at the problems that ensued in the next few years with regard to EISs and evaluation of proposed wilderness areas. Some further recommendations of the Panel were to retain the practice of clearcutting, provide tax breaks and federal advice and services, complete the National Wilderness Preservation System as quickly as possible, continue wood imports and exports "when it is in the best long-term interest of the nation to do so," and increase federal spending for forestry programs by about 200 million, to name a few.¹⁹

In spite of Nixon's efforts to provide an effective lobby against future wilderness, 1974 proved to be an extremely significant year in terms of progress in the area of wilderness legislation. On September 18, the Congress cleared for the President's signature HR 6395 (PL 93-429), which added over 340,000 acres of remote swampland in the state of Georgia to the Wilderness Preservation System. Then, on December 19, Congress passed S 3433 (PL 93-622), designating 206,988 acres in a total of sixteen more areas in the eastern United States. This was the culmination of previous efforts

to open up the eastern states to wilderness designation, and, in so doing, Congress circumvented the language of the Wilderness Act of 1964 which had precluded inclusion of "restored" lands in the Wilderness System. In addition to the sixteen new areas added to the System, which were to be managed by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act of 1964, this measure designated another seventeen for future study for possible inclusion into the Wilderness System. The states which gained wilderness areas through the passage of this legislation were: Alabama, Arkansas, Florida, Tennessee, Kentucky, New Hampshire, Georgia, North Carolina, South Carolina, Virginia, West Virginia, Vermont, and Wisconsin.²⁰

The next wilderness legislation to pass Congress, on June 29, 1976, was a compromise measure (HR 7792, PL 94-357), creating 393,000 acres of wilderness in the Central Cascade Mountains of Washington State. President Carter signed this bill into law on July 12, 1976.²¹

In the year 1977, the House and Senate passed different versions of wilderness bills, but never got around to working out a conference agreement. Similarly, nothing happened in 1978 or 1979 in the way of passage of any wilderness measures, although 1979 witnessed a proposal by President Carter recommending 15.4 million acres in thirty-six states be added to the Wilderness System. Carter also directed the Secretary of Agriculture to open 36 million acres of national forest lands, which constituted sixty percent of all national forest lands at this time, to logging, oil, gas and mineral exploration, as well as recreational vehicles. This came on the heels of the RARE II review and evaluation, which met with severe opposition in future court battles, as noted

earlier. Some thirty pieces of legislation were generated by Carter's proposal, twenty-four in the House and six in the Senate, three of which were acted upon by one chamber or the other but none with any final resolution that year.²²

The follow-up to the 1979 proposals constituted a virtual watershed year for wilderness in 1980. The Alaska lands bill (HR 39-PL 96-487) designated 56.7 million acres of wilderness in Alaska, and another 4.2 million acres contained in three separate bills were also designated as wilderness in the lower forty-eight states. One of these bills, S 2009 (PL 96-312), created a 2.2 million acre wilderness area in Idaho known as the River of No Return Wilderness, the largest wilderness area in the U.S. outside of Alaska. The Colorado Wilderness bill that passed Congress designated 1.4 million acres of wilderness in the states of Colorado, Missouri, Louisiana, South Dakota, and South Carolina (HR 5487-PL 96-560). The third bill (HR 8298-PL 96-550) designated 610,000 acres of wilderness in the state of New Mexico.

In addition to the passage of the aforementioned bills in 1980, wilderness bills totaling over 2 million acres in the states of California and Florida died in Congress. The California bill would be reintroduced and passed in the House again in 1981, only to see it die in the Senate again.

In another interesting development in 1981, the House Interior and Insular Affairs Committee voted 41-1 in favor of a six-month moratorium that urged the Reagan administration to prevent Interior Secretary James Watt from issuing any additional oil and gas leases on the nation's 80 million acres of wilderness. This action was led by the

ranking Republican member of the Interior Committee, Manuel Lujan, Jr., (R-NM), now Secretary of Interior, who in a stunning turnaround, has become a somewhat outspoken opponent of wilderness as of late. The heart of this debate centered around the leasing of 700 acres of wilderness in New Mexico's Capitan Wilderness Area without the benefit of an EIS or the notification of Congress. Lujan's motivation may have stemmed simply from the fact that the issue affected his constituency, and not from any ideological convictions.

This action by the Democratic-dominated Interior Committee had been preceded by an earlier test in 1981 on three wilderness areas in Montana that the panel had ordered Watt to close to oil and gas operations and was also sandwiched between the *Bergland* decision of 1979 and *California v. Block* in 1982, giving it much added significance in terms of the future of review and evaluation under RARE II. The vote in this instance by the Interior Committee was 23-18 and was considered by those who supported it a test case and show of support for wilderness preservation and conservation in general. Interestingly enough, of the twenty-five Democratic members of the committees, only two defected and voted with the Republicans. They were James D. Santini, (D-NV) and Jerry Huckaby, (D-LA).²³

The last wilderness-oriented action in Congress in 1981 took place in the House when it passed a bill to designate 49,150 acres in Florida as wilderness as a follow-up measure to earlier Carter recommendations. Similar legislation was pending in the Senate's Energy and Natural Resources Committee, but no further hearings or action took place in 1981.²⁴

The ongoing controversy over the ban on oil and gas leasing procedures on wilderness lands took on new implications in December of 1981 when Congress sent legislation to President Reagan that would prevent further oil and gas leasing until September 30, 1983. Though this was viewed as a major victory for the forces of wilderness, a ninety-day "window" still remained between September 30, 1983 and January 1, 1984, the date stipulated by the Wilderness Act of 1964 to prevent future oil and gas leasing indefinitely. James Watt, true to his character and his position as puppet of the Reagan administration, promised he would not attempt to "slip things through" during this ninety-day "window of opportunity," and then on December 27, announced removal of some 805,000 acres of BLM lands under review for possible wilderness legislation.²⁵ Needless to say, there was an immediate outpouring of opposition and resentment on behalf of the environmental community.

In a stunning turn of events, Watt announced on February 21, 1982, that he wanted to close all wilderness areas in the U.S. to future oil and gas leasing for the next 18 years. Predictably, the fine print of the proposal had many glitches for environmentalists. It contained controversial "release" language for all areas that had not been acted on by Congress by January 1, 1985, and it said nothing about the future disposition of wilderness lands that would be reviewed after the eighteen year period of restraint. Finally, it left open the option for the President to order new drilling or mining in the event of national need, even though such need would be subject to rejection by a measure passed by Congress; an act which would still require the President's signature.

Congress' response to the Watt proposal was to introduce and eventually pass, in December of 1982, an even stricter lease ban bill, HR 7356, which prevented future leasing on all wilderness lands and those recommended for wilderness, until such time as Congress had made a final decision on them. It did provide for individual agencies to review and approve such applications within their own jurisdiction, always subject to final review by the Congress.²⁶

Other wilderness legislation passed in 1982 included S 1119 (PL 97-250), passed by the Senate on August 19. It set aside 8,440 acres of seashore as wilderness in the state of Georgia and recommended another 11,718 as potential wilderness.²⁷ Furthermore, as a result of further RARE II recommendations, Congress passed additional legislation involving new wilderness designation in five states, Florida, West Virginia, Missouri, Indiana, and Alabama in late December of 1982, and simultaneously, time expired on other state wilderness bills in California, Montana, Wyoming, and Oregon. In addition to those that failed, President Reagan vetoed the Florida Measure, HR 9, on January 14, 1983, mainly at the urging of Interior Secretary Watt. The bills that did pass were HR 5161-PL 97-466 designating 47,800 acres in three different areas of West Virginia, and S 1965-PL97-407, which set aside the 6,888 acres Paddy Creek Wilderness Area in the Mark Twain National Forest in Missouri. The House also passed S 2953-PL 97-411, which created the 6,780 acre Cheaha Wilderness in the Talladega National Forest in Alabama, and the last bill signed into law was S 2710-PI 384, establishing 12,953 acres of wilderness in the Hoosier National Forest in Indiana.²⁸

The year 1983 was a busy year in many respects with regards to the future of wilderness. The House passed wilderness bills involving ten states, yet only one, (S 96-PL 98-140), was enacted into law. This bill designated 259,000 acres of wilderness in Montana. At the same time, the Senate passed wilderness legislation involving only three states. Four other bills involving as many states, were introduced in 1983 but were forced to await committee action at the year's end.³⁰

In February, the Reagan administration, responding to the Bergland and Block decisions and the Watt controversy of the previous two years, decided to throw out RARE II recommendations and start the process all over with a clean slate. This was certainly not a decision made in the interests of a more effective review and evaluation process, but rather a means of drastically reducing the amount of areas recommended for wilderness. Congress could still reject any new recommendations made by the administration, but this action tended to further cloud the issue of evaluation and was probably a major factor in the failure of so many other wilderness bills' passage by the full Congress in 1983.

This only forestalled the inevitable for a short time, however, for in 1984 Congress cleared more legislation than any other year since the passage of the Wilderness Act of 1964. Of course, it must be noted that the twenty year period of evaluation initially established by the Act had now expired, and Congress now had a freer hand in moving forward with wilderness legislation, in spite of attempts by the Reagan administration to thwart this progress whenever possible.

Twenty separate bills setting aside a total of 8.3 million acres in twenty states were cleared for President Reagan's signature. The states involved were: Arizona, Arkansas, California, Florida, Georgia, Mississippi, Missouri, New Hampshire, New Mexico, North Carolina, Oregon, Pennsylvania, Tennessee, Texas, Utah, Vermont, Virginia, Washington, Wisconsin and Wyoming. It should be noted that thirteen of the states receiving wilderness designation lie east of the Rocky Mountains; yet the seven states in the West accounted for more than 7.5 million acres of the 8.3 million designated in the 1984 legislation, once again demonstrating the prominence of land on the West in the wilderness issue. Wilderness bills involving areas in Colorado and Idaho were considered in 1984 but the legislation did not clear Congress.³¹

The concession the Reagan administration received for passage of these numerous wilderness bills was the release of some 13.5 million acres previously under study in the affected states for the purposes of logging, mining, and resumed oil and gas exploration. It was also strongly believed that conditions in 1984, being an election year, influenced Reagan's decision to sign into law the 20 wilderness bills in order to garner further public support for his campaign. In fact, Reagan pointed out in a televised debate with Democratic presidential hopeful Walter Mondale that, "we have added millions of acres to the wilderness lands." William A. Turnage, president of the Wilderness Society at that time, in response to Reagan's claims, pointed out that the administration had actually created numerous roadblocks to wilderness legislation, and Congress had overcome them in what was a most adversarial climate between the two branches of government.³²

The next action on wilderness legislation came about near the end of the session in late 1986 when Congress cleared legislation for additional wilderness in three states, Georgia, Nebraska and Tennessee, totaling nearly 120,000 acres. The House also passed a bill that would have included 15,900 acres of wilderness in Alabama, but the Senate did not act on the bill.³³

It should be pointed out that a bill, S 2506 PL 99-565, creating the 76,000-acre Great Basin National Park in eastern Nevada, also passed Congress in October of 1986 with strong support from Nevada's two Republican Senators, Paul Laxalt and Chic Hecht. This was a compromise of a bill introduced in the House by then Rep. Harry Reid (D-NV) calling for the creation of a 129,000 park and some 592,000 acres of wilderness in Nevada's national forests. More details on this legislative action follow in the next chapter.³⁴

The years 1987 and 1988 were relatively quiet from the standpoint of further wilderness legislation. Congress passed HR 148 PL 100-184 designating 91,500 acres of wilderness in Michigan on November 20, 1987, and the President signed it on December 8.³⁵ In what was viewed as a "lame-duck" action and purported support for a Republican candidate up for reelection in Montana, President Reagan pocket vetoed a bill passed by Congress that would have set aside an additional 1.4 million acres of wilderness in the state of Montana. Again the issue of release language was a major stumbling block in the legislation, and a relatively new and ever-increasing consideration emerged with this wilderness legislation. That consideration was over federal water rights that were supposedly "reserved" for the federal government.³⁶

This brings the wilderness odyssey to 1989, the year the Wilderness Protection Act of 1989, setting aside 733,400 acres in the state of Nevada was passed, the subject of the next chapter of this thesis.

*Some Predictions on the Future
of Federal Wilderness Legislation*

The suggestion has been made repeatedly that much of the legislation that has been passed over the years by Congress designating additional wilderness has impacted the western United States more significantly than any other region, and, in fact, that has been demonstrated in reviewing this legislation on a year-by-year basis. The following facts and figures will further exemplify that point and provide an even greater sense of what the future portends in this regard.

The eleven western lower states, Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming have a total of 353,980,667 million acres of federal land within their boundaries. This constitutes 48.9% of the total of all federal lands, which is 723,216,488. If Alaska is included, which itself has a total of 318,328,344 acres of federal land, the total of the twelve states is 672,309,011 acres, or 92.9% of all the federal lands. If Alaska is subtracted from the overall total, leaving a net total of 404,888,144, the eleven western states total 87.4% of that balance. These statistics provide a remarkable illustration of the predominance of federally owned lands in western states and make it easy to understand why environmentalists and developmental interests alike target them when looking to the future of wilderness. Incidentally, Nevada tops the list of eleven western states in both

total acreage and total percentage of federally owned lands. See Table 8 for a breakdown of federally owned lands in the eleven western states by acreage and percent of total land in each state.

It is equally important to go one step further and look at what agencies control the bulk of these federally owned lands. The U.S. Forest Service (USFS) manages a total of 140,657,618 million acres of federal land, while the National Park Service (NPS) manages only 16,797,257 acres, the U.S. Fish and Wildlife Service (FWS) 5,754,633 acres, and the Bureau of Land Management an enormous 175,098,042 acres in these same eleven western states.

A number of interesting facts emanate from these figures. First of all, approximately one-third, or 30,761,993 acres of wilderness falls within the eleven western states. Next, the NPS manages more current wilderness lands than any other agency, 38,498,124 acres; yet it only manages a total of slightly over 4 million total acres in western states. The remaining wilderness areas managed by NPS fall mainly within Alaska's borders, for a total of 32,355,000. (See Table 4). This is most interesting because although it is a hotly debated subject, the NPS may well have the best management plan for wilderness of the four agencies involved.

It is necessary to take into account the fact that the USFS manages the second largest amount of wilderness by far. This totals 25,863,774 acres within these western states because, as earlier noted, eighty-seven percent of all Forest System timber is located on these lands. The Forest Service is currently embroiled in a debate with

environmentalists and the timber industry over virtually every aspect of its timber industry over timber cutting and sales management policy. This is particularly telling, especially since the USFS is losing fifty cents on every dollar collected through lumber sales at the current time. It is this agency, the USFS, which manages the second largest amount of wilderness within the United States, just over 32,500,000 acres.

Every bit as significant is the fact that the Fish and Wildlife Service manages the smallest number of federally owned lands in western states, less total wilderness than either of the two previous agencies, and is undoubtedly the best qualified to understand the value of fragile biosystems and ecosystems within all wilderness areas, as will be discussed in the following two chapters.

Last, and perhaps most significant of all, is the Bureau of Land Management (BLM) or the "Bureau of Livestock and Mining," as some have called it. Once again, Nevada leads the western states by over twice as much as its nearest rival in BLM acreage with 48,036,407 acres. The first of many serious implications of the BLM's role in future wilderness plans in western states is the fact that it manages the most acreage of any other agency, 175,098,042 acres in these states. Yet at this time it manages only a total of 465,509 acres of wilderness nation-wide. This entire total, by the way, happens to lie within the eleven states. In other words, wilderness management is relatively new to an agency that has had a reputation for being extremely accommodating to developmental interest since its inception, and this novel dilemma is further complicated by the fact that the fifteen year period stipulated by the FLMPA for the BLM to make its

recommendations expires this year and the agency will begin submitting formal proposals for wilderness areas in 1991.

Without a specific history or track record on which it can be judged, the BLM is about to launch into the wilderness management business in a very large way, and deep concerns have been expressed by both sides of the issue. One thing is certain, this agency will play a major role in the future of this delicate issue that will affect so many in future generations. See Table 9 for total federal lands by individual agency within the eleven western states, and Table 10 for the amount of wilderness managed by each agency within these states. (Note: Percentages are contained in Table 5 and 6. Also, Chapter 4 contains a bar graph depicting percentages of wilderness in western states).

It is an undeniable fact that the future of any major wilderness legislation, at least in terms of acreage, will involve significant portions of the eleven western states, and Nevada may just be one of the trendsetters, as it battles to protect those precious and pristine spaces and places that still exist, but in dwindling supply.

NOTES

CHAPTER THREE

1. *Congressional Quarterly Almanac*, 1964, pp. 486-487.
2. *Ibid*, p. 489.
3. *Ibid*.
4. *Ibid*.
5. *Ibid*.
6. *Ibid*, pp. 489-490.
7. *Ibid*, p. 490.
8. *Ibid*, pp. 490-491.
9. *Ibid*, p. 488.
10. *Ibid*, p. 491.
11. *Ibid*, p. 492.
12. Ross W. Gorte, CRS Report for Congress, *Wilderness: Overview and Statistics*, 89-460 ENR, August 4, 1989, p. 2.
13. Thomas J. Schoenbaun, *Environmental Policy Law, Cases, Readings, and Text*, 1985 Edition, p. 382.
14. Roger W. Findlay, Daniel A. Farber, *Environmental Law, Cases and Materials*, 2nd Edition, 1985, p. 775.
15. *Congressional Quarterly Almanac*, 1968, p. 515.
16. *Congressional Quarterly Almanac*, 1970, p. 507.
17. *Congressional Quarterly Almanac*, 1972, pp. 614 and 817.
18. *Congressional Quarterly Almanac*, 1973, p. 679.
19. *Ibid*. p. 680.
20. *Congressional Quarterly Almanac*, 1974, pp. 732 and 813-815.

21. *Congressional Quarterly Almanac*, 1976, pp. 119-120.
22. *Congressional Quarterly Almanac*, 1979, p. 688.
23. *Congressional Quarterly Almanac*, 1981, pp. 525-526.
24. *Ibid.*, p. 531.
25. *Congressional Quarterly Almanac*, 1982, p. 443.
26. *Ibid.*, p. 461.
27. *Ibid.*, p. 464.
28. *Ibid.*, pp. 464-466.
29. *Congressional Quarterly Almanac*, 1983, pp. 342-344.
30. *Ibid.*
31. *Congressional Quarterly Almanac*, 1984, pp. 313-317.
32. *Ibid.*
33. *Congressional Quarterly Almanac*, 1986, pp. 137-138.
34. *Ibid.*
35. *Congressional Quarterly Almanac*, 1987, p. 304.
36. *Congressional Quarterly Almanac*, 1988, pp. 157-158.

TABLE 3.1. Chronology of Wilderness Events

- 1924-- Forest Service establishes the first wilderness area, in the Gila National Forest of New Mexico. This action was taken under its newly established administrative authority.
- 1964-- Wilderness Act is signed into law.
- 1970-- Forest Service begins Roadless Area Review and Evaluation (RARE I) of certain undeveloped National Forest lands.
- 1972-- Forest Service abandons RARE I.
- 1976-- FLMPA directs BLM to review wilderness potential of its lands.
- 1977-- Forest Service begins second Roadless Area Review and Evaluation (RARE II).
- 1979-- January: Forest Service issues RARE II recommendations.
 April: President Carter transmits modified recommendations to Congress.
 June: State of California challenges legality of Forest Service recommendations.
- 1980-- January: Judge rules in favor of State of California; Forest Service appeals decision.
- 1982-- October: Appeals Court basically upholds ruling.
- 1983-- February: Department of Agriculture announces decision to reevaluate all RARE II recommendations.
- 1984-- May: Members of Congress announce compromise provision for Statewide wilderness bills that would halt Forest Service RARE II re-evaluation for individual States.

TABLE 3.2. Additions to the National Wilderness
Preservation System, Congress

<u>Congress</u>	<u>Number of laws</u>	<u>Number of States</u>	<u>Number of Areas New: (Additions)</u>	<u>Acreage Designate</u>
88th	1	13	54: (0)	9,139,721
89th	0	0	0: (0)	0
90th	5	4	5: (1)	794,550
91st	3	12	25: (0)	305,619
92nd	9	7	8: (1)	912,439
93rd	5	22	35: (0)	1,264,594
94th	6	21	35: (0)	2,142,486
95th	7	18	28: (5)	4,555,496
96th	6	10	70:(11)	60,799,111
97th	5	5	7: (0)	83,261
98th	21	21	177:(49)	8,576,450
99th	4	4	11: (2)	97,393
100th	7	8	22: (4)	1,988,509
101st	1	1	14: (0)	733,400
Total	80	45 (Total States)	491:(73)	91,393,029

TABLE 3.3. Total State Acreage, Total Federal Acreage, & Area Managed by Federal Agencies
(in acres)Total State Acreage, Total Federal Acreage, & Area Managed by Federal Agencies
(in acres)

	Total Area of State	Total Federal Acreage	Percent Federal	U.S. Forest Service	National Park Service	U.S. Fish & Wildlife Service	Bureau of Land Management
Alabama	32,678,400	1,091,559	3.34%	649,631	6,348	13,613	110,690
Alaska	365,481,600	318,328,344	87.10%	22,483,751	52,914,177	75,996,155	93,000,000
Arizona	72,688,000	31,303,640	43.07%	11,278,317	2,669,823	1,574,179	12,370,514
Arkansas	33,599,360	3,324,416	9.89%	2,484,690	98,782	220,520	290,757
California	100,206,720	46,465,163	46.37%	20,537,679	4,570,503	196,906	17,164,489
Colorado	66,485,760	24,045,292	36.17%	14,445,192	590,268	58,865	8,277,152
Connecticut	3,135,360	13,802	0.44%	24	4,829	338	0
Delaware	1,265,920	30,338	2.40%	0	0	23,941	0
Dist. of Columbia	39,040	10,924	27.98%	0	6,943	0	0
Florida	34,721,280	4,261,083	12.27%	1,100,086	2,178,333	204,891	25,431
Georgia	37,295,360	2,029,517	5.44%	857,809	40,438	464,683	0
Hawaii	4,105,600	673,846	16.41%	1	245,314	270,851	0
Idaho	52,933,120	33,716,130	63.70%	20,458,759	86,421	46,727	11,875,627
Illinois	35,795,200	499,778	1.40%	263,377	12	57,326	5,003
Indiana	23,158,400	437,237	1.89%	187,908	9,397	7,724	280
Iowa	35,860,480	160,312	0.45%	0	1,663	27,072	1,400
Kansas	52,510,720	581,401	1.11%	108,175	427	21,820	985
Kentucky	25,512,320	1,400,942	5.49%	665,330	79,300	2,154	0
Louisiana	28,867,840	1,142,081	3.96%	600,574	9,080	359,424	309,221
Maine	19,847,680	150,264	0.76%	53,120	56,745	31,979	0
Maryland	6,319,360	197,894	3.13%	0	34,830	27,501	0
Massachusetts	5,034,880	82,747	1.64%	0	31,554	11,580	0
Michigan	36,492,160	3,527,878	9.67%	2,803,257	630,112	111,568	75,786
Minnesota	51,205,760	3,459,638	6.76%	2,807,855	137,253	399,798	186,639
Mississippi	30,222,720	1,676,471	5.55%	1,148,082	102,263	130,723	57,772
Missouri	44,248,320	2,068,559	4.67%	1,473,485	53,692	43,385	2,775
Montana	93,271,040	28,456,079	30.51%	16,797,507	1,219,952	568,891	7,076,701
Nebraska	49,031,680	714,102	1.46%	351,820	5,370	154,567	6,530

Source: Ross W. Grote, CRS Report for Congress, 89-460 ENR, Wilderness: Overview and Statistics, August 1989, Washington D.C.

TABLE 3.3. (continued)

Total State Acreage, Total Federal Acreage, & Area Managed by Federal Agencies
(in acres)

	Total Area of State	Total Federal Acreage	Percent Federal	U.S. Forest Service	National Park Service	U.S. Fish & Wildlife Service	Bureau of Land Management
Nevada	70,264,320	59,789,872	85.09%	5,743,247 ^a	776,946	2,215,173	48,036,407 ^a
New Hampshire	5,768,960	739,752	12.82%	714,904	7,657	1,863	0
New Jersey	4,813,440	160,441	3.33%	0	34,660	40,886	0
New Mexico	77,766,400	23,341,695	30.02%	9,325,811	346,385	323,748	12,859,074
New York	30,680,960	1,555,028	5.07%	13,232	32,040	23,131	0
North Carolina	31,402,880	2,209,548	7.04%	1,221,161	367,801	276,428	0
North Dakota	44,452,480	1,947,888	4.38%	1,105,789	71,057	428,230	67,021
Ohio	26,222,080	317,706	1.21%	186,643	15,216	7,771	40
Oklahoma	44,087,680	822,422	1.87%	295,825	9,508	85,634	2,824
Oregon	61,598,720	29,970,985	48.66%	15,625,616	194,322	489,149	16,590,806
Pennsylvania	28,804,480	641,001	2.23%	511,767	43,726	9,146	0
Rhode Island	677,120	4,792	0.71%	0	5	1,318	0
South Carolina	19,374,080	1,161,078	5.99%	605,037	21,027	146,188	0
South Dakota	48,881,920	2,731,691	5.59%	1,996,853	140,911	171,127	279,739
Tennessee	26,727,680	1,875,618	7.02%	626,256	268,273	40,534	0
Texas	188,217,600	3,269,699	1.94%	753,139	1,102,434	284,626	0
Utah	52,696,960	33,534,674	63.64%	8,040,566	2,021,188	98,235	22,128,660
Vermont	5,936,640	322,039	5.42%	326,389	5,652	5,928	0
Virginia	25,496,320	2,465,498	9.67%	1,639,394	309,098	106,360	0
Washington	42,693,760	12,479,535	29.23%	9,150,190	1,929,373	132,876	311,292
West Virginia	15,410,560	1,167,711	7.58%	1,020,842	29,348	455	0
Wisconsin	35,011,200	1,830,453	5.23%	1,509,748	59,816	181,722	158,240
Wyoming	62,343,040	30,877,602	49.53%	9,254,734	2,392,076	49,884	18,407,320
Island Territories	2,976,000	150,317	5.05%	27,993	14,781	106,230	0
U.S. Total	2,274,319,360	723,216,488	31.80%	191,251,565	75,977,130	86,253,823	269,679,175

^aReflects transfer of 662,000 acres of BLM lands to the Forest Service and 23,000 acres of Forest Service lands to the BLM, under the National Forest and Public Lands of Nevada Enhancement Act of 1988 (Act of October 28, 1988, Public Law 100-550, 102 Stat. 2749).

Source: Ross W. Grote, CRS Report for Congress, 89-460 ENR, Wilderness: Overview and Statistics, August 1989, Washington D.C.

TABLE 3.4. Federal Designated Wilderness Acreage, by State and by Agency
(in acres)Federal Designated Wilderness Acreage, by State and by Agency
(in acres)

	----- Designated Wilderness Acreage -----				Total Designated	% of Total	----- Percent of Land Designated as Wilderness -----				
	USFS	NPS	FWS	BLM			USFS	NPS	FWS	BLM	Fed.Land
Alabama	33,396	0	0	0	33,396	0.04%	0.00%	0.00%	0.00%	3.06%	0.10%
Alaska	6,453,429	32,355,000	18,676,320	0	56,484,749	62.19%	24.25%	61.15%	0.00%	17.74%	15.45%
Arizona	1,338,289	443,700	0	272,569	2,054,558	2.26%	11.87%	16.62%	0.00%	6.56%	2.83%
Arkansas	114,705	10,529	2,144	0	127,378	0.14%	4.62%	10.66%	0.97%	3.83%	0.38%
California	3,921,218	1,990,034	141	15,216	5,926,609	6.53%	19.09%	43.54%	0.07%	12.75%	5.91%
Colorado	2,587,018	52,730	2,560	0	2,642,308	2.91%	17.91%	8.93%	4.35%	10.99%	3.97%
Connecticut	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Delaware	0	0	0	0	0	0.00%	n/a	n/a	0.00%	0.00%	0.00%
Dist. of Columbia	0	0	0	0	0	0.00%	n/a	0.00%	n/a	0.00%	0.00%
Florida	72,582	1,296,500	51,253	0	1,420,335	1.56%	6.60%	59.52%	25.01%	33.33%	4.09%
Georgia	88,898	8,840	362,107	0	459,845	0.51%	10.36%	21.86%	77.93%	22.66%	1.23%
Hawaii	0	142,370	0	0	142,370	0.16%	0.00%	58.04%	0.00%	21.13%	3.47%
Idaho	3,960,221	43,234	0	720	4,004,175	4.41%	19.36%	50.03%	0.00%	11.88%	7.56%
Illinois	0	0	4,050	0	4,050	0.00%	0.00%	0.00%	7.06%	0.81%	0.01%
Indiana	12,935	0	0	0	12,935	0.01%	6.88%	0.00%	0.00%	2.96%	0.06%
Iowa	0	0	0	0	0	0.00%	n/a	0.00%	0.00%	0.00%	0.00%
Kansas	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Kentucky	17,183	0	0	0	17,183	0.02%	2.58%	0.00%	0.00%	1.23%	0.07%
Louisiana	8,700	0	8,346	0	17,046	0.02%	1.45%	0.00%	2.32%	1.49%	0.06%
Maine	0	0	7,392	0	7,392	0.01%	0.00%	0.00%	23.12%	4.92%	0.04%
Maryland	0	0	0	0	0	0.00%	n/a	0.00%	0.00%	0.00%	0.00%
Massachusetts	0	0	2,420	0	2,420	0.00%	n/a	0.00%	20.90%	2.92%	0.05%
Michigan	91,875	131,880	25,309	0	249,064	0.27%	3.28%	20.93%	22.68%	7.06%	0.68%
Minnesota	798,458	0	6,180	0	804,638	0.89%	28.44%	0.00%	1.55%	23.26%	1.57%
Mississippi	6,006	1,800	0	0	7,806	0.01%	0.52%	1.76%	0.00%	0.47%	0.03%
Missouri	63,198	0	7,730	0	70,928	0.08%	4.29%	0.00%	17.82%	3.43%	0.16%
Montana	3,371,613	0	64,535	6,000	3,442,148	3.79%	20.07%	0.00%	11.34%	12.10%	3.69%
Nebraska	7,794	0	4,635	0	12,429	0.01%	2.22%	0.00%	3.00%	1.74%	0.03%

Source: Ross W. Grote, CRS Report for Congress, 89-460 ENR, Wilderness: Overview and Statistics, August 1989, Washington D.C.

TABLE 3.4. (continued)

Federal Designated Wilderness Acreage, by State and by Agency
(in acres)

	----- Designated Wilderness Acreage -----				Total Designated	% of Total	----- Percent of Land Designated as Wilderness -----					
	USFS	NPS	FWS	BLM			USFS	NPS	FWS	BLM	Fed Land	Total
Nevada	798,067	0	0	0	798,067	1.03%	1.13%	0.00%	0.00%	0.00%	0.11%	0.09%
New Hampshire	102,932	0	0	0	102,932	0.11%	14.40%	0.00%	0.00%	0.00%	13.91%	1.78%
New Jersey	0	0	10,341	0	10,341	0.01%	n/a	0.00%	25.29%	n/a	6.45%	0.21%
New Mexico	1,388,063	56,392	39,908	124,610	1,608,973	1.77%	14.88%	16.28%	12.33%	0.97%	6.89%	2.07%
New York	0	1,363	0	0	1,363	0.00%	0.00%	4.25%	0.00%	n/a	0.09%	0.00%
North Carolina	101,323	0	8,785	0	110,108	0.12%	8.30%	0.00%	3.18%	n/a	4.98%	0.35%
North Dakota	0	29,920	9,732	0	39,652	0.04%	0.00%	42.11%	2.27%	0.00%	2.04%	0.09%
Ohio	0	0	77	0	77	0.00%	0.00%	0.99%	0.00%	0.00%	0.02%	0.00%
Oklahoma	13,954	0	8,570	0	22,524	0.02%	4.72%	0.00%	10.01%	0.00%	2.74%	0.05%
Oregon	2,077,799	0	495	16,703	2,094,997	2.31%	16.30%	0.00%	0.10%	0.10%	6.99%	3.40%
Pennsylvania	8,938	0	0	0	8,938	0.01%	1.75%	0.00%	0.00%	n/a	1.39%	0.03%
Rhode Island	0	0	0	0	0	0.00%	n/a	0.00%	0.00%	n/a	0.00%	0.00%
South Carolina	16,529	15,010	29,000	0	60,539	0.07%	2.73%	71.38%	19.84%	n/a	5.21%	0.31%
South Dakota	9,824	64,250	0	0	74,074	0.08%	0.49%	45.60%	0.00%	0.00%	2.71%	0.15%
Tennessee	66,674	0	0	0	66,674	0.07%	10.65%	0.00%	0.00%	n/a	3.55%	0.25%
Texas	36,020	46,850	0	0	82,870	0.09%	4.78%	4.25%	0.00%	n/a	2.53%	0.05%
Utah	774,328	0	0	22,551	796,879	0.88%	9.63%	0.00%	0.00%	0.10%	2.38%	1.51%
Vermont	59,386	0	0	0	59,386	0.07%	18.19%	0.00%	0.00%	n/a	18.44%	1.00%
Virginia	89,382	79,579	0	0	168,961	0.19%	5.45%	25.75%	0.00%	n/a	6.85%	0.66%
Washington	2,571,320	1,728,143	838	7,140	4,307,441	4.74%	28.10%	89.57%	0.63%	2.29%	34.52%	10.09%
West Virginia	80,631	0	0	0	80,631	0.09%	7.90%	0.00%	0.00%	n/a	6.91%	0.52%
Wisconsin	42,159	0	29	0	42,188	0.05%	2.79%	0.00%	0.02%	0.00%	2.30%	0.12%
Wyoming	3,080,838	0	0	0	3,080,838	3.39%	33.29%	0.00%	0.00%	0.00%	9.98%	4.94%
Island Territories	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
U.S. Total	32,532,285	38,498,124	19,332,897	465,509	90,828,815	17.01%	50.67%	22.41%	0.17%	12.56%	3.99%	

^an/a = not applicable (no land owned by the agency in that State).

Source: Ross W. Grote, CRS Report for Congress, 89-460 ENR, Wilderness: Overview and Statistics, August 1989, Washington D.C.

TABLE 3.5. Additional Acreage Recommended for Wilderness, by State and by Agency
(in acres)Additional Acreage Recommended for Wilderness, by State and by Agency
(in acres)

	— Recommended Wilderness Acreage —				Total Recommended Recom.	% of	— Percent of Land Recommended for Wilderness —				
	USFS	NPS	FWS	BLM			USFS	NPS	FWS	BLM	Fed.Land
Alabama	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Alaska	1,824,000	0	0	0	1,824,000	10.79%	8.11%	0.00%	0.00%	0.00%	0.57%
Arizona	82,000	11,950	1,416,186	0	1,490,136	8.81%	0.55%	0.45%	89.96%	0.00%	4.76%
Arkansas	0	0	975	0	975	0.01%	0.00%	0.00%	0.44%	0.00%	0.03%
California	440,180	1,882,000	4,894	0	2,327,074	13.76%	2.14%	41.18%	2.49%	0.00%	5.01%
Colorado	397,358	399,852	0	43,311	840,521	4.97%	2.75%	67.74%	0.00%	0.52%	3.50%
Connecticut	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	n/a	0.00%
Delaware	0	0	2,000	0	2,000	0.01%	n/a	n/a	8.35%	n/a	6.59%
Dist. of Columbia	0	0	0	0	0	0.00%	n/a	0.00%	n/a	n/a	0.00%
Florida	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Georgia	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	n/a	0.00%
Hawaii	0	0	1,742	0	1,742	0.01%	0.00%	0.00%	0.64%	n/a	0.26%
Idaho	1,203,295	9,447	0	322,450	1,535,192	9.08%	5.88%	10.93%	0.00%	2.72%	4.55%
Illinois	43,774	0	0	0	43,774	0.26%	16.62%	0.00%	0.00%	0.00%	8.76%
Indiana	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Iowa	0	0	0	0	0	0.00%	n/a	0.00%	0.00%	n/a	0.00%
Kansas	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Kentucky	0	7,398	0	0	7,398	0.04%	0.00%	9.33%	0.00%	n/a	0.53%
Louisiana	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Maine	12,000	0	0	0	12,000	0.07%	22.59%	0.00%	0.00%	n/a	7.99%
Maryland	0	440	418	0	858	0.01%	n/a	1.26%	1.52%	n/a	0.43%
Massachusetts	0	0	3,110	0	3,110	0.02%	n/a	0.00%	26.86%	n/a	3.76%
Michigan	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Minnesota	0	0	1,407	0	1,407	0.01%	0.00%	0.00%	0.35%	0.00%	0.04%
Mississippi	0	0	1,200	0	1,200	0.01%	0.00%	0.00%	0.92%	0.00%	0.07%
Missouri	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Montana	806,117	970,465	161,580	8,791	1,946,953	11.52%	4.80%	79.55%	28.40%	0.12%	6.84%
Nebraska	0	0	40,819	0	40,819	0.24%	0.00%	0.00%	26.41%	0.00%	5.72%

Source: Ross W. Grote, CRS Report for Congress, 89-460 ENR, Wilderness: Overview and Statistics, August 1989, Washington D.C.

TABLE 3.5. (continued)

Additional Federal Acreage Being Considered for Wilderness, by State and by Agency
(in acres)

	Wilderness Study (WSA) Acreage ----				Total WSA Area	% of WSA	Percent of Land Under Study for Wilderness					
	USFS	NPS	FWS	BLM			USFS	NPS	FWS	BLM	Fed Land	Total
Alabama	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Alaska	0	25,531,395	57,748,868	4,500,000	87,780,263	74.05%	0.00%	48.25%	75.99%	4.84%	27.58%	24.02%
Arizona	0	1,448,735	0	2,115,308	3,564,043	3.01%	0.00%	54.26%	0.00%	17.10%	11.39%	4.90%
Arkansas	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
California	95,828	666,203	0	7,273,710	8,035,741	6.78%	0.47%	14.58%	0.00%	42.38%	17.29%	8.02%
Colorado	0	0	0	811,473	811,473	0.68%	0.00%	0.00%	0.00%	9.80%	3.37%	1.22%
Connecticut	0	0	0	0	0	0	0.00%	n/a	0.00%	n/a ^a	0.00%	0.00%
Delaware	0	0	0	0	0	0	0.00%	n/a	0.00%	n/a	0.00%	0.00%
Dist. of Columbia	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Florida	0	849,395	0	0	849,395	0.72%	0.00%	38.99%	0.00%	0.00%	19.93%	2.45%
Georgia	0	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
Hawaii	0	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
Idaho	1,115,714	0	0	1,804,690	2,920,404	2.46%	5.45%	0.00%	0.00%	15.20%	8.66%	5.52%
Illinois	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Indiana	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Iowa	0	0	0	0	0	0	0.00%	n/a	0.00%	n/a	0.00%	0.00%
Kansas	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Kentucky	0	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
Louisiana	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Maine	0	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
Maryland	0	0	0	0	0	0	0.00%	n/a	0.00%	n/a	0.00%	0.00%
Massachusetts	0	0	0	0	0	0	0.00%	n/a	0.00%	n/a	0.00%	0.00%
Michigan	0	71,105	0	0	71,105	0.06%	0.00%	11.28%	0.00%	0.00%	2.02%	0.19%
Minnesota	0	219,128	0	0	219,128	0.18%	0.00%	159.65%	0.00%	0.00%	6.33%	0.43%
Mississippi	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Missouri	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Montana	0	8,108	0	457,799	465,907	0.39%	0.00%	0.66%	0.00%	6.47%	1.64%	0.50%
Nebraska	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Nevada	290,100 ^b	188,295	0	5,549,416	6,027,811	5.09%	5.05%	24.24%	0.00%	11.55%	10.08%	8.58%
New Hampshire	0	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%

Source: Ross W. Grote, CRS Report for Congress, 89-460 ENR, Wilderness: Overview and Statistics, August 1989, Washington D.C.

TABLE 3.6. Additional Federal Acreage Being Considered for Wilderness, by State and by Agency
(in acres)

Additional Federal Acreage Being Considered for Wilderness, by State and by Agency
(in acres)

	----- Wilderness Study (WSA) Acreage -----				Total WSA Area	% of WSA	Percent of Land Under Study for Wilderness					
	USFS	NPS	FWS	BLM			USFS	NPS	FWS	BLM	Fed.Land	Total
Alabama	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Alaska	0	25,531,395	57,748,868	4,500,000	87,780,263	74.05%	0.00%	48.25%	75.99%	4.84%	27.58%	24.02%
Arizona	0	1,448,735	0	2,115,308	3,564,043	3.01%	0.00%	54.26%	0.00%	17.10%	11.39%	4.90%
Arkansas	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
California	95,828	666,203	0	7,273,710	8,035,741	6.78%	0.47%	14.58%	0.00%	42.38%	17.29%	8.02%
Colorado	0	0	0	811,473	811,473	0.68%	0.00%	0.00%	0.00%	9.80%	3.37%	1.22%
Connecticut	0	0	0	0	0	0	0.00%	n/a	0.00%	n/a ^a	0.00%	0.00%
Delaware	0	0	0	0	0	0	0.00%	n/a	0.00%	n/a	0.00%	0.00%
Dist. of Columbia	0	0	0	0	0	0	0.00%	n/a	n/a	n/a	0.00%	0.00%
Florida	0	849,395	0	0	849,395	0.72%	0.00%	38.99%	0.00%	0.00%	19.93%	2.45%
Georgia	0	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
Hawaii	0	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
Idaho	1,115,714	0	0	1,804,690	2,920,404	2.46%	5.45%	0.00%	0.00%	15.20%	8.66%	5.52%
Illinois	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Indiana	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Iowa	0	0	0	0	0	0	0.00%	n/a	0.00%	n/a	0.00%	0.00%
Kansas	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Kentucky	0	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
Louisiana	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Maine	0	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
Maryland	0	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
Massachusetts	0	0	0	0	0	0	0.00%	n/a	0.00%	n/a	0.00%	0.00%
Michigan	0	71,105	0	0	71,105	0.06%	0.00%	11.28%	0.00%	0.00%	2.02%	0.19%
Minnesota	0	219,128	0	0	219,128	0.18%	0.00%	159.65%	0.00%	0.00%	6.33%	0.43%
Mississippi	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Missouri	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Montana	0	8,108	0	457,799	465,907	0.39%	0.00%	0.66%	0.00%	6.47%	1.64%	0.50%
Nebraska	0	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Nevada	290,100 ^b	188,295	0	5,549,416	6,027,811	5.09%	5.05%	24.24%	0.00%	11.55%	10.08%	8.58%
New Hampshire	0	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%

Source: Ross W. Grote, CRS Report for Congress, 89-460 ENR, Wilderness: Overview and Statistics, August 1989, Washington D.C.

TABLE 3.6. (continued)

Additional Federal Acreage Being Considered for Wilderness, by State and by Agency
(in acres)

	Wilderness Study (WSA) Acreage -----				Total WSA Area	% of Percent of Land Under Study for Wilderness					Total
	USFS	NPS	FWS	BLM		USFS	NPS	FWS	BLM	Fed.Land	
New Jersey	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
New Mexico	0	83,726	0	927,680	1,011,406	0.85%	0.00%	0.00%	7.21%	4.33%	1.30%
New York	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
North Carolina	0	28,400	0	0	28,400	0.02%	0.00%	0.00%	n/a	1.29%	0.09%
North Dakota	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Ohio	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Oklahoma	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Oregon	37,828	0	0	2,613,850	2,651,678	2.24%	0.24%	0.00%	15.75%	8.85%	4.30%
Pennsylvania	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
Rhode Island	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
South Carolina	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
South Dakota	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Tennessee	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Texas	0	85,550	0	0	85,550	0.07%	0.00%	0.00%	n/a	0.00%	0.00%
Utah	0	0	0	3,255,551	3,255,551	2.75%	0.00%	0.00%	14.71%	9.71%	6.18%
Vermont	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
Virginia	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
Washington	6,500	0	0	5,518	12,018	0.01%	0.07%	0.00%	1.77%	0.10%	0.03%
West Virginia	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
Wisconsin	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Wyoming	180,000	0	0	569,633	749,633	0.63%	1.94%	0.00%	3.09%	2.43%	1.20%
Island Territories	0	0	0	0	0	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
U.S. Total	1,725,970	29,180,040	57,748,868	29,884,628	118,539,506	0.90%	38.41%	66.95%	11.08%	16.39%	5.21%

^a n/a = not applicable (no land owned by the agency in that State).

^b These areas were part of the lands transferred to the Forest Service under the National Forest and Public Lands of Nevada Enhancement Act of 1988 (Act of October 28, 1988, Public Law 100-550, 102 Stat. 2749). The studies will be completed by the BLM, even though the lands are now managed by the Forest Service.

Source: Ross W. Grote, CRS Report for Congress, 89-460 ENR, Wilderness: Overview and Statistics, August 1989, Washington D.C.

TABLE 3.7. Federal Land Designated, Recommended, or Under Construction for Wilderness, by State and by Agency
(in acres)

Federal Land Designated, Recommended, or Under Construction for Wilderness, by State and by Agency
(in acres)

	U.S. Forest Service	National Park Service	U.S. Fish & Wildlife Service	Bureau of Land Management	Total Potential Wilderness	Percent of Total	Percent With Potential for Wilderness					Total
							USFS	NPS	FWS	BLM	Fed.Land	
Alabama	33,396	0	0	0	33,396	0.01%	5.14%	0.00%	0.00%	0.00%	3.06%	0.10%
Alaska	7,277,429	57,886,395	76,425,188	4,500,000	146,089,012	64.56%	32.37%	109.40%	100.56%	4.84%	45.89%	39.97%
Arizona	1,400,289	1,904,385	1,416,186	2,387,877	7,108,737	3.14%	12.42%	71.33%	89.96%	19.30%	22.71%	9.78%
Arkansas	114,705	10,529	3,119	0	128,353	0.06%	4.62%	10.66%	1.41%	0.00%	3.86%	0.38%
California	4,457,226	4,538,237	5,035	7,288,926	16,289,424	7.20%	21.70%	99.29%	2.56%	42.47%	35.06%	16.26%
Colorado	2,984,376	452,582	2,560	854,784	4,294,302	1.90%	20.66%	76.67%	4.35%	10.33%	17.86%	6.46%
Connecticut	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
Delaware	0	0	2,000	0	2,000	0.00%	n/a	n/a	8.35%	n/a	6.59%	0.16%
Dist. of Columbia	0	0	0	0	0	0.00%	n/a	0.00%	n/a	n/a	0.00%	0.00%
Florida	72,582	2,145,895	51,253	0	2,269,730	1.00%	6.60%	98.51%	25.01%	0.00%	53.27%	6.54%
Georgia	88,898	8,840	362,107	0	459,845	0.20%	10.36%	21.86%	77.93%	n/a	22.66%	1.23%
Hawaii	0	142,370	1,742	0	144,112	0.06%	0.00%	58.04%	0.64%	n/a	21.39%	3.51%
Idaho	6,279,230	52,681	0	2,127,860	8,459,771	3.74%	30.69%	60.96%	0.00%	17.92%	25.09%	15.98%
Illinois	43,774	0	4,050	0	47,824	0.02%	16.62%	0.00%	7.06%	0.00%	9.57%	0.13%
Indiana	12,935	0	0	0	12,935	0.01%	6.88%	0.00%	0.00%	0.00%	2.96%	0.06%
Iowa	0	0	0	0	0	0.00%	n/a	0.00%	0.00%	n/a	0.00%	0.00%
Kansas	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Kentucky	17,183	7,398	0	0	24,581	0.01%	2.58%	9.33%	0.00%	n/a	1.75%	0.10%
Louisiana	8,700	0	8,346	0	17,046	0.01%	1.45%	0.00%	2.32%	0.00%	1.49%	0.06%
Maine	12,000	0	7,392	0	19,392	0.01%	22.59%	0.00%	23.12%	n/a	12.91%	0.10%
Maryland	0	440	418	0	858	0.00%	n/a	1.26%	1.52%	n/a	0.43%	0.01%
Massachusetts	0	0	5,530	0	5,530	0.00%	n/a	0.00%	47.75%	n/a	6.68%	0.11%
Michigan	91,875	202,985	25,309	0	320,169	0.14%	3.28%	32.21%	22.68%	0.00%	9.08%	0.88%
Minnesota	798,458	219,128	7,587	0	1,025,173	0.45%	28.44%	159.65%	1.90%	0.00%	29.63%	2.00%
Mississippi	6,006	1,800	1,200	0	9,006	0.00%	0.52%	1.76%	0.92%	0.00%	0.54%	0.03%
Missouri	63,198	0	7,730	0	70,928	0.03%	4.29%	0.00%	17.82%	0.00%	3.43%	0.16%
Montana	4,177,730	978,573	226,115	472,590	5,855,008	2.59%	24.87%	80.21%	39.75%	6.68%	20.58%	6.28%
Nebraska	7,794	0	45,454	0	53,248	0.02%	2.22%	0.00%	29.41%	0.00%	7.46%	0.11%

Source: Ross W. Grote, CRS Report for Congress, 89-460 ENR, Wilderness: Overview and Statistics, August 1989, Washington D.C.

Federal Land Designated, Recommended, or Under Construction for Wilderness, by State and by Agency
(in acres)

	U.S. Forest Service	National Park Service	U.S. Fish & Wildlife Service	Bureau of Land Management	Total Potential Wilderness	Percent of Total	Percent With Potential for Wilderness					Total
							USFS	NPS	FWS	BLM	Fed.Land	
Nevada	844,767	214,295	1,751,148	5,549,416	8,359,626	3.69%	14.71%	27.58%	79.05%	11.55%	13.98%	11.90%
New Hampshire	102,932	0	0	0	102,932	0.05%	14.40%	0.00%	0.00%	n/a	13.91%	1.78%
New Jersey	0	0	10,341	0	10,341	0.00%	n/a	0.00%	25.29%	n/a	6.45%	0.21%
New Mexico	1,420,701	140,118	39,908	1,052,290	2,653,017	1.17%	15.23%	40.45%	12.33%	8.18%	11.37%	3.41%
New York	0	1,363	0	0	1,363	0.00%	0.00%	4.25%	0.00%	n/a	0.09%	0.00%
North Carolina	116,553	236,137	9,735	0	362,425	0.16%	9.54%	64.20%	3.52%	n/a	16.40%	1.15%
North Dakota	0	29,920	9,732	0	39,652	0.02%	0.00%	42.11%	2.27%	0.00%	2.04%	0.09%
Ohio	0	0	77	0	77	0.00%	0.00%	0.00%	0.99%	0.00%	0.02%	0.00%
Oklahoma	13,954	0	8,570	0	22,524	0.01%	4.72%	0.00%	10.01%	0.00%	2.74%	0.05%
Oregon	2,115,627	127,058	46,995	2,630,553	4,920,233	2.17%	13.54%	65.39%	9.61%	15.86%	16.42%	7.99%
Pennsylvania	8,938	0	0	0	8,938	0.00%	1.75%	0.00%	0.00%	n/a	1.39%	0.03%
Rhode Island	0	0	0	0	0	0.00%	n/a	0.00%	0.00%	n/a	0.00%	0.00%
South Carolina	18,498	15,010	29,163	0	62,671	0.03%	3.06%	71.38%	19.95%	n/a	5.40%	0.32%
South Dakota	9,824	64,250	0	0	74,074	0.03%	0.49%	45.60%	0.00%	0.00%	2.71%	0.15%
Tennessee	66,674	217,647	0	0	284,321	0.13%	10.65%	81.13%	0.00%	n/a	15.16%	1.06%
Texas	36,020	670,650	0	0	706,670	0.31%	4.78%	60.83%	0.00%	n/a	21.61%	0.42%
Utah	774,328	1,252,961	0	3,278,102	5,305,391	2.34%	9.63%	61.99%	0.00%	14.81%	15.82%	10.07%
Vermont	59,386	0	620	0	60,006	0.03%	18.19%	0.00%	10.46%	n/a	18.63%	1.01%
Virginia	89,382	84,372	3,047	0	176,801	0.08%	5.45%	27.30%	2.86%	n/a	7.17%	0.69%
Washington	2,577,820	1,728,143	838	12,658	4,319,459	1.91%	28.17%	89.57%	0.63%	4.07%	34.61%	10.12%
West Virginia	80,631	0	0	0	80,631	0.04%	7.90%	0.00%	0.00%	n/a	6.91%	0.52%
Wisconsin	42,159	0	29	0	42,188	0.02%	2.79%	0.00%	0.02%	0.00%	2.30%	0.12%
Wyoming	3,260,838	2,102,963	0	577,269	5,941,070	2.63%	35.23%	87.91%	0.00%	3.14%	19.24%	9.53%
Island Territories	0	0	0	0	0	0.00%	0.00%	0.00%	0.00%	n/a	0.00%	0.00%
U.S. Total	39,586,816	75,437,125	80,518,524	30,732,325	226,274,790		20.70%	99.29%	93.35%	11.40%	31.29%	9.95%

^an/a = not applicable (no land owned by the agency in that State).

Source: Ross W. Gorte, CRS Report for Congress, 89-480 ENR, Wilderness: Overview and Statistics, August 1989, Washington D.C.

TABLE 3.8. Total State Acreage, Total Federal Acreage
and Percent of Federal Land in Eleven Western States

	<u>Total Area of State</u>	<u>Total Federal Acreage</u>	<u>Percent Federal</u>
Arizona	72,688,000	31,303,640	43.07%
California	100,206,720	46,465,163	46.37%
Colorado	66,485,760	24,045,292	36.17%
Idaho	52,933,120	33,716,130	63.70%
Montana	93,271,040	28,456,079	30.51%
Nevada	70,264,320	59,789,872	85.09%
New Mexico	77,766,400	23,341,695	30.02%
Oregon	61,598,720	29,970,985	48.66%
Utah	52,696,960	33,534,674	63.64%
Washington	42,693,760	12,479,535	29.23%
Wyoming	62,343,040	30,877,602	49.53%

TABLE 3.9. Total Area Managed by Federal Agencies
in Eleven Western States

	<u>USFS</u>	<u>NPS</u>	<u>USFWS</u>	<u>BLM</u>
Arizona	11,278,317	2,669,823	1,574,179	12,370,514
California	20,537,679	4,570,503	196,906	17,164,489
Colorado	14,445,192	590,268	58,865	8,277,152
Idaho	20,458,759	86,421	46,727	11,875,627
Montana	16,797,507	1,219,952	568,891	7,076,701
Nevada	5,743,247	776,946	2,215,173	48,036,407
New Mexico	9,325,811	346,385	323,748	12,859,074
Oregon	15,625,616	194,322	489,149	16,590,806
Utah	8,040,566	2,021,188	98,235	22,128,660
Washington	9,150,190	1,929,373	132,876	311,292
Wyoming	<u>9,254,734</u>	<u>2,392,076</u>	<u>49,884</u>	<u>18,407,320</u>
Totals:	140,657,618	16,797,257	5,754,633	175,098,042

Note: The total of these federal lands, 338,307,560, does not equal the total of all federal lands in these eleven Western states, 353,980,667, because some federal lands are controlled or managed by other federal agencies (i.e. the Department of Defense, Bureau of Indian Affairs, etc.).

TABLE 3.10. Total Wilderness Acreage Managed by Each
Federal Agency Within the Eleven Western States

	<u>USFS</u>	<u>NPS</u>	<u>USFWS</u>	<u>BLM</u>
Arizona	1,333,289	433,700	0	272,569
California	3,921,218	1,990,034	141	15,216
Colorado	2,587,018	52,730	2,560	0
Idaho	3,960,221	43,234	0	720
Montana	3,371,613	0	64,535	6,000
Nevada	798,067	(check for management details)		
New Mexico	1,388,063	56,392	39,908	124,610
Oregon	2,077,799	0	495	16,703
Utah	774,328	0	0	22,551
Washington	2,571,320	1,748,143	838	7,140
Wyoming	3,080,838	0	0	0
Totals	25,863,774	4,324,233	108,477	465,509

CHAPTER 4

THE LEGISLATIVE HISTORY OF NEVADA WILDERNESS

Events Leading Up to the Passage of Nevada's Wilderness Legislation

The Wilderness Act of 1964 set aside some 64,000 acres in the northeast corner of Nevada known as the Jarbidge Wilderness Area. Until a few years ago, this remained the only wilderness within Nevada's borders. Up until this time, Nevada was the only one of eleven states in the western U.S. without a wilderness bill of its own enacted by Congress subsequent to the 1964 national wilderness legislation. Then, on December 5, 1989, President George Bush signed into law a bill known as the Nevada Wilderness Protection Act of 1989 (PL 101-195). This bill gave Nevada an additional 733,400 acres of wilderness in fourteen additional areas within the state. In spite of this recent legislation, Nevada still has only 1.03 percent of the total land in the state designated as wilderness. This is the lowest percentage of all western states. (See Table 1 for additional information regarding percentages of wilderness in western states). This designation pales further in light of the amount of federally owned public lands in Nevada, some sixty-one million acres, or 87.4 percent. Nevada becomes the largest holder of federal land within the lower 48 states. (See Table 4.2. for additional information regarding federal lands in Nevada).

The time lag in pursuing additional wilderness, coupled with the seemingly enormous disparity between federal lands owned and those protected, leads to many questions. Was Nevada victimized by the vagueness of the Wilderness Act of 1964, as suggested in the preceding chapter? Were and are the powers that be receptive to the notion of preservation of Nevada's public lands? Was the time lag factor a vehicle for developmental interests to pursue their goals, aided by a policy compromise that clearly favored those objectives? This chapter attempts to examine the forces at work in this complex Nevada issue in order to answer these and other questions.

The first rumblings about proposing wilderness legislation began in Nevada in the early 1980s, but it was not until 1985, some twenty years after the passage of the Wilderness Act of 1964, that actual legislation was introduced in the U.S. Congress. This is no doubt attributable to a number of circumstances that characterize the history of Nevada as a state.

The first of these reasons can be associated with Nevada's strong historical and economical ties with the mining industry. Dating back to the mid 1800s and the discovery of the Comstock Lode, Nevada has had an off and on boom and bust relationship with mining. As this industry failed in the early part of this century, our dependence on the federal government became greater than ever. The advent of legalized gambling, the construction of Hoover Dam, the Nevada Test Site, Nellis Air Base and other federal projects intensified this federal-state relationship. When the mining industry resumed its formidable position in Nevada in the late 1950s, the stage was set for strong political support for developmental interests. Ranching had also

become a prominent way of life in northern Nevada during the early part of the century, and though many prominent ranchers took part in the Sagebrush Rebellion in the late 1970s, a movement that sought independence from the federal government, few have ever subscribed to the notion of permanent preservation measures on their lands or the federal lands adjacent to them.

The last major influence, but nevertheless the most important, is the federal government itself. The reluctance on the part of the federal government flows from two major concerns. The first, and the reason most often cited and supported by past members and one current member of Nevada's Congressional delegation, is closely related to the developmental interests previously mentioned and the partisan support given all Republican Presidents in the past two decades, as noted in the previous chapter. The second, and certainly the most difficult to evaluate, is the continuing pervasive influence of the military and the federal government's apparent desire to maintain and expand all types of military presence in Nevada. The following chapter details this particular federal involvement more thoroughly.

In 1985 Rep. Harry Reid (D-NV), introduced a bill calling for just over 500,000 additional acres of wilderness. This bill underwent extensive hearings, and in June 1985 the House Committee on Interior and Insular Affairs approved a version of the bill designating 14 wilderness areas and the Great Basin National Park for a total of 1.1 million acres in Nevada's national forests. In April 1986, the full House of Representatives passed a substitute bill introduced by Congressman Reid calling for 11 wilderness areas encompassing 592,000 acres, plus 174,000 acres to be set aside for

the Great Basin National Park and Reserve. Meanwhile, Senator Chic Hecht (R-NV), introduced a bill in the Senate calling only for the creation of the Park, a move later agreed upon by the House. The final result of this overall effort was the creation of the 76,000 acre Great Basin National Park, the first in the conterminous United States in fifteen years and the first ever in the State of Nevada. Congress failed, however, to reach an agreement on wilderness designation, and the bills died with the adjournment of the 99th Congress.¹

In January of the 100th Congress, Rep. Barbara Vucanovich (R-NV), representing rural, northern Nevada, introduced HR Bill 708, calling for a paltry 132,000 acres of wilderness in a total of four designated areas. Her Democratic counterpart, Congressman James Bilbray (D-NV), who had succeeded Harry Reid, then introduced HR Bill 2142 calling for a total of 729,000 acres in fourteen areas. Meanwhile, now-U.S. Senator Harry Reid (D-NV), introduced S Bill 1138, calling for 599,400 acres of wilderness in a total of twelve areas. Congressman Buddy Darden (D-GA), a longtime wilderness advocate and a member of the group that initially toured Nevada as part of the 1985 hearings and fact-finding committee, introduced HR Bill 2044 calling for nineteen areas of wilderness totaling 1.41 million acres. The House once again passed an amended version of Bilbray's HR Bill 2142, setting aside 731,000 acres of wilderness and 29,000 acres to be designated as National Recreation Area (NRA), a management plan provided for by the BLM. This occurred in December 1987, but once again members of the Senate, led by Senator Chic Hecht (R-NV) mounted a battle against the wilderness legislation and succeeded in killing it. Senator Hecht was known to be a strict

partisan voter in Congress and also one of the strongest supporters of developmental interests back in Nevada during his tenure in the Senate.²

Richard Bryan (D-NV) defeated Chic Hecht in the 1988 U.S. Senate race in Nevada and for the first time in many years, the two Nevada Senate seats were occupied by Democrats. Not only were they Democrats, but Senators Reid and Bryan had been longtime friends and were known to have a solid working relationship prior to Bryan's election to the Senate. This was most significant, as exemplified by the fact that the version of the wilderness bill that has subsequently passed was first introduced in the Senate (S 974) on May 5, 1989, unlike previous versions, which had originated in the House and regularly met defeat in the Senate, Rep. James Bilbray (D-NV) introduced a similar bill (HR 2320) in the House on the same day, but the strategy had been set, and it was to get the bill passed on the Senate side and then send it on to the House where it had always met with a favorable response. Rep. Buddy Darden (D-GA) introduced a proposal similar to the ones he had introduced in the past for approximately 1.4 million acres (HR 2352) of wilderness in Nevada on May 5, 1989, but the debate that took place in Congress centered around the matching bills introduced by the three Democratic members of the Nevada delegation.³

The next step in the legislative process took place when S 974 was heard by the Senate Energy's public lands subcommittee on July 24, 1989. Though neither Senator Bryan nor Senator Reid serves on that particular public lands committee, both attended these hearings. A snag emerged when Sen. Robert Dole (R-KS), minority leader in the Senate, threatened to delay Senate approval until Bryan agreed to allow confirmation of

four individuals who had been nominated for highranking U.S. Department of Energy posts. A late night meeting resolved this issue, and the full committee order the bill reported (S Report 101-113) on August 2, 1989. The vote in the Senate Energy and Natural Resources Committee was a lopsided 16-3 in favor of S 974.⁴

Prior to approval by the full Senate, three conservative Republican Senators voiced objections to the measure and placed "holds" on the bill. Senator Ted Stevens (R-AK) expressed concern that the Nevada legislation might affect similar legislation he was strongly opposing for Alaska in both the House and Senate. Most likely this stalling tactic was intended to provide leverage for Stevens to secure a possible trade-off vote with Bryan and Reid. Another opponent was James McClure (R-ID), a powerful member of the public lands committee in the Senate and a formidable opponent of wilderness. McClure's concerns stemmed from his alleged belief that further wilderness designation might preclude expansion of Navy operations out of the Naval Air Station in Fallon, NV, including overflights of a number of the areas in question.⁵ Perhaps the most damaging opponent turned out to be Senator Malcolm Wallop (R-WY), who introduced an amendment to prevent the elimination of low-level training flights over certain proposed wilderness areas or the installation and operation of future ground instruments needed to expand operations from the Naval Air Station in Fallon. The Senate finally passed S 974 with the Wallop amendment included on a voice vote with few Senators on the floor on September 20, 1989. When questioned about the Wallop amendment, Senator Reid said he was not that concerned that the integrity of the bill would be severely altered by the Wallop amendment.⁶

The House Interior's national parks subcommittee held a hearing on the various proposals for Nevada wilderness on October 17, 1989. On October 22, the House announced it would proceed with deliberate speed to take action on the wilderness legislation, and on October 24 the subcommittee reported S 974 without amendments; however, during the subcommittee hearings subcommittee chairman Bruce Vento (D-MN), a longtime wilderness advocate, announced plans to eventually change the provisions of the Wallop amendment.⁷ Also speaking out at this hearing were Rep. Barbara Vucanovich, (R-NV), a member of the subcommittee who announced her intentions to fight the wilderness legislation, and Larry Craig, (R-ID), who told other opponents in attendance that their questions and answers "don't make any difference."⁸ Senator Reid also attended this hearing and offered strong support, as did Senator Bryan and Representative Bilbray, although both Bryan and Bilbray expressed caution and concern over the Wallop amendment. The case for the military position on the Wallop amendment was made by Rear Admiral Steven Briggs, commander of the Pacific Fleet's light attack wing.⁹

A second debate broke out in the same hearings over the issue of federal water rights on wilderness lands. Nevada Attorney General Brian McKay argued the opponents' position that reserving water rights on designated wilderness areas would set a dangerous precedent. Nevada water engineer, Peter Morros, contradicted McKay's position, stating that a thorough study had been done and the existing legislation would have no legal or practical impact on existing water rights.¹⁰

Other groups present at these hearings in a strong show of support were the Sierra Club, National Wildlife Federation, Wilderness Society and the Audubon Society.

In the week following the subcommittee hearings a number of interesting and significant developments took place. First, according to Vucanovich spokeswoman Stephanie Hanna, Congresswoman Barbara Vucanovich had vowed to "go in with her gloves off and try to do the best she can" to fight the proposed Nevada wilderness legislation.¹¹ Supposedly Vucanovich would substitute her own 132,000 acre wilderness bill for the Senate measure, challenge the provision for existing water rights for wilderness areas in Nevada, and change the proposed Mt. Rose wilderness area to a national recreation area or restore a snowmobile corridor for the same area that had been eliminated in the Senate version.

Meanwhile, Rep. Vento and his staff successfully tackled and resolved the Wallop amendment by getting officials at the Fallon Naval Air Station to agree to install any required ground installations outside the wilderness areas and to abide by the existing regulations over military overflights, a subject examined in more detail in the next chapter.¹²

The full House Interior and Insular Affairs Committee reported S 974 on November 1, 1989, with major amendments regarding the overflights and military equipment provisions worked out in the subcommittee. Though concern was expressed by Senator Reid and other supporters that the bill would not be given a hearing prior to the Thanksgiving recess in Congress and perhaps not be acted on prior to the end of the

year, the House considered the measure on November 16 and 17, and on November 17 passed S 974. The Senate agreed to the House amendments with amendments of their own on October 20, 1989, and the House agreed to the Senate amendments the following day, October 21, 1989.¹³

The bill was then forwarded to President George Bush for his signature. Rep. Barbara Vucanovich, determined to fight to the bitter end, solicited both the Secretary of Agriculture and the White House Chief of Staff to approach the President about the possible veto of the bill. Soon thereafter, it became apparent there were not nearly enough votes in both Houses of Congress to sustain a presidential veto, and in a somewhat embarrassing manner Rep. Vucanovich finally conceded defeat. President George Bush signed the bill into law (PL 101-195) on December 5, 1989.¹⁴

The Nevada Wilderness Protection Act of 1989

In addition to creating 733,400 acres of new wilderness in Nevada, this bill had many other implications as well. Perhaps the best means of examining those implications is by reviewing each section of the bill.

Section 1 simply provides a description of the short title of the bill, "The Nevada Protection Act of 1989," for purposes of citation and referral.¹⁵

Section 2 provides a description of the fourteen areas designated as wilderness according to their location in the state, the amount of acreage involved, and the specific title of each wilderness area. For instance, 1) reads, "certain lands in the Toiyabe National Forest, which comprise approximately 38,000 acres, as generally depicted on a map entitled 'Alta Toquima Wilderness-Proposed', dated May 1989, and which shall be known as the "Alta Toquima Wilderness".¹⁶ (See Table 3 for specific area designations and Map 1 for their locations).

Section 3 makes provision for public information with regards to the maps and legal descriptions of the wilderness areas in question in conjunction with the House Committee on Interior and Insular Affairs and the Senate Committee on Energy and Natural Resources. Such maps and descriptions shall be made public by the Secretary of Agriculture and made available for public inspection in the Office of the Chief of the Forest Service.¹⁷

Section 4 establishes guidelines for the administration of wilderness areas as provided for by the Act. These guidelines are to be administered by the Secretary of Agriculture in accordance with the provisions of the initial Wilderness Act of 1964, with the additional stipulation that the effective date of such provisions of the Wilderness Act will be a reference to the date of enactment of the Nevada Wilderness Protection Act of 1989.¹⁸

The substitutive part of the Act begins with Section 5, which looks at the review and the findings by Congress. Essentially, Congress agrees that its findings were based

on the second roadless review and evaluation program (RARE II), and that it has conducted its own review of the roadless lands and the environmental impacts on such lands with respect to each alternative available to the disposition of these lands. Without taking issue with the "legal and factual sufficiency" of the RARE II findings and the EIS for the National Forest System lands involved in the Nevada wilderness measure, Congress has determined such lands shall not be subject to further judicial review and meet the requirements for inclusion into the National Wilderness Preservation System. Furthermore, the Secretary of Agriculture is removed from the burden of further review of the lands in question until the time expires set forth by the Wilderness Act of 1964, which is normally ten years and at least every fifteen years.¹⁹

Section 5, subsections (3), (4), and (5) have the most serious implications for those lands not included in the present wilderness bill that had been previously under study for permanent wilderness. Subsection (3) specifies that those lands not designated as wilderness in the final EIS shall return to multiple use status, providing that such areas need not be managed in such a way as to protect their future suitability for wilderness designation during the next evaluation period. This means that some 2.3 million acres of land previously managed under wilderness guidelines while the subject of study are now returned to multiple-use status. Subsection (4) simply makes provisions for changes to be adaptable to any future changes in the Forest and Rangeland Renewable Resources Planning Act of 1974, a measure that was established to provide clearer guidelines for future wilderness study periods but which never took precedent over the RARE II evaluation process. Finally, subsection (5) relieves the Department of Agriculture from any further requirements for roadless area review and evaluation of

Nevada National Forest System lands for future inclusion into the National Wilderness Preservation System. This point in itself is the biggest disclaimer to the previous statements about future review, and it will provide a huge stumbling block at such time that wilderness advocates should seek more wilderness on National Forest System lands.²⁰

The discussion of permissible uses on the new wilderness lands included in the Nevada bill begin in Section 6 with the stipulation that livestock grazing shall be grandfathered in all wilderness area where it existed prior to enactment of this legislation in accordance with the Wilderness Act of 1964 and section 108 of the Colorado Wilderness Bill passed earlier. (See chapter three for details of the Colorado bill). This section also directs the Secretary of Agriculture to review grazing practices on these lands and to report these findings to the respective congressional public lands committee within one year, and at least every five years thereafter.²¹

Section 7 deals with an issue that was extremely controversial with certain groups opposed to this wilderness legislation, the creation of buffer zones around designated wilderness areas. Both off-road enthusiasts and ranchers were concerned that buffer zones would extend the wilderness boundaries even farther, thereby inhibiting certain functions these groups perform within these proposed buffer zones. (See Chapter 5 for a more detailed discussion of these buffer zone concerns). In reality, Congress made it quite clear in this section of the bill that there was no intent to create any type of "protective perimeters" around any individual wilderness areas.²²

Section 8 deals with the water rights issue on wilderness lands and much of the wording intricately reflects portions of final amendments that were introduced and added to the bill. It begins by clearly stating that "there is hereby reserved a quantity of water sufficient to fulfill the purposes of the wilderness areas created by this Act". This strongly suggests that sources of water within wilderness areas are reserved and protected by the federal government. It then cites the date of the Act as the effective date of such water rights and directs the Secretary of Agriculture to file the appropriate claims with state officials holding jurisdiction over these water rights. Lastly, acceding to the wishes of those opposed to the water rights issue in the debate on this wilderness measure, the Nevada bill expressly states that any water rights involved in this Act are in no way a means of setting a precedent for further wilderness designations.²³

Section 9 provides for the jurisdiction over fish and wildlife within wilderness areas to remain the responsibility of the appropriate authorities of the State of Nevada and for such jurisdiction to retain the same rights and authority as before the Act.²⁴

Section 10 deals with the issue of "climatological data collection". In a manner consistent with the Wilderness Act of 1964, this section provides for the installation and maintenance of any climatological devices within wilderness areas where they may be appropriate and vital to flood warning and control or water reservoir operations.²⁵

The concluding portion of the Act, Section 11, deals with the subjects of "low altitude flight activities" over certain designated wilderness areas and again reflects one of the final Senate amendments introduced and made part of the Act. It allows for low

level military flights, special airspace designation where appropriate, and the establishment and use of training flights over the Alta Toquima, Arc Dome, Currant Mountains or Table Mountain Wilderness areas, the same four areas that were reflected in the initial Wallop amendment to S 974. The military succeeded in including virtually all of the language they wanted in the final version of this Act, to the chagrin and disappointment of many environmental groups.²⁶

Nevadans' Response to the Wilderness Issue

From the standpoint of how Nevadans relate to the notion of increased wilderness, as provided for by the Nevada wilderness bill, there have been several polls which suggest the response is very favorable. In a phone survey of 2,000 Nevada residents conducted over a thirty-day period in January 1986, nearly three-fourths of Nevada's population sampled favored the designation of additional wilderness areas, as well as the creation of a national park. This survey did not resolve the ongoing dispute over how much wilderness should be set aside in Nevada, but it did provide some surprising information regarding the so-called "cow counties" in rural Nevada. Though the poll indicated strong support for wilderness in both Reno and Las Vegas as expected, solid majorities were also recorded in many rural counties previously thought to be anti-wilderness. See Table 4 for the results of this survey.

More recently in a survey conducted by the Center for Survey Research, University of Nevada, Las Vegas, Nevadans were polled on a wide variety of subjects. Though none of the survey questions dealt directly with wilderness, a number of them

were related to key environmental issues. Issues, such as protecting the environment and the state's wildlife, as well as the creation of more state parks and recreational facilities, are environmentally-oriented in nature and reflect the opinion of Nevadans on such matters. See Table 5 for a look at the results of this survey.

The empirical data involved in the Nevada wilderness issue, percentage of federal land versus wilderness within the state, percentage of wilderness as compared with other western states, and surveys conducted by bureaus within the state, coupled with repeated attempts to pass wilderness legislation and the recent successful effort, seem to overwhelmingly suggest that both the demand for and popularity of wilderness in Nevada is an undisputed fact; yet the evidence shows that it took some twenty years to pass a wilderness bill, and that bill may not have adequately addressed the issue in the final accounting. In order to completely understand the complexity of the wilderness issue in Nevada, it is necessary to examine the role played by the key players involved in the debate. As noted earlier, the various interest groups will be examined in the next chapter.

The debate over wilderness in Nevada is far from resolved. Certainly supporters of additional wilderness will not fade away in light of the recent passage of a wilderness bill, although Senator Reid and Senator Bryan has both publicly stated that for now the wilderness issue has been resolved, and the Forest Service is off the hook. The balance of the Forest System lands that had been considered under RARE II, as noted earlier, have been released back into multiple use status and further recommendations will not come for at least ten years.²⁷

The next big push for wilderness in Nevada is already on the horizon in the form of recent recommendations made by the BLM. There have been over five million acres within a total of 102 units that are classified as wilderness study areas by the BLM. This process began in 1976 under the direction of the FLMPA, at which time the agency began to identify areas in a natural condition, of an adequate size for management, and offering solitude, primitive and unconfined forms of recreation. The findings of this review were due in the Secretary of Interior's office within fifteen years of the initial review date, or by 1991. The Secretary of the Interior is instructed to make his recommendations for further wilderness areas at that time.

Between May 26 and May 31, 1990, officials of the BLM announced to members of a state committee in Nevada their intention to recommend a total of 1.9 million acres in a total of fifty-four areas within the state of Nevada. Although these plans do not become final until the end of the year, the BLM officials maintained these plans were firm. Interior Secretary Manuel Lujan will submit the agency's final version of its proposal to President Bush.²⁸

The battle lines were immediately drawn when both proponents and opponents spoke out within days airing their respective concerns. Charles Watson, Director of the Nevada Outdoor Recreation Association, stated, "it is a flagrant attempt to ignore what is out there...they cut the numbers to please right-wing politicians."²⁹ Citizen Alert Directory Bob Fulkerson lamented that the BLM had left out public lands in the Reno and Carson City area, remarking "we don't call it the Bureau of Livestock and Mining for nothing".³⁰

Both of Nevada's U.S. Senators, Harry Reid and Richard Bryan, commented that it was too early to make a judgment on the proposal because it was not necessarily the BLM's final version and also because both President Bush and Secretary Lujan could revise the proposal. Reid pointed out, however, that it would probably be at least a year before a bill is ready for consideration and as long as two years before approval might be possible. Bryan expressed concern that Congress might be somewhat reluctant to pass another wilderness bill in Nevada so close on the heels of the one that passed in 1989. Charles Watson made the observation that such a delay would suit him just fine, because as long as Congress does not act, the 5 million plus acres included in the Study areas remain closed to other uses.³¹

Rod Higgins, Director of the Nevada Mining Association, one of the most powerful groups opposing wilderness in Nevada, expressed grave concern over the 1.9 million acre proposal, suggesting that it was much too large. He followed up by saying, "the BLM is going to recommend, but it will go into the political arena and you will see some vastly different acreages."³² Even Democratic Governor Robert Miller expressed reservations over the size of the proposal, saying, "it is an awful lot of land they want to withdraw". Miller even went so far as to say that he feared some of the proposed wilderness areas had great potential for oil and natural gas, according to studies done by the Nevada Department of Minerals.³³

Even the Las Vegas Review Journal, with the largest circulation in the State, released an early editorial suggesting it was at odds with the BLM proposal and cautioning Nevada's Congressional delegation to reduce the proposal to a more

reasonable size. This is the same paper that repeatedly "strongly supported" the wilderness measure that was passed by Congress in late 1989.³⁴

When looking at this key environmental issue in the context in which Nevada is affected, it is important to remember that most of the wilderness bills in recent years have come out of western states, and beyond any reasonable doubt the greatest amount of designated and proposed wilderness acreage lies within the boundaries of western states. Current proposals in Congress for large increases in the Wilderness Preservation System come from Alaska, Colorado, Arizona, Utah and Idaho. The fact that the wilderness issues are so predominant in these states makes them prime targets for preservation forces in the continuing struggle for additional wilderness. Nevada, having such a large percentage of federal public lands, will continue to be in the forefront of this struggle.

The question then becomes who will lead the forces of this wilderness struggle, influence the political members of the Nevada Congressional delegation and their respective staffs, and in the final accounting, set the tone for the future direction of the Nevada wilderness issue? This most important consideration will be examined in the following chapter as this thesis attempts to describe and discuss the various factions that play pivotal roles in this ongoing debate.

NOTES

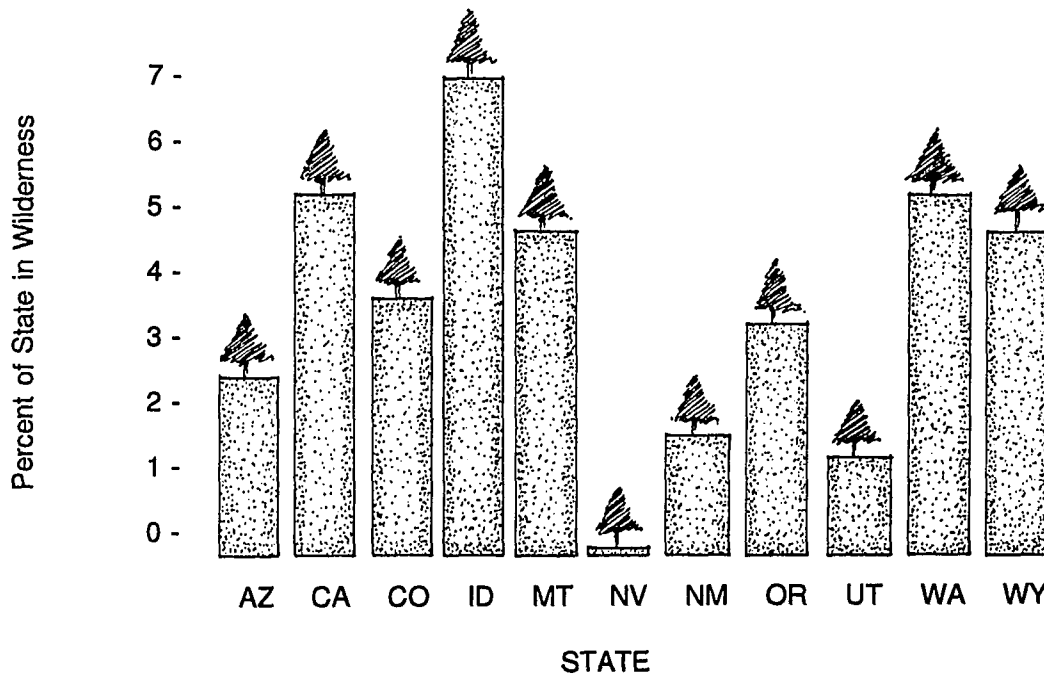
CHAPTER FOUR

1. See *Keep It Wild*, 1987, p. 6.
2. *Ibid*, p. 7.
3. See *Review Journal*, Las Vegas, NV, May 11, 1989.
4. *Congressional Research Service, Weekly Bulletin*, March 12, 1990, p. 11.
5. See *Review Journal*, Las Vegas, NV, September 17, 1989.
6. *Congressional Research Service, Weekly Bulletin*, March 12, 1990, p. 13.
7. See *Review Journal*, Las Vegas, NV, September 22, 1989.
8. *Ibid*.
9. *Ibid*.
10. *Ibid*.
11. See *Review Journal*, Las Vegas, NV, October 17, 1989.
12. See *Review Journal*, Las Vegas, NV, October 24, 1989.
13. *Congressional Research Service, Weekly Bulletin*, March 12, 1990, p. 14.
14. *Ibid*, p. 17.
15. *Nevada Wilderness Protection Act of 1989*, PL 101-195, 103 STAT 1784, December 5, 1989.
16. *Ibid.*, 1784.
17. *Ibid.*, 1785.
18. *Ibid.*, 1785.
19. *Ibid.*, 1786.
20. *Ibid.*, 1786.

21. *Ibid.*, 1787.
22. *Ibid.*, 1787.
23. *Ibid.*, 1788.
24. *Ibid.*, 1788.
25. *Ibid.*, 1788.
26. *Ibid.*, 1789.
27. See *Review Journal*, Las Vegas, NV, June 5, 1990.
28. *Ibid.*
29. *Ibid.*
30. *Ibid.*
31. *Ibid.*
32. *Ibid.*
33. *Ibid.*
34. See *Review Journal*, Las Vegas, NV, June 2, 1989.

TABLE 4.1. Percent of Wilderness in Western States

April, 1986 (approximately)



SOURCE: *Keep It Wild*, 1987

TABLE 4.2. Land Distribution in Nevada

Total acres in Nevada:	72 million acres
Total of all federal lands in Nevada:	61 million acres
Total of all public lands in Nevada managed by the Department of the Interior:	51.7 million acres
Total of all public lands in Nevada managed by the Bureau of Land Management:	48.4 million acres
Total land in Nevada's National Forests:	5.4 million acres
Total wilderness in Nevada:	777,400 acres

Source: *Keep It Wild*, 1987

TABLE 4.3. Wilderness Fact Sheet

<u>AREA</u>	<u>FOREST</u>	<u>ACREAGE</u>
Alta Toquima	Toiyabe	38,000
Arc Dome	Toiyabe	115,000
Boundary Peak	Inyo	10,000
currant Mountain	Humboldt	36,000
East Humboldt	Humboldt	36,900
Jarbidge Additions	Humboldt	48,500
Mt. Rose	Toiyabe	28,000
Quinn Canyon	Humboldt	27,000
Ruby Mountains	Humboldt	90,000
Mt. Charleston	Toiyabe	43,000
Table Mountain	Toiyabe	98,000
Grant Range	Humboldt	50,000
Mt. Moriah	Humboldt	82,000
Santa Rosa	Humboldt	<u>31,000</u>
Total		733,400

There are 71 million acres of land in Nevada. Only 3.2 million acres of those 71 million acres were studied for possible wilderness designation. All of those areas were roadless Forest Service areas.

75% of this studied land, or approximately 2.46 million acres, was respected as wilderness in the Reid-Bryan-Bilbray proposal. These 2.46 million acres will be released for other multiple-use purposes. 733,400 acres are recommended as wilderness in the Reid-Bryan-Bilbray proposal.

These wilderness acres represent only 1.03% of the total 71 million acres of land in Nevada.

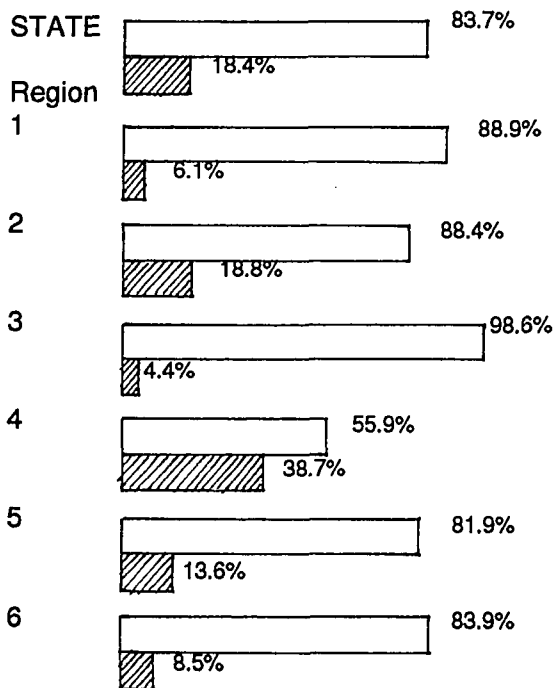
TABLE 4.4. Nevada Wilderness Survey

Nevada Wilderness Survey

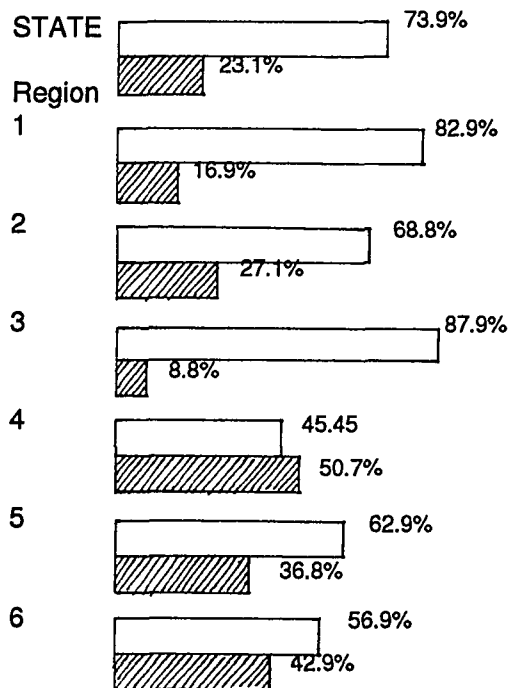
Over 2,000 telephone interviews conducted with Nevada residents.
Survey completed over a one-month period beginning 17 Jan 1986.

Agree
Disagree

*** Should a national park
be established in Nevada?**



*** Should designated wilderness
areas be set aside?**



Region 1: Washoe, Churchill, Lyon, Douglas, Carson City, and Storey Counties

Region 2: Nye, Mineral, and Esmeralda Counties

Region 3: Clark County

Region 4: White Pine, Lincoln, and Eureka Counties

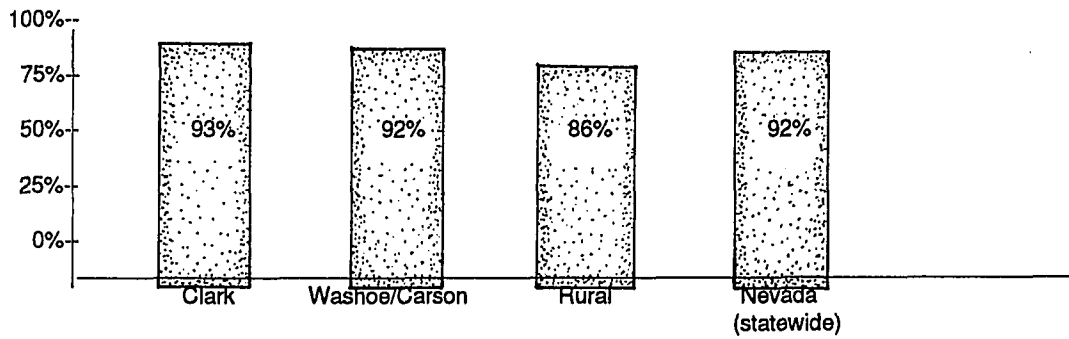
Region 5: Elko County

Region 6: Humboldt, Pershing, and Lander Counties

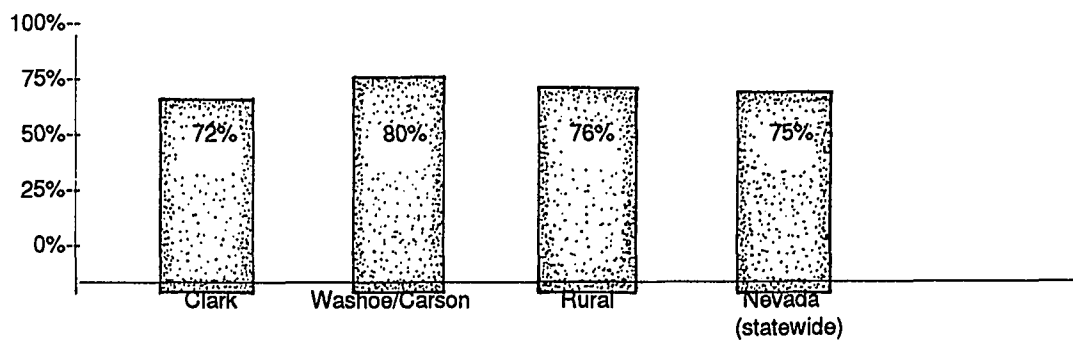
Source: Nevada Division of Parks

TABLE 4.5. Public Opinion in Nevada: The Future

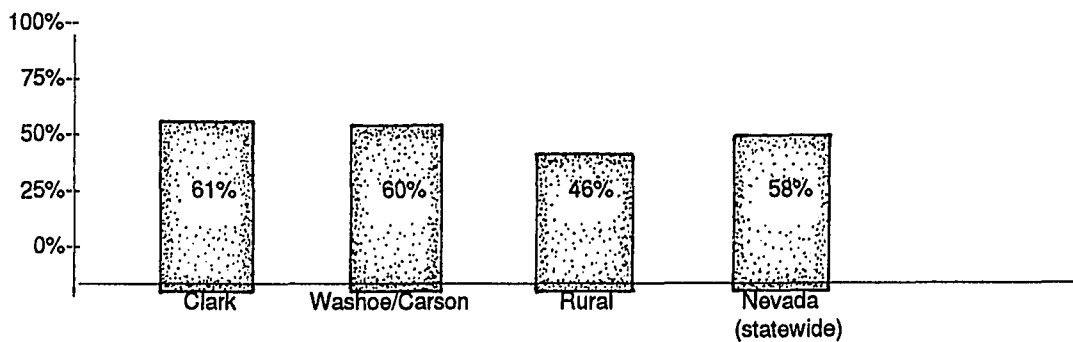
a) Protecting the environment, especially air and water



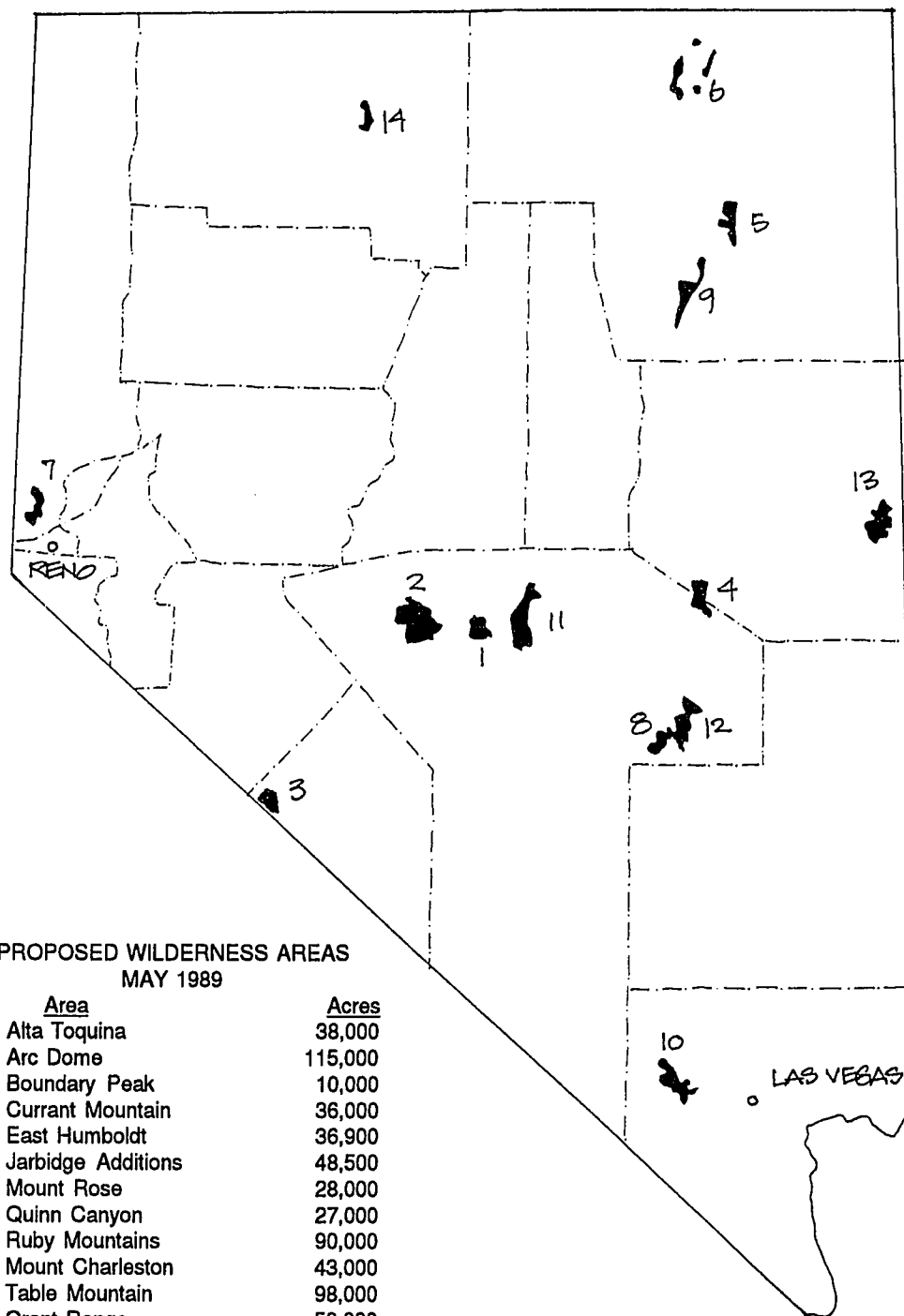
b) Protecting the state's wildlife



c) Creating more state parks and recreational facilities



Source: *The University of Nevada Poll, Center for Survey Research, University of Nevada, Las Vegas, Nevada, February 1988.*



PROPOSED WILDERNESS AREAS
MAY 1989

	Area	Acres
1.	Alta Toquima	38,000
2.	Arc Dome	115,000
3.	Boundary Peak	10,000
4.	Carrant Mountain	36,000
5.	East Humboldt	36,900
6.	Jarbidge Additions	48,500
7.	Mount Rose	28,000
8.	Quinn Canyon	27,000
9.	Ruby Mountains	90,000
10.	Mount Charleston	43,000
11.	Table Mountain	98,000
12.	Grant Range	50,000
13.	Mount Moriah	82,000
14.	Santa Rose	31,000

CHAPTER 5

INTEREST GROUPS INVOLVED IN THE NEVADA WILDERNESS ISSUE

Considerable evidence suggests that powerful coalitions of extremely diverse interests played a key role in the formation and passage of the Nevada Wilderness Protection Act of 1989. The case can also be made that these same interest groups were factors in the very long delay in getting this legislation passed. They will also have a great impact on future attempts to pass wilderness legislation, in particular the new proposal being drawn up by the BLM for an announced 1.9 million acres of wilderness.¹ Understanding the role played by these interest groups also serves to unlock many of the mysteries regarding this complex environmental question and sheds additional light on Nevada's future public lands policy.

Though opposition to wilderness in Nevada is often articulated on an individual basis, such as by a rancher who owns and operates a ranch near an area that is being considered for wilderness designation, or by a commercial business that will suffer dire economic consequences in the event of additional wilderness areas being added to the System, it is most often expressed in the aggregate by coalitions and special interest groups. Examples include the Nevada Cattlemen's Association, which takes an active role in expressing the concerns of ranchers, the Nevada Mining and Prospector's Association, Motorcycle Racing Association of Nevada, Southern Nevada Off-Road

Enthusiasts, Nevada Sportsmen Association, National Rifle Association, and the Minerals Exploration Association. See Table 1 for a more detailed listing of groups involved in the Nevada wilderness issue.

The balance of this chapter is directed at identifying and classifying the various interest groups which have been involved from all angles in the wilderness debate in Nevada. For purposes of this examination, these interest groups have been divided first into opponents and proponents and then further according to individual categories that best describe the direction or concerns their respective agendas reflect. Unavoidably, there is a certain amount of overlap in these categories, but nonetheless they make distinctions that are helpful in isolating and discussing the problems and concerns of each.

The Players in the Nevada Wilderness Debate

Part 1

Opponents: Economic-oriented Groups

The underlying motivation to oppose wilderness for this group stems basically from economic considerations. These groups see wilderness as a means of preservation that will preclude any further development of their economic interests. In this category the largest groups, both in terms of numbers and influence, are those representing the extractive industries, mining, oil, natural gas and timber. The ranching industry is not considered extractive; however, it falls into this category because ranchers seek to maintain the status quo for wilderness mainly because any expansion would threaten their economic livelihood.

Part 2

Opponents: Social and Recreational Groups

This coalition is composed of various oppositional viewpoints to wilderness based upon selected disadvantages they foresee as peculiar to the interests of their respective groups. Falling into this category would be such groups as the off-road enthusiasts, senior citizens, and hunters and fishermen.

For each of these groups there is a point of contention that suggests wilderness will be prohibitive in some regard. Those which have been especially active in Nevada include the Motorcycle Racing Association of Nevada, Southern Nevada Off-Road Enthusiasts (SNORE), the American Association of Retired People (AARP), and the Nevada Sportsmen and Outdoorsmen Association.

Part 3

Opponents: The Federal Government

The main opponent of wilderness within the federal government is the military. As illustrated by the testimony and subsequent amendments to the Nevada legislation, the continued use of airspace over Nevada is a matter of critical concern for the military. It presently uses approximately 70% of Nevada's airspace and seeks to protect that privilege. Other military uses are viewed with equal importance and caution when the military evaluates and opposes wilderness proposals.

Part 4

Proponents: Preservation Groups

These groups advocate wilderness for the intrinsic value they feel it offers. They include such groups as the Wilderness Society, National Wildlife Federation, Sierra Club, and Friends of Nevada Wilderness, a statewide group operating under the penumbra of the Sierra Club that concerns itself specifically with the Nevada wilderness issue and other statewide events and environmental causes.

Opponents

The extractive industries, mining, timber, oil and natural gas, are diametrically opposed to the preservation of wilderness for the obvious reason that it will, in many instances, preclude them from exploitation of these pristine. This of course, the very reason why wilderness is so desperately needed in many of them. On a case-by-case basis, these industries have not suffered to the extent they would have us believe because many claims, leases, rights and ongoing activities were grandfathered into the Wilderness Act of 1964. Or, in the language of the policy process, they struck a compromise early on in this debate, long before the environmentalists and other interest groups had an opportunity to effectively implement their plans and strategies. Furthermore, many of the developmental aspects of this compromise were mutually exclusive to any future attempts of providing wilderness protection.

The mining industry is by far the largest extractive industry that directly affects the wilderness issue in Nevada. At the present time, Nevada produces seven percent of the

world's total gold output and sixty-five percent of the gold extracted in the United States. In a recent speech to the World Mining Congress, Governor Bob Miller of Nevada predicted that Nevada soon will become the world's third largest gold producer behind South Africa and the Soviet Union.² To a large extent, Nevada's mining industry achieved this world stature during the twenty-five year period between the creation of the National Wilderness Preservation System in 1964 and Nevada's first federal wilderness in 1989.

The provisions of the Wilderness Act of 1964 which most severely affected the future of mining in Nevada can be found in Section 4, paragraph (2) under Special Provisions which outlines the criteria for mining. To capsulize these provisions, mining was given twenty years to stake and/or validate existing claims by insuring they were legally filed and then by establishing the presence of an existing "valuable" and "locatable" mineral. In the event such validation took place, those claims could be worked even after the twenty year period. Also, the Act allows prospecting and recurring surveys by the Bureau of Mines and Geological Survey to determine if any mineral values are present. They must report such findings to the President and Congress, who can then take action to release these public lands in the event of national need or emergency.³ Clearly, mining was granted great latitude to pursue its objectives, and in fact, as recent output figures suggest, mining has boomed during this period. In the course of this tremendous progress, the industry has left numerous scars on the landscape, even though the Wilderness Act also includes provisions for "restoration as near as practicable of the surface of the land."⁴

Mining took a strong stance against the passage of the Nevada Wilderness Protection Act of 1989, even though it had little effect either before or after its passage. Now with the advent of the BLM's tentative proposal for 1.9 million acres of additional wilderness, the mining industry has once again emerged as a principal opponent and with new facts and figures.

The Nevada Mining Association, the most powerful mining advocacy group in Nevada, has compiled a study titled the *Nevada BLM Wilderness Study Areas, Mineral Potential Handbook of 1988* in which it describes, assesses, and makes its own recommendations about eighty-nine of the Wilderness Study Areas (WSA) that have been under review by the BLM. There are a total of 102 WSAs at the present time; thirteen were added as a result of the *Sierra Club v. Watt* decision in 1985. Most of the information contained in this handbook has been taken from various mining and exploration oriented sources, such as the U.S. Bureau of Mines, U.S. Geological Survey, and Nevada Miners and Prospectors Association. See Table 2 for a complete listing of contributors to the *Handbook*.

Prior to looking at some of the specific information in this *Handbook*, it is interesting to note that in the introduction the authors point out that, "the mineral potential of an area is only one criterion that must be considered in determining whether or not an area might be suitable for wilderness designation."⁵ Wilderness advocates will find that statement quite adversarial because, while mining claims were grandfathered in the Wilderness Act of 1964, it was never the intent of the creators of the wilderness idea to rely on mining potential as a criterion for future wilderness designation. Instead, the

intent was always to make a determination about the primitive lands that should be preserved, even though some were specifically set aside for continued use by the somewhat ambiguous language of the Act. The point is, mining is predisposed to believe that its concerns should be the foremost consideration in evaluating potential wilderness areas and the industry sets its agenda accordingly. In light of this position, it is extremely difficult to strike a meaningful compromise with an extractive industry such as mining.

To return to the information in the *Handbook*, of the eighty-nine WSAs reported on, eight were ranked as having "very high" mineral potential, thirty-four were ranked as having "high" mineral potential, thirty-one were ranked as having "moderate" potential, and sixteen ranked as having "low" mineral potential. The total acreage involved in these four categories is just over 5.2 million acres, or the same total noted earlier that the BLM has been considering in Nevada, with the exception of the thirteen areas added by the *Sierra v. Watt* decision. Of this 5.2 million acres, the Mining Association notes that the BLM has recommended a total of 1,838,565 acres for wilderness. Of the sum total, 5.2 million, the Nevada Mining Association has found approximately forty-five percent falls within the "high" mineral potential category and thirty-six and one-half percent falls in the "moderate" category. The "very high" and "low" were similar and constituted from eight to ten percent, respectively.

The significance of these findings lies first with the fact that the Governor's Consistency Review/Position, which consists of a special State Clearinghouse Committee that was established in 1982 to review data compiled on BLM Wilderness Study Areas, recommends only a total of 873,773 acres of wilderness, a figure less than half of the

total recommended by the BLM. Incidentally, this Committee is staffed by individuals from the Departments of Wildlife, Minerals and Agriculture, Nevada Bureau of Mines and Geology, the State Clearinghouse Office, the Divisions of State Lands, State Parks and Forestry, and Historic Preservation.

Secondly, the greatest amount by acreage and percentage, 539,418 acres, or over sixty percent of the Committee's recommendations come from those WSAs classified as "moderate" and "low," which strongly suggests the influence of mining's concerns on the Committee's final determination on the WSAs.⁶ See Table 3 for a complete breakdown of these categories and recommendations. This is also reflected in Governor Miller's remarks of June 5, 1990, in a local newspaper in which he expressed concerns that much of the proposed wilderness area had great potential for minerals and oil and natural gas, and closed by saying, "it is an awful lot of land they want to withdraw."⁷

Though the Mining Association does not state specifically which area classifications they feel they should be left out of any wilderness proposals, it is apparent that they resist any wilderness in whatever area it might be. The last startling statistic involved in Table 3 perhaps best demonstrates their presence and perseverance on these WSAs; they acknowledge the existence of over 16,000 mining claims on WSAs and in no uncertain terms suggest there are thousands more that are undeclared, and they strongly urge considerations be made for the concerns of oil and natural gas on an equally important par with mining.

Wilderness legislation is not passed on the state level, but the influence of the Governor's Committee on both the state BLM agency and Nevada's congressional delegation is substantial; however, mining's most persuasive influence on national wilderness policy can probably be traced to campaign contributions made directly to members of Nevada's congressional delegation. In particular, former U.S. Senator Chic Hecht and current U.S. Representative Barbara Vucanovich have received large donations from mining interests. Also on the federal level, the practice of trade-off voting plays a large role in mining's efforts to defeat wilderness legislation. Michael Parenti outlines this procedure in his book, *Democracy for the Few*, in the following passage:

"Special-interest legislators often achieve working majorities in Congress by "logrolling," a process of mutual tradeoffs that is not the same as compromise. Rather than checking one another as in compromise situations, and thus blunting the selfish demands of each, interest groups end up supporting one another's claims at the expense of those who are without power in the pressure system. For example, legislators hoping to maintain a price support for sugar interests will swap votes with legislators seeking to protect steel subsidies." ⁸

It seems more than reasonable to assume that this practice occurs between the extractive industries that are involved in the wilderness question.

At the state level the methods vary somewhat because mining is interested in generating support for its causes in areas that can be affected by state legislation, such as the amount of taxes it must pay, state laws regarding reclamation of mined areas, and in a much broader sense, mobilizing public sentiment in positive support of the mining industry. Though the mining industry has been a dominant presence in Nevada for well over a century, until the 1989 legislation session there never has been a bill directed at reclamation of mined out areas. In the past legislative session, Nevada State Senator Dina Titus (D-NV), offered an amendment to a bill that would have placed mining reclamation under the State Division of Environmental Protection rather than the

Department of Minerals, which is dominated by miners and mining geologists. This effort to involve a "neutral third party" in the reclamation process was met with resistance and defeated by opponents sympathetic to mining, most of whom have received considerable campaign contributions from mining and are likely to continue to do so. This took place in spite of the fact that Senator Titus reminded them that the current arrangement was like "letting the fox guard the henhouse."⁹ This action subsequently took place as a result of a conference committee, and now Nevada has a credible reclamation bill, the first ever in the history of the State.

As mentioned previously, certain members of the state legislature received large donations from mining. Many members of the southern delegation of Nevada's legislature receive contributions from mining although most mining occurs in the north. While it is difficult to establish the relationship between these contributions and the respective constituencies involved, we can assume that money buys votes. In addition to mining companies per se, southerner James Cashman III, the largest seller of mining equipment in the state, is also a large campaign contributor who ultimately ties up southern votes.

In a separate but somewhat related incident, mining once again demonstrated its influence over state regulatory agencies when it was discovered that thousands of migratory birds were being killed when inhabiting leaching ponds used by the mining industry in the ore separation process. Further investigation of this atrocity was met with stiff resistance by the federal authorities who informed state officials there was little they could do to enforce cleanup procedures of these ponds because these birds fell under

federal jurisdiction. Apparently, federal authorities are reluctant to require mining to spend the additional money to rectify this problem, as is the case with many related air and water pollution problems nationwide. The public has been told further studies are being conducted to address this problem, but for now many migratory birds continue to die from cyanide poisoning.¹⁰

It is also important to note that the mining concerns in Nevada are largely owned and operated by foreign investors; therefore, it is reasonable to assume their concerns are more in the area of maintenance of the industry than for the preservation of wilderness within the state.

Though mining has certainly overshadowed the oil and natural gas industries in Nevada for many years, the interests of these industries are also in conflict with wilderness preservation. Company executives have repeatedly made public statements to the effect that wilderness is a threat to the future security of the country because it will prohibit the extraction of these valuable resources, oil and natural gas.¹¹ It seems apparent that these organizations do not view wilderness as a resource itself. It has taken these industries many years to get heavily involved on an acutely personal level with Nevada and other western states because they were busy exploiting the Alaskan North Slope and developing the off-shore industry. Robert J. Young (a top official in Exxon's Exploration Department and spokesperson for the American Petroleum Institute's Onshore Committee) stated in a recent meeting of public land users in Nevada, that the industry... "is very reluctant to see such massive withdrawals of lands that have never been tested by the drill bit in Western States".¹²

The oil and natural gas industries have not enjoyed the many benefits grandfathered into the Wilderness Act of 1964 that mining has; nor have they been the economic presence and influence in Nevada that mining has been. Nonetheless, their objectives are being pursued with fervor, and the practice of trade-off voting among these and the other extractive industries is indeed prevalent. The discovery of the "Western Overthrust Belt," a geographical area extending from Canada to Mexico and going directly through Nevada that is believed to be rich in oil reserves, has provided additional impetus to these industries to oppose setting aside further land for wilderness, though there is little doubt the language of the Wilderness Act of 1964 would not prevent exploration in this area in the event those resources were ever needed to meet any national emergency or crisis situation. Recent events, such as the Valdez oil spill disaster and the continued ban on off-shore drilling on the California coast, have created an even more urgent desire on the part of major oil companies to develop areas in Nevada.

A more thorough examination reveals there has been considerable activity with the oil and natural gas industry in Nevada in the past few decades, even with the oil and natural gas leasing ban imposed by Congress in 1982. Under a 1930 amendment to the Mineral Leasing Act of 1920, (Section 1 7-j, 30 USC 226-j), companies have been allowed to lease large allotments of federal public lands which can even exceed the 246,040 acre limit maximum under what the BLM referred to as a break on "chargeability".¹³ This type of development contract simply sets aside a broad area from which lands within may be exempt from environmental requirements. The authority to grant such development contracts was given to the Secretary of the Interior and that

office was to base the final judgment on any such claim on the basis of "the conservation of natural products or the public convenience or necessity...or the best interests of the United States".¹⁴ During this past decade the authority to make such decisions has been given to the state office of the BLM.¹⁵

It was not until the 1950s and 1960s that such development contracts really began to emerge as a factor in many western states; however, petroleum authorities now contend that "in the lower forty-eight states, no state has attracted more consistent interest in development contracts than Nevada for the simple reason that more than eighty-five percent of the state's acreage is federally owned."¹⁶ The first actual exploration-oriented contract was proposed by Gulf Oil in 1967 but met with some resistance by the BLM, but the BLM went ahead and made it clear what "appropriate" development actually should be, and since that time has looked at all applications on a case-by-case basis.¹⁷

When looking specifically at the letting of these "development contracts" in Nevada, the first approved contract was proposed by Exxon in July of 1986. This involved what is known as the 638,880-acre Pinyon unit. Since that time, the 2,469,147-acre Bristlecone Area proposed by the Anschutz Corporation, the Black Point Area, 1,820,160 acres proposed by Chevron and Mobil in 1987, and the Pancake Range Area, 633,450 acres also submitted by Exxon, have been approved.¹⁸ It should be pointed out that these development contracts cover some 6200 square miles in East-Central Nevada with a considerable degree of overlap. See Map 1 for a detailed description of where these areas are located.

There are certain stipulations of these contracts that should be noted. First, they do not affect any current surfaced management plans that may be in progress and they are effective for a period of ten years, though they may be extended. The boundaries can be expanded or reduced based on any determination made by the BLM, and yearly reports must be filed on progress to the BLM. Development must take place in three phases, and the minimum financial outlay is relatively small. In summary, these lands have been leased for oil and natural gas exploration, but these companies would do well not to drill in any new WSAs until such time as a final wilderness determination is made, although as pointed out in Table 3, many WSAs have significant oil and natural gas activity on them now. Once the wilderness determination has been made, these companies will be there to utilize those release lands to continue exploration.¹⁹

The Anschutz contract of over 2 million acres has been the largest to date and is considered a "coup" by oil experts who see the ability to "stockpile" lands in a layering type manner as an invaluable tool for future access and exploration, even if some of these areas fall within WSA boundaries. Up until these new major contracts, most discoveries of oil and natural gas in Nevada have been made by independents.²⁰

Current wells in operation fall within the boundaries of many WSAs and on adjacent land as well. Table 4 contains a chart of all the oil activity in Nevada by dates and overall production. As will be noted, the acquisition of these large developmental contracts and the past activity in Nevada suggest that the oil and natural gas industry has not ignored Nevada, and the conclusion can be drawn that the future holds great promise for these companies with respect to their Nevada holdings.

The military is a formidable opponent of wilderness in Nevada and its presence is significant in many respects. The issue of airspace utilized by the military has long been a topic of debate, and the actual presence of military installations is equally substantial. See Table 5 for a description of the military's land use in Nevada.

In addition to the military, the Department of Energy, as noted in Table 5, also maintains a significant presence in Nevada. The essential part of the DOE's involvement on public lands in Nevada is the Nevada Test Site. Located approximately seventy-five miles northeast of Las Vegas, this facility occupies 1,350 square miles. The Nevada Test Site has been another topic of debate for many years, and there are those who argue now that the Test Site has cast Nevada as the prime candidate among those states under consideration for a nuclear waste repository that, if approved, would be built in the Yucca Mountain area of Nevada. Though strongly opposed by virtually all of Nevada's representatives in government, the DOE continues to plow ahead with these plans, and in a related development, the Air Force agreed to turn over the additional land necessary to begin the exploration shaft to the DOE on October 12, 1989. These efforts, combined with the government's desire to develop other weapon systems in Nevada, make the public lands of this state a virtual launching pad for an assortment of government-military-related activities, and the bottom line allows precious little consideration for wilderness and other environmental concerns. Representatives of the DOE, Air Force, Navy and other federal agencies appear at nearly every hearing conducted on Nevada wilderness to provide information that would delay or outrightly oppose further wilderness in the state.²¹

Ranching, a major occupation in Northern Nevada, cannot be ignored when discussing opponents of wilderness, though it occupies a unique position. One would be hard pressed to find a rancher who wants a gold mine placed in the mountain side behind or adjacent to the home place, and more than a few would object to a natural gas pipeline or oil well on their property, unless of course they owned it. On the other hand, altering the existing water rights, or even threatening to do so, presents an equally difficult dilemma for the rancher. Most ranchers simply want to maintain the status quo. They have had grazing rights on these federal public lands for years, watering devices and access roads to service these areas in the winter, and though these activities may be grandfathered into any new wilderness areas, the best option for them is to leave things as they are. Most do not allow access over their lands to proposed wilderness anyway, so the idea that wilderness will stop motorized travel only threatens them. The Nevada Cattlemen's Association has been a major player in efforts to prevent wilderness, mainly through their persistent lobbying efforts of Republican Rep. Barbara Vucanovich and campaign donations to those with similar views. As with other industries and commercial interests, in the final accounting it is economic underpinnings that motivate the ranching industry to oppose wilderness.

The last category of opponents to be discussed include social and recreational groups. These groups generally have a somewhat more narrow focus regarding their interests in the wilderness issue. The off-road enthusiasts simply want to be able to drive their four-wheel drive vehicles wherever they choose, meaning over all of Nevada's public lands. The issue of buffer zones greatly concerned them, though it was laid to rest in the legislation that was passed for additional wilderness last year, but many still

regard it as their right to travel on any federal public lands. This is one of the primary reasons wilderness is so necessary. Besides, many of the designated wilderness areas are inaccessible by any vehicular means, and, in any event, they still have the same rights as any other individual.

Hunters and fishermen feel they are similarly affected. Though hunting and fishing are both allowed in wilderness areas, in accordance with the provisions of the Wilderness Act of 1964, access to these areas by motorized vehicles would be virtually eliminated. Sportsmen contend this amounts to a serious challenge to their right to engage in these recreational activities.

The senior citizens coalition argues that wilderness will preclude them from enjoying many of these areas without the benefit of roads, campgrounds, etc.. Many of these areas are not suitable for roads, and in most cases, once wilderness has been designated, management officials will try to provide the best access possible on the periphery of these wilderness areas.

These social and recreational groups also lobby congressmen, attend local meetings, give campaign contributions to those who support their goals, and rely on the media to express their views, but the amount of influence they have in the pressure system is questionable when compared to other groups, particularly economic-oriented groups.

Proponents

Advocates of wilderness see a number of intrinsic values in the preservation of wild and primitive places, both for present and future generations. Though these values are difficult to quantify, they nonetheless exist. In addition to places where one can find peace of mind and some semblance of sanity, though that may differ from one individual to another, there are numerous scientific reasons to protect wilderness as well. For these reasons a large variety of people from all walks of life come together in various interest or advocacy groups in an attempt to influence the wilderness issue.

The interest groups who advocate wilderness for the sake of preservation are often divided on their individual priorities and agendas. Coupled with the fact that their influence is somewhat limited in the pressure system by lack of financing and access, this creates an even greater hardship on efforts to lend credible support for wilderness legislation. Responding to the hold and subsequent compromise that was placed on the Nevada wilderness bill last year before its passage, Joe Watson of the National Wilderness Society stated that his organization "would sooner see no Nevada wilderness bill than a bill with the overflight provision."²²

This raises another very important question about wilderness designation. Every time a bill is passed setting aside additional wilderness in any state, a very large amount of the total land that had been under review in the entire proposal will be released and placed back in the multiple-use category of public lands. Since many believe that the Wilderness Act of 1964 did not define wilderness in the strictest sense and make provisions to make it 100 percent exclusive of further use, they would rather see these proposed lands remain under study and wilderness management than see them released

for multiple-use. This becomes a larger part of the overall problem as more of the big ten environmental groups, the Wilderness Society, National Wildlife Federation, Audubon Society, World Wildlife Fund, and others become more diverse and polarized in their individual approaches to solving many of the major environmental problems, including wilderness.

One of Nevada's most active wilderness groups is Friends of Nevada Wilderness. Their proposal for 1.4 million acres in 1989 was not entirely realized, but the group was extremely happy with the passage of legislation providing for an additional 733,400; however, this group continues to lobby for more wilderness, solicit more membership dues, and continue their weekly activities. The Friends of Nevada Wilderness agenda consists of monthly meetings, slide-show demonstrations presented at various clubs and lecture halls, conducting field trips into proposed wilderness areas, helping to restore trails throughout national parks, and publishing a newsletter to keep members and potential members apprised of events taking place within the entire spectrum of wilderness issues.

Another popular means of advocacy relied on by all interest groups is lobbying members of Congress whenever and wherever possible. As noted in the chapter dealing with the Nevada wilderness legislation in 1989, many field hearings are conducted prior to the introduction of any legislation for federal wilderness. Proponents and opponents alike attend these field hearings to give testimony and later at the actual debate on the legislation in Congress as well. It is difficult to judge the extent to which this maneuvering may impact the final resolution of any wilderness legislation, but it must be

considered an important part of the overall process and certainly some concessions are granted the most powerful of advocacy groups in the final version of wilderness legislation.

Another faction that falls under the proponent category and must be addressed in this discussion are the eco-terrorists. Though radical in their approach, this category of environmental advocacy groups seem to be gaining momentum, as well as numbers, and they certainly have turned their attention to the issue of wilderness. For the most part, this category probably consists of the disfranchised and those who participated in the activities of more mainstream and visible groups but lost interest because not enough of the goals of the group could be realized. Earth First, one of the more visible groups in this broad category, claims to be grassroots-oriented and acknowledges that it operates on a very loose-knit organizational level with the primary emphasis on individual action in a field setting.

During the last several years, events in Nevada, particularly with respect to ranchers in northern Nevada, suggest activity has stepped up in this state, and the recent car bombing incident in San Francisco and the attempt to blow up the power generators supplying Rocky Flats, only serve to strengthen that claim. Tree spiking, chaining oneself to trees on pristine prairies, sabotaging water wells and tractors are some of the activities engaged in by eco-terrorists. It is important to point out the existence of these groups, not only because they seem to be on the rise, but also because they may lend themselves in a very negative way to the policy process while drawing attention to their own causes. Groups such as this often provide a greater sense of legitimacy to their

opponents then they do their own objectives, though they do draw attention to critical issues that might go unnoticed under other circumstances. At the very least they provide one more inharmonious dimension to the ranks of the already disorganized wilderness advocates.²³

As the issue of the environment becomes more complex, interest groups become more diverse yet single-minded in their approach, as well as far removed from any willingness to compromise with the other side. The following and concluding chapter of this thesis attempts to examine these complexities and to make some determination as to what direction the future of wilderness will take and why this will take place.

NOTES

CHAPTER FIVE

1. See *Review Journal*, Las Vegas, NV, June 2, 1990.
2. See *Review Journal*, Las Vegas, NV, April 10, 1989.
3. "The Wilderness Act," Public Law 88-577(16 U.S.C. 1131-1136) 88th Congress, Second Session, September 3, 1964.
4. *Ibid.*, p. 1131-1136.
5. *Nevada BLM Wilderness Study Area, Mineral Potential Handbook*, Nevada Mining Association, August 1988.
6. *Ibid.*, p. 38.
7. See *Review Journal*, Las Vegas, NV, June 5, 1990.
8. Michael Parenti, *Democracy for the Few*, (New York, 1988), p. 288.
9. See *Review Journal*, Las Vegas, NV, June 11, 1989.
10. *Ibid.*, July 10, 1989.
11. *Ibid.*, April 10, 1989.
12. *Ibid.*
13. *Petroleum Frontiers*, "Nevada: The Next Great Awakening?", Petroleum Information Corporation, Vol. 5, No. 2, 1988.
14. *Ibid.*, p. 23.
15. *Ibid.*
16. *Ibid.*, p. 25.
17. *Ibid.*, p. 26.
18. *Ibid.*, p. 38.
19. *Ibid.*, pp. 40-41.

20. *Ibid.*, pp. 43-44.
21. See *Review Journal*, Las Vegas, NV, June 5, 1990.
22. *Ibid.*, October 3, 1989.
23. *Ibid.*

TABLE 5.1. Organizations and Interest Groups Involved in the
Nevada Wilderness Issue

Federal Agencies

- U.S. Air Force
- Bureau of Indian Affairs
- Bureau of Reclamation
- Department of Energy
- Environmental Protection Agency
- U.S. Fish and Wildlife Service
- U.S. Forest Service
- U.S. Geological Service
- Minerals Management Service
- National Parks Service

State of Nevada

- Bureau of Mines
- Department of Wildlife
- Division of Colorado River Resources
- Division of Forestry
- Division of State Parks
- Division of Water Resources
- State Clearinghouse

University of Nevada, Las Vegas

- Center for Business and Economic Research
- College of Physical Sciences

University of Nevada, Reno

- Agriculture and Resource Economics Division
- Desert Research Institute
- Fleishman College of Agriculture
- Geological Society of Nevada
- Mackay School of Mines
- Nevada Bureau of Mines and Geology
- Renewable Natural Resources Center
- Society for Range Management

Table 5.1. Organizations and Interest Groups Involved in the
Nevada Wilderness Issue
(continued)

Councils and Advisory Boards

- Fort Mojave Tribal Council
- Intertribal Council of Nevada
- Las Vegas Tribal Council
- Moapa Business Council
- Las Vegas District Grazing Advisory Board
- Las Vegas District Multiple Use Advisory Council
- Multiple Use Advisory Board of Federal Land Laws
- Citizen Advisory Councils/Town Boards (11)

City and County Agencies and Departments Clark County
Commission

- Clark County Department of Comprehensive Planning
- Clark County Department of Parks and Recreation
- Clark County Extension Agent
- Clark County Game Board
- Conservation Service
- Lincoln County Commission
- Nye County Commission
- Chamber of Commerce

Businesses

- Alama Power District
- Lincoln County Power District No. 1
- Los Angeles Department of Water and Power
- Nevada Power Company
- Pioche Public Utilities
- Southern California Edison

Organizations

- Nevada Cattlemen's Association
- Nevada State Cowbelles
- Nevada Woolgrowers Association
- N-5 Grazing Advisory Board, Calliente
- N-5 Unit of Nevada Cattlemen's Association
- Livestock Permittees in Clark County
- Archeo-Nevada Society
- Lost City Mines
- Audubon Society, Red Rock Chapter

Table 5.1. Organizations and Interest Groups Involved in the
Nevada Wilderness Issue
(continued)

Organizations (continued)

Desert Bighorn Council
Desert Tortoise Council
Fraternity of Desert Bighorn
Earth First
Friends of the Earth
Friends of Nevada Wilderness
Great Basin Zoological Society
Greenpeace
Humane Society of Southern Nevada
Las Vegas League of Women Voters
Las Vegas Wash Council
Mountain States Legal Foundation
National Campers and Hikers Association
Natural Resources Defense Council
Nature Conservancy
Nevada Conservation Forum
Nevada Open Land Organized Council
Nevada Organization for Wildlife
Nevada Outdoor Recreation Association
Nevada Public Land Users Association
Nevada Recreation and Park Society
Nevada Wilderness Association
Nevada Wildlife Federation
Northern Nevada Native Plant Society
Northwest Citizens Association
Public Land Council
Public Land Institute
Resource Concepts, Inc.
Sagebrush Alliance
Sierra Club
Southern Nevada Conservation Council
Southern Nevada Environmental Forum
Soil Conservation Society
TORT
The Wildlife Society
The Wilderness Society
Wildlife Management Institute
Boulder Gem Club
Bullfrog Mining District
Las Vegas Gem Club
Nevada Prospectors Association

Table 5.1. Organizations and Interest Groups Involved in the
Nevada Wilderness Issue
(continued)

Organizations (continued)

- Mining Claimants in WSAs
- American Institute in WSAs of Mining Engineers
- American Mining Congress
- California Federation of Mineralogical Societies
- Minerals Exploration Coalition
- Nevada Mining Association
- Nevada Mining and Prospectors Association
- Nevada Mining Council
- Women in Mining
- Chargers West Motorcycle Club
- Gamblers Motorcycle Club
- Groundshakers Motorcycle Club
- Las Vegas Bronco Club
- Las Vegas Jeep Club
- Motorcycle Racing Association of Nevada
- Mint 400 Racing HO
- Motorcycle Dealers Association
- Southern Nevada Off-Road Enthusiasts
- Silver City Scramblers
- So. Nevada Jackrabbit Motorcycle Club
- So. Nevada Landcruisers
- Sportman's Racing Association
- Vegas Rollin' Wheels
- Vegas Valley 4-Wheelers
- Watt Lott's Racing Association
- Desert Sportsman Rifle and Pistol
- National Rifle Association of America
- Nellis Rod & Gun Club
- Nevada Sportsmen's Association
- Virgin Valley Sportsmen
- So. Nevada Hang Gliders

TABLE 5.2. List of Contributors

Alhambra Mines, Inc.	Nevada Gold Mining, Inc.
Nevada Gold Mining, Inc. (AMAX)	Nevada Goldfields, Inc.
American Barrick Resources, Corp.	Nevada Miners and Prospectors
Amselco Exploration, Inc.	Newmont Gold Co.
Asamera Minerals (US), Inc.	Pabco Gypsum
Atlas Precious Metals, Inc.	Pegasus Gold Corp.
Battle Mountain Gold Co.	Pinson Mining CO.
Candelaria Mine (Nerco Metals)	Placer U.S., Inc.
Cashman Equipment Co.	Round Mountain Gold Corp.
Cedar Strat, Inc.	Santa Fe Pacific Mining, Inc.
Chemstar, Inc.	Silver State Mining Corp.
Chevron Resources	Sunshine Mining Co.
Coer-Rochester, Inc.	U.S. Bureau of Land Management
Cominco American, Inc.	U.S. Bureau of Mines
Cordex Exploration Co.	U.S. Geological Survey
Cortez Gold Mines	Western Goldfields Co.
Dee Gold Mining Co.	Western States Minerals Corp.
Placer-Dome Exploration	Grant Gerber
Echo Bay Exploration, Inc.	Gary Hollison
FMC Gold Co.	Phil Hulse
FRM Minerals, Incu.	Frank Lewis
Freeport McMoran Gold Co.	Doug Miller
Goldfields Operating Co.-	Merle Richards
Chimney Creek Mine	Dr. James Taranik
Homestake Mining Co.	Dr. Richard Wyman
Hycroft Resources and	
Development, Inc.	
Inspiration Mines, Inc.	
Mackay School of Mines	
Meridian Minerals Co.	
Nevada Bureau of Mines & Geology	
Nevada Department of Minerals	

TABLE 5.3. Nevada Mining Association's Evaluations and Recommendations on BLM Wilderness Study Areas in Nevada.

<u>Very High</u>	<u>High</u>	<u>Moderate</u>	<u>Low</u>	Nevada BLM RecRev /Pos	Gov's Consty Act	<u>Claim</u>
-----	-----	87,900	83,100	83,100	83,100	213
60,300	-----	-----	-----	51,350	*P/A	491
40,940	-----	-----	-----	31,740	0	426
-----	-----	66,800	-----	0	0	565
-----	54,320	-----	-----	0	0	905
20,120	-----	-----	-----	14,560	0	647
-----	-----	99,550	-----	66,110	66,110	9
-----	3,575	-----	-----	0	0	218
-----	81,550	-----	-----	0	0	250
64,360	-----	-----	-----	0	0	1,237
15,090**	-----	-----	-----	15,090	0	**150
-----	35,084	-----	-----	17,850	0	704
49,670**	-----	-----	-----	0	0	180
-----	**	106,200	-----	33,000	33,000	433
-----	-----	-----	38,000	30,320	30,320	194
**	89,372	-----	-----	0	0	22
-----	13,395	-----	-----	0	0	39
-----	196,128	-----	-----	68,458	68,458	500
-----	-----	51,313	-----	43,053	42,196	65
-----	79,600	-----	-----	0	0	300
**	90,209	-----	-----	0	0	235
96,607	**	-----	-----	0	0	1,400
-----	-----	47,315	-----	0	0	0
-----	-----	95,025	-----	44,560	44,560	42
-----	-----	-----	48,460	0	0	***
-----	33,985	-----	-----	12,180	11,980	70
-----	-----	110,000	-----	23,260	23,260	121
-----	-----	-----	24,130	780	780	0
-----	-----	63,790	-----	160	160	*****
-----	-----	91,450	-----	54,970	47,270	0
-----	-----	45,790	-----	0	0	0
-----	-----	13,050	-----	0	0	28
-----	-----	-----	9,426	8,415	8,415	0
**	55,665	-----	-----	41,324	undet	250
**	10,009	-----	-----	0	0	6
-----	-----	50,352	-----	5,180	undet	*****
-----	69,770	-----	-----	61,004	undet	255

TABLE 5.3. Nevada Mining Association's Evaluations and Recommendations on BLM Wilderness Study Areas in Nevada.
(continued)

<u>Very High</u>	<u>High</u>	<u>Moderate</u>	<u>Low</u>	<u>Nevada BLM RecRev /Pos</u>	<u>Gov's Consty Act</u>	<u>Claim</u>
-----	42,213	-----	-----	29,775	20,000	130
-----	-----	-----	21,875	13,525	untied	0
**	7,847	-----	-----	0	0	3
-----	-----	-----	6,685	6,685	6,685	0
**	-----	41,090	-----	35,544	37,573	0
**	-----	53,224	-----	42,316	42,316	3
**	-----	-----	41,615	0	0	1
**	-----	35,594	-----	22,225	undet	412
-----	-----	73,216	-----	30,115	0	114
-----	-----	47,268	-----	47,268	46,830	138
-----	-----	88,175	-----	53,650	0	114
-----	-----	57,002	-----	37,542	0	218
-----	-----	96,916	-----	0	0	140
-----	35,958	-----	-----	0	0	719
-----	61,137	-----	-----	50,499	undet	0
**	-----	-----	24,065	24,065	0	182
-----	47,633	-----	-----	26,587	26,587	20
-----	69,650	-----	-----	40,275	PtA	35
**	32,853	-----	-----	0	26,950	0
**	84,935	-----	-----	84,165	0	0
-----	-----	-----	15,968	0	0	0
**	-----	126,257	-----	0	0	0
-----	-----	-----	56,967	34,010	P/A	unk
**	185,744	-----	-----	97,180	undet	70
-----	-----	162,887	-----	23,690	23,690	unk
96,170 **	-----	-----	-----	36,850	36,850P/A	166
-----	-----	47,166	-----	0	0	650
-----	-----	-----	24,000	22,652	P/A	1,600
-----	-----	-----	3,850	0	0	unk
-----	-----	56,623	-----	19,558	19,558P/A	0
-----	28,600	-----	-----	28,395	28,395	0
-----	-----	5,142	-----	0	0	2
**	319,594	-----	-----	174,300	P/A	162
-----	-----	20,508	-----	16,400	16,400P/A	38
-----	67,647	-----	-----	0	0	207
-----	10,358	-----	-----	0	0	133
-----	-----	30,490	-----	12,300	undet	280
-----	-----	55,320	-----	33,460	31,810	0

TABLE 5.3. Nevada Mining Association's Evaluations and Recommendations on BLM Wilderness Study Areas in Nevada.
(continued)

<u>Very High</u>	<u>High</u>	<u>Moderate</u>	<u>Low</u>	<u>Nevada BLM RecRev /Pos</u>	<u>Gov's Consty Act</u>	<u>Claim</u>
-----	75,404	-----	-----	0	0	169
-----	-----	-----	61,902	14,000	14,000P/A	50
-----	52,143	-----	-----	17,320	17,320	45
-----	-----	-----	23,702	12,750	0	0
-----	-----	30,791	-----	0	0	13
-----	-----	-----	69,683	8,900	8,900P/A	0
-----	26,457	-----	-----	0	0	150
**	57,529	-----	-----	25,200	0	67
-----	-----	12,969	-----	0	0	5
-----	-----	142,050	-----	0	0	141
-----	69,310	-----	-----	600	undet	*****
-----	32,041	-----	-----	0	0	0
-----	60,211	-----	-----	10,300	10,300P/A	46
-----	-----	13,107	-----	0	0	24
443,257 (Total)	2,300,007 (Total)	1,936,880 (Total)	569,878 (Total)	1,838,565 (Total)	873,773 (Total)	16,202 (Total)

Explanation of data:

Figures under the four categories, "very high, high, moderate, and low" indicate the original amount of land under study for wilderness. Nevada BLM figures represents the total amount the State BLM agency recommended, while the Governor's Consistency Review reflects the recommendations of that panel. The column identified as claim activity indicates how many known claims exist within or on the borders of each WSA.

- * The Preferred Alternative is a means by which the Governor's Consistency Review panel may concur with the BLM recommendations, make further recommendations, or concur in the final findings on each respective area.
- ** Indicates significant oil and natural gas leasing activity within the WSA (at least 10,000 acres or more).
- *** Several thousand mining claims lie adjacent to this particular WSA.
- **** Indicates WSA was not considered for other activity, in this instance a utility corridor.
- ***** In these areas the figures reflect that area which lies within Nevada's borders, as these WSA's share common borders with other states.

Source:

Nevada BLM Wilderness Study Areas, Mineral Potential Handbook, Nevada Mining Association, August, 1988.

TABLE 5.4. Oil Well Activity in Nevada

<u>Field</u>	<u>Date</u>	<u>Producing Formations</u>	<u>Cumulative Production*</u>	<u>Number of Wells**</u>
1. Fallon	1920s	Quaternary	-----	-----
2. Eagle Springs	1956	Garrett Ranch	3,868,850	9(6)
3. Trap Springs	1976	Garrett Ranch	7,374,982	26(21)
4. Currant (abandoned)	1976	Sheep Pass	641	1
5. Jiggs (abandoned)	1980	Elko	-----	-----
6. Bacon Flat	1981	Guilmette	303,860	1(1)
7. Blackburn	1982	Indian Well Chainman Nevada	1,397,196	4(3)
8. Grant Canyon	1983	Guilmette	8,211,149	3(2)
9. Kate Spring (one well abandoned)	1985	Guilmette	13,158	2(1)
10. Tomera Ranch	1987	Indian Well	3,699	1(1)
11. North Willow Creek	1988	Nevada	317	1(1?)
TOTAL			21,174,298	48(36)

---

* Barrels of oil produced as of April 1988.

** Numbers in parentheses indicate wells currently producing.

Date courtesy S. Loomis, Nevada Department of Minerals

Source:

Petroleum Frontiers, "Nevada: the Next Great Awakening?", Petroleum Information Corporation, Vol. 5, no. 2, 1988.

TABLE 5.5. Land Acreage Withdrawn for Military Use in Nevada.

Effectuated Withdrawals:

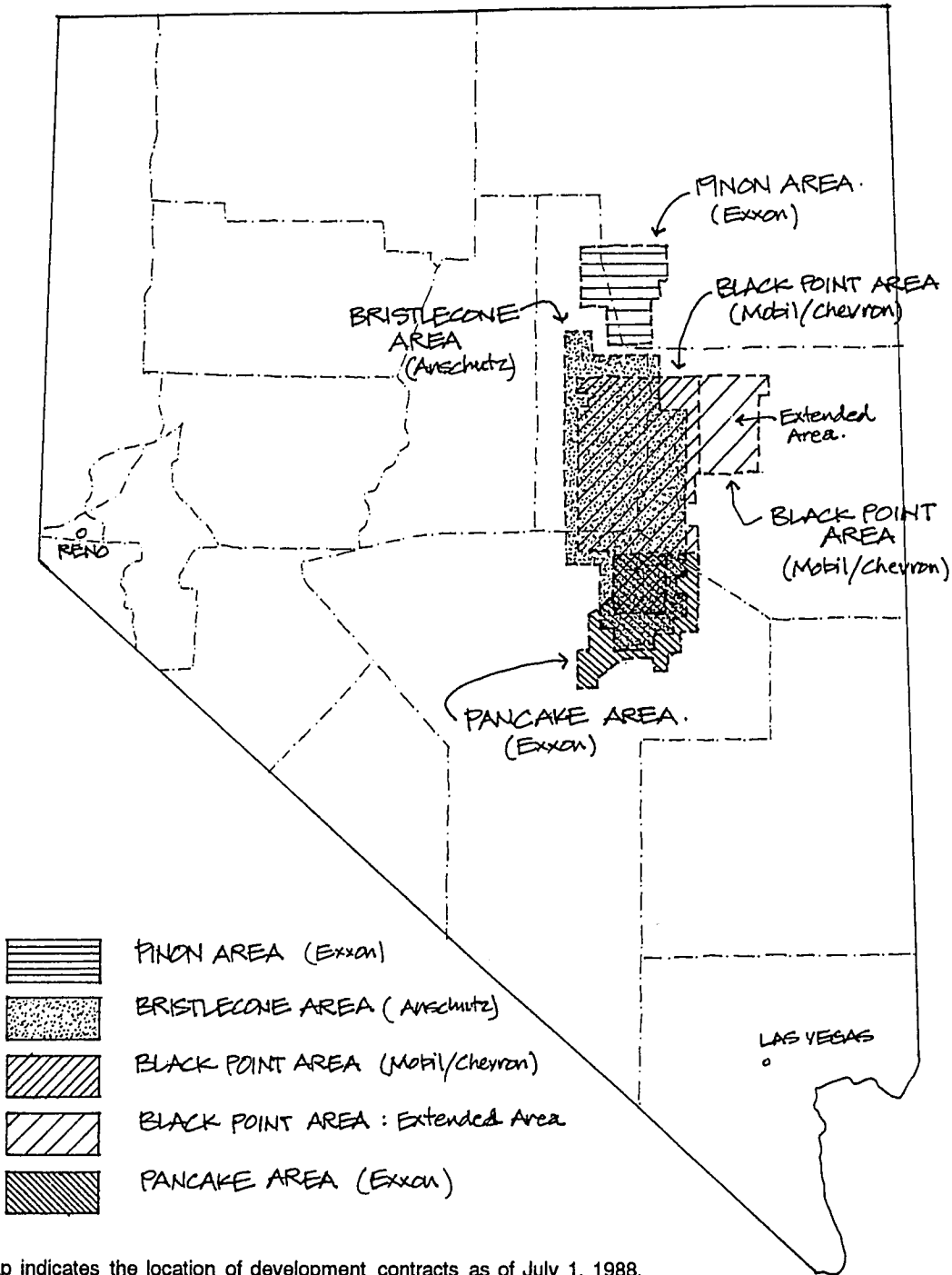
Air Force:	2,896,718
Groom Range (Nellis expansion):	89,600
Army:	155,266
Navy:	63,657
Department of Energy:	864,000
TOTAL:	4,069,241

Pending Land Withdrawals:

Navy: Bravo 16,17,19 bombing range exp.	181,323
Navy: Bravo 20 bombing range exp.	21,576
TOTAL:	202,899

Source:

Bob Fulkerson, *"Is Nevada Becoming a Military Reservation?"* Nevada Public Affairs Review, (1986) p. 27.



Map indicates the location of development contracts as of July 1, 1988.

Source:

Petroleum Frontiers, "Nevada, the Next Great Awakening?", Petroleum Information Corporation.

CHAPTER 6

CONCLUSIONS

Nevada, like the rest of the nation, celebrated the twenty-fifth anniversary of the Wilderness Act of 1964 last year. A look at that past quarter of a century, however, reveals relatively little worth celebrating in this highly controversial policy area. Although we have spent hundreds of millions of dollars cleaning up disastrous oil spills, bailing out the savings and loan industry, and building state-of-the-art stealth aircraft, wilderness issues have consistently been a low priority item on the big ticket policy agenda of recent administrations.

What is wilderness and whom does it serve? These questions have generated endless debate. Wilderness, as specified by the Wilderness Act of 1964, is "an area where the earth and community of life are untrammelled by man, where man himself is a visitor who does not remain;" furthermore, Congress should set out to "secure for the American people of present and future generations the benefits of an enduring resource of wilderness".¹ Henry Thoreau in 1861 wrote that "in wilderness is the preservation of the world".² Whether one accepts the official description of wilderness, or the implied message in Thoreau's remark, it would seem that wilderness is something that is intended for all Americans, and that it draws its legitimacy from a certain moral imperative.

Like most policy questions, the issue of wilderness does not stand alone; instead, it represents only a small segment of a much broader, more complex set of issues related to the environment at large. Therein lies much of the problem. Because of its all-encompassing nature, there is no consensus as to what sound environmental policy should entail. Not only are opposing groups vigorously pursuing their own goals, but within camps, numerous factions have evolved which, instead of working together, have caused rifts in the movement that are all but impossible to mend. Within this tumultuous context, the wilderness issue has at times been ignored, stalled, subverted, and all but forsaken.

The concept of national wilderness is unique, but not from the standpoint of a cooperative agreement between the federal and state governments. There are many instances of public land use in which the federal authority determines which areas will serve as national parks, national recreation areas, national conservation areas, and the management of these areas is carried out by either the National Park Service or Bureau of Land Management within the boundaries of individual states. There are also numerous agreements and arrangements that exist between federal and state governments for multiple-use provisions for industry and private individuals, many of which result in long term leases or even sale of public lands. The uniqueness of wilderness policy stems from the fact that it is a policy of preservation, not multiple-use, and the long-range intent of wilderness is to prevent further use and exploitation of certain public lands. It is this definitiveness that makes the policy so threatening to so many.

In reality, the real threat lies in the use and manipulation of the terms, preservation and conservation. Forces at tremendous odds with one another have used these terms as vehicles to describe, convey, disguise, and often convolute their real objectives. As these ploys become more frequent, the stakes get higher, and the real victim is the environment and its many wild places. Another consequence of these superficial attempts to debate the wilderness issue is the creation of a myth in terms of the policy that actually results. Finally, this unscrupulous maneuvering creates a greater division between the two camps and the continued unlikelihood of meaningful compromise.

This polarization of views can be further examined by going one step beyond the classical terms that have been relied on for much of this debate, preservation and conservation. This in no way suggests that those terms are obsolete or inapplicable; they simply have been vague and ambiguous terms that have operated as intervening factors within the framework of a much broader theoretical configuration. The essential elements of this configuration are two very basic concepts: use and value. While preservation and conservation have been subjected to continuous evolutionary trends, causing their meaning to be quite illusory, use and value have always acted as more constant tenets of the wilderness dispute. Examining these concepts serves to move the debate ahead in a more constructive manner, particularly when looking at solutions for the future.

There are many individual views that support the notion of use and value in the wilderness debate. George H. Stankey outlines this clearly: "From the 'neutral stuff' that undeveloped nature represented to pre-historic society, wilderness has come to hold

great utility for many societies today. It is a utility gained not through normal market place mechanisms...but through shifting perceptions of value, expressed through the political process. These perceptions are rooted in social attitudes and beliefs evolved over many generations".³ Stankey also states that "wilderness is a cultural construct rather than an intrinsic biophysical reality",⁴ a contention that places the preservation connotation on somewhat shaky ground.

Robert E. Manning advances this point by dividing use into a number of more concrete categories that rely on a recreational-oriented focus, which Manning views as the most tangible value of wilderness. Manning first points out that the Wilderness Act itself suggests that "wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, educational, conservation, and historical use," which obviously broadens the range of interpretations most dramatically. Beyond this description, Manning breaks down values of this recreational use into enjoying nature, physical fitness, reduction of tensions, introspection, outdoor learning, risk taking, and escaping the din and roar of the city. Going beyond these values, Manning suggests that there is a spiritual value in wilderness, and a distinct tie between wilderness and American culture that serves a meaningful purpose. Few will argue that wilderness is not without a plethora of aesthetic values, but Manning also contends that the emerging notion that wilderness preservation is a moral and ethical consideration which cannot and should not be avoided. Finally, and perhaps most importantly, Manning views wilderness as a larger part of the science of ecology; that is, a resource that works in conjunction with clean air and water, fertile soil, a stable climate, biological and genetic stability, and

all other elements encompassing a total ecosystem that must be protected in the interests of mankind.⁵

Not to be avoided or discounted in Manning's description of wilderness values are those tied to economics. Many of these values are tangible and readily available for empirical observation, while many others are much less so. Commercial grazing and mineral extraction are among those values that can be recognized; yet it is much more difficult, if not impossible, to clearly recognize the value of clean air, a stable climate, the therapeutic, cultural, intellectual and spiritual values of wilderness. The maintenance of natural environments is another element of wilderness which is still an incomplete science and its value an unknown. Manning also suggests that values based on developmental concerns are often irreversible and preclude any possibility of future understanding of the intangible values involved in this issue. Finally, Manning contends that knowledge about wilderness values is vague, while appreciation is similarly vague and often intrinsically felt.⁶

Robert C. Lucas also describes the relationship between wilderness uses in yet another article written and published by the *Natural Resources Journal*. "Although 'wilderness use' commonly serves as a synonym for 'recreational use' within wilderness, there are many other wilderness uses, some even taking place outside wilderness boundaries. Understanding wilderness use and users is an essential foundation for any decisions about wilderness management. Most wilderness values stem from wilderness use, and so do most threats to the resource".⁷ Lucas goes on to suggest that recreational uses are arguably the most important use of wilderness. Lastly, Lucas

prudently advises that the only means of determining what wilderness use and value should be depends on accurate data on what the wilderness resource yields and who benefits from that yield. To date, information in this area is very limited and inconclusive.⁸

Still another individual who lends credibility to the wilderness debate is J. Gordon Nelson. Nelson states that "wilderness is an idea and like many other ideas its meaning has always been hazy and rather ill-defined. The concept has tended to be a big one...[and]... like other big ideas, wilderness is also a myth. Like other big ideas or myths, wilderness seems to be largely a product of the thought of one people who made it a part of their culture and then spread it to other places and folk".⁹

Nelson has described the context within which wilderness exists quite correctly, and in so doing, has provided the answer to the dilemma of past and present wilderness policy. The writing and passing of laws that are capable of managing a myth and protecting the environment at the same time, can be a difficult undertaking. In reality, this promotes a scenario in which opposing interests are free to roam about unobstructed in their respective attempts to manipulate the compromise involved in the policy process. The question then becomes who will dominate the final outcome of the compromise?

Nelson goes on to describe a more real set of circumstances that should characterize future attempts at defining wilderness policy. "...We can no longer really think of, and so plan and manage wilderness as areas to be left alone, to change in what have been called evolutionary or natural terms, without any interference by human

beings. For as we have seen, humans have long influenced wilderness through various concepts, policies, programs, and projects within and without national parks and other management areas".¹⁰ Whether one agrees with Nelson about the future of wilderness areas, it is an unavoidable conclusion that his is an apt description of wilderness as it currently exists. For it to be any different will require a redefining of the resource and its use and value.

When looking at what current wilderness is and the future of wilderness policy, there is a wide variety of opinions and diverse views offered by writers in the field. Ross W. Gorte, a specialist with the Environment and Natural Resources Policy Division of CRS, states that, "ultimately, a 'wilderness area' is whatever Congress designates as wilderness, regardless of developments or activities which some would argue conflict with the definition of wilderness".¹¹

Aynsley Kellow examines wilderness from the policy process angle and relates that difficulties flow from "the nature of the benefits and costs involved in development versus wilderness issues, and the implications these have for the representation of various interests in the policy process...interests pushing for development are often already incorporated into social institutions-or the 'regime' governing natural resources. Pro-development values (and, indeed, values which favor one kind of development over another) can be deeply embedded and find expression in implicit or explicit assumptions which bias the information available to policymakers".¹² Kellow strongly suggests that the compromise reached in wilderness policy-making is skewed favorably in the direction of developmental interests, a point very difficult to find contentious.

Philip Dearden and John Dumbrell, while editing remarks from the text and writings of the late W.R. Derrick Sewell, have also expressed this point in the following: "Decisions about who or what represents the public interest are not easy. However, pro-development bias is heavily entrenched within existing decisionmaking systems. The traditional political way of solving conflicts is through compromise. Unfortunately, wilderness is an absolute condition that, by definition, is not compromised".¹³

In sum, when looking at what wilderness has been and the direction that future wilderness policy is headed, there are certain conclusions that can be drawn. First, wilderness is a myth to the extent that it exists in a state of preservation that excludes extensive use. Consequently, many of the intrinsic values of wilderness are ignored in favor of the more measurable values, or those provided by the developmental interests that dominate the compromise in the policy process where wilderness policy is at stake. Second, wilderness is certainly a natural resource in and of itself, but the conditions and context which define this resource are determined by the corollary concepts of use and value, and though these elements are more easily identified than preservation and conservation, they nonetheless exist within a broad, vague, and largely undetermined set of circumstances that continually change within our culture. These elements, use and value, are spokes in the larger, complex wheel of private versus public good, and the overriding concern of what is economically good in all eventualities.

Finally, it can be argued that there is either enough or not enough wilderness in the U.S. at this time, that the wilderness that has been created is a step in the direction of preservation of the environment and as such is a positive achievement, or that any

wilderness is better than no wilderness at all. However, any model used to describe wilderness policy must recognize that such policy is strongly skewed in favor of developmental interests; that it is devoid of most, if not all, of the original intent of those who favored preservation of wild places, and the absence of the traditional compromise involved in the political policy process condemns it to being fatally flawed policy.

In support of these findings, the views of many of this nation's leaders, including President George Bush, are offered. President Bush, who repeatedly stated he wanted to be the "environmental" president as part of his campaign rhetoric in 1988, recently stated that he rejects environmentalists who "ignored the economic consequences" of protecting certain fragile species. When further pressed about delicate ecosystems, the President responded that "Congress has got to respect another delicate ecology-that of jobs and opportunity".¹⁴ Earlier the same month Secretary of the Interior Manuel Lujan posited the question, "do we have to protect every species?" and followed up by saying that the Endangered Species Act was "just too tough...we've got to change it".¹⁵ Lujan also remarked in a speech last year that he opposed wilderness designation in extremely large type units.¹⁶ This is the same Cabinet member who ultimately holds the responsibility for approving the large "developmental contracts" for oil and natural gas leases, many of which have been issued in multi-million acre units, as pointed out in the previous chapter.

Many suggest that sound environmental policy requires too idealistic an approach. Well, it is past time to combine an idealistic and realistic approach to solving the issue of protecting many of the last wild and primitive places in the United States. Yes, it will

definitely require some economic sacrifices. Business leaders will have to come out of the closet and get involved if this country is going to win any of these major environmental battles.

It is hard to put a date on when this country's leaders and much of its population began to hide behind the shallow veil of hypocrisy that overshadows environmental problems. Was it when Teddy Roosevelt went to China in the late 1890's to kill a giant panda to bring the skin back for the Chicago museum and then took up the crusade for national parks after being elected president a few short years later? Or perhaps it was in 1936 when Ruth Harkness caught the attention of the national media when she stepped off an airplane carrying the first live giant panda brought to the United States, with a full length leopard skin coat draped over her shoulders; she then brought the second one the following year while wearing the same coat.

Any policy can be defined and redefined, but without real intent to carry it out, the issue is rendered moot. The vacuum that is created by the lack of quantitative analysis and information in the area of wilderness and its accompanying biosystems and ecosystems must be filled with serious time, effort, and money supporting the type of research that is necessary to resolve these pressing problems. To date, economic orientations have won the day, and it is hard to envision a new era dawning in the near future. The type of strong leadership required to deal with wilderness and other environmental problems seems to be a fleeting phenomenon rather than an omnipresent one.

Kurt Vonnegut summed this up well in the following excerpt from a statement he made in *"A Letter to the Next Generation"*:

"Ladies and Gentlemen of 2088 A.D.: I hope you have stopped choosing abysmally ignorant optimists for positions of leadership. They were useful only so long as nobody has a clue as to what was really going on. In my time they have been catastrophic as heads of sophisticated institutions with real work to do. The sort of leaders we need now are not those who promise ultimate victory over Nature through perseverance in living as we do right now, but those with the courage and intelligence to present what appears to be Nature's stern but reasonable surrender terms:

1. Reduce and stabilize your population;
2. Stop poisoning the air, the water, and the topsoil;
3. Stop preparing for war and start dealing with your real problems;
4. Teach your kids, and yourselves, too, while you're at it, how to inhabit a small planet without helping to kill it;
5. Stop thinking science can fix anything, if you give it a trillion dollars;
6. Stop thinking your grandchildren will be OK no matter how wasteful or destructive you may be, since they can go to a nice new planet on a spaceship. That is really mean and stupid.
7. And so on. Or else." ¹⁷

Vonnegut's remarks are self-explanatory. Nonetheless, it is within the means of a great country like the United States to solve environmental issues on all levels of biodiversity (global, regional, state and local), and a wonderful place to begin is through the creation of real wilderness in the interests of all who inhabit the planet, both now and in the future.

NOTES

CHAPTER SIX

1. *The Wilderness Act, Public Law 88-577* (16 U.S.C. 1131-1136) 88th Congress, Second Session, September 3, 1964.
2. Henry David Thoreau, *Speech at the Lyceum*, Concord, New Hampshire, 1861.
3. George H. Stankey, *Natural Resources Journal*, Beyond the Campfire's Light: Historical Roots Of the Wilderness Concept, Vol. 29, Summer 1989, p. 10.
4. *Ibid.*, p. 11.
5. Robert E. Manning, *Natural Resources Journal*, The Nature of America: Visions and Revisions of Wilderness, Vol. 29, Summer 1989, p. 27
6. *Ibid.*, pp. 35-39.
7. Robert C. Lucas, *Natural Resources Journal*, A Look at Wilderness Use and Users in Transition, Vol. 29, Summer 1989, p. 40.
8. *Ibid.*, p. 41.
9. J. Gordon Nelson, *Natural Resources Journal*, Wilderness in Canada: Past, Present, Future, Vol. 29, Summer 1988, p. 84.
10. *Ibid.*, p. 101.
11. Ross W. Gorte, *CRS Report for Congress, Wilderness: Overview and Statistics*, 89-460 ENR, August 4, 1989, p. 8.
12. Aynsley Kellow, *Natural Resources Journal*, The Dispute over the Franklin River and South West Wilderness Area in Tasmania, Australia, Vol. 29, Summer 1989, p. 130.
13. Philip Dearden and John Dumbrell, editors, *Natural Resources Journal*, Wilderness Decisionmaking and the Role of Environmental Interest Groups: A Comparison of the Franklin Dam, Tasmania and South Moresby, British Columbia Cases, Vol. 29, Summer 1989, p. 169.
14. See *Review Journal*, Las Vegas, NV, May 22, 1990.

15. *Ibid.*, May 15, 1990.
16. *Ibid.*, July 7, 1989.
17. Kurt Vonnegut, *Open Forum, A Letter to the Next Generation*, Special Advertising Section, sponsored by Volkswagen, 1988.

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