The Debate Over Wyoming’s Wolves and Bears: Finding a Balance when Values Come into Conflict

By Molly Absolon

In December 2004, 300 people crowded into the Holiday Inn in Riverton, Wyo., many bearing cardboard buttons on their lapels showing a grizzly bear behind a picket fence under the statement “No Griz In My Backyard.” A meeting in Dubois that same week brought out similar numbers and equally hostile rhetoric about bears being bloodthirsty killers that jeopardize the safety of children.

The topic of large carnivores like grizzly bears and wolves polarizes communities in Wyoming. People are quick to call those who disagree with them everything from misguided to untrustworthy or even evil. On the surface this battle is over the animals, but underneath there is something else going on.

“Everyone in the Yellowstone region focuses on the biological matters,” says Tim Clark, president and founder of the Northern Rockies Conservation Cooperative in Jackson. “But we are really locked in a social phenomenon and we can’t see our way out.”

The Wyoming Game and Fish Department’s (WGFD) 2004 Grizzly Bear Occupancy Management Proposal drew a record 17,542 written comments in 2005 (beating out the previous...continued on page 3

WANTED DEAD...OR ALIVE?

Solutions to Coexisting with Predators

Wyoming’s Grizzly Man

Outfitting in Grizzly Country

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Thanks to Former Board Member
Getting Input to Get Better

As a conservation leader in Wyoming, we have a responsibility to listen to Wyoming people whether we agree with them or not. It helps inform our understanding of the current political climate, and gives us the context necessary to make the right decisions as we move forward.

Through kitchen table conversations in Cheyenne and Jackson. Through interviews with people across the state as part of our strategic planning process. Through our board members, staff and partners. Through conversations I’ve had in my office with folks dropping by, over email, on the phone and through letters. In this manner, the Wyoming Outdoor Council stays connected to the people that care about Wyoming’s future.

As your comments indicate, this is a crucial moment in Wyoming’s history, a moment when many look to the Wyoming Outdoor Council to provide leadership. That leadership is needed to give voice to creative problem solving in the face of extraordinary pressures facing our environment and quality of life.

The folks around the kitchen table I sat with included Republicans, Democrats, elected officials, ranchers, artists, activists, and long-time members. I leave you with a few quotes taken from these various venues. I think they illustrate the breadth of our situation, some of the tensions the conservation community is facing, and finally, the recognition that the Wyoming Outdoor Council is uniquely qualified to provide valuable leadership during this important time.

“WOC is a kick-ass enviro group and should always be a kick-ass group.”

“I know old habits die hard... I cannot resist commenting however, that... new litigation, courtroom victories, and the headlines, which announce them, are pyrrhic victories. They may be helpful in fund raising from a few large donors, but they will not persuade the general public that their interests are the same as those promoted by WOC. Nevertheless, my best wishes to you and all of the staff. Your hearts, I know, are in the right place.”

“WOC has been very good at poking the state and federal agencies in the eye when they needed it—through lawsuits or administrative law filings. Good at that; that's what they are known for. But I know that also gives them baggage that prevents the possibility of finding unique solutions. I have a strong feeling of support for and desire that WOC be successful. It's at a turning point, like the state of Wyoming. Needs a bigger vision that frames the future in a positive way. WOC could benefit from losing its rock-thrower image.”

“WOC perceived as being always ‘no-ers,’ not good compromisers—I think that’s unfair and WOC is maturing. Their lobbying on the trust fund was very powerful.”

“WOC is complex.”

I believe that the Wyoming Outdoor Council has many dimensions. I believe it is our responsibility to be strategic and smart. Our history reflects our ability to effectively engage on many levels – by building capacity in our communities, through the political process, and using legal advocacy.

If we need to kick someone’s butt, we undoubtedly will, but if we can be successful through the political process then we will do so. And if we do not meaningfully engage the people of Wyoming in our work, it will not be sustainable. Because like WOC, the issues facing Wyoming’s environment right now are also complex and demand we step up and understand it’s not about our own personal values, it’s about being more effective. I look forward to our continued dialogue.

Happy Trails,
Mark

Mark Preiss, Executive Director
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record-holding report on gray wolves). The tone and content of these comments tend to reflect the commentator’s place of residency, according to the department. Approximately 5,000 of them came from Wyoming residents. These people said “not in my backyard” and were distinctly “hostile” toward bears. The remaining 12,000 or so were from non-residents and, in general, supported expansion of grizzly bears into all appropriate habitats.

This resident, non-resident divide can be further defined into a kind of New West, Old West split. On one side are what Clark and his colleagues call, in the book Coexisting with Large Predators: Lessons from Greater Yellowstone, the “Old West localists” or individuals who have lived in Wyoming for generations, many of whom are linked to agriculture or outfitting and who typically share a deep distrust for the federal government.

The other side is the “New West.” This label refers to people who have moved here in the last 30 years or so; are less likely to be dependent on the land for their livelihoods; are not culturally and historically linked to the landscape the way localists are; and have a strong spiritual, ethical and recreational tie to the outdoors and wildlife.

In the middle is a no-man’s land. Currently, both sides seem to believe that moving into this middle territory would require unacceptable losses to their way of life and their worldview. As a result, the issue has become so contentious, many groups, including the Wyoming Outdoor Council, are struggling with how to engage in the debate in a positive, solution-oriented way. Ironically, polling data indicates that the two sides share important common values including the desire to protect Wyoming’s wildlife and its ranching heritage. The question is what do you do when these values come into conflict?

Love ‘Em or Hate ‘Em?

“Why is the livestock industry paying for something that they don’t want? Something that is a 100-percent detriment to their business?” asks Jon Robinett, the manager of the Diamond G Ranch in the Dunoir Valley near Dubois.

Robinett believes the agricultural community is bearing the bulk of the cost of coexisting with carnivores, and he is not alone. Repeatedly ranchers point to the losses they suffer from running livestock in the presence of large predators. This argument is countered by the fact that these losses are statistically insignificant to the state’s livestock industry as a whole. But tell that to someone who runs cattle or sheep around wolves or bears. The impact on these individual ranchers—particularly those who run their animals on remote public grazing allotments in the Greater Yellowstone Ecosystem—are real and can be substantial.

Wolves have also earned a reputation as elk and moose slayers. Most elk herds in the Greater Yellowstone Ecosystem are at or above state game management objectives, however, Yellowstone’s Northern Elk Herd has declined since wolf reintroduction. Numbers have fluctuated from 10,287 in 1990-91, to 19,359 in 1993-94, and back down to less than 9,000 in 2003-04. Scientists attribute this decline to drought and hunting, with wolf predation being “compensatory” or limited in its effect.

But people who believe wolves are affecting elk numbers disregard these findings. They claim there is a conspiracy and “the feds” are lying about the impacts of wolves on wildlife to advance their agenda. The Montana-based Friends of the Northern Yellowstone Elk Herd hired their own researchers and have come out with a report that blames wolves for the herd’s decline. People also dismiss Joel Berger’s finding that moose are dying not from wolf predation but from starvation in Grand Teton National Park (see Frontline, Fall 2004). Wyoming’s petition to delist wolves, approved in July by the Game and Fish Commission, openly criticizes the existing science. Even Senator Mike Enzi has jumped on the bandwagon and said, “The increased threat of wolves in Wyoming is having a major impact on the state’s livestock and wildlife populations.”

Ed Bangs, the wolf recovery coordinator for the U.S. Fish and Wildlife Service says, “Once wolves were reintroduced, everyone started seeing everything through ‘wolf-colored glasses’ and anything that changed in the ever-changing scheme of nature became wolf-caused, not in reality but in people’s minds.

“Much of this comes down to mistrust of the government. People believe we just lie.”

This mistrust runs deep. People claim that the wolves aren’t even the right kind—that the animals brought in from Canada to reestablish populations in Yellowstone are a different, larger species than the ones that originally inhabited the area (see sidebar next page). They accuse continued on page 4
What kills livestock in Wyoming?

A total of 41,000 cattle and calves were lost in 2004. **Causes of death were:**

- **Calving** 25%,
- **Respiratory Problems** 21.3%,
- **Weather** 18%,
- **Digestive Problems** 14.7%,
- **Predators** 9.8%.

**More than half of the predator deaths were from coyotes.**

Wyoming Agricultural Statistics Office

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**One Wolf or 24?**

Are all wolves the same? Some people—including the Wyoming Game and Fish Commission—believe they are not and that the wolves (*Canis lupus occidentalis*) imported into Yellowstone National Park from Canada are larger and more aggressive than Wyoming’s natural inhabitants. Others, including Ed Bangs, the wolf recovery coordinator for the U.S. Fish and Wildlife Service, say this debate over wolf sub-species is a red herring.

“The question reflects the changing interpretation of taxonomy,” Bangs says. “In the 1970s, scientists said there were as many as 24 sub-species of wolves; now many argue there should be no sub-species at all.”

According to Bangs, wolf DNA varies as you move across the animals’ range, but the variations form more of a continuum than a sharp break from one type to another. He says most of the animals’ apparent differences—color and size—reflect habitat and pack characteristics, rather than different species.

The courts have supported the notion that wolves are wolves are wolves, but the Wyoming Game and Fish Commission continues to bring the question up. The petition to delist submitted by Wyoming Governor Dave Freudenthal and the commissioners to the Fish and Wildlife Service this past summer says, “Petitioners believe the [U.S. Fish and Wildlife] Service’s response to the subspecies issue in the Final Rule to designate an experimental population, and the opinions regarding the appropriateness of *occidentalis* reflected an eagerness to move the wolf reintroduction program forward without resolving the taxonomic issues.”

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organizations like the Wyoming Outdoor Council of seeing only the positive aspects of wolves and bears, of being hoodwinked by a federal conspiracy that shoved wolves down the throats of the unsuspecting American public.

But there are some areas where the science is less debatable. Wildlife biologists agree that predators are integral to the health of the ecosystem; that they help maintain balance in big game herds; move animals around to alleviate overgrazing; and can contribute to a cascade of events that improve the range, encourage biodiversity, and in general make for a healthier, more sustainable environment.

A recent study on the effects of predators on local ecology appeared in the August issue of *Ecology* magazine. The research shows compelling evidence that the presence of wolves around Banff National Park in Canada has had a profound influence on the ecological health of the area. Where there were wolves, there were beaver ponds, willows, aspens and songbirds. Where the wolves were absent, beaver ponds were replaced by meadows, and songbirds gave way to sparrows. Aspen and willow stands were old and were not regenerating because of heavy grazing by elk.

In Yellowstone early evidence also shows support for this phenomena, which is called a “trophic cascade.” Since wolf reintroduction, willows and aspens have begun to regenerate in Yellowstone’s Northern Range; beavers have returned to the area they abandoned years ago; and there are reports of more songbirds in the Lamar Valley.

Carnivores also bring in important money from tourism, which is Wyoming’s second largest industry. A number of outfitters cater to people who specifically want to see bears and wolves. People buy photographs and paintings of the animals and sport T-shirts bearing their likeness. They go on wolf-watching trips and travel to Yellowstone during the winter in unprecedented numbers to see the packs. As much as $20 million in annual economic activity is linked to wolves alone.

**How Do We Coexist?**

Within the context of this polarized debate, it is becoming increasingly clear that people living around Yellowstone have to adapt to bears and wolves whether they like it or not because the animals are here to stay.

Todd Graham, who manages the Sun Ranch in the Madison Valley in Montana just 25 miles from Yellowstone National Park’s northern border, seems to be having success coexisting with predators.

“When I was hired, my boss told me that he wanted me to run livestock with wolves successfully,” Graham says. “At that point I was living in Lander, Wyo., and I’d never even seen a wolf.

“Well it just so happened I went to a dinner party in Lander and met a Masai man who was in town visiting. We started talking about how his family watched wolves and bears. It was all about respect.”

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*Cover Story*

*Frontline Report Wyoming Outdoor Council Fall 2005*
Riding the Range to Keep the Wolves at Bay

The ranchers’ tradition of moving up into the mountains with their cattle and sheep for the summer has died away in much of the West. Few now have the money or the human power to keep a herder on the range full time, but a fledging movement in Montana may change that. Range Riders is a pilot project that seeks to test the idea that the presence of humans near livestock around the clock will act as a deterrent to predators, specifically wolves, and keep them from attacking cattle, sheep and other domestic animals.

The summer of 2004 was the first season herders were employed full-time under the Range Rider program. Two people were hired by the Madison Valley Ranchlands Group, in conjunction with the Predator Conservation Alliance and a number of other groups, to spend five months with 1,700 head of cattle in the Antelope Valley of southwestern Montana.

In the previous year, 11 wolves had been killed in the area because of livestock conflicts. With the range riders in place, no livestock were killed by predators and no predators were killed by humans.

“We are not touting this as the final solution for every place. We know this is not tested,” says Janelle Holden, coexistence director for the Predator Conservation Alliance. “But we hope this will be seen as one way to avoid lethal predator control.”

After the success of the first summer, the Madison Valley Ranchlands Group hired two more riders for the 2005 season. In addition, in Boulder Valley, Mont., three riders have been hired. For more information go to the Predator Conservation Alliance web site at http://www.predatorconservation.org/.

Wolves

2003: Idaho, Montana and Wyoming develop management plans for wolves in preparation for their removal from the endangered species list.
January 2004: U.S. Fish and Wildlife Service rejects the Wyoming Game and Fish Department’s wolf management plan.
April 2004: The state of Wyoming files suit against the federal government.
February 2005: Federal judge in Portland, Ore., rules that the Bush administration violated the Endangered Species Act when it relaxed protections for wolves in many states where there are no wolves and no wolf protections.
July 2005: Governor Freudenthal and the Wyoming Game and Fish Commission submit a petition to delist wolves to the U.S. Fish and Wildlife Service (USFWS). The USFWS has 90 days to determine if the state’s petition has merit. If a positive find is issued, the federal government then has one year to act.
August 2005: Idaho Governor Dick Kempthorne submits a plan to the U.S. Department of the Interior to remove wolves from protected status in western states other than Wyoming (Idaho, Montana, Colorado, Utah, Nevada, Washington and Oregon). No action has been taken.
Bears and Wolves continued from page 5

ran livestock around predators in Kenya.

“I learned three things that evening. First, keep a strong human presence around your livestock. Second, keep your livestock tightly bunched together. And third, move the livestock around a lot... That’s what we do here on the Sun Ranch. It’s an interesting blend of thousands of years of Masai traditions and good range science.

“Knock on wood, but in my three seasons, we haven’t had any predator losses,” Graham says.

Graham’s methods require a substantial commitment to be successful. The ranch received a grant that pays for someone to sleep out at night with the cattle. They use portable electric fences to move the animals around and keep them bunched. Ranch hands actively haze wolves, shooting them with rubber bullets or cracker shells.

“There is definitely a big emotional cost,” Graham concedes. “You lose some freedom. Someone has to be here tied to the ranch to keep an eye on things all the time. But it seems to be working. We have ‘good’ wolves around here now. Wolves that are afraid of people.”

The loss of freedom or control that comes with living with predators seems to permeate opposition to wolves. It also affects people living with bears.

“Fear is a big, big element of why this issue is so polarizing,” says Chuck Neal, a retired ecologist with the U.S. Department of the Interior who has written a book about his 30-year study of the animal (See "Wyoming’s Grizzly Man," facing page). “But the fear factor is way overblown. I can testify to that after repeated encounters with bears.

“Another reason is plain old-fashioned selfishness. People have been going about their business for over 100 years. They see carnivores as a constant obstacle, and they don’t want to have to alter their behavior.”

This issue has come to a head in Wapiti, Wyo., where a growing number of people are moving into grizzly bear habitat to build their dream homes.

Sharon Miller, a former Wapiti resident says. “People want to live outside of town to experience the ranch or country life. But they also want to bring town amenities with them like dogs, cats and flimsy garbage cans. They want to feed the birds and plant fruit trees, but all that stuff attracts the bears that are already living there.

“Honestly, why would a bear go out of his or her way to get natural food when he or she can just raid your garbage can or eat your tied-up dog? Why look for blueberries in the mountains when you can eat apples on someone’s trees?”

“People relate to bears,” says Tom Reed, the author of Great Wyoming Bear Stories. “But they don’t think about the reality of living with them. Lots of people—especially new people coming to own a piece of wild Wyoming—haven’t learned to change their behavior to accommodate being in the bears’ home. We want to have it all.”

The Changing West

Wyoming is evolving rapidly and much of this change is taking place in the Greater Yellowstone Ecosystem as new people move in, buy up ranches and bring in different viewpoints. From 1990 to 2000, Teton County’s population grew by 63 percent and Sublette County increased by 22 percent. Ranching, while still important symbolically for the state, currently accounts for less than 3 percent of its total economy. Many ranches are now owned by outsiders who don’t need to make money from their operations. Multi-generational ranching families are becoming increasingly rare.

In Coexisting with Carnivores, the authors write, “The more drastic the change, the more people struggle to adapt and the more firmly they cling to their worldviews. Personal meaning, dignity and feelings of empowerment are rooted in these worldviews.”

Changing peoples’ worldviews may be asking too much, therefore, but changing personal habits appears to be essential to coexisting with large carnivores. The challenge is how to ask for change without threatening an individual’s sense of self.

Who Gets To Tell Whom What To Do?

Few people will actively say they hate wolves or bears. Most acknowledge respect for the animals, and their symbolic value is evident wherever you see them used as team mascots or as the name of a motel, a landmark or an ATV model. Where people draw the line is over the issue of control.

“I should be able to step out my door and shoot [predators] if they are harming my livestock,” says Travis Lucas, the manage-
Wyoming’s Grizzly Man

Chuck Neal’s 30-Year Obsession with Grizzly Bears

Chuck Neal was wandering quietly through heavy timber and deadfall when he heard the whuffing and jaw-popping of an irritated mother grizzly.

“She bounded toward me three times, leaping up and over downed timber as graceful as a big cat. She was huffing and moaning to tell me that I had poor manners for coming into her living room uninvited, and she was letting me know what a good-natured person she was,” Neal says. “Then she took off with her cubs. That’s what usually happens.”

Neal, a retired Department of the Interior ecologist who lives in Cody, has followed his personal obsession with grizzly bears into their homes for the past 30 years. He has written a book—Grizzlies in the Mist—about his experiences.

In all those years, he’s had seven full-bore, ears-back charges, the most recent one in the Greater Yellowstone region this summer.

“I don’t consider these charges life threatening,” Neal says. “I’ve had 50 or more dogs come after me when I’ve stepped into someone’s yard. Just like the dogs, the bears’ reaction is natural. Usually it is just a warning.

“It is far more dangerous to drive from Riverton to Casper,” he adds. “More than 43,000 people are killed in vehicle accidents every year. Lightning or bee stings kill many more people than bears. Teeth and claws are part of the issue with bears, part of their bloodthirsty image. But bears are remarkably tolerant.”

Statistics support Neal’s view. Despite the grizzly bears’ fearsome reputation, they have killed only six or seven people in the Yellowstone area in the past 100 years. No people have been killed since 1986. Unfortunately, in that same time frame, many more bears have lost their lives. Such human-caused mortality, plus the bear’s slow reproduction rate makes bears extremely susceptible to sudden catastrophic population declines—something many conservationists fear will result if the bears are removed from protection under the endangered species list.

Neal is not optimistic that Wyoming’s plan for the grizzly bear’s future, if delisting occurs, will be enough to protect them. He says bears are foragers that need wide expanses of territory to find sufficient food. The arbitrary line drawn by the Wyoming Game and Fish Department around Yellowstone and the Absarokas does not provide for that kind of wandering.

“I don’t think they will totally disappear,” Neal says. “But they will be a relic population that is not recovered. The [Fish and Wildlife Service] talks about bringing in a sub-adult bear every 10 or 15 years in hope that it will live and be part of the gene pool. This is contrary to the spirit of the endangered species act, which calls for a self-sufficient population. It’s a sore point for me.”

For Neal, bears are important both for their ecological role and for the effect their presence has on one’s backcountry experience. They are an integral part of what makes Wyoming wild in his mind.

“There is a distinct difference when you go out into country without bears when you are accustomed to being in country where you are not the top predator,” Neal says. “A distinct emptiness. It’s psychological, but nevertheless real. I feel more alive in country with top predators.”

— Molly Absolon

Grizzly Bears

1975: Grizzly bears in the lower 48 states listed as a threatened species under the Endangered Species Act.
August 2003: Administrators for the national forests surrounding Yellowstone National Park, propose forest plan amendments dictating how grizzly bears will be managed in the forests after they are delisted.
March 2004: Shoshone and Bridger-Teton National Forests implement controversial food-storage orders in most of the forests. The southern Wind River Mountains are not included after an uproar from Fremont County.

Fall 2004: Public comment period for the Wyoming Game and Fish Department’s Draft Grizzly Bear Occupancy Management Proposal Following Delisting as a Threatened Species.
April 2005: Final Draft Grizzly Bear Occupancy Management Proposal Following Delisting as a Threatened Species approved by the Wyoming Game and Fish Commission.
Autumn 2005: Proposal to delist grizzly bears in the Greater Yellowstone Ecosystem expected to be released by the U.S. Fish and Wildlife Service. The proposal will be open to public comment after it comes out. The USFWS will make a final decision sometime next year.
Outfitting in the Big Open of Greater Yellowstone

By Tory Taylor

“Bear!”

It was late afternoon and a small grizzly bear was ambling across the meadow where the horses were picketed in the Teton Wilderness. Seemingly uninterested, the horses barely lifted their heads from grazing. I watched the bear as it emerged from the Buffalo Fork riverbed and sauntered up into the woods. Good bear, I thought as it moved off without stopping by our camp for dinner.

Fortunately, that’s typical of our experience as natural history outfitters in Wyoming. We have camped in bear and wolf country over 100 nights each year for the past 25 years. We’ve also shared our camps with wolves on many of these trips. Once we were camped close enough to see and hear a pack near their rendezvous site. They stayed on their side of the meadow, and we stayed on ours. Our clients were treated to a once in a lifetime experience. They were thrilled.

Operating a natural history outfitting business in grizzly and wolf country means sharing this wilderness with the natives who once lived there. This opportunity is based on attitude: we can learn to live with large carnivores in the future, or we can cuss and kill them as we have in the past. In Yellowstone’s backcountry we have the conservation success story of the century—the recovery of grizzly bears and wolves. In celebrating this success story, it is essential that we show respect for the individual animal, the species and its ecosystem, and we share these ideas with our clients.

So how does an outfitter operate in bear and wolf country? The basic tenets are those that are taught in the program “Living in Bear Country” that is presented throughout Wyoming annually. Camp clean. Use your head. Make noise while visiting bear country—grizzlies do not like surprises. Carry pepper spray, not guns. If you hunt in bear country, think about what you will do when you harvest your game and evaluate your hunting tactics before you hunt.

Recently I heard about a fellow outfitter who testified that in his area he and his staff had to arm themselves to the teeth to defend themselves from bears. I have just returned from that outfitter’s area where I saw several backpackers, an out-of-state horse group and a long line of giggling teenage girls hiking merrily along. These folks, like us, were not bothered by bears. I wondered why this outfitter wants to terrify people? Or worse yet, I wondered why the Wyoming Game & Fish Department and politicians believe these guys when they declare that they need to manage for the minimum population of bears and wolves. Just playing Wyoming politics against large carnivores, I suppose. Bears and wolves are part of the ecosystem and seeing or hearing them can make a wilderness trip the highlight of someone’s life.

There are many things in Wyoming’s backcountry that can harm humans and...
horses: storms, falling trees, lightning, giardia and, yes, bears. But bears are one thing that we can learn to live with if we accept them as part of the picture and use our heads around them.

See you in God’s country, and hope we see a bear at home in the wilderness ambling along a distant horizon.

Tory Taylor and his wife Meredith have owned and operated Taylor Outfitters in the Greater Yellowstone ecosystem for more than 20 years. Tory is a board member of Wyoming Wildlife Federation and has been recognized with numerous conservation awards, including WWF’s Conservationist of the Year and Budweiser’s Outdoors Man of the Year.

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Taylor Outfitters
Winter Wolf Watch Trip

IN YELLOWSTONE NATIONAL PARK
JANUARY 27-30, 2006

Join Taylor Outfitters on a four-day Winter Wildlife Watch and Cross-Country Ski Trip in Yellowstone National Park this coming January.

Winter in Yellowstone’s Northern Range is a spectacular time to view the frozen landscape and wintering wildlife. You’ll see wolf packs hunt their prey in full view of the roadside or ski trails. You can also see elk, bighorn sheep, bison, otters and coyotes in the Northern Range. In addition, the Lamar Valley is a birder’s paradise with numerous raptors commonly viewed, including bald and golden eagles, hawks and owls.

Tory and Meredith Taylor have led natural history tours in Yellowstone and the surrounding national forests for more than 20 years. They began offering Winter Wolf Watch trips 10 years ago when wolves were reintroduced to Yellowstone. Taylor Outfitters is fully insured and practices “Leave No Trace” wilderness ethics. Tory and Meredith have long enjoyed sharing the beauty of Yellowstone with their guests.

The trip will include early morning starts, ski or snowshoe travel, and full days spent outside in the northern part of the park. For details about logistics and itinerary, contact:

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Do your legislators reflect your views on protecting Wyoming’s air, water and open spaces? On how to fix our health care system? On who should be taxed and by how much?

Although Wyoming is a sparsely populated state with relatively easy access to politicians, we often see a disconnect between policies on important issues and the desires of Wyoming’s people. How can this be changed?

An Equality State Policy Center project launched last year focuses on the citizens’ ultimate power—the vote. The Calendar of Election Activities for Non-Profit Organizations, published in September 2004, is a guide for ESPC member organizations and others involved in public interest advocacy.

The Calendar outlines what various non-profit groups like the ESPC and its member organizations can do during the election cycle without running afoul of federal laws and rules.

The Wyoming Outdoor Council, as a 501(c)(3) non-profit organization, can actively work to educate voters about its most important issues. It can support or oppose ballot measures as part of its lobbying work. It can educate and help voters register, and it can help get voters to the polls.

WOC cannot recruit or endorse candidates as an organization; however, individual members of the group certainly can do so on their own time and on their own dime.

The Calendar outlines a work program based on Wyoming’s two-year election cycle. The Calendar outlines what kind of activities can be conducted by three classes of non-profit organizations operating under rules governed by the IRS:

501(c)(3)s – These are groups—WOC and ESPC are examples—most limited by IRS rules because contributions to them are tax-deductible for the donors. They cannot engage in partisan politics but still can contribute significantly to the effort to make the system function better for all citizens. They can conduct voter education, registration and get-out-the-vote activities.

501(c)(4)s, (5)s and (6)s – Contributions to these groups are not tax-deductible. These groups can engage in partisan political activities, including candidate recruitment and endorsement. They also can raise money from their members for affiliated political action committees, subject to additional state laws and rules. They can recruit volunteers to help candidates and their campaigns. Organizations such as the Sierra Club, the Wyoming Education Association and the Wyoming Trial Lawyers Association function as C4s, 5s or 6s.

Political Action Committees – This type of organization has the broadest range of activity. PACs can endorse and contribute to candidates and otherwise assist them with their campaigns. They can run advertising for or against a candidate. Contributions to PACs are not tax-deductible.

To find a path through the rules governing these organizations, an ESPC committee working on this project consulted with three premier political attorneys:

Laurence E. Gold, associate general counsel for the AFL-CIO; Richard L. Thomas, counsel for the Federation of State Conservation Voter Leagues; and John Pomeranz, former counsel with the Alliance for Justice in Washington, D.C.

The ESPC hopes the Calendar will help non-profit organizations maximize their impact on policy-making by clearly understanding the type of activities they legally can conduct. Then they can mobilize and inspire their members for action.

Dan Neal is the executive director of the Equality State Policy Center.
Guernsey’s Old Landfill
It’s Not Easy Being Clean
By Michele Barlow

In late March 1999, the small town of Guernsey (population 1,147) received a letter from the Wyoming Department of Environmental Quality (WDEQ) ordering the shutdown of their landfill by August 2000 because it was leaking and contaminating groundwater.

Springing into action, the town council decided to close the landfill by August 1999, a year ahead of the deadline. Since then, a private company has been hauling Guernsey’s waste.

But once waste stopped flowing to Guernsey’s old landfill, the problem of its cleanup began. Permanently closing a landfill includes activities such as capping the waste with thick soils, establishing water drainage systems and erosion controls, and monitoring water quality and landfill gases. These measures cost money.

For the past six years, Guernsey officials have been doggedly pursuing funding and technical assistance to cleanup their contaminated groundwater and permanently close the old landfill.

To cover the cost of on-going maintenance of existing groundwater-monitoring systems, Guernsey raised its garbage fee to $16 per household, the ninth highest rate in the state. In addition, the Wyoming National Guard chipped in by installing groundwater-monitoring systems, which showed that groundwater flows from the landfill toward the town’s water wells.

But these efforts have not been enough. Engineering studies estimate the cost of full closure of the Guernsey landfill will range from $1.3 to 1.6 million. Although Guernsey officials have submitted grant and loan requests to the State Loan and Investment Board and the Drinking Water State Revolving Fund, to date, they have only received $120,350 to cover preliminary engineering expenses.

Landfill cleanup and closure is far beyond the financial capacity of small towns like Guernsey. As one town official said, “The longer we search for funding, the higher the costs.”

And Guernsey is not alone. The Wyoming Department of Environmental Quality estimates that 65 landfills in the state have the potential to contaminate groundwater, but few have the resources necessary to deal with the problem. In September 2005, the Joint Minerals, Business and Economic Development Interim Committee unanimously approved a bill called Solid Waste Landfill Planning and Monitoring. The committee’s action followed nearly two years of hard work by the WDEQ and the Citizens’ Advisory Group on Solid Wastes, which included Wyoming Outdoor Council staff member Michele Barlow.

The bill creates a $7.97-million matching grant program to help cities and counties monitor and analyze subsurface pollutants released from operating or closed landfills. It also requires cities and counties to prepare solid waste management plans using funds from a $1.3-million matching grant program (with larger matches for plans that include at least two cities or counties). The intent of the bill is to help towns like Guernsey deal with challenges related to solid waste cleanup and management.

Our hope is that the Wyoming State Legislature will adopt the bill to ensure that all Wyoming citizens are provided with comprehensive, safe and cost-effective solid waste management services. Look for ways to support this legislation in February.

What is the status of Wyoming’s community landfills? The WDEQ predicts that at least 65 of the 145 operating and closed landfills in the state will eventually leak and contaminate groundwater. Today, many of the state’s 52 operating landfills are leaking, threatening nearby drinking water wells and human health.

What leaks out of a landfill? Rain and snowmelt soaks into a landfill and leaches out pollutants (also known as “leachate”) which trickle down into the soil and commonly into the groundwater. Leachate contains toxic compounds such as benzene, nickel, lead and mercury. Contrary to earlier assumptions, Wyoming’s landfills need bottom liners – a system of clay soils and a synthetic membrane – to minimize groundwater contamination.

How extensive is groundwater monitoring? Out of the state’s 145 landfills, between 80% and 85% are equipped with inadequate groundwater monitoring systems or lack a groundwater monitoring system altogether. The total estimated cost to improve groundwater monitoring is $13.7 million, according to a recent WDEQ evaluation.

Why should the state pay for landfill planning and monitoring? Under current law and regulation, Wyoming’s landfill owners are responsible for the full cost of groundwater monitoring and cleanup. However, this requirement is frequently too expensive for small towns or counties with a low property tax base.
Greatr Yellowstonr Planning for Wyoming’s Forests. This summer, both the Bridger-Teton and Shoshone national forests began forest-plan revision processes by hosting public workshops around Wyoming. Individual forests are required to revise their forest plans, also known as Land and Resource Management Plans, every 10-15 years. Under the Bush administration, the regulations governing the planning process have changed dramatically. For example, no longer is each forest unit required to prepare an environmental impact statement in conjunction with its revised plan. Moreover, absent from the new regulations are any enforceable standards to ensure species viability and responsible timber harvest. Instead, these standards have been replaced with vague guidelines, which forest officials are free to depart from “when circumstances warrant it.” These changes represent a self-described “paradigm shift” in forest planning. It is within this new and unfamiliar terrain that forest service personnel, local governments and the public are encouraged to collaborate to craft revised plans. Wyoming Outdoor Council is participating in the process and urges our members and the public at large to get involved. Key issues that the plans will address include forest health, oil and gas leasing and the fate of roadless areas. Contact: Lisa McGee

Bicycles and Wildlife on Collision Course in Grand Teton. In a contentious and extended comment period over the Grand Teton Transportation Plan and Draft Environmental Impact Statement, conservation groups were pitted against each other over the issue of separated pathways. Few newspaper articles, however, highlighted the issues on which most everyone agreed. Namely, most groups, including Wyoming Outdoor Council, support pathways; we differ only on how extensive the pathways should be and how far they should be from roads. Wyoming Outdoor Council believes that pathways offer safe recreational opportunities for bikers. Decisions about pathways locations, however, should also consider the irreplaceable park resources that make Grand Teton a national treasure. Some areas, like the Moose-Wilson corridor and areas north of Jenny Lake, are critical wildlife habitat and are not appropriate for new development. More importantly, groups agreed that the park service should focus on developing a user-friendly transit system—the only real solution to traffic and trailhead parking lot congestion. Contact: Lisa McGee

Future of Upper Green’s Air Growing Increasingly Murky

The BLM has released a new analysis showing horrific impacts from oil and gas development on air quality in the Upper Green River Valley. This supplemental analysis for the Jonah Infill Project shows that oil and gas development in the Upper Green River Valley, especially when coupled with the effects of other development, will have extreme impacts on air quality in Wilderness Areas and Grand Teton and Yellowstone national parks. Haze will obscure views in the Wind River Mountains and other downwind Wilderness Areas for up to 2-3 months per year, and the “haziness index” is expected to reach nearly seven times the level perceptible to the human eye. Residents in local communities like Pinedale will have their views of the surrounding mountains obscured by smog on up to 113 days per year when the haziness index will reach as much as 10 times the level perceptible to the human eye. Deposition of sulfur and nitrogen, which can cause acidification of lakes and streams and thus harm fishing, will reach levels of concern in several Wilderness Areas and in Grand Teton and Yellowstone national parks. And human health protection standards will come close to being violated in the Jonah Field according to BLM findings. Perhaps most surprising, the BLM seems to think that these air quality impacts are okay. Well we don’t.

The Outdoor Council is working with several outside experts to prepare comments on the Jonah Infill proposal, and we have launched a major campaign aimed at protecting air quality in “Class I Areas” (Wilderness Areas and National Parks). This effort will also seek to protect human health and the incredible views enjoyed in local communities, and to ensure high-mountain watersheds are not poisoned by acid-causing deposits. Contact: Bruce Pendery

Management Plans Lost in BLM Bureaucracy. It remains difficult to predict when the draft Pinedale Resource Management Plan and the South Piney Coalbed Methane Project Environmental Impact Statements will be released; they’ve been pending for a year or more. At this time we do not expect the South Piney EIS to be released until sometime this fall and the Pinedale RMP may not be released until the end of the year or early next year. When they are released, the Outdoor Council and our partners in the Upper Green River Valley Coalition will ensure the public is aware of these documents and knows how to be involved in the decision-making process. We will prepare detailed, substantive comments on both projects to force the BLM to do a better job of protecting precious environmental values in the Upper Green. Contact: Bruce Pendery
National Elk Refuge Plan Calls for Phasing Back on Feeding. After four years of public meetings and many more years of analysis, the National Elk Refuge and Grand Teton National Park released a Draft Bison and Elk Management Plan and Environmental Impact Statement this past summer. The proposed action calls for restoring habitat, improving forage and phasing back on supplemental feeding of elk on the refuge in an attempt to disperse the animals and reduce the risk of disease transmission.

In August, the Wyoming Outdoor Council testified in support of these principles, which are reflective of the goals of our Restoring Wild Patterns program. We support a modified version of Alternative 6. Our only concern about this alternative is that it calls for the continued use of vaccinations. Currently, there is no effective vaccine for brucellosis—the primary bacteria infecting the animals—and for this reason we believe a vaccination program is not a good use of resources.

You can comment on the plan by e-mail at bisonelkplanning@fws.gov. For more information on the plan itself, go to the Bison and Elk Mgt Plan/EIS web site: (http://bisonandelkplan.fws.gov) or call the National Elk Refuge at 307-733-9212. Contact: Meredith Taylor

Test and Slaughter to begin this winter. The Wyoming Game and Fish Department is moving forward on a controversial program to test elk for brucellosis at the Muddy Creek feedground south of Pinedale. Up to 10 percent of the Muddy Creek feedground elk cows that test positive for brucellosis—or as many as 190 elk each winter—will be sent to Idaho for slaughter under this plan. A 1.6-mile, $900,000 fence and a $600,000 trap will be constructed to trap the animals, and testing is expected to begin as early as January 2006. Meanwhile, in August the governor's Brucellosis Task Force rejected the conservation community's habitat-based program—Brucellosis Solutions—that called for a test phase-out of three feedgrounds in the Gros Ventre Valley. Brucellosis Solutions, which was supported by the Greater Yellowstone Coalition, Jackson Hole Conservation Alliance and the Wyoming Outdoor Council, sought to explore whether reducing unnatural congregations of elk and allowing the animals to disperse naturally across available winter range would reduce the incidence of brucellosis. We are currently reevaluating our strategy and will keep you posted. Contact: Meredith Taylor

Powder River Basin

BLM Denies CBM Impacts. In August, the BLM released the first of two environmental assessments resulting from the precedent-setting decision the Wyoming Outdoor Council received last year in the case of Pennaco Energy, Inc. v. U.S. Department of the Interior. Unfortunately, the analysis is disappointing. In it, the BLM found that the 421 leases they issued in the past require no modifications to protect the environment from the severe impacts of coalbed methane development, such as the vast quantities of water generated and increased air pollution. The BLM also decided an environmental impact statement was not needed, which greatly limits opportunities for further public involvement. The Outdoor Council is weighing its options regarding how to respond to this document, which seems to fly in the face of the court’s finding last year. A second environmental analysis looking at new leasing for coalbed methane development in the Powder River Basin is expected soon. However, given the position taken by BLM in this first environmental analysis, we are not optimistic BLM will ensure any better environmental protection in the second one. Contact: Bruce Pendery.

Court Case Seeks to Ensure CBM Development Done Right. Our legal challenge to the environmental impact statement approving coalbed methane development in the Powder River Basin remains pending in Wyoming District Court, but we are cautiously optimistic because in March the Northern Plains Resource Council received a favorable decision from the Montana District Court on a similar challenge to the Montana coalbed methane environmental impact statement. That court issued an injunction stopping coalbed methane development in the
Powder River Basin in Montana until an adequate environmental impact analysis is prepared that considers phased development. We are hopeful the Wyoming Court will find similar inadequacies in the BLM’s planning for coalbed methane development on our side of the border. Contact: Bruce Pendery.

Greater Red Desert
Great Divide Planning Process Update. In March, the Outdoor Council submitted detailed comments on the BLM’s draft Resource Management Plan for the Rawlins Field Office, which includes the eastern part of the Red Desert and the vast Adobe Town badlands area. We do not expect to see the final environmental impact statement for some time and have heard the BLM may prepare a supplemental draft plan before “going final,” which would provide additional opportunity for public comments. In the meantime, we have submitted comments on BLM’s proposed Cherokee West project in an effort to protect wild parts of the Adobe Town badlands area from seismic exploration and drilling. We will keep you posted on developments so that you can remain involved in protecting this incredible landscape. Contact: Towa Wojciechowicz

Northern Red Desert NCA Campaign Gaining Momentum. Strategic planning has been completed and implementation has begun on the campaign to seek National Conservation Area designation for portions of the Red Desert (See the Summer 2005 Frontline). The campaign is a coalition effort led by the Friends of the Red Desert, but the Wyoming Outdoor Council and other groups will play major roles in securing the support needed to ensure success. For now, we are asking people to write letters to their newspapers and to Senator Craig Thomas asking him to support NCA protection for their favorite place in the northern Red Desert. Contact: Towa Wojciechowicz and Andy Blair.

Statewide
Talking to People Across the State. County fairs, community gatherings, slide presentations, and kitchen-table conversations brought in new ideas and new members to the Wyoming Outdoor Council this past summer. Wyoming Outdoor Council staffers have been traveling around the state to meet with people and learn more about the specific issues that concern local communities in Wyoming. If you’d like to host a kitchen-table conversation or a slideshow presentation, give us a call. It’s a great opportunity for you to give us a piece of your mind! Contact: Andy Blair

Future of Roadless Areas Up for Grabs. In May, the Bush administration repealed the roadless rule, which was a landmark law that safeguarded over 58 million acres of roadless forest service lands from new road construction. With the repeal, individual forest lands will now assess the status of roadless areas within their boundaries during their forest plan revisions. Moreover, state governors can petition the Secretary of Agriculture for protection of certain roadless areas within their state’s boundaries. In July, Governor Freudenthal wrote to the Secretary of Agriculture to ask a variety of questions in order to decide whether he would submit a petition. In particular, he asked whether state petitions would receive any deference, as the rule is clear that final decision-making authority rests with the federal government, not the states. If the governor ultimately chooses to participate, it is imperative that he knows how special these areas are to the people of Wyoming. Let the governor and your local forest service office know that these areas matter because they provide recreational opportunities for a multitude of users, include valuable wildlife habitat, and are prime hunting and fishing spots. Contact: Lisa McGee

Split-Estate Law Goes into Effect. Burgeoning oil and gas development spurred Wyoming lawmakers to pass a split-estate law in February 2005. The law recognizes the need to develop minerals while still providing some basic protection for landowners who don’t own the minerals below their property. Specifically, the law requires a good-faith attempt by landowners and oil and gas companies to strike a surface-use agreement, and that the agreement contain compensation for loss of production, income and land value. (See Spring 2005 Frontline Report). In July 2005, the Wyoming Oil and Gas Conservation Commission approved changes to their rules and regulations to implement the new split-estate law. These changes include requiring the reclamation of drilling sites begin within one year of well abandonment. They also require oil and gas companies to reclaim disturbed lands with “original vegetation” or in accordance with the landowner’s “reasonable requests.” To read the revised rules, see http://wogc.state.wy.us/. State officials are applying the split-estate law and subsequent rules to federally owned minerals (in addition to state and private minerals), despite the fact that Bureau of Land Management Director Kathleen Clarke issued a letter on June 13 stating that the law does not apply to federal minerals. Contact: Michele Barlow  

Wind River Range visitors, like these hiking south of the Cirque of the Towers, will see noticeable haze if oil and gas development goes forward as proposed.

Contact: Bruce Pendery
Straight-talker Nancy Steps Down
Thanks to Former Board Member for Years of Service

By Molly Absolon

Nancy Debevoise is feisty. She says she’s been fired from nearly every regular job she’s ever had because she wasn’t willing to keep her mouth shut. That’s what has made her such an effective environmental advocate, and the reason the Wyoming Outdoor Council will miss her now that she’s stepped down from the board.

From the time she was a young girl Nancy loved animals and the outdoors. Her childhood bedroom was full of cages and aquariums for snakes and hamsters, turtles and fish. Kids would bring injured animals to school for her to nurse back to health. Even then, she had a soft spot for underdogs.

“ ‘My sister used to call me the Queen of Hopeless Causes,’ Nancy says.

These hopeless causes shifted as Nancy moved into the professional workplace. As a freelance writer and editor in Washington D.C., she worked primarily with environmental organizations and civil and women’s rights groups—not exactly hopeless causes, but certainly underdogs. Nancy liked the challenge and she was good at what she did.

Nancy, who grew up in Pennsylvania, was entrenched in the East in those days and spent her vacations in Europe and the Caribbean. In 1980, amazed that she had never been out West, a friend took Nancy camping in the northern Rockies. She fell in love.


Always an activist, Nancy started looking for a cause. She got involved in a land-use planning effort in Dubois that resulted in threats against her pets, vehicles, even a veiled threat against her life. But that only made her more determined. She met Meredith Taylor, who was then working for the Greater Yellowstone Coalition, and asked her to name the most effective environmental group in the state. Meredith said it was the Wyoming Outdoor Council, and Nancy found her niche.

Nancy has been integral to the Wyoming Outdoor Council in a variety of ways. She revamped and edited Frontline for seven years, transforming it into a professional newsletter before passing it on. She worked on direct-mail pieces and was influential in fundraising. Nancy also served on the board of directors for seven years, including one year as vice-president and two as president. In total, she worked tirelessly for the Outdoor Council for more than 10 years. We weren’t her only cause, however. She also served on the boards of the National Wildlife Federation and the Predator Conservation Alliance.

Finally, this summer, the fight began to get to Nancy.

“I realized that all this environmental work was making me anxious and very frustrated,” she says. “I needed a break. After 30 years of involvement in controversial issues, I needed to make the transition to more apple-pie positive things.”

Not that apple-pie positive things means inactivity. Nancy is proud of her expansive perennial gardens and even in late August they were aflame with color. She’s helping the Lander Art Center with its newsletter and fundraising. She has joined the Big Sisters program. And she’s taken up painting.

In classic Nancy style, she started by trying to teach herself how to paint watercolors and acrylics. Finally, frustrated with her lack of progress, she took several painting classes offered by the Lander Art Center and the Lander Artists’ Guild. Now she and a friend regularly go out plein air painting together.

“I’m not as frustrated and furious now that I’m engaged in more peaceful pursuits,” Nancy says. “But I do want to stay involved. I really care about WOC.”

The Wyoming Outdoor Council thanks Nancy for her years of tireless dedication and hopes that she means it when she says she’ll stay involved.
More than 30 riders joined the Wyoming Outdoor Council for the third annual Ride the Red mountain bike ride. Riders came from Powell, Sheridan, Green River, Lander, Pinedale, Rock Springs and other parts of the state. Our thanks go to Mike and Joyce Evans and Juan Laden for providing support. We also want to thank Lauren McKeever for pinch-hitting with her vehicle when Andy rode off with his car keys. Join us next year. Same time, same place.

Clockwise from left: Bikers gathered around for a briefing before starting out on either a 22- or 42-mile loop on double-tracks and country roads. Juan Laden brought welcome snacks and water for riders on the long loop. Avery Absolon, 5, rode the 22-mile loop on a trail-a-bike behind her dad, Peter; here, they stand in front of the ruins of an old prospector's shelter.