

A Brief Political History of Oregon's Wilderness Protections

Government protection should be thrown around every wild grove and forest on the mountains, as it is around every private orchard, and trees in public parks. To say nothing of their values as fountains of timber, they are worth infinitely more than all the gardens and parks of town.

—John Muir¹

Inadequacies of Administrative Protections

There is “government protection,” and then there is *government protection*. Mere public ownership — especially if managed by the Bureau of Land Management — affords land little real or permanent protection. National forests enjoy somewhat more protection than BLM lands, but to fully protect, conserve and restore federal forests often requires a combination of Wilderness designation and additional appropriate congressional protections.

The best and most permanent protection available for federal wildlands is their inclusion in the National Wilderness Preservation System. Once an Act of Congress designates wildlands as “Wilderness,” they are very rarely undesignated (a few acres have been lost to nefarious boundary shifting and some have been willfully removed for ski area expansion). Congressional Wilderness designation is very difficult to achieve politically, but an order of magnitude more difficult to undo.

The standards of protection under the Wilderness Act of 1964 — apart from the gaping loophole for domestic livestock grazing — are quite strong. The relatively few problems with management of designated Wilderness are usually caused by the managing agency's abuse of their limited discretion under the Act.

A far more serious problem is the abuse of agency discretion in managing wildlands *not* formally protected as Wilderness. In fact, a driving force behind the passage of the Wilderness Act four decades ago was the need to end the Forest Service's practice of declassifying “wilderness” areas the agency had previously administratively established on the national forests (i.e., on its own, without congressional prompting or direction).

Although the Forest Service pioneered the concept of wilderness protection in the 1920s and 1930s, by the late 1940s and 1950s, it was methodically undoing whatever good it had done earlier by declassifying administrative wilderness areas that contained any commercial timber.

Just prior to the end of its second term, and after receiving over a million public comments in support of protecting national forest roadless areas, the Clinton Administration promulgated a regulation (a.k.a. “the Roadless Rule”) to protect the remaining unprotected wildlands (greater than 5,000 acres in size) in the National Forest System from road building and logging. At the time, Clinton's Forest Service chief Mike Dombeck asked rhetorically:

*Is it worth one-quarter of 1 percent of our nation's timber supply or a fraction of a fraction of our oil and gas to protect 58.5 million acres of wild and unfragmented land in perpetuity?*²

Dombeck's remarks echoed those of a Forest Service scientist from an earlier era. In 1922, Aldo Leopold persuaded the Forest Service to designate the nation's first administrative wilderness area in the Gila Mountains of New Mexico. In the following decades, under Leopold's prodding and that of others, the Forest Service designated millions of acres of additional administrative wilderness. Leopold noted:

*Such a policy would not subtract even a fraction of 1 percent from our economic wealth but would preserve a fraction of what has, since first the flight of years began, been wealth to the human spirit.*³

Unlike Dombeck and Leopold, many Forest Service personnel oppose congressional Wilderness designation. Formal Wilderness designation intentionally limits agency discretion to manage the protected areas. Control and discretion are very important to agency bureaucrats. Most land managers believe that they can do a better job managing the landscape than nature can — a belief not limited to the Forest Service and Bureau of Land Management, two agencies that are institutionally biased toward natural resource extraction. The U.S. Fish and Wildlife Service and National Park Service, two agencies

RALPH OPP



The forests on Pelican Butte in the proposed South Cascades Wilderness have some administrative protection, but not enough to prevent the Forest Service from seeking to allow a ski development, which would harass bald eagles, spotted owls and other imperiled species.

more traditionally inclined toward conservation, also share this belief.

While some active management of Wilderness is necessary to prevent damage caused by excess visitation, to restore natural fire regimes or to eliminate exotic species, generally the best way to manage Wilderness is to leave it alone. Some land managers even consider Wilderness a potential threat to their jobs. For example, a wildlife refuge manager charged with manipulating habitat to maximize duck production or a park superintendent attempting to accommodate ever more visitors may view their jobs as unnecessary under Wilderness management, since little active management is necessary or allowed.

Opposition to permanent protection — including administrative actions that could lead to later Wilderness designation — often begins at the top. Consider the nation's new national forest roadless policy, designed by the Clinton Administration and desecrated by the second Bush Administration. The Bush II White House judged that the roadless areas policy was too popular to undo directly, so they left the administrative rule on the books, but created new loopholes in the rule large enough to drive log trucks through. Like the old Forest Service administrative wilderness designations, because the new roadless rule was created administratively, rather than enacted by legislation, it is subject to change by later administrations. This is a recipe

for disaster. Administrative land management plans, which can provide protection to an area, can be later undone. They can also be amended or ignored to accommodate pet development schemes.

Consider the case of Pelican Butte in Oregon's Southern Cascades. At 8,036 feet, Pelican Butte is one of the two highest Oregon Cascades peaks not included in the National Wilderness System. The Winema National Forest Land and Resource Management Plan designated the area as a "semi-primitive area" and a "bald eagle management area" due to the large number of eagles that winter there. President Clinton's Northwest Forest Plan also designated the area a "late successional reserve," the strongest administrative protection possible. Under provisions of the Endangered Species Act, the U.S. Fish and Wildlife Service designated the area as "critical habitat" for the northern spotted owl. However, despite all these administrative designations and recognitions, local Forest Service officials supported building a ski area on the butte.

The proposed Pelican Butte Ski Resort is presently dead. But it has died a dozen times before. Yet another new plan to haul downhill skiers up hill by snow machines is currently being proposed, and the Forest Service is considering the proposal, despite a longstanding seasonal closure on motorized vehicle use to protect bald eagles. The Forest Service's constant flirtation with proposals for a ski area on Pelican Butte is enabled by the fact that all protections for the area are administrative designations, allowing the Forest Service some discretion to bypass them. Congressionally designating the butte as Wilderness would finally resolve the issue in favor of protection by severely restricting the agency's discretion to manage it.

While Chief Dombeck was in office, he told Forest Service employees that:

Values such as wilderness and roadless areas, clean water, protection of rare species, old growth forests, naturalness — these are the reasons most Americans cherish their public lands. (T)wenty percent of the National Forest System is wilderness, and in the minds of man, more should be. Our wilderness portfolio must embody a broader array of lands — from prairie to old growth. As world leaders in wilderness management, we should be looking to the future to better manage existing, and identify new wilderness and other wild lands.⁴

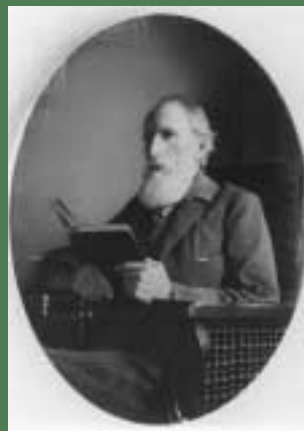
Chief Dombeck is now retired and the new Bush Administration's Forest Service Chief Dale Bosworth is working to undo essentially every good thing Dombeck did. This is the problem with administrative rulemaking to protect wildlands — they are subject to change by every succeeding administration that comes into office. Only congressionally designated Wilderness areas can survive changing administrations and completely and permanently protect the nation's Pelican Buttes from the vagaries of land management agencies and other development interests.

Judge John B. Waldo: Oregon's John Muir

An urgent need of the hour would seem to be, not more land to cultivate, but some change for the better in our ideas. There are educational uses in the mountains and the wilderness which might well justify a wise people in preserving and reserving them for such uses.

—Judge John B. Waldo⁵

OREGON HISTORICAL SOCIETY



Lawyer, legislator, granger, Republican, sportsman, chief justice, conservationist, explorer and scholar, John B. Waldo read and quoted Thoreau, Shakespeare, Emerson, Aurelius, Goethe and Wordsworth on his twenty-seven summer sojourns in Oregon's Cascades. From July through September and from Mount Hood to Mount Shasta, Waldo explored, was nourished by and educated by Oregon's mountain wildlands.

Born in 1844, Waldo graduated from Willamette University in 1866 and was admitted to the state bar in 1870. In the 1889 Oregon Legislative Assembly, Representative Waldo introduced a measure requesting that Congress:

*... set aside and forever preserve, for the uses herein specified, all that portion of the Cascade Range throughout the State extending twelve miles on each side, substantially, of the summit of the range.*⁶

The resolution further stated:

*That the altitude of said strip of land, its wildness, game, fish, water and other fowl, its scenery, the beauty of its flora, and the purity of its atmosphere, and healthfulness, and other attractions, render it most desirable that it be set aside and kept free and open forever as a public reserve, park, and resort for the people of Oregon and of the United States.*⁷

The resolution urged the proscription of many commercial uses, including grazing, hunting and logging, except for railroads. Resorts would be limited to being no closer than five miles apart.

The Oregon House approved the measure, though it omitted the southernmost Cascades to appease local livestock interests. (Some things have yet to change.)

Unfortunately, the Oregon Senate, at the behest of sheepmen, killed the measure by bottling it up in committee.

Waldo fought on. From Odell Lake on September 4, 1890, he wrote:

The policy of the government in establishing reserves cannot be too highly commended. How splendid for this age to leave to posterity a resort and pleasure ground for the people forever.

*Why the need of a resort and pleasure ground? Because the happiness, comfort and development are thereby subserved. Provision for the recreation of the people is now one of the established principles of municipal and civil government.*⁸

In 1893, President Grover Cleveland established the Cascade Forest Reserve, which today would be most or all of the Mount Hood, Willamette, Deschutes, Umpqua, Rogue River and Winema National Forests. Waldo later wrote the President thanking him and defending his bold action:

*A wise government will know that to raise men is much more important than to raise sheep, or men the nature of sheep; and that this is a question which, ultimately, immeasurably concerns even the purely material interest of men ...*⁹

*Why should not all Americans, with a continent in their hands to fashion as they would, have provided broadly for all the needs of men which can be supplied? ... Not only fields to toil in, but mountains and wilderness to camp in, to hunt and fish in, and where, in communion with untrammelled nature and the free air, the narrowing tendencies of an artificial and petty existence might be perceived and corrected, and the spirit enlarged and strengthened.*¹⁰

Waldo never stopped advocating for Oregon's forest wildlands. At Pamela Lake on August 15 and 17, 1905, a few years before his death, he wrote:

The still woods; surely they are not all made merely to cut down. Let wide stretches still grow for the spiritual welfare of men. How good they seem here today — the untrammelled ... wilderness, untouched by men, and that never has been touched. Cannot wide expanses still be preserved?

*The commercial view of the forest is not the whole view, nor the correct view, any more than it is of most things. We do not live by bread alone. A wise compromise is probably the end to be attained. The most useful things are those which have no utility.*¹¹

His front-page obituary in the *Salem Capital Journal* Sept. 5, 1907, concluded:

*To him the mountains ... were a book to which there was no end. The beauty of the hills was a sermon ... The forest was his temple, and there he worshipped.*¹²

The Wilderness Act

The Wilderness Act is somewhat flawed and sometimes at odds with itself.

—Dave Foreman (former Wilderness Society lobbyist, co-founder of Earth First! and co-founder of The Wildlands Project) ¹³

The nation's first administratively protected "wilderness" area was established on the Gila National Forest in New Mexico in 1924 at the instigation of visionary Forest Service ecologist Aldo Leopold. The Boundary Water Canoe Area in the Superior National Forest in Minnesota was established in 1926. It also later became a "wilderness." As noted above, these were not Congressional designations, but administrative forbearers to Wilderness Act "Wilderness."

In 1929, the Department of Agriculture issued "L-20" regulations to establish "primitive areas." No activities were specifically banned, leaving management to the discretion of local Forest Service managers. The L-20 regulations were superceded in 1939 by the U-1 and U-2 regulations for establishing "wilderness" areas (larger than 100,000 acres, designated by the Secretary of Agriculture) and "wild" areas (less than 100,000 acres, established by the Chief of the Forest Service).

Following World War II, a new Forest Service leadership drove the agency toward decidedly more industrial timber production than ever before, for which administrative wilderness classification posed an impediment. Consequently the agency did not classify any additional wilderness or wilderness-like areas, but instead declassified previously protected wildlands with high timber value. It was then conservationists began looking to Congress for statutory protection of public lands. In 1949 at a Sierra Club conference, Howard Zahniser, executive director of The Wilderness Society, proposed the idea of congressionally legislated Wilderness.

Senator Hubert Humphrey (D-MN) and Representative John Saylor (R-PA) introduced the first Wilderness bill in 1956. Sixty-six rewrites and eight years later, the Wilderness Act was signed into law by President Lyndon Johnson.

Fifty-four areas totaling 9.1 million acres were initially included in the National Wilderness Preservation System. As of this writing, the system now includes 662 areas and over 106 million acres.

The passage of the Wilderness Act on September 3, 1964, is an extraordinary landmark in the history of American conservation and law. It culminated an epic struggle begun in the 1950s, the groundwork for which was laid in the 1930s, if not the 1870s. With the President's signature, Congress went on record with a remarkable articulation of the Wilderness ideal. Anyone who has ever been bored or confused reading federal statutory language will be struck by the poetry Congress used in the preamble to the Wilderness Act of 1964:

Cross-country skiers in the Maiden Peak Unit of the proposed Three Sisters Wilderness Additions. ►

DAVID STONE, WILDLAND PHOTOGRAPHY





Kalmiopsis leachiana, endemic to Oregon, for which the Kalmiopsis Wilderness was named.

*In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness.*¹⁴

Congress then went on to specify exactly what would constitute federally designated Wilderness:

For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by the Congress as

*“wilderness areas,” and these shall be administered for the use and enjoyment of the American people in such a manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as “wilderness areas” except as provided for in this Act or by a subsequent Act.*¹⁵

Consider just how remarkable the passage of the Wilderness Act was. Our nation’s history has almost entirely been one of ever-expanding settlement and the conquest of nature. Destruction of wilderness was simply a byproduct of “progress.” In the waning days of the 88th Congress, our elected officials not only waxed poetic, but stated unequivocally that “progress” can go too far and that, unless specific actions are taken to preserve wilderness, an “increasing population,” “expanding settlement” and “growing mechanization” would eventually “modify *all* areas” of the country (emphasis added).

For an institution that rarely can see beyond the next election, the passage of the Wilderness Act was unusually prescient. Most of the Wilderness initially preserved by Congress in the Act remains protected to this day. Even those who profit or receive psychic benefit from the inexorable march of “progress” recognize the political folly of trying to undermine the value of protected Wilderness. Since enactment of the Wilderness Act, the debate has evolved to how much, what kind and where, but no longer whether we need wilderness.

But the status quo is not static. In their relentless assault on the wild in pursuit of financial gain, wilderness destroyers have the advantage over wilderness protectors. In response to those seeking a new water supply for the increasing population of San Francisco by constructing a dam in Yosemite National Park, John Muir railed:

*These temple destroyers, devotees of ravishing commercialism seem to have a perfect contempt for Nature, and instead of lifting their eyes to the God of the Mountains, lift them to the Almighty Dollar. Dam Hetch Hetchy! As well dam for water tanks the people’s cathedrals and churches, for no holier temple has ever been consecrated by the hearts of man.*¹⁶

Once an area is protected as Wilderness, it is relatively safe from most threats (logging, road building, mining and water developments, but *not* grazing). This legislative protection is as permanent as things get in a democracy. Wilderness, however, is only safe as long as Americans continue to want it and people stay on guard to protect it.

There have been some reversals — temporary and permanent — in Wilderness protection. Areas protected in the Wilderness System have had their boundaries

subsequently rearranged by federal politicians seeking to accommodate local interests. For example, Oregon U.S. Senator Mark Hatfield moved the Hells Canyon and the Kalmiopsis Wilderness boundaries in 1978 to accommodate logging roads. In the 1970s, the Forest Service, in the name of “protecting” wilderness values, brought DDT out of retirement to spray for native insects that were defoliating (but rarely killing) trees in the Eagle Cap Wilderness. (The natural infestation was exacerbated by the agency’s overzealous fire suppression policies).

Congress was very careful to distinguish *what kind of land qualifies* for inclusion in the Wilderness System and *how such lands are to be managed* once part of the Wilderness System. Congress described wilderness in Section 2(c) of the Wilderness Act:

A wilderness in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and community of life are untrammeled by man, where man himself is a visitor who does not remain.¹⁷

Congress then defined Wilderness in practical terms:

An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man’s work substantially unnoticeable; (2) has outstanding opportunities of solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic or historical value¹⁸ (emphasis added).

In providing for the management of Wilderness, Congress was restrictive:

Except as otherwise provided in this Act, each agency administering any area designated as wilderness shall be responsible for preserving the wilderness character of the area and shall so administer such area for such other purposes for which it may have been established as also to preserve its wilderness character. Except as otherwise provided in this Act, wilderness areas shall be devoted to the public purposes of recreational, scenic, scientific, education, conservation and historical use.¹⁹

Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and except as necessary to meet minimum

ELLEN MORRIS BISHOP



Congress has a long history of extending federal protection to natural wonders. Crater Lake National Park was established in 1902.

FEATURED

Other Congressional Protections

Wilderness designation is but one way to protect federal public land. It is clearly the best protection for roadless areas, but there are circumstances when other federal classifications are more appropriate (often in combination with Wilderness designation).

In Oregon, as of 2002, Congress had established 49 wild and scenic rivers, three national monuments (one congressionally legislated and two proclaimed by the President under authority of the Antiquities Act of 1906), two national recreation areas and one of each of the following: national park, scenic-research area, scenic recreation area, national scenic area, national volcanic monument, recreation area, cooperative management and protection area and a watershed management unit. (See Appendices C and D.) Congress has also designated national wildlife refuges, but they are more often wetlands, rather than forested or other major terrestrial habitats.

Unfortunately, nearly all of these alternate designations have some loopholes in them that, under certain conditions, allow mining, grazing, logging or other development. Several of these areas have (or should have) legislatively protected Wilderness within their boundaries to enhance their protection.

requirements for the administration of the area for the purpose of this Act, (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.²⁰

Congress has been flexible about allowing past developments in several Wilderness Areas, including an old clearcut that was one square-mile in size (in the Grassy Knob Wilderness), a major logging road with old clearcuts at its terminus (in the Cummins Creek Wilderness and several others) and numerous “jeep trails.” Congress knew that, over time, these unnatural features would be reclaimed by nature. But opponents of Wilderness designation often use the argument that only lands that have been managed as Wilderness without *any* human impacts qualify as Wilderness.

The Wilderness Act is not perfect. It is a political compromise that has loopholes that can be and have been used to the detriment of Wilderness.

Perhaps the most glaring loophole: domestic livestock grazing was grandfathered into the Wilderness Act to continue wherever it occurred before an area is designated as Wilderness. This compromise was necessary in 1964 to overcome the objections of public lands cattlemen against the Act. At the time livestock grazing was considered a minor issue. Conservationists feared more the devastating and immediate threats of road building and logging in areas the Forest Service was busily removing from the administrative wilderness system. In exchange for compromising on grazing in Wilderness areas, proponents were able to pass the Wilderness Act more quickly and begin campaigning for congressional protection for wilderness areas. Today we know more about the ecological destruction caused by seemingly innocuous livestock grazing.

Mining — where claims are both valid and filed before an area is designated as Wilderness — is also grandfathered into the Wilderness Act.

In both cases, the most efficient, just and pragmatic way to address these non-conforming prior uses would simply be for the federal government to acquire the interests in these activities and end them.

There is also a provision in the Wilderness Act, though it has never been exercised, which allows water developments in designated Wilderness Areas at the express order of the President.

Despite its imperfections, the Wilderness Act is a wonderful law, worth defending against all attacks and attackers. Over time, its loopholes and compromises can be addressed through the political process and the goal of “an enduring resource of wilderness” unsullied by any exploitation will finally be attained.

Oregon Wilderness Protection 1930-2002

If we save all the roadless areas that are left as Wilderness, in fifty years it won't be half enough.

—Sen. Bob Packwood (uttered first in 1975 on the edge of Hells Canyon and repeated there again in 1986)

Over the years, the Oregon congressional delegation has included both wilderness saints and scoundrels; and it has been heavily influenced by the politics of Big Timber. Oregon has a smaller proportion (3.6%) of its land protected as Wilderness than do California (13%), Washington (10%) or Idaho (8%). What protected Wilderness Oregon does possess has a smaller percentage of large trees and more “rock and ice” than that of its neighbors to the north and south.

Before the Wilderness Act of 1964

In 1930, the Forest Service designated the Eagle Cap, Mount Jefferson and Mountain Lakes Primitive Areas. The agency also established the Three Sisters Primitive Area in 1937.

In 1940, the agency upgraded the Eagle Cap Primitive Area as an administrative “wilderness area” and the Mountain Lakes Primitive Area as a “wild area.” The Mount Hood Wild Area was also established.

World War II did not halt wildland protection in Oregon. The Strawberry Mountain and Gearhart Mountain Wild Areas were established in 1942 and 1943, respectively, and in 1946, the Kalmiopsis Wild Area was designated.

The Forest Service’s enthusiasm for wildlands protection waned in the early 1950s. The newly industrialized agency was eager to road and clearcut Oregon’s low-elevation old-growth forests, including the west side of the Three Sisters Primitive Area. On February 6, 1957, the agency re-classified the Three Sisters Primitive Area to the Three Sisters Wilderness Area, but removed over 57,000 acres from the protected zone to allow road building and logging. The day before, the agency established the Mount Washington and Diamond Peak Wild Areas to the north and south to mitigate the pending loss of acreage in the Three Sisters area, but neither of the new areas had significant old-growth forests. The lost acreage from the Three Sisters Wilderness Area later became known as “French Pete” (named after a creek in the region) and was an important catalyst and rallying cry for a subsequent congressional Wilderness System.

U.S. Senator Richard L. Neuberger

Given our state's close marriage (and later separation) with the timber industry, it is hard to imagine that a United States Senator from Oregon could be a co-sponsor of the original legislation that became the Wilderness Act of 1964. Yet Senator Richard Lewis Neuberger was no ordinary United States Senator. According to Michael Frome in *Battle for Wilderness*:

At the first committee hearings in 1957, Neuberger spoke eloquently, tolling the bell at "the eleventh hour" for saving the nation's wilderness heritage. He told of the great forests of the Northwest. "If only such magnificent trees might endure forever," he said. "But are we letting commercialism and exploitation rob us of our chance for unfettered enjoyment under the blue heavens and the stars?" Then he added:

Public life often can be a sort of prison, so my visits to these beautiful places are rare. Yet it reassures me to know that they continue to exist — that, somewhere, the sparkling Lochsa foams toward the sea with the same lilting resonance over the same mossy rocks as when Captain Meriwether Lewis called it KoosKooskee, the river which flows fast and clear.

I know that millions of Americans feel likewise. They gain both security and comfort from the fact that a segment of the original wilderness has been saved. The whole continent has not yet been tilled, paved, or settled. Some of these people may never see the real wilderness; their sentiments are purely vicarious. But they are aware of it nevertheless — just as Mount Everest and K-2 inspire pride among people in remote parts of India.²¹

Born in 1912 in Multnomah County, Neuberger attended public schools in Portland and the University of Oregon. He was a correspondent for the *New York Times* from 1939 until he was elected to the U.S. Senate in 1954. He also served in the Oregon House of Representatives in 1941-1942 and was commissioned as an Army lieutenant (later promoted to captain) during World War II. He was elected to the Oregon Senate in 1949. He served in the United States Senate as a Democrat from 1954 until his untimely death from cancer on March 9, 1960.

In a 1959 article in the *Progressive*, Neuberger noted:

Once wilderness is mined or grazed or logged, it never can be true wilderness again. This should induce Americans to proceed slowly when they alter the character of their few remaining primitive realms because such a process

OREGON HISTORICAL SOCIETY



Senator Richard L. Neuberger was the greatest Wilderness advocate (so far) to represent Oregon in the U.S. Senate.

inevitably becomes irreversible. Nature has done well by our United States. It is man's part that needs constant attention and improvement.²²

Senator Neuberger's wife and fellow Democratic politician Maurine Neuberger succeeded him by winning the next term. However, she didn't run again in 1966 and was replaced by Senator Mark O. Hatfield.



Much of the original acreage protected as "Wilderness," first by the Forest Service and later by Congress, was "rock and ice" with no commercial value.

Mount Jefferson, Oregon Island and Three Arch Rocks

With passage of the Wilderness Act of 1964, all areas then classified by the Forest Service as "wilderness" and "wild" areas became part of the new National Wilderness Preservation System.

The Wilderness Act also required the Forest Service to review all Forest Service-designated "primitive areas," including the Mount Jefferson Primitive Area, and make a recommendation to Congress about possible Wilderness designation. While the agency recommended that most of the Mount Jefferson Primitive Area be upgraded to Wilderness, it also recommended that a portion including Marion Lake be left out. Chafing under the loss of administrative discretion wherever congressional Wilderness was designated, the Forest Service had adopted a "purity" threshold for new additions to the Wilderness System. Because some minor development had occurred at Marion Lake, the agency claimed the area was disqualified for Wilderness protection.

To his credit, Oregon's junior Senator Mark Hatfield, who served on the Senate Interior and Insular Affairs Committee, took the lead on a successful Mount Jefferson

Wilderness bill that included Marion Lake. Some water pumps, a boathouse, picnic tables, fire pits and more than 100 boats stored along the shore were ordered removed. Enraged that its recommendation had been overruled, the Forest Service obeyed with a vengeance, to the point of towing the boats that hadn't been removed from the lake shore to the middle of the lake, burning them to the waterline and sinking them, thereby turning some recreationists against Wilderness protection. The Marion Lake controversy seemingly haunted all of Hatfield's Wilderness dealings thereafter.

In 1970, two small, non-controversial coastal island Wildernesses were established that included the entire Oregon Island and Three Arch Rocks National Wildlife Refuges.

Minam River and Hells Canyon

Controversy returned in 1972 when Congress expanded the Eagle Cap Wilderness by including the Little Minam River and other lands around the boundary perimeter. While a net acreage gain, Congress also declassified certain lands that had been protected in the Eagle Cap, placing them back into the general pool of exploitable lands. Congress also ordered the Forest Service to study the Lower Minam River for possible Wilderness protection.

In early 1975, Congress established the Hells Canyon Wilderness as part of a larger national recreation area and adjacent Wild and Scenic Snake River. The legislation was the culmination of an epic battle to prevent hydroelectric dams from being built on the last free-flowing stretch of the Snake River. The congressional hero in this struggle was Senator Bob Packwood, who had fought tenaciously against the dams and for Wilderness since being elected in 1968. Packwood had defeated Senator Wayne Morse who had served in the Senate since 1944 and never showed great interest in protecting wilderness.

The Endangered American Wilderness Act and More Oregon Islands

In 1978, Congress passed the Endangered American Wilderness Act that included additions to the Kalmiopsis, Mount Hood and Three Sisters Wilderness areas, and established the Wild Rogue and Wenaha-Tucannon Wilderness areas. Hatfield brokered this effort and played both hero and villain. The now senior senator successfully resisted last-minute efforts to reduce the proposed Mount Hood Wilderness additions (33,000 acres) in order to allow natural gas development. He also resisted, with some success, efforts by Representatives Al Ullman (D-OR) and Tom Foley (D-WA) to exclude all the big timber (25,000 acres) from the proposed Wenaha-Tucannon Wilderness. (In the end, 15,000 acres were lost in the Washington portion of the Wilderness).

Two years prior to the passage of the Endangered American Wilderness Act, Hatfield had introduced an “Oregon Omnibus Wilderness Act” that was eventually merged into the final Endangered American Wilderness Act. Hatfield’s bill included Boulder Creek (which was dropped from the final bill because of intense opposition from Douglas County timber interests) and Wilderness Study Area status for the “Hidden” Wilderness proposal. (Boulder Creek was eventually added to the Wilderness System in 1984. The “Hidden” Wilderness was protected in pieces, first in the Bull-of-the-Woods Wilderness in 1984 and later in the Opal Creek Wilderness in 1996.)

In 1978, Hatfield’s “Oregon Omnibus Wilderness Act” passed the Senate and would have added 82,400 acres to the Kalmiopsis Wilderness Area. However, as originally introduced, Hatfield’s bill would have added 134,000 acres to the Kalmiopsis Wilderness. Representative Jim Weaver’s (D-OR) own proposal was for a 134,000-acre Kalmiopsis Wilderness addition and an adjacent 136,000-acre Wilderness Study Area. Weaver then persuaded the House to include all 280,000 acres as an addition to the already protected Wilderness. A heated conference committee ensued and, to resolve the differences between the two bills, the final addition was set at 92,000 acres.

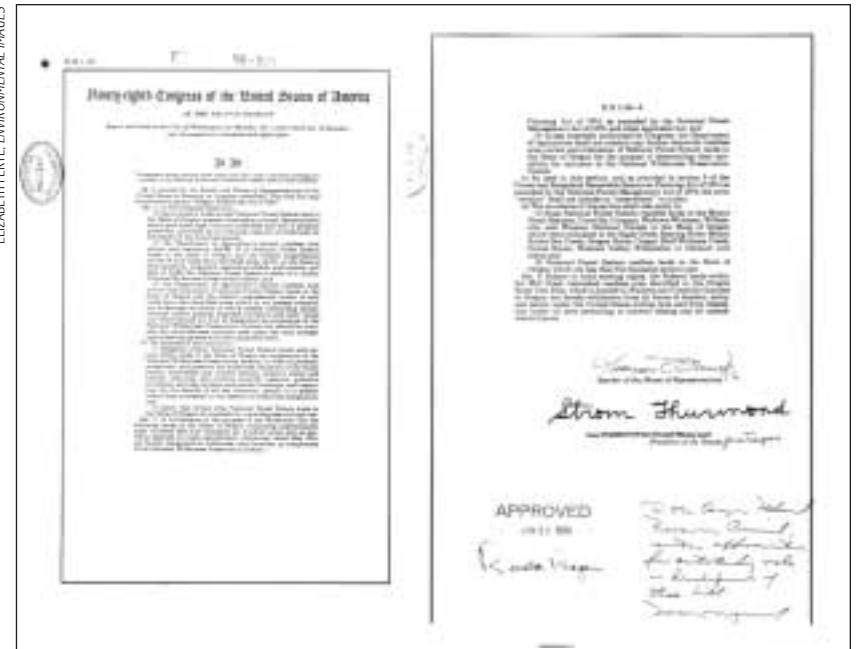
The House staff knew the area better than the Senate staff, so the northern boundary of this new Wilderness addition was drawn to prevent the planned Bald Mountain Road. When Hatfield later learned this, he introduced a “rider” to move the boundary so as to allow the logging road to be built. The actual construction of the road was a catalyzing event in the Pacific Northwest Forest War.

By 1978, the long-raging controversy over the exclusion of French Pete from the Three Sisters Wilderness Area had been decisively won by wilderness proponents. Hatfield had long opposed granting Wilderness status to French Pete, claiming concerns about overuse. In fact, the Senator was still smarting from the wounds of his earlier effort on behalf of Marion Lake. After assurances were given that the area would be managed to accommodate or limit non-conforming uses, Hatfield acquiesced.

Even though none of the wilderness lands included in the House version of the Endangered American Wilderness Act were in his district, Representative Les AuCoin (D-OR) voted against the bill, a decision that enraged the conservation community. Even his counterpart, Representative Robert (“Sawdust Bob”) Duncan (D-OR) voted for the bill. In a lame attempt at political mitigation later that year, AuCoin pushed through a 496-acre addition (consisting of a few score of small coastal islands) to the renamed Oregon Islands Wilderness.

Additional Wilderness boundary tinkering occurred in 1978 when the Hells Canyon Wilderness boundary was moved inward to accommodate the Hells Canyon Rim Road. Senator Bob Packwood initially opposed the effort, but he eventually caved into the wishes of local Representative Al Ullman. Hatfield also supported the move.

ELIZABETH FERYL ENVIRONMENTAL IMAGES



It's not just a piece of paper, but the strongest protection any society has provided wildlands.

The Oregon (Forest) Wilderness Act

A driving force behind the introduction and passage of the Endangered American Wilderness Act was the political fallout from the U.S. Forest Service’s Roadless Area Review and Evaluation (RARE) process, initiated by the Forest Service in 1972 to identify roadless areas on Forest Service land that qualify for Wilderness protection. Although the Forest Service had invented “wilderness” protection in the 1930s, by 1972 the agency strongly opposed it, preferring total discretion to build roads and log wherever it wanted. Consequently the RARE process was sloppy and intentionally overlooked millions of acres of qualifying roadless lands.

In 1977, the Carter Administration, responding to concerns about RARE raised during congressional consideration of the Endangered American Wilderness Act, ordered the Forest Service to again review de facto wilderness lands (all roadless areas larger than 5,000 acres and roadless areas of any size bordering a designated Wilderness area) and make recommendations to Congress. “RARE II” began with good intentions, but in the end was co-opted by the timber-dominated agency again. Out of the 2.9 million acres reviewed in Oregon, the Forest Service recommended only 415,000 acres for Wilderness protection. Another 300,000 acres were designated for “further study” to determine whether they should be recommended for Wilderness protection.

The remaining 2.3 million acres were designated “non-Wilderness,” to be left open to roading and logging.

In 1978, Democratic Governor Bob Straub went on record favoring 750,000 acres of new Wilderness in Oregon. No Oregon governor — before or since — has recommended so much land for Wilderness protection. Unfortunately, Straub lost his re-election bid to Republican Vic Atiyeh in 1978. When Atiyeh took office, the state’s recommendation for new Wilderness designations dropped to 60,000 acres. Atiyeh later thought that was too much.

In 1979, Senator Hatfield promptly responded to the Forest Service’s RARE II recommendations by introducing and passing a bill (S. 2031) in the Senate that would have granted Wilderness status to 451,000 acres. While most of the acreage to be protected overlapped with the Forest Service’s recommendations for Wilderness, some areas that were recommended by the agency and/or later by the Carter administration never made it into the Wilderness System. The areas omitted include:

- National forest roadless lands (totaling 30,530 acres in six units) adjacent to Crater Lake National Park in the proposed South Cascades and North Umpqua Wildernesses. (Hatfield later expanded the park boundary to include most of these areas.)
- Umpqua Spit (2,370 acres) in the proposed Oregon Dunes Wilderness; and
- Limpy Rock (6,700 acres) in the proposed North Umpqua Wilderness.

The Senate bill died in the House in 1980.

No further congressional action was taken on Oregon Wilderness protection until late 1982. Though Senator Hatfield and Representative Weaver agreed on numerous areas to be designated as Wilderness, they vehemently disagreed about the remaining areas. The open hostility increased dramatically as their individual bills progressed through the dual chambers of Congress.

While half (and the most publicly visible part) of the debate over the Oregon Wilderness Act centered on which areas to designate as protected Wilderness, the other half concerned the fate of the roadless areas not to be protected. The timber industry favored “release” language for areas not slated for Wilderness protection, which would have precluded the areas from ever being considered by the Forest Service for Wilderness again, as was then required by the law. Of course, conservationists opposed releasing any areas from the legal requirements that compel the Forest Service to periodically consider roadless areas for Wilderness and make such recommendations to Congress.

Although Representative Weaver represented the top ranked congressional district for timber production in the nation, he was a strong and tireless proponent of Wilderness. To help frame the wilderness versus timber debate, Weaver stated he

ELIZABETH FERYL/ENVIRONMENTAL IMAGES



Representative Jim Weaver (1975-1986, D-4th District) was the greatest Wilderness advocate (so far) to represent Oregon in the U.S. House of Representatives.

would not support a Wilderness bill that affected more than 2 percent of Oregon’s timber supply. Even Weaver was surprised when Oregon conservationists complied by proposing legislation that would have established 1.9 million acres of Wilderness. While only two percent of Oregon’s timber supply, the proposal still contained too many acres and board feet for those political times.

To force Congress into action, in late 1982, Oregon Natural Resources Council, National Audubon Society and other conservation organizations threatened to file a lawsuit to prevent the further development of Oregon’s national forest roadless areas without preparation of an adequate

environmental impact statement for RARE II. The state of California had recently won a similar lawsuit, so it was a slam-dunk case. Like the California case, the (threat of) Oregon litigation was opposed by the Sierra Club and Wilderness Society, who feared a political backlash resulting in the wholesale “release” of roadless areas to development. ONRC was more concerned about nature’s backlash, as the areas in question were already being roaded and logged as if they had already been formally “released.”

By this time, a new guard of wilderness activists had begun to focus their attention on the importance of Wilderness to protect old-growth forests. The previous generation of activists had generally not advocated for Wilderness areas that included big trees. French Pete was an exception, where big trees had once been protected as part of administratively designated “wilderness,” only to be later removed from “wilderness” protection. Logging of heavily timbered roadless areas bothered the new guard. The old guard was more concerned with designating the generally larger, less-timbered, higher-

elevation areas. The old guard didn't want to litigate over RARE II; the new guard did.

Also by this time, the timber industry was becoming annoyed that Wilderness legislation was beginning to include significant areas of old-growth forest, rather than the predominantly non-commercial forests or high elevation areas of "rock and ice" that had been periodically doled out to mollify earlier generations of conservationists. Timber country politics were starting to change.

Meanwhile, conservationists were beginning to reframe how Wilderness was perceived, changing the emphasis from a vision of pristine backcountry recreation areas to a consideration of important watersheds containing critical fish and wildlife habitat. The Cummins Creek and Rock Creek Wilderness areas — for example — were probably the first national forest lands designated as Wilderness that at the time did not contain one foot of official Forest Service hiking trail.

During the post-election "lame duck" Congressional session in December 1982, Representative Weaver used the threat of the RARE II litigation to push another Wilderness bill in the House (H.R. 7340). It would have designated 1,118,875 acres of Wilderness and Wilderness Study Areas in Oregon. Though it received a clear majority during House consideration, it had to be brought to the floor under a "suspension of the rules." This meant the bill as presented could not be amended and a two-thirds majority was required for passage. The bill lost with 247 yays and 141 nays.

The bitter division among the Oregon congressional delegation continued throughout 1983. The conservation community remained split over whether or not to file the highly meritorious, but politically problematic RARE II lawsuit. Weaver's failed Wilderness bill, H.R. 7340 of the 97th Congress, was resurrected as H.R. 1149 in the 98th Congress. It passed the House easily in March 1983 and included about 10,000 more acres than H.R. 7340. Had the Senate passed by the House bill, it would have resulted in an additional 1,128,375 acres of Oregon Wilderness.

Weaver led the House effort for Oregon Wilderness in the early 1980s, but Representatives Les AuCoin and Ron Wyden (Oregon Democrats) also played important roles. Weaver can be credited with the 1983 House bill having as much acreage as it did, and it passed the House thanks to AuCoin's leadership. That the North Fork John Day, Salmon-Huckleberry and Badger Creek areas were as large as they were, and that Table Rock was included in the bill at all, are due to Wyden's leadership.

After passing the House, H.R. 1149 went to the Senate where it languished for the rest of 1983. In December of that year, the long-threatened RARE II lawsuit against the Forest Service was filed. The suit successfully prevented the Reagan administration from building roads and logging in the 2.2 million acres of Oregon national forest lands recommended for "non-Wilderness." It also forced Hatfield to finally act on Wilderness legislation. Hatfield passed a modified and diminished version of H.R. 1149 totaling 780,500 acres through the Senate Committee on Energy and Natural

Resources. His bill also included "soft release" of lands categorized as "non-Wilderness." "Soft release" differed from the timber industry's hoped for "hard release," by theoretically requiring future agency consideration of these lands for Wilderness in ten to fifteen years.

The Oregon congressional delegation soon reached a compromise and amended H.R. 1149 (later known as the Oregon Wilderness Act of 1984) so that the final version added 861,500 acres of Wilderness in Oregon. This broke the "logjam" and culminated in the enactment of numerous other state Wilderness bills in 1984.

Table 3-1 depicts the evolution of the Oregon Wilderness Act of 1984. The size of some areas was never controversial. (Minor changes in acreage depicted in the table were either recalculations or mapping refinements.) Some areas became smaller during the legislative negotiation process in response to new roads and clearcuts. Other areas didn't make it into the final bill at all, while still others were added late in the process. Congressman Les AuCoin supported H.R. 1149 in the House but insisted that no Wilderness be designated in his congressional district. Despite AuCoin's objections, the final version of the bill included the old-growth rich Drift Creek Wilderness.

The Oregon Wilderness Act of 1984 added the first extensive stands of Oregon old-growth forest to the Wilderness System. In addition to Drift Creek, these included the Middle Santiam, Waldo Lake, Rock Creek, Salmon-Huckleberry, Cummins Creek, Bridge Creek, Black Canyon, Badger Creek, Bull-of-the-Woods, Boulder Creek, Mill Creek, Grassy Knob, Monument Rock, North Fork John Day, North Fork Umatilla and Rogue-Umpqua Divide Wildernesses. The bill also designated Oregon's first forest Wilderness of less than 5,000 acres in size, the Menagerie Wilderness. The bill included Oregon's first BLM-administered Wilderness, the Table Rock Wilderness. (The Wild Rogue Wilderness also includes BLM lands, but is administered by the Forest Service.)

In addition, previously unprotected lengths of the Cascade crest were finally protected in the Columbia, Mount Thielsen and Sky Lakes Wildernesses. The Diamond Peak, Mt. Jefferson, Mount Washington and Three Sisters Wildernesses along the Cascade crest were also "widened" to include lower elevation and more diverse forestlands, as was the Strawberry Mountain Wilderness.

Finally, some more "classic" Wilderness (small in size, high elevation and/or few trees) was protected in the Red Buttes Wilderness and the Gearhart Mountain and Hells Canyon Wilderness additions.

By 1984 a pattern had become evident in Oregon wilderness politics. Each year that Senator Mark Hatfield was up for re-election, he found time to push through Wilderness bills. When the dust finally settled in 1984, Congress had created 21 new Wilderness areas in Oregon, increased the size of eight others and restored some of the wildlands removed from the Eagle Cap Wilderness in 1972.

Table 3-1. Evolution of the Oregon Wilderness Act of 1984

Wilderness Proposal	Notes	S. 2031 Nov. 79 (Passed Senate)	H.R. 7340 Dec. 82 (Failed House*)	H.R. 1149 Mar. 83 (Passed House)	H.R.1149 May 84 (Passed Senate)	P.L. 98-328 Jun. 84 (Enacted Into Law)
Salmon-Huckleberry	1	8,300	55,000	55,000	44,600	44,600
Bull-of-the-Woods	2	26,700	47,000	47,000	34,900	34,900
Columbia (now Mark O. Hatfield)	3	40,900	40,900	40,900	39,000	39,000
Badger Creek		14,000	27,000	25,000	23,500	24,000
Black Canyon	4	13,400	13,400	13,400	13,400	13,400
Bridge Creek		6,325	7,100	7,100	5,400	5,400
Coleman Rim		7,825	7,825	7,825	-	-
Rock Creek	5	6,500	6,500	6,500	7,400	7,400
Boulder Creek		19,820	19,820	19,820	19,100	19,100
North Fork John Day		65,000	205,000	218,000	121,300	121,400
Sky Lakes		113,000	113,000	113,000	116,300	116,300
Mill Creek		14,400	14,400	17,400	17,400	17,400
Mount Washington Additions		6,000	6,000	6,000	6,400	6,400
Diamond Peak Additions	6	8,200	-	-	-	15,700
Diamond-Thielsen	6	-	155,000	154,000	-	-
Mt. Thielsen	6	-	-	-	-	55,100
Three Sisters Additions		27,300	36,000	36,000	38,100	38,100
Gearhart Mountain Additions		3,730	3,730	3,730	4,100	4,100
Strawberry Mountain Additions		35,100	35,100	35,100	35,300	35,300
Eagle Cap Additions		34,300	34,300	67,000	67,500	66,500
Middle Santiam		-	20,000	19,800	7,500	7,500
Cummins Creek		-	8,800	8,800	9,300	9,300
Rogue-Umpqua Divide		-	55,000	54,000	33,200	33,200
Grassy Knob	7	-	22,000	21,500	7,700	17,200
Red Buttes	7	-	26,000	25,000	3,800	3,400
Joseph Canyon	7	-	31,000	31,000	-	-
Mt. Jefferson Additions		-	13,500	13,000	6,800	6,800
Mountain Lakes Additions		-	3,000	3,000	-	-
Waldo Lake	8	-	65,000	-	39,200	39,200
Hardesty Mountain	7,8	-	7,500	7,000	-	-
North Fork Umatilla		-	-	18,000	22,200	22,200
Glacier-Monument	9	-	-	49,000	-	-
Glacier Mountain	9	-	-	-	18,300	-
Monument Rock	9	-	-	-	-	19,800
Table Rock	10	-	-	5,500	5,500	5,500
Drift Creek		-	-	-	5,800	5,800
Old Cascades	11	-	40,000	-	-	-
Menagerie	11	-	-	-	4800	4800
Hells Canyon Additions		-	-	-	22700	22700
TOTAL (Wilderness & Wilderness Study Area)	12	450,800	1,118,875	1,128,375	780,500	861,500

* This bill was considered under "suspension of the rules," meaning that no amendments could be offered and that it had to pass by a two-thirds majority. The vote was 247-141.

1. Named "Salmon Butte" Wilderness in S. 2031.
2. Named "Hidden Wilderness" in H.R. 7340 and H.R. 1149 (House version). The final Bull-of-the-Woods Wilderness did not include the Opal Creek area, which later became the Opal Creek Wilderness in 1996.
3. Named "Columbia Gorge" Wilderness in H.R. 7340 and H.R. 1149 (House version).
4. Named "Ochoco Canyon" Wilderness in H.R. 7340 and H.R. 1149 (House version).
5. Named "Oregon Coast" Wilderness in S. 2031.
6. S. 2031 designated this area part of a 133,950-acre "Oregon Cascades Conservation Area," a Hatfield alternative to Wilderness (neither Wilderness, nor clearcut, but "wilderness lite"). H.R. 7340 and H.R. 1149 included 155,000-acre and 154,000-acre, respectively, "Diamond-Thielsen" Wilderness which would have incorporated existing Diamond-Peak Wilderness (acreage does not include existing Wilderness).
7. Also included Bureau of Land Management holdings.
8. Included as a Wilderness Study Area in H.R. 7340
9. H.R. 1149 (House version) included a two-unit "Glacier-Monument" Wilderness; H.R. 1149 (Senate version) included Glacier Mountain Wilderness of 18,300 acres.
10. Bureau of Land Management holdings.
11. H.R. 7340 included a Wilderness Study Area of 40,000 acres, containing the Echo Mountain, Gordon Meadows and Menagerie (a.k.a. Rooster Rock) units.
12. Included an additional "Oregon Cascades Recreation Area" ("wilderness lite") of 51,488 acres (not totaled).

S. 2031, 96th Congress, 1st Session (1979), sponsored by Sen. Hatfield

H.R. 7340, 97th Congress, 2nd Session (1982), sponsored by Reps. Weaver, AuCoin and Wyden

H.R. 1149, 98th Congress, 1st Session (1983), sponsored by Reps. Weaver, AuCoin and Wyden

H.R. 1149, 98th Congress, 2nd Session (1984), modified by Sen. Hatfield

P.L. 98-328, 98th Congress, 2nd Session (1984), signed by President Reagan

Wilderness Designations on Hold

After passage of the Oregon Wilderness Act, Hatfield was so politically exhausted that he said he never wanted to confront the issue again. In June of 1984, I found myself on a red-eye flight to Washington, D.C., with the Senator. While changing planes in Chicago at 5:00 a.m., the sleep-deprived Senator asked the sleep-deprived ONRC staffer why he was going to Washington, D.C.

"To work on your timber bailout bill, sir," I cheerfully replied.

"You mean the Federal Timber Purchaser Contract Payment Modification Act," the Senator replied somewhat sternly.

Timber purchasers, in what would later be known as "irrational exuberance" had bid up timber sale prices to levels well beyond their market value. So they were subsequently seeking regulatory relief from Congress to let them off the hook. "Your bill would void some very damaging timber sales in roadless areas, which means conservationists have another shot at designating them as Wilderness someday," I commented with less cheerfulness.

"There are no more roadless areas," said Hatfield in a slightly more patronizing tone.

"Yes, Senator, I know that as a matter of *law* Forest Service roadless areas won't have to be considered again for Wilderness for a long time, but..."

"Andy, there are *no* more roadless areas," he interrupted, even more patronizingly.

"... but as a matter of *fact* there are still areas without roads, so..."

"Andy, I will never ever do another Wilderness bill. This is the last one," Hatfield said with nary a tone of patronization, but with a heavy note of finality.

The godfather of Oregon politics was saying that he would never grant another wish to wilderness advocates. Each year Hatfield had run for re-election (in 1972, 1978 and 1984) he had helped enact exponentially larger Wilderness bills into law. However, Hatfield was now saying in 1984, "no-way" to more Wilderness in 1990. This represented potentially a huge loss for Oregon forest conservation.

With the door to future Wilderness legislation closed by Hatfield, the conservation community was forced to consider other means to slow the destruction of de facto wilderness and other stands of old-growth forest. Thus Hatfield was instrumental in prompting conservationists to seek alternate strategies to save forestland, including safeguarding habitat for spotted owls, marbled murrelets, Pacific salmon and other residents of the old-growth forest. Ironically — and most fortunately — the resultant habitat protection for sensitive fish and wildlife led to far fewer trees being cut than would have likely occurred under conservationists' most optimistic Wilderness scenarios. (That, however, is another book.)

Almost a Thaw

When Senator Bob Packwood sought re-election in 1986, he faced a challenge by Congressman Jim Weaver, the staunch Wilderness supporter. However, running statewide, Weaver had no chance of winning the office. Nonetheless, Packwood wanted to leave nothing to chance and conceived of a victory strategy that sought to win or at least split the environmental vote.

To gain at least some conservationists' support for his re-election bid, Packwood introduced legislation for a 300,000-acre addition to the Hells Canyon Wilderness. Hatfield supported the legislation, despite his recent vow not to become involved in another Wilderness bill. When Weaver dropped out of the race in August and was replaced by a state legislator whose idea of a campaign was to walk from Ashland to Mount Hood, Hatfield correctly perceived no risk to his fellow Republican's re-election and reneged on the 300,000-acre Wilderness deal.

Unfinished Legacy and Even More Oregon Islands

The political polarization and controversy that erupted in the late 1980s around the spotted owl and ancient forests barred any consideration of Oregon Wilderness legislation in 1990, despite the fact that Hatfield was running for re-election. But as Hatfield's last term wound down in 1996, he decided to complete some unfinished business: Opal Creek. Hatfield had tried without success to protect the area in previous legislative efforts. For years conservationists had agitated to save Opal Creek, including making it a state park. By 1990 Opal Creek was a household word in Oregon politics. In late 1994, Oregon Democratic Representative Mike Kopetski pushed Opal Creek Wilderness legislation through the House of Representatives. Although time was rapidly running out on the congressional session, Hatfield had enough time to act, if he wanted to. On November 20, over 4,000 Oregonians rallied at Pioneer Square in Portland to pressure Hatfield into supporting the bill. ONRC also rented the most visible billboard in Oregon (I-5 at OR 217) to post a simple message: "Save Opal Creek. Call Senator Hatfield. 221-3326." Cell phones had become widespread, so motorists stuck in Portland area traffic, keyed in the number and registered their opinion. Hatfield's office telephone lines were jammed for weeks. Still, the Senator claimed there wasn't enough time to introduce a bill and that he'd take up the matter the next Congress (after Kopetski had retired).

In 1996, as he was preparing to leave after thirty years in office, Hatfield did finally save Opal Creek. It still came down to the last minute, with Hatfield tacking the Opal Creek Wilderness legislation onto a must-pass defense appropriations bill. In



Former U.S. Senator Bob Packwood in 2001 at Buckhorn Springs in the Hells Canyon National Recreation Area.

U.S. Senators Mark Hatfield and Bob Packwood

No two people have had more effect on Oregon's wilderness than Mark Hatfield and Bob Packwood, if only because of the timing and duration of their careers in the U.S. Senate (1967-1996 and 1968-1999, respectively).

Packwood believed that roadless areas were de facto wilderness; just as wild, just as natural and just as important as congressionally designated Wilderness. Hatfield believed in the "creationist" theory of wilderness: it wasn't wilderness until Congress designated it so.

Packwood started his Senate career as very pro-environment. He spoke at the first Earth Day in 1970. However, the longer he was in the Senate, the less of a wilderness supporter Packwood became. He felt — somewhat understandably — that he'd never get the political support of the conservation community. When Packwood first ran for the Senate in 1968, the then-small conservation community backed Senator Wayne Morse, more because he was a Democrat and an incumbent than for any environmental record of accomplishment. In 1974, 1980 and 1986, Packwood's Democratic challengers were state legislators with excellent environmental voting records. In 1974 Packwood was so offended by a co-endorsement from the Oregon League of Environmental Voters (now the Oregon League of Conservation Voters) that the League made sure not to repeat the mistake again. In 1980, the League gave its sole endorsement to then state Senator Ted

Kulongoski, who lost his challenge to Packwood. In 1986, Rep. Jim Weaver, who had far better environmental credentials than Packwood, challenged him for his seat, but then failed to finish the race. Packwood felt that environmentalists were always biased toward Democrats, no matter what a Republican's voting record. That contention was reinforced in the 1986 governor's race when most environmentalists backed the Democratic — but markedly un-green — Neil Goldschmidt over the markedly green — but Republican — Norma Paulus.

Packwood was a consummate political opportunist. His national League of Conservation Voters scorecard rating (for "green" votes) oscillated between percentages in the mid-20s and mid-80s. His ratings consistently peaked in re-election years and then plummeted the next, before creeping upward as the next election approached.

In a farewell address to the Senate (after being forced out when some indiscretions became known), Packwood said the legislation he was most proud of passing was that which saved Hells Canyon. Too often, it is only after politicians leave the stage that they can see clearly and speak freely.



Senator Mark O. Hatfield proudly claimed that more Oregon acreage was protected as Wilderness during his three decades in Congress than any other time. However, far more wildlands were destroyed by his successful funding of roads and timber sales during his tenure on the Senate Appropriations Committee.

clearcuts meant that he was usually at war with the Earth. As Hatfield was leaving office in 1996, his colleagues renamed the Columbia Wilderness the Mark O. Hatfield Wilderness. (The Senate also named the new federal courthouse in Portland after Hatfield, a man who several times sought to bar the courthouse door to citizens in order to allow logging of Oregon's forested wildlands and old-growth forests.) Hatfield never had any real love for wilderness. It was politically expedient for him only to support Wilderness when seeking re-election or to polish his tarnished environmental legacy.

Hatfield's view of wilderness prevented him from understanding why conservationists so adamantly objected to the obscenely high funding of federal road and logging budgets passed during his tenure on the Senate Appropriations Committee. Hatfield later said, with apparent pride, that it was during his time in the Senate that the most Wildernesses in Oregon had been "created." (The correct word is "established.") Considering that Hatfield arrived in the Senate two years after the Wilderness Act passed and was re-elected for 30 years thereafter, this isn't that remarkable of an accomplishment. And he has never been heard to brag that far more de facto wilderness and old-growth forest was also roaded and clearcut during his tenure than that of any other Oregon senator.

Hatfield, like most Republicans who run for statewide office in Oregon, was "liberal" on at least one major issue. He usually opposed war on Earth. But his relentless funding of roads and

addition, he added more islands to the Oregon Islands Wilderness. In the haste and confusion of the concluding Congress, the body actually passed the bill twice, enacting identical language in a separate piece of legislation.

Never had an area taken so long or required such dogged advocacy to save as Wilderness. Opal Creek first became an issue in the early 1970s. The proposed “Hidden Wilderness,” which included Opal Creek, was approved by the Senate as a Wilderness Study Area in 1977 and was designated a Wilderness by the House in 1983, but was not included in the Oregon Wilderness Act of 1984. Over the years the Forest Service attempted numerous timber sales in the area, but was always beaten back. Partly to fulfill his commitment to unfinished business, and partly as an attempt to mitigate his legacy of forest clearcuts, Hatfield did at last succeed in pushing Opal Creek protection through Congress in 1996.

Oregon's First Desert Wilderness

Oregon's first mostly non-forested desert Wilderness is the Steens Mountain Wilderness, designated in 2000. With not one but two political “guns to the head,” local cattle barons willingly supported establishing Steens Mountain Wilderness. One gun, loaded with ammunition in the form of the Wild and Scenic Rivers Act of 1968, was wielded by a U.S. District Court judge in Portland. A pending lawsuit was likely to rule that livestock grazing was illegal within the Donner und Blitzen Wild and Scenic River corridor. The second political gun, loaded with the Antiquities Act of 1906, was being waved menacingly by Secretary of the Interior Bruce Babbitt, who threatened the cattle barons with the prospect that President Clinton might proclaim the area a national monument. Fortunately, the cattle barons' worst fears of a Clintonian national monument were far greater than the conservationists' best hopes.

Senator Wyden and Representatives Earl Blumenauer (D-OR), Peter DeFazio (D-OR) and Greg Walden (R-OR) deserve the most credit among members of the Oregon congressional delegation who unanimously supported the final legislation. In politics, one never questions — but always should understand — the motives of someone who is voting your way. The personal wishes of the cattle barons and the political circumstances of the times resulted in a very reluctant Republican, Rep. Greg Walden, being responsible for creating the nation's first legislatively mandated livestock-free Wilderness Area. ♦

Notes

- ¹ Browning, Peter (compiler, ed.). 1988. *JOHN MUIR IN HIS OWN WORDS: A BOOK OF QUOTATIONS*. Great West Books. Lafayette, CA: 52 (originally published in John Muir, *JOHN OF THE MOUNTAINS*, IN 1895).
- ² Dombeck, Mike. Forest Service Chief letter to all Forest Service employees re. conservation leadership (July 1, 1999).
- ³ Dombeck, Mike. 2001. Roadless Area Conservation: an Investment in Future Generation (statement). (Jan. 5, 2001) (unpaginated). Available at roadless.fs.us/documents/rule/dombeck_stmt.htm.
- ⁴ Ibid.
- ⁵ Meehan, Brian T. *An Oregon century: the promise of Eden*. The Oregonian (Dec. 19, 1999): A14 (Judge Waldo was quoted in 1896).
- ⁶ LaLande, Jeff. 1989. *A wilderness journey with Judge John B. Waldo, Oregon's first preservationist*. Oregon Historical Quarterly 90(2): 155.
- ⁷ LaLande, Jeff. 1989. *A wilderness journey with Judge John B. Waldo, Oregon's first preservationist*. Oregon Historical Quarterly 90(2): 155.
- ⁸ Mortenson, Eric. *Writings of Judge Waldo*. Eugene Register-Guard (Aug. 9, 1987): B1.
- ⁹ LaLande, Jeff. 1989. *A wilderness journey with Judge John B. Waldo, Oregon's first preservationist*. Oregon Historical Quarterly 90(2): 157.
- ¹⁰ LaLande, Jeff. 1989. *A wilderness journey with Judge John B. Waldo, Oregon's first preservationist*. Oregon Historical Quarterly 90(2): 159.
- ¹¹ Mortenson, Eric. *Writings of Judge Waldo*. Eugene Register-Guard (Aug. 9, 1987): B1.
- ¹² LaLande, Jeff. 1989. *A wilderness journey with Judge John B. Waldo, Oregon's first preservationist*. Oregon Historical Quarterly 90(2): 165 (note 60).
- ¹³ Foreman, Dave. 1999. *Around the Campfire: "Will-of-the-land."* Wild Earth 9(2): 4.
- ¹⁴ The Wilderness Act, 16 U.S.C. 1131(a).
- ¹⁵ The Wilderness Act, 16 U.S.C. 1131(a).
- ¹⁶ Browning, Peter (compiler, ed.). 1988. *JOHN MUIR IN HIS OWN WORDS: A BOOK OF QUOTATIONS*. Great West Books. Lafayette, CA: 65-66 (Originally published in John Muir, *Cathedral Peak and the Tuolumne Meadows*, Sierra Club Bulletin, Jan. 2, 1911).
- ¹⁷ The Wilderness Act, 16 U.S.C. 1131(c).
- ¹⁸ The Wilderness Act, 16 U.S.C. 1131(c).
- ¹⁹ The Wilderness Act, 16 U.S.C. 1133(b).
- ²⁰ The Wilderness Act, 16 U.S.C. 1133(c).
- ²¹ Frome, Michael. 1997. *BATTLE FOR THE WILDERNESS*. Rev. ed. University of Utah Press. Salt Lake City, Utah: l-li.
- ²² Neuberger, Richard. 1988. *THEY NEVER GO BACK TO POCATELLO: SELECTED ESSAYS OF RICHARD NEUBERGER*. Steve Neal (ed.). Oregon Historical Society Press. Portland, OR: 66-67 (appearing in “Guarding our Outdoor Heritage,” first published in *The Progressive*, January 1959).