

A New Vision
for Governing
the West

This Sovereign Land

DANIEL KEMMIS



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Preface

Two long-standing personal passions account for this book. One is my lifelong love for politics, and the other is the way I feel about the American West. Over the years, I have come to know that behind my fascination with politics lies a sometimes mysterious but apparently unshakable faith in democracy—in the capacity of people to solve their problems and realize their potential together. This democratic faith makes me a democrat with a small “d,” but this portion of my identity shades imperceptibly into my being also a loyal big “D” partisan Democrat. Meanwhile, my second commanding loyalty—the deep affection I feel for the West—is rooted in a strong emotional response to its magnificent landscapes and their power to shape and sustain the ecosystems that have evolved on and with those landscapes. Humans are part of those ecosystems, and so are their evolving politics. It is with the power of the West to shape its politics that my two passions intersect. What this all adds up to is that this book is the work of a westerner, an environmentalist, and a democrat who is also a confirmed Democrat.

It is from this particular blend of perspectives that I describe here, as honestly as I know how, what I see the West making of itself. What I see is a very powerful, inspiring, hard, and demanding set of western landscapes having created over time a people so fundamentally defined by those places that they must

finally—must soon now—claim sovereignty over their homeland. So the westerner and the democrat in me has long been convinced, and because of this I have found myself more and more often dissenting from my Democrat and environmentalist friends. So deep are some of the disagreements that I have often doubted whether I was actually seeing what I thought I saw in the West. Those disagreements and doubts made this a particularly hard book to write. But in the end, leaving the door open to the possibility that I might just have it wrong, I have tried my best to convey my understanding of where the West has been and where it is going.

I believe that westerners, claimed by and committed to their place, have finally come to the borders of a political maturity that will enable them to take responsibility for the place that made them westerners. And I believe that these commanding landscapes—these sovereign landscapes—will be best served by a people at last allowed to be sovereign over their homeland.

It is precisely as a democrat and an environmentalist that I am convinced the West is now ready to be in charge of the West, and that this can happen only through a gradual, thoughtfully conceived, and carefully executed transfer of responsibility for most of the public lands in the West. I do not mean privatization any more than I mean turning the land over to the states. What I do mean will take a book to tell. By the end of the book, I expect many of my friends, colleagues, and neighbors to disagree with me still. Those disagreements and debates may eventually lead me to different conclusions from the ones expressed here. But of this, at least, I am certain: the West has finally matured enough to do justice to the open discussion this book invites.

Acknowledgments

I am indebted to the William and Flora Hewlett Foundation for supporting both the researching and the writing of this book. As with every other individual and organization named here, the Hewlett Foundation is not accountable for what I have written. Most especially Michael Fischer is not, but he most especially deserves my gratitude for unflinchingly encouraging the development of unorthodox ideas.

The Center for the Rocky Mountain West at the University of Montana provided the institutional support for this effort, but it was the Center's people who provided the real support. Thanks to Joey Bernal, Paul Galasso, Susan Gibb, Tara Gunter, David Highness, Patty Hixson, Amy Inman, Greg Lakes, Doug Lawrence, Lori Lustig, Celeste River, Anne Robinson, and Carolyn Schultz for the teamwork it takes to do this kind of work. Special thanks to T. J. Abbenhaus for work on the maps and to Susan Fox for some superb pinch-hitting.

Jeannie Thompson provided more kinds of help than I even know about, but I do know how faithfully she guarded my morning writing time.

The best part of a regional studies center is the intellectual stimulation it provides. My colleagues Bill Farr and Larry Swanson have kept me as honest as they could, and my ongoing

debate with Pat Williams about public land issues has been as helpful as it is stimulating.

This book wore out more than its share of research assistants, leaving me the advantage of getting to know more than my share of very fine young thinkers and writers. Thanks to Molly Kramer for getting us started; to Emily Miller for overwintering the book so productively; to Caitlin DeSilvey for pulling it all together; and to Ari LeVaux and James Lainsbury for bringing it home.

I appreciate the support and patience of all my colleagues in the Western Charter Project and most especially the many stimulating and clarifying conversations with Jim Butcher, Terry Minger, and Priscilla Salant.

Less frequent but deeply influential conversations are also echoed in this book. I recall especially talks with Terry Tempest Williams, Benjamin Barber, Chris Carlson, Bill Hornby, Patricia Limerick, Ed Marston, Luther Propst, Rosemary Romero, Charles Wilkinson, Donald Worster, and Monty Zeller.

Closer to home, I've had the advantage of working with Don Snow and Sarah Van de Wetering, Gerald Mueller, Jim Burchfield, Tom Petersen, Matt McKinney, Hank Fischer, Tom France, and Greg Schildwachter, all of whom have shared freely their experiences with and ideas about collaboration to deepen my own.

From within the land management agencies, I've benefited particularly from conversations with Dave Williams and Peggy Harwood, Cynthia Manning, Hal Salwasser and Orville Daniels, Gloria Flora and Ruth McWilliams.

Marc Jaffe believed in this book before anyone else did. Carl Brandt was next, and he became more than an agent to me, which perhaps is part of being a good agent. At Island Press, Jennifer Alt and Cecilia González provided excellent assistance; Barbara Youngblood and Pat Harris were outstanding, and Bar-

bara Dean's skill as an editor is the invisible presence in this volume.

Finally, thanks to Sam, Abe, John, and Deva for your unswerving faithfulness.

I n t r o d u c t i o n

The Lay of the Land

The American West has long been viewed, by its residents and by others, as standing apart from the rest of the United States. Since the early days of America's history, the West's distinguishing characteristics and its relationship to the rest of the country have been subjects of analysis, celebration, misunderstanding, and conflict.

This book focuses on the interior West, also known as the Rocky Mountain West, a region that is bordered by but does not include the Great Plains to the east and the Pacific Coast region to the west. Wallace Stegner described the region in relation to its neighbors in terms that fit well with the perspective of this book:

So—the West that we are talking about comprises a dry core of eight public-lands states—Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, and Wyoming—plus two marginal areas. The first of these is the western part of the Dakotas, Nebraska, Kansas, Oklahoma, and Texas, authentically dry but with only minimal public lands. The second is the West Coast—Washington, Oregon, and California—

with extensive arid lands but with well-watered coastal strips and also many rivers.¹

Stegner might have added that the coastal states also have a substantial amount of public land, as does Alaska. For that reason, the “dry core” must be prepared at least to make political alliance with the Pacific states over public land issues and with the prairie states over a broader range of rural issues. For some purposes, then, both the Plains and the coast are part of the West, as is Alaska, and in some instances this book will treat them as such. But the core of the West, particularly the West whose issues occupy this book, is a region dominated by these features: mountainous terrain, aridity, and public lands.

If any one feature sets the West apart from the rest of the country, it is the power and presence of its landscape. The West is about land, and about the relationship of people to land. No other region comes close to the West’s expansiveness of landscape in proportion to the number of its people, as figure 1 illustrates. But that relatively low population density is only one dimension of the dominance of land and landscape in the region. Land is ubiquitous in every dimension of western life. Ask people why they live in the West and the answer will most often have to do with landscape, far more often than would be the case in any other region. Attend ten public meetings in the West and see how many more of them involve land than would similar meetings anywhere else.

This dominance of land and landscape makes its presence felt in public policy, largely because so much of the West is publicly or tribally owned. In fact, if you map America’s public lands, you have essentially mapped the West, as figure 2 shows. More than 90 percent of all federal land is found in Alaska and the eleven westernmost states of the lower forty-eight—Montana, Idaho, Wyoming, Colorado, Utah, Arizona, New Mexico, Nevada, Cal-

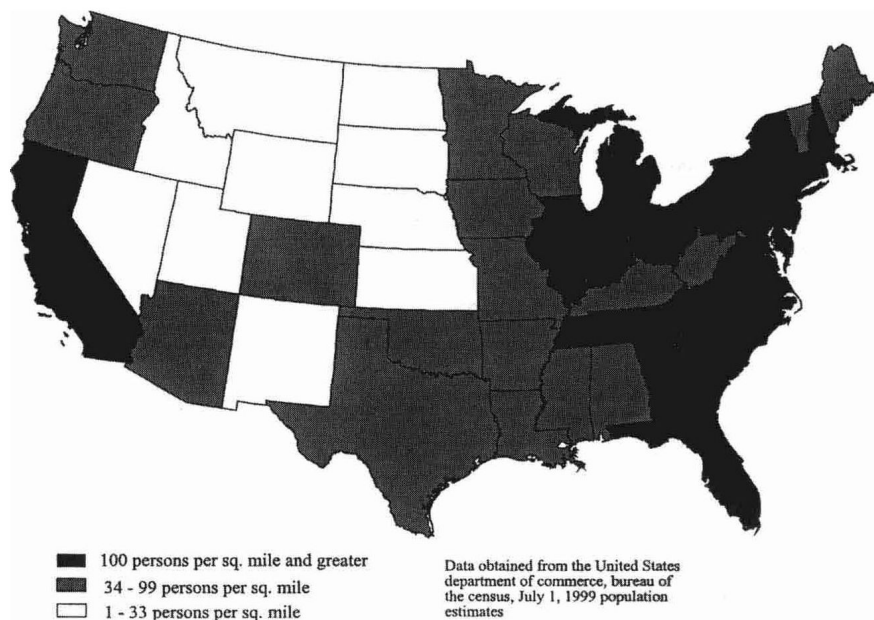


Figure 1
Population Density by State

ifornia, Oregon, and Washington. These federal holdings are so vast that they dominate not only the geography but also the politics of the West. Geographically, the Forest Service and the Bureau of Land Management (BLM) alone own more than 411 million of the roughly 1.2 billion acres that make up Alaska and the eleven lower western states—about 34 percent of the total land area. Nationally owned lands take up an astounding 83 percent of Nevada's total land base, more than 60 percent of Idaho's and Utah's, and more than 45 percent of the land base in four other western states. These lands are owned by the national government and run by its agencies in Washington, D.C. The BLM, the Forest Service, and increasingly the U.S. Fish and Wildlife Service and National Marine Fisheries Service have been given primary responsibility for managing these vast western acreages.

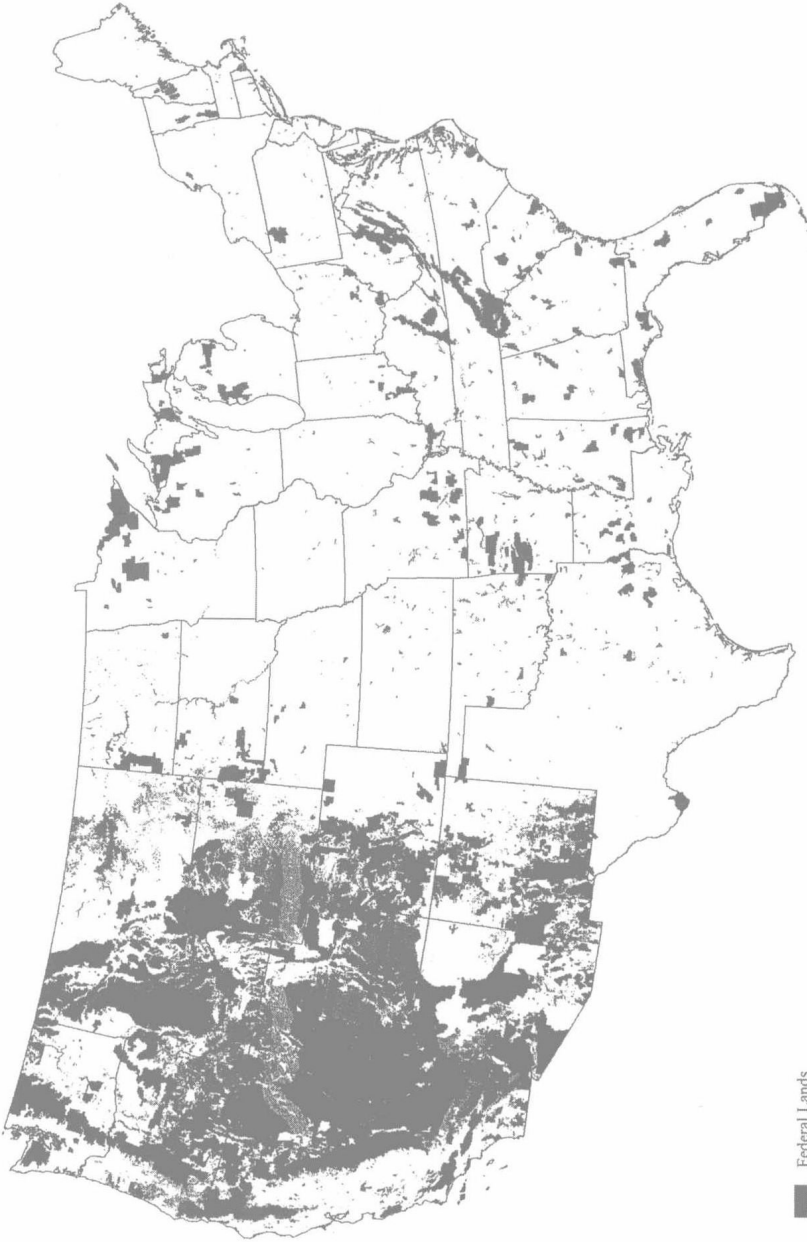


Figure 2
United States Federal Government Lands

The West is also Indian country, as figure 3 demonstrates. Indian tribes govern roughly one-fifth of the interior West, and as devolution comes to their lands, they control them with less and less federal interference. More than 1 million Indians live in the eleven lower western states, roughly half of them on reservations. Arizona contains the largest percentage of Indian land, with roughly one-third of the state covered by reservations. The largest western reservations are the size of some eastern states, and they are governed at a very high level of complexity and sophistication. Forty reservations maintain their own fish and wildlife operations, for example; twenty-five are members of the Council of Energy Resource Tribes; and thirty offer and regulate casino gambling.²

As figure 4 shows at a glance, by the 1990s the interior West had become (and was expected to continue to be) the country's fastest-growing region. In terms of percentage of change in population, the five fastest-growing states in the 1990s were all located in the interior West.³ Nevada, Arizona, Colorado, Utah, and Idaho ranked first through fifth, respectively, in percentage of population increase during that decade. New Mexico ranked twelfth and Montana twentieth, with Wyoming trailing the regional pack as the country's thirty-second fastest-growing state. The regional growth affected both city and countryside. Between 1990 and 1998, the region's metropolitan areas grew by 25 percent and its rural areas by 18 percent, both rates significantly higher than elsewhere in the United States.⁴ The relentless wave of migration into the mountains puts steadily increasing pressure on all western land, including public land. It also creates growing challenges in terms of regional identity as relative newcomers, less familiar than old-timers with the region and its traditions, become a more dominant force in the West.

Despite the increasingly diverse demographics of the West,

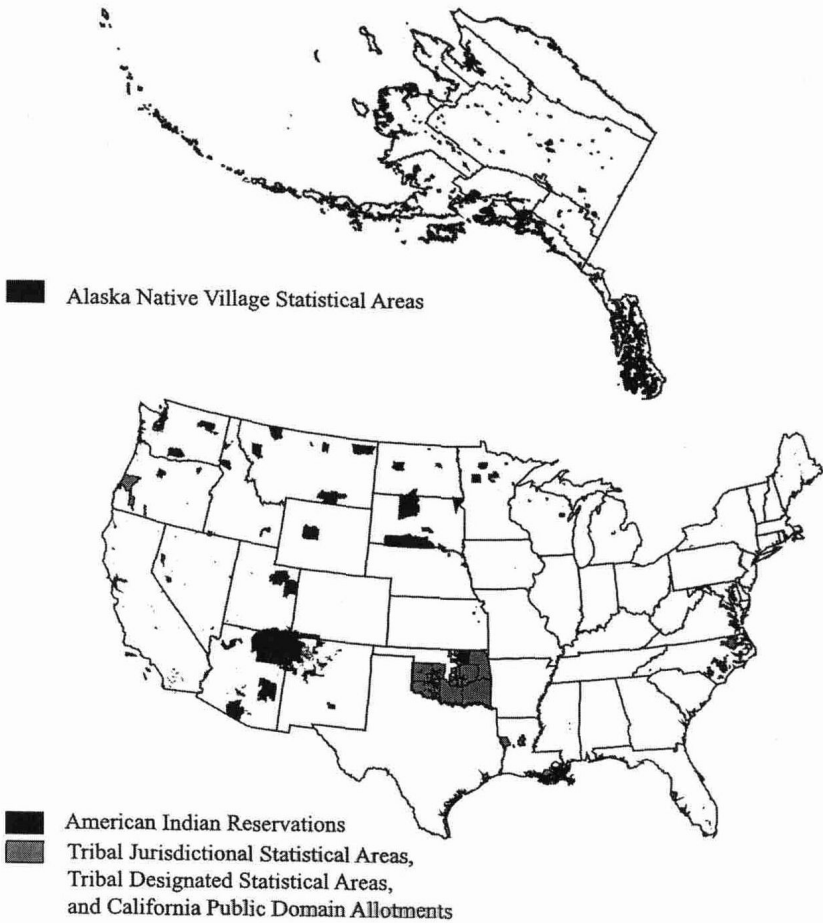


Figure 3
Tribal Lands in the United States

by the end of the twentieth century the political geography of the region had become remarkably homogeneous. Whereas much was made in the 1990s of the southern domination of the Republican Party, far less attention was paid to the fact that Republicans exercised even more solid control over the interior West. The maps of districts of the U.S. House of Representatives and of governorships shown in figures 5 and 6 tell that part

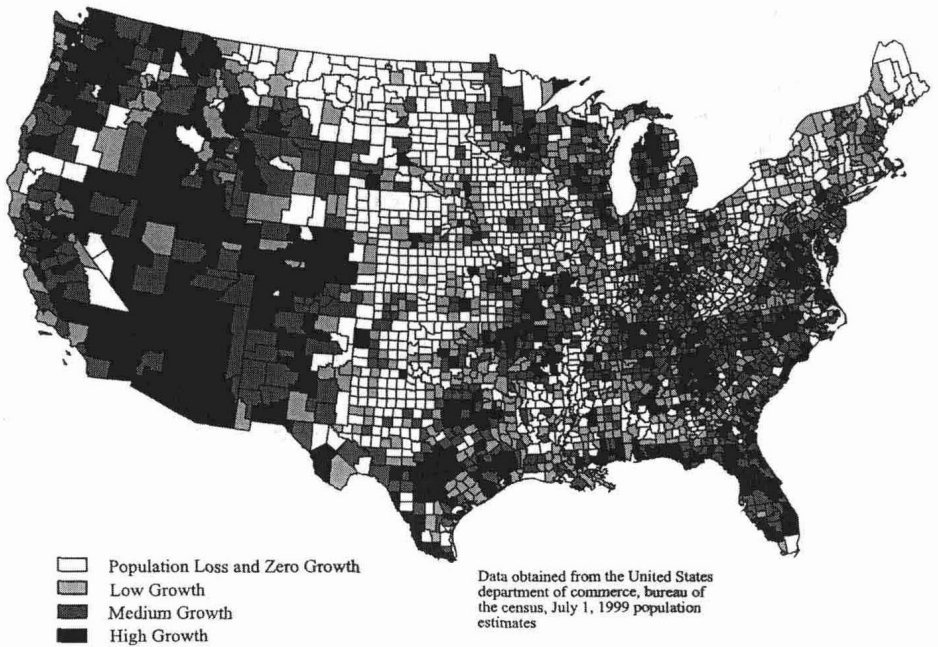


Figure 4

United States County Population Growth and Decline, 1990–1999

of the regional story very clearly. Following the 2000 elections, three-quarters of the congressional districts in the interior West were held by Republicans. The story with governorships was even more telling. There were Democratic governors in Missouri and Iowa and in the Pacific Coast states, but none—not one—in the giant, 1,200-mile-wide swath in between.

These statistics and maps present a snapshot of the West at the turn of the twenty-first century, capturing some of the features that set the region apart from the rest of the country. But this is a snapshot of a rapidly changing region. Some of the maps may already be outdated by the time this book is published, and others soon after. In fact, what this book predicts is that the map of the West will be substantially redrawn in the coming decades—including the map of the public lands. Such a degree

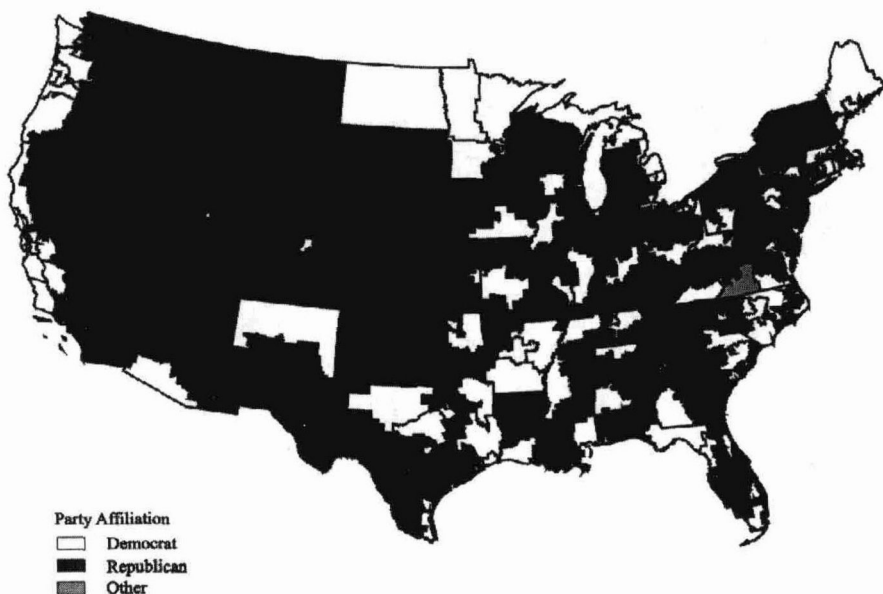


Figure 5
Congressional Districts, 107th Congress

of change can be frightening, and the West sometimes seems nearly paralyzed by the currents sweeping through and around it. But the West has always prided itself on its ingenuity and adaptiveness. The following chapters are offered in that spirit, as a fresh way of understanding where the West has been so that it can more intelligently decide where it should be headed.

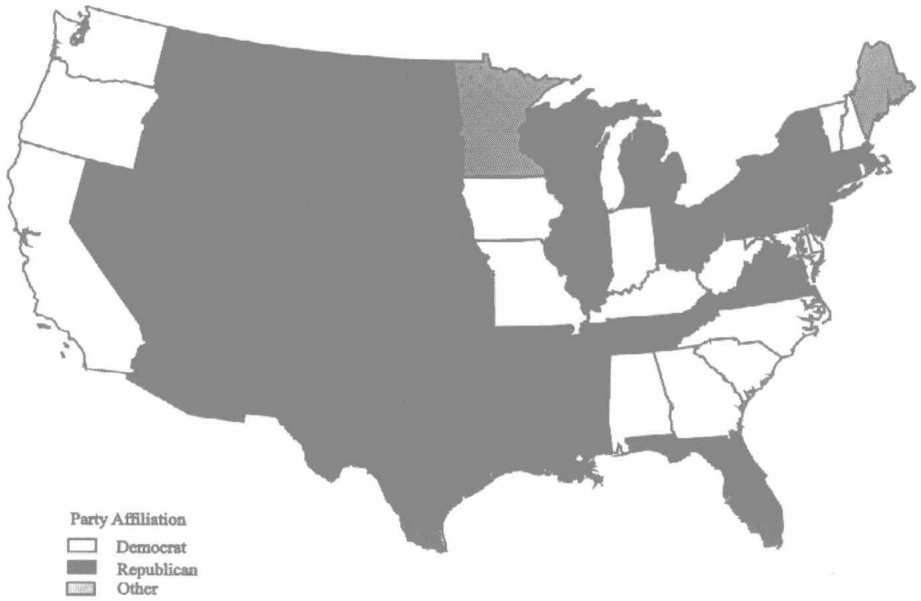


Figure 6
Party Affiliations of Governors, January 2001