

TRANSCRIPT

Policy after Politics

How should the next administration approach public land management in the western states?



Presented on June 1, 2000
By The Andrus Center for Public Policy
Cecil D. Andrus, Chairman
Student Union
Boise State University
Boise, Idaho



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FROM THE CHAIRMAN



During the coming months, the major presidential contenders will spend a lot of time in campaign planes, flying over the American west. Unfortunately, it will be a rarity when one of the major party candidates actually campaigns in the vast region from Denver to San Francisco, from Missoula to Albuquerque. Even more rarely will the candidates address the huge issues that dominate the politics, the economics, and the lives of westerners.

Nonetheless, in early November a new president-elect will start the critical process of putting together a government that will, indeed must, confront our issues. On June 1, 2000, the Andrus Center brought together a distinguished cast of current and former western governors of both parties with the goal of giving the new president and his future cabinet our game plan for how to shape the "policy after politics" in the west.

Whether you are a conservationist worried about the future of salmon, a livestock operator concerned about a new approach to grazing on the public lands, a wood-products worker outraged by a roadless policy, or a citizen bedeviled by urban sprawl and oil prices, you will be interested in this discussion.

We asked the governors to check the election-year rhetoric at the door but to come fully armed with their best practical, candid, and non-partisan advice. They did just that, and I have pledged to deliver personally to the president-elect the white paper that came out of the comments they made. It is our hope that those observations and suggestions will help shape a western agenda in the next Administration.

Cecil D. Andrus

Chairman

Andrus Center for Public Policy

CONFERENCE PROGRAM

Policy After Politics

How should the next administration approach public land management in the western states?

June 1, 2000

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|-----------------|---|----------------|--|
| 7:00 a.m. | Registration
2nd floor, BSU Student Union. | 1:30–2:30 a.m. | Panel Discussion
Moderated by:
Marc Johnson, Former Chief of Staff
for Governor Andrus
Participants:
John Kitzhaber, Governor of Oregon
Marc Racicot, Governor of Montana
Phil Batt, Former Governor of Idaho
First Republican governor in 24 years, former
legislator, lieutenant governor, and leader on
nuclear waste issues.
Norm Bangerter,
Former Governor of Utah
Former Chairman of Western Governors Association,
two-term Republican governor, former speaker of
the Utah House of Representatives, leader on western
resource issues.
Mike O'Callaghan,
Former Governor of Nevada
Idaho native, University of Idaho graduate, two-time
Democratic governor, currently executive editor of
the <i>Las Vegas Sun</i> .
Jay Shelledy, Editor, <i>Salt Lake Tribune</i>
Former editor and publisher of Moscow Pullman
Daily News, former managing editor of Lewiston
Morning Tribune, award-winning columnist, reporter,
and keen observer of western politics. |
| 8:15 a.m. | Continental breakfast
Lobby of Jordan Ballroom,
BSU Student Union. | | |
| 8:40 a.m. | Opening gavel for Policy After Politics
Jordan Ballroom, BSU Student Union.
Remarks and introductions by:
Cecil D. Andrus, Chairman,
Andrus Center for Public Policy | | |
| 8:50 a.m. | Welcome and comments by:
Dirk Kempthorne, Governor of Idaho | | |
| 9:00–10:30 a.m. | Keynote address:
"How should the next administration
approach public land management in
the western states?"
John Kitzhaber, Governor of Oregon
A senior western, two-term Democratic governor and
recent advocate of breaching the four lower Snake
River dams to aid salmon recovery.
Marc Racicot, Governor of Montana
Two-term governor and former state attorney
general, who plays an influential role as close friend
and advisor to Governor George W. Bush. | | |
| 10:30 a.m. | Refreshment Break | 2:30–3:30 p.m. | Forum for questions to and from
speakers, responders, and audience.
Moderated by:
John C. Freemuth, Ph.D.,
Senior Fellow,
Andrus Center for Public Policy |
| 11:00 a.m. | Question and Answer Forum
Moderated by:
Cecil D. Andrus, Chairman,
Andrus Center for Public Policy | | |
| Noon | Luncheon, Jordan Ballroom,
BSU Student Union.
Speaker: Jay Shelledy, Editor,
<i>Salt Lake Tribune</i> | 3:30 p.m. | Conference adjourned |

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By The Andrus Center for Public Policy

At the Student Union, Boise State University

Boise, Idaho

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Policy After Politics

How should the next administration approach
public land management in the western states?

Presented by The Andrus Center for Public Policy at Boise State University

Thursday, June 1, 2000
8:30 a.m. Morning Session

Keynote Speakers:

John A. Kitzhaber, M.D.
Governor of Oregon

Marc Racicot
Governor of Oregon

GOVERNOR CECIL D. ANDRUS: Good morning and welcome to our Year 2000 meeting where we will discuss policies after politics. My name is Cecil Andrus, Chairman of the Andrus Center for Public Policy at Boise State University. We have many distinguished guests here with us today. I'd like to welcome all of my gubernatorial friends from present and past and tell you how much I appreciate your willingness to be here with us today.

A couple of announcements. I'd like to introduce Dr. John Freemuth. John is a tenured professor at Boise State University. He is also a senior fellow at the Andrus Center for Public Policy, is active in the political science field and in natural resources, and is a good person for you to know.

Our luncheon speaker is Jay Shelledy. He'll be introduced later and will be a stimulating speaker. Your credentials get you into the luncheon and anything else that we have going on.

Now briefly, the purpose of this symposium and the reason we entitled it "Policy after Politics." Politics dominates everything in this election year for the presidency of the United States. We have no idea which one of the major candidates will be elected, but here's what we're trying to do. Some of us feel that the west and certainly some of the resource areas are ignored. The candidates for the presidency of the United States have a tendency to fly over us and look down on their way to Seattle, Portland, and San Francisco where the people and the votes are. They don't pay much attention to the Rocky Mountain West. We've seen evidence of that in both political parties.

This symposium is comprised of current governors—both of whom are serving their last terms as governors—and former governors, who tell me they have no desire to run again, particularly in the political environment we have today. They

are all free to speak their minds, and we hope we can give direction to the next president and his cabinet in order to have a voice from the western United States.

There is a difference of opinion on the management of public lands, but the first thing we have to remember is that the public, not the federal government, owns the land. The federal government manages those lands for the public, and we have a strong difference of opinion throughout the United States and the western United States as to how certain areas of the land should be managed. There is a strong difference of opinion within this room.

What we hope and expect and what we're going to demand is a voice in the process that creates the methodology by which the public lands will be managed. We hope it will not be a top-down process but a bottom-up decision process. None of us will win all the battles we want to win, but our goal is to have a voice in the solutions.

At the end of today's session, we will then put together a white paper. You'll all receive that. After that, I will see that it is delivered to the next president of the United States, and it will be distributed, we hope, to those potential candidates for cabinet posts and others who will have a voice in the management of the public lands. So that's what we're here for today.

I do not believe that between now and November you're going to see much of a change in attitude or situation because politics dominates. The group today is not non-partisan, but it is bi-partisan. We hope we can come up with some of the answers.

I see, as I sit here and look over the audience, members of the Legislature of this state, of Oregon and of Nevada, and many others are here as well. I welcome you and thank you for coming.

Let me begin by introducing the governor of the state of Idaho. I was first elected governor in 1970, and last night, I asked Dirk what he was doing in 1970. He said, "I was about to graduate from high school." This young man served as mayor of the capitol city and as a United States Senator, but he decided, as I did, that Washington, D.C. was not the place to be and came home. Governor Batt made it very convenient for him by saying he was not going to run for re-election. Dirk was elected Governor of the State of Idaho and has been a friend of mine for many years. Dirk Kempthorne, ladies and gentlemen, Governor of the State of Idaho.

GOVERNOR DIRK KEMPTHORNE: Governor Andrus, you've always been a tough act to follow, and this is the toughest. I'm very mindful that my role here today is to bring you the official welcome. It's very important to recognize when you've been asked to be the keynoter and when you have not been asked to be the keynoter, and I'm mindful of that. I'm also mindful of the old adage: blessed are the brief for they shall be invited back. With that, I want to thank Governor Andrus for the introduction, and let me also join in welcoming all of you to Idaho. We're proud to have this symposium that's taking place in the capitol of Idaho, and I want to commend Governor Andrus for the time, the energy, and the vision that he has put into the Andrus Center and the annual conferences. I believe this is the fifth anniversary, and I congratulate him for that.

I also extend a welcome to my fellow governors, Mark Racicot of Montana and John Kitzhaber of Oregon—two governors whom I enjoy working with. We've had a number of occasions to work together and to discuss policy. In fact, we're having a little meeting later today. I also want to recognize the former governors who are graciously with us today: Governor Phil Batt, Governor Norm Bangerter of Utah, and Governor Michael O'Callaghan of Nevada. Join me in thanking these gentlemen for their service.

We're gathered here today to discuss policy after politics. That may sound like some western version of "Crossfire" or the "McLaughlin Group" where all of us fearlessly make our prognostications on what our next administration—whether George W. Bush or Al Gore—will do to change the course of public land management. However, I hope and expect that the dialogue here today will be just as stimulating and perhaps more civilized than those political gabfests.

Each of the distinguished panelists here today has had a great deal of experience dealing with difficult issues involved in public lands management. Of course, Governor Racicot and Governor Kitzhaber are still very much in the thick of it. The timing of this conference and the topic couldn't have come

at a more appropriate time. On Tuesday in Milwaukee, Vice President Gore gave a speech on his environmental issues, and today, in Reno, Nevada, Governor Bush will put forward his vision for a conservation policy. So this week, the national debate has begun. Today, all of you are participating to help shape that.

It's my understanding that representatives from both the Vice President and the Governor of Texas are in attendance here today, and so I welcome you, too, as we listen to the distinguished panelists today. This may be the equivalent of a master's course, a very shortened version, and in the process, you'll learn more about the west and about why those of us who are fortunate enough to live here have values and perspectives on land and water and resource issues that are very different from those who live in the east. A lot of it comes down to the concept of space. I think it's difficult for most people who aren't from the west to truly grasp the vastness, the distance, the sheer breadth of the open spaces where we live, work, and play.

Consider this: Highway 95 is the north-south transportation artery of Idaho. If you drive its length from the Canadian border to the Nevada state line, it's a trip of about 535 miles. It goes through one state. It's inhabited by a little over one million people. Now take Interstate 95, the north-south artery of the eastern seaboard. If you drive it from Washington, D.C. to Boston, it's roughly the same distance as our Highway 95, but instead of one state and a million people, that same length of I-95 passes through nine states and is home to some 40 million people. Consider this: take all of the land here in Idaho that is under federal management, and it is equivalent to the total area of Connecticut, Delaware, Massachusetts, Maryland, New Jersey, Vermont, New Hampshire, and Rhode Island—just the federal land in Idaho—all of those states combined.

When I was in the U.S. Senate, one of the people with whom I worked closely was the late John Chafee, a great man and a very dear friend. Senator Chafee was in Idaho in the mid-90's for a field hearing on the Endangered Species Act. Many of you participated with me in that hearing. You recall that at that time, we'd been ravaged by forest fires in the Payette National Forest. John and I flew over the area of the biggest blaze, and I told John that in the time that it took to fly over just the amount of timber that had been burned, one could fly over the entire state of Rhode Island. That made a real impression on him.

It isn't just this concept of open space that differentiates us in the west from the east. It's living with the fact that the federal government controls how those open spaces can and,

in many cases, cannot be used. Roughly one-third of the United States is comprised of federal land, but the eleven western United States are home to more than 62% of all federal land. Add Alaska and Hawaii to that equation, and it jumps to nearly 93%. So while land management decisions are made in the east, the day-to-day impact of those decisions falls disproportionately on the west.

When I was back in Washington several months ago at the meeting of the National Governors Association, I had a chance to speak with President Clinton at the White House. I asked him whether he knew that his roadless initiative could have a direct effect on the education of children in Idaho, and he seemed genuinely surprised by that and asked for more information. I explained to him that, under the Idaho Constitution, our state endowment lands must be managed to provide the maximum long-range return to the state school endowment fund, and, right now, more than 54,000 acres of Idaho endowment trust lands don't have access rights over adjacent lands that are managed by the Forest Service. Over the next thirty years, those lands are projected to generate more than \$163 million dollars directly to the trust institutions, primarily public schools. But if we cannot have access to those lands, then Idaho will be forced to find another way to come up with those dollars for our schools and for the education of our children.

So whether it's the roadless initiative or the acquisition of more reserves through the Antiquities Act or the proposals to ban motorized recreation in our national parks, I believe any discussion on what direction public lands management should take in the future must, by definition, look at the direction it's headed today. The current direction disturbs me because, more often than not, many of this administration's actions have been taken without having the people who must live with these decisions in on the ground floor of the decision-making process. That's something that further deepens the mistrust and the skepticism that comes naturally to those of us in the west when it comes to federal land management decisions, regardless of one's political affiliation.

So what advice on public lands management would I give the next President? I can boil it down to just four words: listen to the states. Today, it is in the states where the real solutions are being developed. Each of the governors here today can give you an example of how commitment to cooperation and collaboration with all of their stakeholders has produced real results. Since we're the ones that have to live with federal decisions, it's in our self-interest to get them done correctly. We're willing and eager to work with the

federal government in a collaborative process to craft public land policies that can garner wide support. It's not always an easy process. Each of the governors can also show you battle scars and tell you war stories of failed attempts to reach consensus on a land management issue. But the alternative—not listening and not taking into account these different views—is a recipe for failure.

Here in Idaho, our Federal Lands Task Force will soon be proposing pilot projects that would test different management strategies on federal lands. Their goal is to cut through the red tape and the road blocks, which all too often tie the hands of federal land managers in trying to do their jobs. It's an effort where we hope to provide federal land managers with new ideas and new solutions and do so with the full cooperation and participation of the state.

If I may, I will just give you a perfect example of what can happen when the job is done correctly, and it's going on here in the state of Idaho. It has to do with stemming the spread of destructive, noxious weeds in the largest wilderness area in the continental United States, the 2.4 million acres of the Frank Church River of No Return Wilderness. These weeds choke off native vegetation in their wake. They can overtake critical winter range for game species, cause soil erosion, and drive out native birds and insects. Throughout the west, the Bureau of Land Management estimates that these weeds are taking over 4,000 acres of public lands each and every day. They are far more devastating than the wildfires. In the Frank Church Wilderness, the Forest Service says these weeds are the number one ecological threat and that more than 500,000 acres of habitat in the wilderness are threatened by their spread.

Now the extreme position would be to do nothing. A literal interpretation of the 1964 Wilderness Act would suggest that these lands be left in their natural state and, as the act says, left "untrammelled by man." A purist would say that the weeds should be allowed to run their course, regardless of the consequences and that man should do nothing in the wilderness to alter nature's intent. In fact, there were some who advocated this policy. But people who care deeply about these lands, both inside and outside government, recognize the kind of devastation that could be wrought if that policy were left unchecked. These groups banded together to devise a response. The Forest Service and the Idaho Department of Agriculture agreed to participate. So did outfitters and guides. So did private landowners. So did white-water enthusiasts. So did the private foundations that support wild sheep and Rocky Mountain elk. They went through the full EIS process and secured approval to treat the weeds inside the wilderness

boundaries. They determined which areas would benefit from treatment from the air and which were better treated on the ground. They organized pack trips and float trips into the wilderness where field crews treated or ripped out the weeds.

Two weeks ago, I attended a meeting of the Federal Invasive Species Advisory Committee in Washington, D.C. I serve as a member of that committee with Secretary Glickman, Secretary Daley, and Secretary Babbitt. This particular effort in Idaho has been showcased as a textbook example of how states can work in a collaborative effort with the federal government, so much so that Secretary Glickman gave it a \$100,000 federal grant to keep our efforts going.

Call me an idealist, but I don't see why this kind of success story can't be replicated in other public lands issues here in Idaho and throughout the west. If the next administration commits to a public lands policy that listens to all sides, creates a collaborative process, and has a full airing of the trade-offs involved, then we will have charted a course that's more productive and more effective in achieving the goals shared by a vast majority of people in the west.

In an election year, it's almost a given that candidates from both parties will invoke the name of Theodore Roosevelt in support of their efforts. I fully expect that to be the case this year. But let me leave you with one quote from T.R. that I hope both candidates take to heart. Teddy Roosevelt said, "Eastern people need to keep steadily in mind the fact that the westerners, who live in the neighborhood of the forest preserves, are the ones who, in the last resort, will determine whether or not these preserves will be permanent. They cannot be kept in the long run as forests and game reservations unless the settlers round about believe in them and heartily support them." That was sound advice then, and it's sound advice today.

The public lands policies of the next administration can work only if they have the broad support of the people who have to live with them each and every day. Today, you have an outstanding opportunity to have this discussion of public land policy because of the stature of the people that are here, the governors, and Mr. Frampton, with whom I've had the pleasure of working and who knows how to collaborate and work well with others.

So Governor Andrus, I commend you for establishing this symposium, and I know the results are going to be well worth the effort. Thank you all very much, and welcome to Idaho.

ANDRUS: Thank you very much, Governor. Ladies and gentlemen, as we turn to the future and consider what we should do, it is my opinion that neither of the major parties' candidates have a working knowledge of the western United

States, particularly the Rocky Mountain states, and it's important that we have some input at the front end from experienced people.

The experienced people are here today. Each one of our speakers has been very successful in his own right. I now look forward to comments from the governor of the great state of Oregon, John Kitzhaber.

GOVERNOR JOHN KITZHABER: Thank you very much and thank you for your welcome, Governor Kempthorne. When I saw Cecil squirming up here, enjoying one of his most embarrassing moments, I was reminded of another embarrassing moment, told to me by a diplomat from Peru. He told of an evening in which he had gone to his third reception, had had a few drinks, and looked across the room and saw this beautiful woman standing there in a long red dress, red hat. He was just swept away. As he looked across, their eyes met, and the music started playing. It literally carried him across the floor, and he walked up to her and asked her to dance. She said, "No, for three reasons. One, you're drunk. Two, that's the Peruvian national anthem, and third, I'm the Archbishop of Lima." So consider yourself lucky.

I appreciate very much having been invited to this symposium. The objective of the conference today, as I understand it, is to provide some guidance for the next Administration concerning the management of public lands in the west. This is an extraordinarily worthwhile and timely exercise, and it needs to begin with a recognition of three things. The first is that the reason that the management of public lands is an issue is primarily the result of the growing conflict between economic interests and environmental interests over the management of these lands and over what these lands should be managed for. Management must be based on a policy that balances a broad range of interests—of values, if you will—one that reduces polarization and increases collaboration.

Second, we need to recognize, as we enter the 21st Century, that our environmental problems are becoming much more complicated and much more challenging and that they have very complex social and economic interconnections. While some environmental problems still lend themselves to the traditional tools of regulation and litigation, we are at a point in time where I think we need to be open and receptive to new tools, perspectives, and approaches.

Third, we must recognize that the management of public lands must be based on a commitment to sustainability. Now, I define sustainability as managing the use and development and protection of our natural, social, and environmental resources in a way that enables us to meet our needs today

without compromising the ability of future generations to meet their needs. When you talk about sustainability, it is important to understand that this definition requires that we simultaneously meet environmental, economic, and community needs. Imagine, if you will, three circles, one of which represents economic needs, one environmental needs, and one social or community needs. Where those circles overlap is the area of sustainability.

Historically, the debate over public lands management in the west has been cast in a way that views these three circles as separate, discreet, unrelated entities. Our challenge in the 21st Century is to understand that environmental needs, economic needs, and community needs are inter-related and must be balanced with that in mind.

So let's begin our discussion with the federal lands, which comprise, as Governor Kempthorne said, a significant portion of the land mass west of the 100th meridian. It's here where we are witnessing a growing conflict between economic and environmental interests. This isn't new. There has always been a tension in the west between economic development and the powerful landscapes that define this part of the country, between the extraction of natural resources on the one hand and concern over long-term environmental protection on the other hand. For decades, the western economy has depended, to a very large extent, on the extraction of natural resources from federal lands. Timber harvests, irrigated agriculture, grazing, and mining operations have provided millions of jobs for westerners and have brought very significant economic benefits to the region and to its people.

The rivers and streams that link federal land with private land have also contributed to the natural resource-based economy of the west through federal policies that both encouraged and subsidized their development—from the Desert Land Act of 1877 to the Newlands Reclamation Act of 1902 to the huge federal water developments of the last century. The publicly-financed hydroelectric system on the Columbia and Snake Rivers, for example, has brought to the Pacific Northwest some of the cheapest power in the country, irrigated agriculture, and a low-cost transportation route all the way from the Pacific Ocean to Lewiston, Idaho, 800 miles inland.

At the same time, this single-minded pursuit of economic development and natural resource extraction has come at a substantial cost, one that we are only now beginning to appreciate. The growing number of threatened and endangered species in this region as well as the tens of thousands of stream miles with severely compromised water

quality is evidence of the fact that we have reached, if not exceeded, the carrying capacity of our ecosystem.

A sound economy is very important to the west, but so is the health of the natural environment in which all westerners must live. The collision between these two equally legitimate values has led to an escalating conflict. People have taken sides, have taken "stakes," if you will, and we call them "stakeholders." The primary battleground has been the United States Congress, the state legislatures, and the courts. The 1990 listing of the northern spotted owl under the Endangered Species Act illustrates how this conflict has traditionally been played out across the west. This listing and the subsequent court orders that backed it up led to a dramatic reduction in timber harvest off federal lands in the state of Oregon and in many other western states. Although the debate ultimately led to the Northwest Forest Plan, the polarization literally tore communities apart and has left deep scars in many rural-oriented communities, scars that have yet to heal.

So one of the primary objectives, it seems to me, for federal land management must be to reduce this kind of polarization and to arrive at a sustainable balance between economic and environmental interests in a way that builds community rather than disrupts community. That can only be done by an administration committed to involving western stakeholders in a meaningful dialogue about shared objectives and about sustainable solutions.

I realize that is not an insignificant challenge because the debate over land management, particularly federal lands, has historically been a very black and white one. The stakeholders on opposite sides of the issues operate from deeply entrenched positions. For well over a century, it has been cast as an either/or debate in which economic benefits have been pitted directly against environmental health, a debate in which there always has to be a winner and a loser.

To a large extent, it is a debate about symbols rather than substance. The debate over the Lower Snake River dams is a case in point. To the environmental community, the dams are a symbol of the subjugation of a great river and of the degradation of an ecosystem. To the economic stakeholders, the dams are a symbol of the regional economic benefits that flowed from the dams and from the hydroelectric systems. If we're going to find meaningful solutions to this conflict between legitimate values, then we're going to have to move beyond the symbols and commit ourselves to conducting the debate on a higher plane.

To recast the debate, federal land management in the west must be built on the foundation of a single over-arching policy objective that drives the management plan. I would argue to

you that the objective should be watershed or ecosystem health. Let me illustrate this concept, if I can, with a timely example from my own state. Forest health. Five years ago, we started looking at what we could do to try to improve the health of the federal lands in the east side of the state of Oregon, particularly in the pine forests that have been ravaged by insects and disease. Like much of the intermountain west, the federal forests of eastern Oregon were once blessed with huge stands of old-growth pines, covering millions and millions of acres.

For much of the last century, however, forest management policy has been characterized by active fire suppression and by high-grading the valuable old-growth pines. This has essentially transformed these forests to their present state, a state of over-stocked stands of young pine fir, thousands of acres of dead and dying timber infested with insects, and a very high risk of catastrophic fires. Thousands of miles of riparian areas have been damaged by harvest and grazing practices as well as by urbanization and road-building. So on the one hand, you have a number of species, dependant on a healthy watershed, that are suffering severe declines. On the other hand, you have a number of timber-dependant rural communities that have seen a decline in their economic position and in employment.

So we rejected the traditional tools of conflict and confrontation and set about to find ways both to restore ecosystem health and to provide wood to communities in an environmentally sound fashion. The effort involved a panel of highly-respected scientists, drawn from the northwest states, and a forest health advisory committee, which consisted of a very diverse group of stakeholders living in eastern Oregon. Their work led to a broadly-supported set of eleven management principles for restoring ecosystem health.

In a nutshell, this eleven-point plan calls for using active management to promote ecosystem health while avoiding highly-sensitive or highly-controversial areas. It also emphasizes learning from our efforts through a monitoring component. The restoration treatments include understory and commercial thinning; road maintenance, closure, and/or obliteration; prescribed burning; noxious weed treatment and prevention; riparian planting; and streamside restoration. The by-product of many of the thinning treatments is wood for local mills to help stabilize rural communities. The thinning also reduces the risk of catastrophic fires, which have increased significantly as the forest health has deteriorated.

The Eastside Panel, working with my office and other state agencies, then started visiting project sites on U. S. Forest Service and Bureau of Land Management lands and identified

sixty Forest Service and BLM projects that were consistent with the eleven-point plan. What this demonstrates is that it is possible to engage in broadly-supported watershed and forest restoration work that both improves ecosystem health and provides economic benefits to local communities. In balancing the different values, this approach is helping to recast the debate over federal land management in the west.

I want to emphasize that the key to success lies in having a single over-arching policy objective that drives the management plan. In this case, it is the restoration of watershed health. If you stop to think about it, watershed health is the fundamental building block from which all of the beneficial uses of our forest flow: water, a thriving forest, abundant timber, and healthy populations of species.

It's also important to point out that by focusing on protecting and restoring watershed health, we are not, in fact, elevating the importance of one particular value over another value. Rather, our objective is to restore a healthy, productive, and sustainable forest ecosystem that, over time and across the landscape, can provide a full range of social, economic, and environmental benefits. So having watershed health as the over-arching policy objective, again, does not place one value ahead of other values because watershed health encompasses each of those other values. We can't, for example, provide sustainable forest products and clean water and habitat for species unless we first have a healthy, functioning ecosystem. So the three legs upon which this strategy stands—social, environmental, and economic—are all interwoven and are dependent on the first, on a healthy, functioning ecosystem.

We've recently expanded this effort by moving beyond a consideration of separate, individual projects to a consideration of how we can integrate these restoration projects within an entire watershed. This effort, which is called the Blue Mountain Demonstration Project, was approved by the U. S. Forest Service in June of last year and encompasses almost three million acres, including federal land, state land, tribal lands, and private lands. So we have federal, state, local and tribal agencies working with private landowners and environmentalists and community stakeholders with the shared objective of improving the health of both forest ecosystems and rural economies.

Again, the success depends on defining a common policy objective that unifies, rather than divides the interests and one that provides a common denominator, which serves to balance the competing values.

Now, it's fair to say there is still some frustration in eastern Oregon about the speed or the lack of speed with which the

sales are flowing through the Forest Service, but that is not a function of a lawsuit, of confrontation, or a lack of consensus. It's a function of the bureaucratic process by which timber sales move through the Forest Service. That's something we can, together, put our shoulders against to improve the flow of those sales.

While the management of federal lands themselves is clearly an issue of vital importance to western states, so are federal policies that affect the management of private lands. Chief among these are such federal environmental laws as the Endangered Species Act and the Clean Water Act. Since meeting the requirements of these laws can't be achieved on public lands alone but necessarily have to involve private lands as well, how these laws are being implemented must be included in any discussion of federal land management.

Let me illustrate this point by using another Oregon example: in this case, the Endangered Species Act. We need to remember the turmoil that occurred in 1990 with the listing of the northern spotted owl. I was practicing emergency medicine in a timber-dependent community in southern Oregon and had the advantage of seeing both the economic and the social impacts of that decision.

Shortly after my first election in 1994, the National Marine Fisheries Service served notice of a possible listing of our coastal coho salmon. So I began to look for a different way to comply with the Endangered Species Act, not just to avoid another natural resource war, although I think that's an important objective on its own, but rather because I didn't believe that relying solely on the Endangered Species Act was going to have the desired environmental result that we hoped for. We need to remember that the primary role of the federal government under the Endangered Species Act is a regulatory one, and although regulation is an important tool, there are limits to its effectiveness. Regulation alone can keep people from doing the wrong thing, but it doesn't provide any incentives for people to do the right thing. So while the ESA can prevent landowners from engaging in activities that result in an intentional or unintentional kill or take of a listed species, it can't compel them to do more than that. Yet 60 to 70% of the coho salmon habitat lies on privately-owned land, so therefore, recovery is going to occur only if the private landowners are willing to undertake restoration activities that go well beyond take-avoidance. So as a result, Oregon's effort to comply with the Endangered Species Act, which we call the Oregon Plan for Salmon and Watersheds, was designed to involve and to empower and to give incentive to private landowners to make voluntary commitments to watershed and habitat restoration. Now these commitments are built

on a solid foundation of federal, state, and local regulation, including harvest limits, Clean Water Act requirements, the Forest Practices Act, land-use laws, and state water laws.

The primary tool with which we implement efforts on the ground is the local watershed council, made up of community members representing a broad range of stakeholders, again working together to implement a plan that they helped develop and that benefits the health of their own local watershed. And it works. In the last three years, these voluntary efforts have taken more than 400 miles off the EPA list of streams that have compromised water quality; we've re-opened 430 miles of habitat by replacing culverts that were impeding fish passage; we've decommissioned or upgraded more than 1,470 miles of roads to reduce erosion; and we've fenced more than 400 miles of streams to improve riparian areas. This represents far more on-the-ground success and progress in a three-year period than we ever could have gotten under the strict regulatory approach of the Endangered Species Act alone.

Now working with private landowners is a fundamentally different animal than working with public agencies, especially in the west. It's critically important that federal policy makers understand that. In my 18 years of involvement in western state politics, I've experienced over and over again the fact that an approach that involves private landowners in the decision-making process and gives them some ownership and some investment in the work being done has a greater and more immediate positive impact on the resource than simply applying regulations that tell them what to do.

Telling people what to do with their private land in the west is a very explosive proposition. Ask any western governor. The point is that we can't recover the western coho unless private landowners take restoration actions that go well beyond the avoidance of a take. So the question becomes: By what means can we achieve the activities on private land? Simply listing a species does not accomplish that, a fact illustrated by the Snake River chinook, which were listed under the ESA in 1992. In the intervening eight years, the National Marine Fisheries Service has taken virtually no action to compel a change in private land management practices anywhere in the Snake River Basin.

The ESA was passed in 1973 and provides a means whereby ecosystems upon which endangered and threatened species depend be conserved. So with ecosystem conservation as the objective of the ESA, application of the ESA is a means to an end, not an end in itself. The question we need to ask ourselves is not whether we should prevent species from being pushed over the brink to extinction—all of us would

answer no to that question—but whether our traditional tools of implementing the ESA are the most effective way to achieve that.

The Endangered Species Act was passed for a noble purpose, and I still believe in that purpose. But now a quarter of a century later, we need to have the courage to ask ourselves whether the traditional application of that act by the National Marine Fisheries Service and the U. S. Fish and Wildlife Service is achieving its purpose. With more than a thousand species listed and dozens more proposed for listing and with few species on their way to recovery, it's clear to me that we need to be open to new approaches. If federal agencies insist on clinging rigidly to the existing lengthy, complex, contentious, litigious process of developing recovery plans under the ESA, they will doom many species to extinction long before anything actually happens on the ground.

To avoid that outcome, we have to recognize the futility of relying solely on the traditional tools of regulation and litigation to advance the cause of environmental health. Let me give you one example: the issue of water quality. The problems of point-source pollution lend themselves very well to a regulatory model. That was really the challenge that faced the Willamette River in Oregon when the late Governor Tom McCall led an effort to clean up the pollution in that river. Municipal sewage discharge points and pipes carrying industrial effluent or municipal waste can be easily identified and regulated, fined, or shut down. But reducing non-point-source pollution, which is the major issue facing the Willamette and throughout the west today, is an entirely different issue because it involves not only runoff from agricultural land, carrying fertilizer and pesticides, and runoff from timber lands, carrying silt to our streams. It also involves runoff from roads, driveways, and rooftops in Portland and Eugene and Albany and Salem and virtually all of urban and suburban Oregon. That involves what people put on their lawns, whether or not they wash their cars in the driveway with non-biodegradable detergent and on hundreds of other individual actions that all contribute to the non-point source pollution load.

The reality is that there is no law or regulation that will miraculously and suddenly change the behavior of hundreds of thousands of urban and suburban Oregonians. Rather it is going to require sustained environmental stewardship. It's going to require a long-term commitment to change the behavior of millions of people living in the watershed, most in urban or suburban settings.

So I believe we are entering a new era of environmental

politics where the nature and the complexity of the problems that face us challenge us to seek new strategies for success and particularly those that call for and result in greater individual accountability and responsibility for our air, our land, and our water. You can't achieve that through regulation. You can't achieve that through confrontation. You can't achieve that through the courts. You can only achieve that through a collaborative and cooperative process that engages thousands of people and gives them a stake in the problem as well as some degree of ownership in the solution.

It was this belief, coupled with personal experience in seeing it work, that inspired me and Governor Mike Leavitt of Utah to extract a common set of principles that describes this approach to environmental management. We call these eight principles "Enlibra," which is a hybrid word coined by Governor Leavitt, which means "to move toward balance."

The first principle, for example—national standards, neighborhood solutions—recognizes the importance of national environmental standards and the need to enforce those standards, but it urges flexibility and empowerment of other levels of government to develop approaches that meet or exceed those standards without set federal prescriptions. It doesn't seek to lower the bar; it seeks to provide alternative tools to achieve those common national environmental standards. Enlibra also calls for good science; it calls for a good understanding of the broad costs and benefits involved in a particular strategy, including those to society; it calls for a recognition of the power of incentives and the importance of collaboration; it calls for a focus on results; it calls for looking at the scope of the problem along natural boundaries, not along artificial, political ones. Finally, it recognizes that people need to understand their connection to the environment and their own stewardship responsibilities if we're to enjoy not only environmental health but social and economic health as well.

I want to make it very clear that I don't reject or discredit the tools of the past. And I don't take lightly the significant gains that they have achieved. The Clean Water Act, the Clean Air Act, the Endangered Species Act—all grew out of the traditional tools of conflict and confrontation and litigation. But I also believe just as strongly that although we need access to the courts and although we need a strong underpinning of environmental law and regulation, we need to have both the wisdom and the courage to periodically reevaluate the effectiveness of our tools in the way in which we have traditionally applied them.

So what I'm suggesting to you today is that federal land management and the implementation of federal

environmental laws in the west do not have to be a contentious, win-lose, zero-sum game. To me, this is not about sacrificing economic benefits for environmental health. It's about working together as a region to have both, and if the next administration can frame the debate in those terms and work with western states to achieve that objective, we'll have made an enormous advance in how we balance these values and how we manage public lands in the west. It's really about striking a victory for regionalism over parochialism. To quote Wallace Stegner, it's about "outliving our origins and building a society to match our scenery."

Now it may be too much to expect the stakeholders in this struggle over land management to abandon their entrenched positions, but I think that it is imperative that they make the effort to at least see beyond them. The next administration can help us by adopting a land management policy that unifies rather than divides constituencies, by embracing sustainability as a central objective, and by being open to new and innovative approaches to achieving federal environmental standards.

In the end, however, we need to come together ourselves as western states and as a region. As William Jennings Bryan pointed out, "destiny is not a matter of chance. It is matter of choice. It is not a thing to be waited for. It is a thing to be achieved." So today I invite all of you, but particularly the next administration, to join me on this journey.

Thank you.

ANDRUS: That's an example of what western governors have the experience to talk about and to do that people who have lived their lives east of the Mississippi River just don't understand. That was an excellent paper that could be presented to the next administration, John. Let me give you one example: Watershed restoration on the coastal streams was Governor Kitzhaber's brainchild. He and I had a discussion about it many years ago. It works and works very well. My brother happens to be a landowner with a coastal stream running through his property, one that has followed what you set out, and I've seen it work first hand. But they must understand that a coastal stream without a dam or an impediment upon it is a habitat situation where the inland states, like Idaho, have many thousands of miles of pristine habitat, but we have three or four reds in those gravel beds simply because we do not have the returning adults. You know the problem there.

So you can't create a solution that fits all, but what you need is people like Marc and John and Mike with the experience to carry this out. That's why we're here today, and that was a whale of a start.

Let me give you another voice that has been sound, direct, intelligent, and popular with his people in the state of Montana, a man who was Attorney General in Montana, and a man who is serving his second term as governor of Montana, a man who is a friend of Governor Bush of Texas, a man who is going to have a voice and clout. Here is an individual I'm pleased to have had the chance to get to know and a man that can speak for the western United States, Governor Marc Racicot of the state of Montana.

GOVERNOR MARC RACICOT: Thank you, Governor Andrus, and good morning to all of you. I'm delighted to be here today and to have the opportunity not only to speak but, more importantly, to listen to what we might have to share with one another. It's of course a great high privilege to be engaged with former governors of some significant moment and notoriety and that have served the west exceptionally well. Of course, it is a privilege to be here with my colleagues, with Governor Kempthorne and Governor Kitzhaber, and most importantly, with not only a former governor but former Secretary of the Interior and a good friend who has provided advice and counsel to me on more than one occasion, Governor Andrus, Secretary Andrus. I'm delighted that George Frampton is here as well from the Council on Environmental Quality in Washington, D.C. within the Clinton Administration. It's nice to have the opportunity to share with him as well. And of course I know there are many people here this morning with a great deal of expertise concerning the particular issue that we have under consideration this morning.

I need to begin with the acknowledgement that I am not a scientist. I have no formal training in natural resource management or policy development, but I can speak to you this morning from hard experience with a large state that has a great many issues occurring within its boundaries. As a matter of fact, we have probably the largest—in terms of land mass—scientific, environmental, social, and economic experiment going on presently in the United States of America, one that certainly engages all of the people of our state. We focus upon a number of different issues that have to do with everything from grizzly bears to wolves to bison to salmon and bull trout and sturgeon, Endangered Species Act management, and water quality issues, which surround virtually all of our communities. As a consequence, we are exposed to a great many competing interests and vagaries as we have confronted these particular issues.

I can tell you that I understand implicitly—and have been taught this particular lesson on a number of different occasions over the course of the last seven and a half years

and even before that time although I may not have recognized it—that it is important, of course, to have information and to prepare yourself adequately to discuss issues of importance. Just as important, however, is how you use that information and the context within which it is presented. Ultimately you need to determine its relevance to those with whom you have a chance to communicate. It's my great hope that I might be able to communicate to you this morning some information that is relevant to the context in which we are discussing these issues.

I had that particular lesson brought home to me most recently when I visited a third-grade class to read to the third-graders. I arrived uncharacteristically early, and, as a consequence of that, I was exposed to a presentation by one of the third-graders. She obviously was taking this presentation very seriously. She had on what appeared to be one of her best dresses, and her hair was curled and ribboned. She had a pointer and a very stern countenance, and she was obviously deadly serious. She tapped her pointer and began her lecture. She had prepared a diagram, which hung on the wall behind her. She turned around and pointed to the top of the diagram and said, "There are three parts to the human body. The first part is the head, and that's where the brain is...if any," she added. I took that to be an editorial comment offered by one of her parents. "The next part of the human body is the chest," she said, "and that's where the heart is. The third part is the stomach, and that's where the bowels are. There are five bowels: A, E, I, O and U." It reminded me once again that it is important to have information, but it's very important to present it in its right context. As a consequence, it's my hope this morning that I might be able to present some information to you in the right context.

I want to talk generally, first, about the quality and character of our debate these days. As Governor Andrus mentioned, once you have the opportunity to look back over a certain period of experience, you can sometimes offer concise, succinct, and candid advice and counsel. That can occur even prior to the time that you leave office. My intention today is to share some of that advice and those experiences, with you, ultimately, determining its relevance.

To me, importantly and sadly, the environment of our debate on the environment has become polluted all across this country. It has become polluted by emotion, by inaccuracy, and by other elements that make it hard for democracy to even breathe in the modern world of amplified media. It has become colored by suspicion, by cynicism, by competition, obstructionism, and intentionally divisive debates that separate neighbors with common interests and

actually inhibit and frequently preclude the kind of open discussion that could, over time, produce an acceptable social consensus. I think that is a sad state of affairs.

Quite frankly, our society should not be governed by whoever or whatever interest has the most political juice on a given day. That is not a democracy. That's a jungle. We have to focus on different means and methods of bringing about sound and thoughtful environmental and economic decisions in this country, or we're going to lose the opportunity to that. That is particularly important and relevant to this region of the United States of America. If we do not see and embrace the opportunity to determine our own destiny, we will be the victims of the decisions made by those in other places, who, though not evilly motivated, suffer—in my judgment—from at least a knowledge gap if not a cultural gap in the understanding they possess, which originated from other sources and possibilities not familiar to each of us.

So those of us in the west have a profound responsibility to seize the opportunity for us to move in directions that allow for us to make policy decisions about the west here in our region by exercising responsibility and thoughtfulness toward those who are engaged in those debates and by proceeding in a direction that ultimately address the common interests of all.

Now I suspect, having said that, there will probably be a question about dam-breaching here in the state of Idaho, and it will be reported by someone, I guarantee you, that Governor John Kitzhaber is on one side of the issue, being in favor of dam breaching, and that Governor Racicot spoke on the other side of the issue, being opposed to dam breaching. Now John Kitzhaber and I are very good friends, and we have spent an incredible amount of time talking about these issues. I have not only the highest degree of respect for his intellect and intuition, but also a great deal of affection for him as a human being. The fact of the matter is, having had those discussions, I know that there are only millimeters of difference—if any difference at all—between how John Kitzhaber and I ultimately see these issues.

But unfortunately, the grays of the issues will not be reported tomorrow. The positions that reflect only those that can win and those that lose are reflected in this modern media, which ultimately, to my mind, is very deleterious to being successful in policy resolution.

There are so many examples, it is hard for me to know where to begin. Let me tell you that I believe openness has to be essential in our debates. The people that we serve have a right to see in, and they have a right to know intimately what

we are doing. Democracy operates better with a free flow of accurate and honest information, and, quite frankly, government at any level—local, state or national—should have nothing to hide. There is no strategic advantage that ultimately is precipitated as a result of trying to move out of the blocks early in an effort to finish across the line. The fact of the matter is that more openness suggests more possibilities for success.

I also believe that management decisions with regard to our forested lands, endangered and threatened species, or environmental regulations of any kind whatsoever are going to require that we engage more openly and embrace more enthusiastically decisions that are made on the basis of sound science, so as to avoid even more difficult and acrimonious challenges than those we already confront.

As a result, if I could—and had the discretion to—I would change the title of this particular gathering to “before”, not “after.” In my view, it should be “policy before politics,” not “policy after politics.” I firmly believe that sound policy makes, inextricably and inescapably, for good politics.

Now let me talk about some of these issues, and I could choose from a literal plethora of issues to talk about. But I think we need to use some examples to try to provide some advice to those who follow hereafter. Let me, for instance, talk about the roadless issue. This is an issue that all of us have discussed. We have discussed it personally with Mr. Frampton, and we all have some strong concerns. In regard to the roadless lands issue, the EIS presented by the United States Forest Service for consideration started off completely, in my view, on the wrong foot.

There clearly are already a number of different challenges facing the United States Forest Service. For instance, within Region I, which encompasses Montana and parts of Idaho, there is great concern over the impacts of budget constraints upon that agency. This year, there is a 9% decrease in the accounts that fund the Forest Service’s permanent professional staff and its seasonal workers, who provide much of the on-ground management activity all across this region. Managing the ten national forests in Montana will be very difficult as a result of those reductions. Those reductions are made, in part, in an effort to direct enough resources toward the completion of the roadless initiative.

Now as you all know, that has been recently released for review, but in my view, this process started with very little openness being exhibited by the Administration to deal with the states in a meaningful way. I need to begin with a disclaimer when talking about this particular issue because I firmly believe that there are many areas in Montana—maybe

all of the areas in Montana that have been previously inventoried—that should be roadless. Now you understand my ultimate position in that regard. But how we get to that particular decision is, in my view, critically important. This provides a lesson in how we need to make absolutely certain that as we address these issues in the future, we do so in the right way so that we can achieve ultimately the right solution.

There has been very little openness up to this point by the Administration in dealing with the states in a meaningful way. We had grave concerns at the very beginning over the lack of information that was provided to the states and to the public. The Notice of Intent did not contain information describing which roadless areas were being considered, at least with a degree of specificity that allowed for us to fully evaluate the Notice of Intent or to participate in a meaningful way.

At the time of the scoping process, we could not fully determine what parcels of state lands could be impacted or affected. Neither could Governor Kempthorne, as you heard earlier this morning. The Notice provided no identifiable description of the lands that would have been affected. If that obviously was the case—and it was—then how could we at that time offer probative comments during the scoping process? You have to know what’s being scoped before you can scope it, and we didn’t know.

In Montana’s scoping comments, we formally requested to be designated as a cooperating agency under the National Environmental Policy Act. We knew that would increase our administrative burdens and workload substantially, but nonetheless, after careful consideration, we felt that it was and still is vitally important to the resources in Montana and to our communities that we assume that role.

In the information that was provided by the Forest Service, they made mention of the fact that there is strong public sentiment for protecting the benefits of these roadless areas. Those benefits focus upon clean water, biological diversity, wildlife habitat and dispersed recreation. If these are the areas upon which the document will focus—and we agreed that they are—then Montana has a shared legal responsibility over most, if not all of these issues.

Clearly, we are inextricably interwoven into the regulatory patterns that will be required after the decisions are made. States have concurrent jurisdictions, as you know, over many of those issues and primacy over many of the others. As a result of that, the state cannot and should not and does not want to escape from the responsibilities associated with managing those lands, once the decisions are made.

Now there is a memorandum that has been issued by the Council of Environmental Quality that urges federal agencies

to more actively solicit the future participation of states, tribes, and local governments as cooperating agencies in implementing the environmental impact statement process. So in other words, that is the fundamental policy that is in place presently. They have clearly pointed out that, considering NEPA's mandate and the authority granted in federal regulations to allow for cooperating agency status for state, tribal, and local agencies, cooperating agency status for appropriate non-federal agencies "should be routinely solicited", to quote the words contained within that memorandum. We were not only not solicited to be a cooperating agency, but we have had our request denied to become a cooperating agency.

Now I don't bring these issues up to make anyone uncomfortable although if that occurs—and I suspect that probably it's a possibility—I regret it if you feel any discomfort. But the fact of the matter is that this is a teaching lesson for those who follow hereafter and in the next administration about how to go about addressing these particular issues. The states should have been involved from the very beginning. The fact is that the states have the same legitimate interest as the federal government in making certain that these roadless areas in the western United States are, in fact, properly cared for throughout the next series of years and into the future and are properly stewarded for the rest of the country.

We recognize that these are national assets. We recognize that we are the stewards of those national assets. We recognize that there are a number of different values that are embodied within our national forests. They are economic; they are environmental; they are social; they are cultural. We know that the people of the west have the same strong concerns about the maintenance of those values as anyone who lives on the other side of the Mississippi or the Potomac. And we need to and have a right to be involved in making those decisions.

Now in my judgment, what has ultimately occurred with the roadless initiative is too narrow. I don't think it should focus on just what's going to happen with roadbuilding. I think we should take all of those inventoried lands, the inquiry should be more expansive, and it ought to focus on forest stewardship, on how we keep these forests healthy over a long period of years. Clearly, roadbuilding is one of the issues involved in that debate, but it is not the only issue. How do we keep them healthy and make certain they do not become any more of a tinderbox than they presently are? How do we make certain that we care for them into the future? Can't we as a people, living in west and the Rocky Mountain region,

devise a way to keep forests healthy, which, if we choose to do so would, even accidentally or coincidentally, produce more fiber than we could possibly keep people busy processing and making into useful products?

The fact of the matter is that we need to keep these areas healthy over the long run. We need to know that we can go back in in some way that is environmentally sensitive and make certain that we remove those dead and dying trees which are possibilities for ultimate destruction and catastrophic fires that can consume the west. We need to know that we're going to be able to do something with roads in a way that makes sense and to be engaged in that decision-making process.

Quite frankly, I think the inquiry that's been carried on by the Council of Environmental Quality and the United States Forest Service is too narrow. So not only did they not engage the west at the beginning, they drew the boundaries of the inquiry too tightly. And I think what ultimately has to be communicated to those in the decision-making roles is that if these values are going to be vindicated, namely if the rest of the country has strong concerns about the maintenance of environmental and conservation values, then we need to determine the monetary cost of those particular values and ultimately provide the resources to be able to deal with those issues.

There should be no such thing, in my view, as a below-cost timber sale. We ought to forget about that notion. If we want to vindicate the environmental ethics we all claim to believe in our national forests and roadless areas, then we're going to have to pay something to keep those lands in proper condition. If we're going to pay something, then that means the rest of the country doesn't just get to tell others who rely upon the land presently, "You are no longer a part of the equation." We have to discover ways for us to be able to engage them and to keep them whole.

The same is true for dam breaching. I'm not afraid of the question of dam breaching. My belief is that there is not evidence yet available for us to draw that inescapable conclusion. I believe the federal government, at the moment, believes the same, but I think it's an open question. We have to engage in the debate and the inquiry in thoughtful, honest, and candid ways. We also have to remember that there are people whose livelihoods and lives and communities depend on the present state of affairs. We have to keep them whole in these decisions. So if it's worth it to the country to remove dams, then the country is going to have to pay for those who are ultimately impacted.

I don't know a farmer or a rancher that lives anywhere

near a river or stream that's dammed that, if they could be kept whole, would not be delighted to have that particular stream or river restored to its original run. I don't know anyone that would not want that, but somehow, if we're going to vindicate these values, then we have to be willing to pay as a country for the values we seek to ultimately uphold. That is true of virtually all of these questions, whether they involve grizzly bear management, bison management, water management, Columbia River hydrosystem, or removal of dams. We shouldn't be afraid of any of those inquiries. But before we make those decisions, we should recognize that there may be a price to pay as a country to keep people whole who have become dependant as communities or as individuals on precisely what it is that's taking place in that region.

Now if I had the ability to provide advice to the next group of policy makers that will be acting on our behalf at the federal level, I would provide the following advice. If, Heaven forbid, George Bush is not elected the next President of the United States, I would provide the following simple instructions to try to be helpful.

Number one: To those who work in the federal government, who I know are well intentioned. I don't believe anyone is evilly motivated in any of this process on either side of the issues, Democrats or Republicans. I firmly and absolutely believe that we can solve these problems; I'm absolutely convinced of that. We just have to discover different decision-making processes. When people are engaged with people personally and not electronically and not burdened by the haste and waste that modern day life requires, they find solutions because they have the ability to be empathic with one another, sympathetic to the causes and concerns that each holds so dearly in his or her heart. Ultimately, they can find the margins for decision-making. I know that is absolutely true because I have seen it in at least 95% of the cases that we have the opportunity address in that way.

Just day before yesterday, Dirk and I and Jim Gerringer from Wyoming received the report of the group of Montanans, people from Wyoming and from Idaho, dealing with grizzly bear management in Yellowstone National Park and the delisting process. We charged them two months ago—just two months ago—with coming up with a series of recommendations for the U.S. Fish and Wildlife Service to go about the delisting process, and we had private citizens, ranchers, conservationists, and people in both state and federal government. They made 26 recommendations that were unanimously adopted in a consensus process where they sat down and listened to one another, where they didn't set about to win only on their terms. As a result of that, they

came up with 26 recommendations that Dirk and I and Jim Gerringer, with very slight modifications, endorsed enthusiastically and forwarded on to the Fish and Wildlife Service.

We have to discover different ways of making decisions in this country. The margins are gone; the rhetoric is too elevated; people get too angry; the marches in the streets settle nothing; litigation ultimately consumes time and effort and emotion and is a poor way of trying to establish public policy. It's not designed to establish public policy.

So we should have great hope about the future. There is tremendous promise for the possibility of making thoughtful decisions that all of us can live with and that can vindicate the values that are so important to all of us. I don't know one single policy maker, Republican or Democrat, that wants to foul the nest in which they live. It goes contrary to our instincts as human beings. Who in the name of God wants to live in an atmosphere that is a threat to their own existence?

So I honestly believe that there are ways to go about making these decisions, ways that are very helpful and that can bring final resolution. My advice would be the following. It's very very simple advice.

First of all: Delegate. Devolve. Responsibility should be exercised in the field. It's better that decisions be made in Boise than in Washington, D.C. As a result of that, I think that you have to look first at delegating, trusting. The Tenth Amendment is really built upon the notion that the framers, in the summer of 1787, believed that the people could be trusted. They began with a presumption of trust. We begin with a presumption of innocence in our criminal courts, for God's sake. Why should the federal government begin with a presumption of no trust in the states? It seems to me that's the embodiment of the Tenth Amendment, to trust first and that means to delegate and devolve first. People will rise to the occasion. They will make the right decisions for the right reasons if you trust them to do it.

Second: Be disciplined in your discourse and in your decision making, letting those decisions be embraced, owned, and possessed by the people who are ultimately impacted by them. Those that do that will be constantly vindicated in their judgment that people will live up to the highest standards of vindicating values and decision-making.

Third: If you can't delegate, then cooperate. Allow a partnership with states and with local governments and stakeholders. Delegate, but if you can't, at least cooperate.

Fourth: If you can't cooperate, inform. Always keep people informed at every level, particularly at the local level. I think that the roadless initiative, the EIS—even though it has some

elements that are presented that cause some pause and concern—is not nearly as bad as what people originally envisioned, and it’s not nearly as good as what some people hoped for. But the fact is that it began in a shroud of secrecy that caused all to react in rather strong terms. As a consequence of that, it was put into a context that has made it very difficult for people to speak about it dispassionately and thoughtfully and scientifically.

Fifth: If you can’t inform, then at least advocate. To those new people who will be inside the next administration, it’s not enough to have an enlightened approach. I think you also have to advocate for the best interests of the people who are ultimately impacted by very strong decisions.

Sixth: Finally, learn. These are very complex issues, and I think the best way to set about making them in ways that can ultimately be embraced by those that we live with is to make sure that we know everything about them before we make a decision. For ourselves, study hard, and then come to a conclusion that is produced as a matter of conviction, of study and analysis that rises up within you.

In addition, be sensitive to the users, to all of them, whether they be recreationists, hikers, forest product workers—whatever it might be. These are real people, real lives, and real pain involved in every single one of these decisions. That’s why when you hear people like John and me and others who have had the privilege of serving people in these capacities talking about these issues, you’ll sense that there is some grey that we recognize. It’s not that we don’t have principles, not that we can’t make decisions, but we recognize that they are infinitely more complex than is articulated by those who see only a process of winning and losing. So be sensitive and recognize that real people are involved in these issues.

Finally, my advice would be to avoid partisanship. The issues in Idaho or Nevada or Montana should be decided on their merits. Quite frankly, I can live with that. I don’t have to win just my point of view every single day. If people are informed, if they are thoughtful, if they give some sensitivity toward others, if they make decisions that are in the best long-term interests of others, if they are scientifically sound—regardless of which way that decision cuts, for or against—that’s fine with me. I can live with that.

Dirk and I have a difference of opinion on grizzly bears in the Bitterroot-Selway. I support the preferred alternative of the Fish and Wildlife Service. Why? Not because I’m delighted with the new challenges surrounding another management area for grizzly bear recovery although I recognize that it is a legitimate goal for this country to have in mind. But we feel

rather strongly in the state of Montana because if it hadn’t been for Montana, we wouldn’t have grizzly bears in the lower 48 states. At one point in time, there was a federal program to eradicate grizzly bears in the lower 48, and Montana resisted. As a result, we’re the only one of the lower 48 states—except Idaho and Wyoming now claim because of Yellowstone National Park, that they are engaged as well—that has grizzly bears. So we have very strong beliefs in the diversity of wildlife in Montana. In fact, it’s much more expansive in terms of numbers and varieties in Montana than it was at the turn of the century. We’re very proud of that.

We had to give some encouragement to the Fish and Wildlife Service because they set about to reintroduce grizzly bears into the Bitterroot Selway in a different way. They listened to us. They created a citizen management approach and invested that citizens advisory group with the ability to influence decisions. They dealt with mortality issues that we were concerned about, with financing issues that we were concerned about. As a consequence, I believe that it is now my responsibility—having said, as I said before, that you need to engage us—to step into the arena. I don’t know if it’s going to work, but I’m absolutely convinced that it’s worth the effort and that we may be able to bring about a different way of making decisions in this country.

There are going to be disagreements on occasion, whether you’re Democrats or Republicans, but don’t view them as partisan issues. If you studied hard, listened carefully, tried to do the right thing, based decisions on science, and were sensitive to other people, then don’t characterize the decisions as partisan. I think there are just as many good Republican conservationists as there are Democratic ones. Framing these issues as only Republican or Democratic issues ultimately will do disservice, not only to the settlement of the issues but to the people engaged and ultimately to this region.

So that would be my advice to those who are engaged in making policy before politics. Thank you very much.

ANDRUS: Thank you very much. Now you see why I chose these two men to be the keynoters. With some minor variations, they both agree these issues are not athletic contests that must result in a winner and a loser. They need to take into consideration the feelings of the people and come up with a consensus. We must get away from the head-banging contest with a winner and loser.

You used the roadless areas, Marc, as an example. Of the nine million acres in Idaho, much of that should be roadless and wilderness, but much of it should be put back into the base and managed by professionals on the ground, as you

point out. I think it's an error for decisions to come down from the top, and we hope the next administration will understand what you two men have said.

A point on dam breaching. If you're interested in Governor Kitzhaber's comments on dam breaching in Eugene, Oregon, read his speech. When the headlines came out, they said, "Kitzhaber for Breaching the Dams." Yes, he said that, but the key sentence in his entire speech was that the biggest threat that we should face up to is doing nothing. He basically said that to do nothing is going to be devastation. All we ask is that the next administration, whichever way it goes, will listen to these comments.

I would observe that one man's skill and training as a medical doctor and one man's skill and training as an attorney, both tempered by the heat of political activity of election and re-election, have brought forth an understanding that we desperately need in the methodology that will be used in the future. So I applaud both of their efforts here this morning and again express my appreciation to them for being here.

As you can see on your programs, a half-hour coffee break has been scheduled, but I'd like to have you back here in fifteen minutes. Thank you.

Refreshment Break

Policy After Politics

How should the next administration approach
public land management in the western states?

Presented by The Andrus Center for Public Policy at Boise State University

Thursday, June 1, 2000

10:30 a.m. Morning Question and Answer Session

Panel Participants:

John A. Kitzhaber

Governor of Oregon

Marc Racicot

Governor of Montana

Norman Bangerter Former

Governor of Utah

Philip E. Batt

Former Governor of Idaho

Mike O'Callaghan

Former Governor of Nevada

ANDRUS: We're going to start now, and we'll let the stragglers take care of themselves, but I need to lower the decibel level in here.

I want to thank two outstanding public figures who have truly been tempered by fire. Not only have they survived, but, if you look at their approval ratings in the states that they represent, they're banging right up there around the 80th percentile and above in both states. From what you saw this morning, you can understand why.

We're going to start with questions. We have about thirty minutes, and then they have to be excused for a little bit and will be back this afternoon. But I'm going to pull into play—I see Phil Batt is laughing—so I'm going to put him on the spit along with Norm Bangerter and Mike O'Callaghan.

The first question: I'd like each of you to tell me how you think they should pick the secretaries for cabinet positions of Secretary of Agriculture and Secretary of Interior and what criteria should be used in the selection of those men or women.

KITZHABER: The criteria are simple. I should have veto power. Seriously, I think that for natural resource agencies, I wouldn't go so far as to say it should be someone who lives in the west, but I do think we need someone who understands the western perspective and who is committed to the high environmental and natural resource standards that this country has traditionally held. It should be someone who is

very creative in his or her outlook on how to achieve those standards and someone who is committed to a hands-on involvement with the western political and community leadership in making those decisions.

RACICOT: I couldn't disagree with that in any way. Ultimately, you need to focus on competence and experience, and if you can find a person who can fill the bill in that respect, then those are the fundamental decisions that ought to be made. Really, there are probably political overtones to any selection because if you're making that choice, you look to those with whom you think you can work, who are loyal, who are faithful to a core set of principles. But in the end, to me, competence and experience have to dictate the order of the day.

ANDRUS: As I recall from your prepared remarks earlier, you pointed out that partisanship should not be at the top of the concerns but you can't ignore politics. Having been there myself, I agree with what you say.

Let me read this question from the floor: "Both speakers used the term 'good science.' What does 'good science' mean to you?"

RACICOT: To me, it means the best that we can produce, information that's tested in a searing fashion, and whichever way the facts are ultimately disclosed, you live with the results. If you believe a solution ought to be based on sound science—and I do and I think most people do—then you

commit yourself to a process. It's not convenient science; it's not just science that supports your particular perspective. It's a full body of information that is as up to date as it can possibly be and that you've committed yourself to live with, regardless which way it cuts. I think that's the fundamental requirement—that it be dispassionate, thoughtful, and the product of a process that people can accept as being ultimately capable of producing the best facts available under the circumstances.

KITZHABER: I think there are two components. I would agree with Marc, and most of our efforts in Oregon—the salmon plan and the eastern Oregon forest health plan—involve an interdisciplinary science team that reviews the science. So I think having an independent scientific review is very important for implementing natural resource policy. Having said that, it's important for us to recognize also that it's rare to have exact, complete science because we're learning more about the ecosystem as we go along. So what science does is gives us a set of alternatives, each of which bears a certain amount of environmental and economic risk. Essentially, at the end of the day, these management decisions are going to be made in the political arena, based on the amount of environmental and/or economic risk, we're willing to accept and based on a core set of values. Most of the successful land management approaches in the west are really adaptive management processes where you review what you're doing over time and make modifications, based on scientific evidence as it comes in.

ANDRUS: For Governor Racicot, a question from the floor: "Why do we as a nation have an obligation to make whole those who earn their livelihood extracting public resources?"

RACICOT: Because we have invested them with that possibility in the first place. The fact of the matter is that they are there because of national policies that were instigated perhaps generations ago, but nonetheless, that's the process we set about to create. As a result, I think we have an obligation if we're going to disenfranchise those people, precipitously in some instances, to find some way to transition them to a position of safety and security. You don't simply just disrupt how they have come to make a living if you find it unacceptable. Frankly, it's against the very tenets of the Bill of Rights. It says that you won't in any way deprive people of their property without due process of law. So if you want to change things, then you have to keep people whole in the process.

For instance, if somehow we came to the conclusion in this country that the dams were going to be breached in the Lower Snake, how do you keep the transportation interests whole?

How do you provide a substitute for those particular people who depend upon the river for the transportation of commerce? There have to be alternatives, it seems to me. We can discover a different method, but we can't leave people in the wake of the values that the country somehow now embraces and just simply disregard their legitimate interests. It goes against fundamental notions of fairness, and if there is one thing the people of this country understand, it's fairness. So if we have a higher set of values today than what we had at the turn of the century, we have to find a way to keep people whole and change what it is that we embrace as a set of values. By doing that, I think you bring about fundamental fairness and a willingness to accept the decisions that are made.

KITZHABER: If I could just add two quick points. I think this gets to the larger question about how we make progress on these issues. Both Governor Racicot and I are in agreement that—going back to the Columbia River ecosystem—once you develop a recovery plan that's the best that science can dictate, the next step isn't implementing the plan. The next step is doing an economic impact study to determine what you would have to do to essentially mitigate the economic impacts of that plan. The frustration I have with that debate is that whenever you start taking one element or another out of the equation because it has an economic impact, you never get to the point where you can actually make a judgment about what the cost of recovery is and whether we as a nation are willing to pay it. That's really where the debate has to go.

The second statement I want to make about the way this question was framed is that I think we make a mistake in labeling people as white hats or black hats in this debate. There is nothing fundamentally wrong with natural resource extraction. It has an impact on the environment, but it's not bad people. It may be bad practices. I will use the Oregon cattle industry as an example. They are currently trying to recall me. They are part of that 20%, I guess. The problem that we get into in this debate is that we look at people who make their livelihood on the land, and there is a ranching culture. These are good people who pay their taxes, raise their children, participate in their communities, and have a lifestyle that is part of our culture and our heritage in the west. You have to separate the people from the practices. The people are good people, but maybe their practices have to change because we've learned more and are having a greater impact on the land. If you can separate that and talk to them about their practices, they are often willing to change those practices to achieve a common good. But if you paint them with a brush right off the bat, you polarize the debate,

and you don't make nearly the progress you should be able to make.

RACICOT: May I add one more point? What we're setting out to do with all of these debates is vindicate a set of values that we have come to believe are more valuable than the ones that are presently there. If that's the decision we make, then we have to be willing to pay for the vindication of those values. The rest of the country imposing their will upon those presently existing in a certain position or status shouldn't expect that all the economic impact is going to fall just upon those people. It's we as a country that are saying that we want to see a different set of values protected and observed. It seems to me that the entire notion of how we exist in this country, our entire body of law and way of living, is based upon that notion of fairness. So if it costs a billion dollars to find an alternative, then that's what we have to make a decision about in this country. Are we willing to pay it? If not, then apparently the value isn't nearly as valuable as we thought it was. If we are willing to pay for it, then I think people are made whole, and we can move forward.

ANDRUS: Thank you. We have Dr. Freemuth here with a hand mike. I have plenty of written questions, but if some of you in the audience have questions, we'll give you a shot. No speeches or I'll turn it off.

First question: How can the principle of sustainability, as espoused by Governor Kitzhaber, be applied to federal land management.

KITZHABER: Well, it starts with how you define sustainability. If you have a fundamentally different starting point, you'd get a different answer. I think sustainability is often viewed from a strictly environmental standpoint, but I view sustainability really as the intersection between economic, social, and environmental needs. An example I can give you in Oregon is something called the Natural Step, which some of you may be familiar with. It's a process some businesses are going through to figure out how they can use more sustainable operations but use fewer raw materials in the process and make the businesses more profitable. The alignment of these values really has the power of sustainability. You have to start by viewing federal land management and resource extraction as one of three fundamental legs and begin to recast that debate. What's happened out here, very understandably, is that the debate over the management of federal lands, as I indicated in my speech, has viewed those three values as separate, unrelated entities, and they are not. They are also not mutually exclusive, but you have to recast and reframe the debate in order to unleash the creativity that this country has, and the

various stakeholders have to find this kind of solution. I hope this forum today will take a step toward recasting the debate in that fashion.

RACICOT: To me, the notion of bringing about sustainability on federal lands has to do with, first of all, recognizing that different lands should be used for different purposes at different points in time. We have to recognize that multiple uses are appropriate on some of those lands although exclusive use may be appropriate to others. We have to recognize as well that there is a stewardship and trust responsibility never to damage irreparably the underlying asset. When you think about below-cost timber sales, for example, to me there is no such thing. It's a cost of maintaining stewardship in our national forests. If that's a national value to be vindicated—and I believe that it is in order to maintain healthy forests and have cleaner air to breathe—and if it means keeping some forests productive and some in their natural condition, then it requires us to focus on forest stewardship, which coincidentally allows for sustainability. So to me, you pick the objective, the value—forest stewardship—and if you do that and focus upon it in thoughtful and scientific ways, you will inescapably end up in a position where you are maintaining a sustainable process for people and resources because you will produce resource for manufacturing and processing at the same time that you preserve the ultimate value.

KITZHABER: The eastern Oregon project I mentioned is a perfect example of that although it's pretty embryonic. But basically, if you let the mills, the small remaining mills in eastern Oregon, go out of business, you don't have the capacity to do the forest health treatments that are necessary to improve watershed and ecosystem health. So there's a situation where you've got to have the mills; the mills are important to improving the ecosystem; the ecosystem keeps the mills alive, which then supports and strengthens the underpinning of eastern Oregon rural communities.

RACICOT: We pay to maintain the Lincoln Memorial. We don't reap anything off the land on which the Lincoln Memorial resides to be able to say that we are sustaining the Lincoln Memorial. This notion that somehow every piece of federal or public land must produce enough of a return in order to make it profitable is a notion that we have to let go. It's no longer capable of doing that, and we have a different set of values now. We've gone through this painful, agonizing process of shrinking the timber manufacturing in the Pacific Northwest, and it has been agonizing. I go home to my logging community in northwest Montana, and I look into the eyes of the people I grew up with. They are now 52 years old, and

they don't know what they are going to do with the rest of their lives, and they are stricken with fear about what's going to happen to them. We've gone through that process, and it's been very painful. We now ought to seize the opportunity, with the industry right-sized, to engage them in the vindication of this value we claim to embrace as a country, namely proper forest stewardship. If we do that, I think all can be in a proper position.

ANDRUS: When you look at sustainability, keep this in mind. I grew up as a lumberjack around slabs, slivers, and knotholes, and it used to be that for us to put out 40,000 board feet of rough-cut lumber a day, it would take ten or eleven people. Now, with the help of computers and automation, they consume the same amount of wood fiber with three or four people. So sustainability of the wood fiber is one thing, but it's almost impossible with the same amount of wood fiber to sustain the economic viability of the labor force. Those things have to be understood also.

RACICOT: If I could offer just one quick thought. We manage state lands in Montana for forest products, my recollection is about 800,000 acres. We've had 110 timber sales in the course of the last eight years since I've been there in the Governor's office. Two of those 110 sales were challenged, and the court found something wrong with one of them. We have Democrats and Republicans on the Land Board—four Democrats, one Republican. Every one of those timber sales has been unanimously approved, and I guess that's a living, breathing life experience that suggests to me that this can be done if we do it in the right way and set about to produce something more than winners and losers.

Secondly, we have people come in and say, "We don't want to see that part of state land logged because that's where we look out our back window. That viewshed is important to us." We say, "Fine. Other than keeping it healthy, which means there is a minimal amount of intrusion, no roads built into the area, just simply an incursion to make certain that it's healthy and strong, we'll sell you that viewshed. If it's worth that much to you—and there are other people willing to pay a price to log it—it ought to be a price you're willing to pay not to log it." Frankly, we've sold viewsheds. We have to think differently than the way we've been thinking over the course of the last 50 or 60 years because there are people who find that has an economic value that you're willing to pay for. So you keep it healthy, but you still generate income for the school trust by not selling timber. So that's one example of how we have to look toward the future.

ANDRUS: Following up on that is a question that says, "In the interest of timely public land-usage decisions, how can

we best speed up the bureaucratic process involved?" It takes so long to get a decision—and not just at the federal level—as to the management of the public lands.

RACICOT: You trust people. At the local level. Dale Bosworth is here. He's the regional supervisor of Forest Service Region I. I trust Dale Bosworth. He lives in a community in the state of Montana. I would invest him, if I were the Chief of the Forest Service, with more authority to make thoughtful decisions about what's occurring on the ground and give him the resources to be able to do that. I wouldn't, in Washington, D.C., bleed off his resources and direct them toward initiatives that I've conceived on the other side of the Potomac. What you have to do is trust the professionals. I don't want to attribute what I'm going to say in any way to Dale Bosworth because he hasn't said this to me, but I've talked to a lot of people in the Forest Service, an historically proud agency with great professionals, who are engaged in our communities and fused into the fabric of our communities and whom we trust. They are absolutely demoralized because they no longer have the ability to be professionals and to make discretionary decisions. They may make discretionary decisions that cut contrary to my viewpoint, but nonetheless, I trust them to make those decisions. So I think that we ought to devolve more authority, more resources to the local level—just as John pointed out before when we talked about Enlibra—set national standards, and let people that you pay good money make the decisions about what's best for the land.

ANDRUS: Do you believe that the Chief of the Forest Service should be a professional or a political appointee?

RACICOT: I think that there is obviously going to be some inclination to consider someone who has at least exhibited some faithfulness to a core set of principles, but I honestly believe...

ANDRUS: I just threw that question out...

RACICOT: I honestly believe that it should be a professional first. I have people in my cabinet who, when I asked them to assist me, said they didn't vote for me and that they didn't belong to the same party. I appointed them nonetheless because I want competence first. They will make me look bad or good, depending upon their competence. So you always have to focus on professionalism and competence.

ANDRUS: I did the same thing. I would point out that's why your approval rating is probably 82%. John, would you like to comment?

KITZHABER: I think what Marc says is true. What we've run into on the Eastside Project is basically finding consensus on sixty projects and being unable to move them very fast.

Part of that is due to the fact that some of them need additional federal money to make them economically viable. That's not a subsidy to me; that's an investment. Here's a case where natural resource extraction helps the environment, so we need a budget to allow the companies to go in and do those treatments. That's part of it.

Secondly, a lot of the decision-making authority is held back by the federal agencies centrally. There is a lot of latitude for discretion in terms of moving those decisions down on to the landscape, which can be done without a statutory change. There are administrative rules that can be modified to speed those up, so that really has to do with the trust issue. That doesn't mean getting rid of accountability, but it means moving those decisions down closer to the ground and holding people accountable for them.

Finally, there is a budgetary component to this, quite frankly. You do need people on the ground that work for the U.S. Forest Service. You need people in NMFS and U.S. Fish and Wildlife to do consultations under the Endangered Species Act, and we have asked the Secretary of Commerce and of Agriculture to make the Blue Mountain Demonstration Project a demonstration project within a demonstration project—that is, to also run, parallel to the forest health demonstration, an effort to see how we can streamline, on a pilot basis, making those federal decisions in a much more timely fashion to actually move the projects through.

ANDRUS: John, do you have anyone with a question? We have a county commissioner I've spotted down here. She made a point earlier that it's not just states they should listen to; they should also listen to county commissioners. I consider county commissioners to be a part of government at the local level. No speeches, but if you have a question...

COMMISSIONER: I'm a county commissioner, and I don't make long speeches. I want to ask about the self-sufficiency issue. You named all of the other reasons for making extraction people in rural communities whole in the process. Do you think it's a value we hold that we should also be self-sufficient? Like cattlemen, for instance. We actually eat beef. We use wood products. Should we have the self-sufficiency value included where we produce some of what we use?

RACICOT: Well, I think it is. Obviously, it's not something you can regulate or legislate, but I know, with my own children for instance, there is a huge gap in their understanding about where food comes from. They tend to think it comes from the supermarket as a consequence of not being exposed to the fundamental process that I was exposed to as a youngster. This is true as each generation evolves after another. There is a certain amount of that understanding that is lost, one to

another. But I clearly think that for those on the production side of the issue, they understand precisely. We face real danger of compromising our production infrastructure in this country if we're not careful, and we have to recognize that there are essential minerals and commodities that we have to produce. I think there are some in the environmental community that do not have a full appreciation for that particular concept, and they need to become more sensitive—as we become more sensitive to their thoughts and concerns—that in fact we cannot be left in a position as a country with not being able to sustain ourselves sufficiently because we're unable to produce enough goods and services to keep us alive and well and functioning and strong.

No, we don't want to be dependent on the Arab states ultimately for essential components of our energy production here in the United States. That's a very good example.

KITZHABER: I agree exactly with what Marc said. Just to use an Oregon example, the greatest threat to the agricultural community in the state of Oregon is not lawsuits by environmentalists, it's not a Democrat in the executive chair—although I've had trouble making that case—it's demographics. It's the 50,000 people who move into Oregon every year from urban and suburban areas in other states to urban and suburban Oregon. With the next census, you're going to see a shift in the political power from rural Oregon back to suburban Oregon, and these people, most of them, live and work in the city. They view eastern Oregon, the coast, southern Oregon as the place they go to recreate. They don't like clear cuts because they hurt the viewshed. They are concerned about the use of chemicals and pesticides, and they have a view of natural resource industries that doesn't reflect an understanding of the part they play in our larger economy. What the agricultural community has to do is build bridges with urban and suburban Oregon. They have to get people to understand the importance of what they do, and they have to work to try to build that dialogue between urban/suburban and the rural economies. As Marc says, there is a growing gap in understanding, and that results in polarization and these political battles. I think that will ultimately catch all of us on the same hook.

ANDRUS: I'm going to give this gentleman an opportunity to ask a question. Then I'm going to let these two governors off the hook because they have a meeting to go to at noon but will be back here at 1:30 PM. Between 11:30 and noon, I'm going to improvise and put these three former governors on the spit and let them answer some of the questions before they make their presentations this afternoon, and we might have a little fun and a difference of opinion. I'll see that you

get a written report of where they disagree with you or when they have been disrespectful to you or to anything you might have said.

AUDIENCE: I'm John Howard, a county commissioner. I'm also chair of the Grand Ronde Watershed program that's in the Grand Ronde sub-basin. In my capacity as chair of the Grand Ronde Watershed program, we've ushered through a lot of projects in that basin, and we spend about \$1.2 million annually on watershed projects. This summer, we're removing a road from a creek bottom onto a county road right-of-way; we've taken out small dams on other rivers to allow for more fish passage. The question I'm leading up to is that on many of our projects, we have problems through consultation with National Marine Fisheries. Last year, we missed about six projects of in-stream work. We missed our road relocation work. We have problems with the agency office here in Boise. We have a friendly office in Portland. Looking at a new Administration, Governor Kitzhaber, how could the new administration solve some of the problems we have at the local level with the consultation process?

KITZHABER: Well, three things come to mind. One I've already mentioned, and it's funding. You have to have enough bodies out there to do the consultation process. Second, I believe that there are ways to streamline that process. I don't think we've really stepped back and taken a look at it to see whether we can improve it. It's how we've done it for a quarter of a century. I'm convinced that, if the objective were to streamline it, we could figure out some ways to do that. Finally, I think that the next administration has to put people in these positions who are trying to get to yes.

It's the difference between the OSHA inspector who goes out to the site and says, "Let's see how many citations I can give on your project today," versus the guy who says, "Well, here's a problem. Let me work with you to fix it." Part of it has to do with the mind set and the culture. So if the instruction from the administration is to get to yes—don't compromise environmental standards but figure out how to get to yes—that's coming down from the top, and if you have adequate staff and you look at what you can do administratively, I think that's the answer.

RACICOT: And not to have allegations thereafter that if you try to help people get to the right place for the right reasons, you've sold out or compromised your principles in order to help someone. It's absolute rubbish. It ends up, I think, substantially undermining efforts by people to do the right thing for the right reasons. We have highway projects and bridges we want to replace. We actually want to widen streams to create better flows in the state of Montana, and

we can't go about doing that because we can't get the consultation completed. So we've even offered to pay for it and are paying out of state funds for the consultation to occur because the Fish and Wildlife Service doesn't have the funds to do that.

This is not all an executive branch difficulty. In all fairness, poor George is here receiving all this advice and counsel and thinking it applies only to the executive branch of government, but Congress is as much engaged in these issues as anyone in the executive branch of government. Quite frankly, they have a long way to go in terms of becoming responsible partners in this process, providing proper resources and not using the budgeting process strategically to obstruct and retard and delay appropriate things that ought to occur on the ground, not questioning every single decision. They're just as bad as anyone else on the other side of the Potomac, questioning what's happening at the local level and requiring every decision to be made inside the walls of Congress, rather than trusting people at the local level to do it. I've found that there is really much more tension brought about as a result of the executive and legislative branch design of our system than there is between parties because people want control. It's very hard to trust other people.

In my view, what happens is that the people in Congress, who are charged with thinking—which is a function they haven't performed with a high degree on every occasion in my view in the first place—shouldn't also try to seize upon and try to steal away the legitimate functions of executing, which are assigned to the executive branch. But they want to do everything because people want control. That's the same problem you have with local government. The federal government doesn't want to pass authority to the state government; the state government doesn't want to pass authority to the local government. Yet we all allege that we're committed to the form of government closest to the people. It's true—that works the best. School districts, county commissions, city commissions—they work the best because they live with the people they govern. They look into their eyes on a daily basis and ultimately make decisions in the best long-term interests of those involved. So Congress needs discipline, too.

ANDRUS: We're going to let these two gentlemen go now. Don't anyone leave their seats. I'm going to ask these former governors to come up here with me, and we're going to improvise a little bit and answer some of these questions. In the meantime, George Frampton, would you come over here with me, please? George Frampton is in the current administration, and I said at the beginning that I wasn't going

to have anyone from either political side involved in this, so he wants to make a comment to defend himself, not the Administration. I told him he could as long as he didn't inject politics, win or lose for your candidates.

George Frampton, Chair of the Council on Environmental Quality in the executive branch of government.

GEORGE FRAMPTON: I guess I'm the filler for the transition here to the next part of the day. I'm sorry that Marc Racicot had to leave because I wanted to echo a theme of his that resonated with me in my own experience, and that's his notion that good policy ultimately makes good politics. I appreciated the nice things Governor Kempthorne said and his trenchant criticism of the roads, which I won't debate.

In my experience of about fifteen or twenty years, the one thing I've learned is that, in approaching these very difficult complex contentious regional and national natural resource issues, we're unlikely to develop any successful strategy or any successful lasting strategy unless we're able to start out with some kind of shared vision about what it is that we hope to achieve in the end. When I say a shared vision, I don't mean a consensus vision, but at least a vision that is shared by a critical mass—the public, elected officials, people who have a stake in the issue. By vision, I don't mean a consensus about the outcome, but at least a shared a vision about what the objects and the equities are that we're trying to get to. If we don't start out there, we're not going to develop a successful strategy on these issues.

When I look back at the things this administration has been involved in and that I've been involved in, all the strategies for the things I think have been successful have begun with a shared vision. On the question, for instance, of how to spend Exxon's fine money from Alaska, we didn't get anywhere until there was a shared vision between Wally Hickel and the Clinton Administration about the things we needed to achieve. The Northwest Forest Plan—which is still contentious but at least solved a problem—began with a shared vision that we had to reduce the timber harvest but we had to have a sustainable timber harvest.

The Everglades Restoration is another example of what I think is a successful strategy because it began with a shared vision: provide restoration of natural resources, provide water to the cities, provide a viable future for the sugar industry. The work that some of us have done with then-Senator Kempthorne to try to develop a different way to keep but make more effective the Endangered Species Act, to make it work on private land, and to make it more acceptable resulted in a piece of legislation that is really a centrist reform

piece of legislation, one that I hope will pass eventually, one that he was most responsible for shaping. Those are all things that started out with a shared vision.

When I look down the road for the next four years, I see a number of pretty contentious issues that the next administration, whoever that is, is going to have to deal with. Some of them are areas in which we don't yet have a shared vision, and we're not going to get very far unless we do. One that I talked with Governor Racicot about earlier is the question of how we improve forest health, how we reduce the increasing risk of fire, how we build public support for prescribed burning, how we find public support for silvicultural and mechanical treatments, and how we get the money necessary to do that at the federal level. The issue of silvicultural treatment is very controversial in the environmental community. We have to have a shared vision before we can have a successful strategy.

The other is the Columbia River hydropower system. My own conviction is that there hasn't been the kind of robust public debate yet about the real choices, the real consequences, the likely outcomes, the costs, who is going to pay those costs, etc. That debate really hasn't yet occurred, so there really isn't a public, shared vision of what we're trying to do and how we might go about doing it in the Columbia Basin. I'm not talking just about dams; I'm talking about all the things that will have to be done to protect salmon. If we're going to have successful strategies in the future, we're going to have to first develop a shared vision of what it is we're trying to do.

So that's probably the single thing that I feel most strongly about as a result of the work I've done in this Administration. I think Governor Racicot really put his finger on it when he said, "If we have good policy, we'll have good politics." Thanks for letting me have the microphone.

ANDRUS: I, too, am sorry that the two governors had the other meeting to go to. They're going to miss Jay Shelledy's speech at noon today. He's an abusive, direct, caustic, informative, humorous, rotten—nice fellow that you're really going to enjoy. I've known him for a long time or I would not heap that kind of abuse on him.

First of all, these three men have all served in the Western Governors' Conference. Do you see a role for the western governors in the next policy-after-politics debate?

GOVERNOR NORM BANGERTER: Obviously, the governors will play a role and the next Administration will listen—but will they hear? Since the founding of the Republic, we've dealt with regionalism and economic issues, so the role the western governors play will depend much on the quality of those

people and their ability to articulate the issues. It will also depend somewhat on the desire of the administration to really go down to the foundations and learn how to build policy from the bottom up instead of imposing it from the top down. So I'd say, maybe.

GOVERNOR MIKE O'CALLAGHAN: There may be a role to play. It will depend on who is on the advisory groups these candidates have that are working on western problems. I think that when you put together a group that is going to advise you, you not only include the center of the road, but you need the extremists in there also—those that would like to use and abuse the land and those who don't want to touch it. You need them so you know what you're dealing with. I don't think you can make policy by everyone sitting down and agreeing. For instance, it's very easy for all of us to agree that we ought to have these nice things.

I was involved in federal/state relations in the federal government. I was chairman of the Intergovernmental Relations for the Federal Executive Board in San Francisco. I went with the Flying Feds in the 1960's all over the west to work on federal/state relations. Later on, I had the opportunity to bring Job Corps Conservation camps into most of the states. In fact, State Senator Andrus helped put one here in Idaho. I was able to put one in that had a racial mixture when Orval Faubus was governor of Arkansas by sitting down and having dinner with him one night. So all these things can be done, but what we usually wind up doing, when it's all said and done, is we'll start to solve single problems. I've seen it happen time and time again. A single problem has been solved, but the philosophy doesn't change. Until the philosophy changes, we'll go down the same road we've been before.

ANDRUS: I'll ask Phil to jump on this next question because collaboration/consensus is good, but how do you prevent those who don't want it or see no personal advantage in it from wrecking a solution that's achieved through that process. How do you stop the extreme sides that Mike talked about, the ones who want it all their way? Do we ignore them? How do we get around them? Phil, do you have an idea?

GOVERNOR PHIL BATT: Well, you're being unfair to me as you usually are because you know I have a limited inventory of thoughts on this or any other subject. I was planning on doing that this afternoon.

The theme all morning has been that we have to talk rationally about these problems instead of from a political basis or a vested interest basis. We're all guilty of it. The federal government is guilty of it. State governments are; businesses are; politicians are. The true accomplishment will

be much facilitated if we leave our prejudices behind us and talk openly and honestly about the subject. I think Governor Racicot talked about it pretty well when he said he is willing to accept some solutions that may not please him personally if they are arrived at honestly. I think that's where we need to be.

O'CALLAGHAN: I found out when working, for instance, for the federal government when I was regional director for the Office of Emergency Planning that the best federal/state relations I had with Governor Reagan was when I presented him a check from the federal government. Did he take it? He took it and asked for more. It handled such things as the Santa Barbara oil spill. He was a very pleasant man, and we got along very well.

Later on, as fellow governors, we talked about a lot of these issues. I had a sidekick named Tom McCall, who used to help me in those arguments. Over all, a lot of it just came back time and time again to what appealed the people in his state. You work for the people in your state, but somewhere along the line, you have to sit down and reach these people by listening to them. On the other hand, we have to start treating the conservation people from our states and from the federal government with the respect that they deserve. These people are out there; they're citizens; they're ours.

We had an incident in Elko, Nevada that got way out of hand. It involved the abuse of power by a state grand jury and mistreated the people, the work of conservation, the Forest Service, and also the state, so we have to watch what we're doing. We can have disagreements, but it cannot get to the point where it becomes bitter, and it cannot destroy the very thing we're looking for: a consensus or a method at least to agree or disagree pleasantly.

BANGERTER: We get together in these groups, and the agenda is that we're going to solve the problems for the future. The facts are that we've been doing that for 200 years in this republic. We'll find ourselves in these kinds of discussions ad infinitum.

I solved every problem that Utah ever had though there are some who think there are still some problems out there. It reminds me of the beginning of World War II. I was a young boy, and my older brothers were going off to war as were my cousins, and one of my cousins was asked, "Are you going to go make the world safe for democracy?" He said, "No, we already did that. We're going to do something else this time." That's really the kind of thing we're in. You have to recognize that you always have to deal with these issues. It goes to the people who are willing to listen to all the voices.

As Mike suggested, you have to have the extremes. A very

conservative legislator came to me one day and said, "I'm not going to run again." I said "Why not?" He said, "I never get my way." I said, "We can't afford to let you get your way, but we need your voice." That's really the thing we're talking about; we've got to have the voices, and we've got to recognize that we're not wise enough to resolve every issue, but we must be willing to address every issue. The challenge in our political system is that we make it impossible sometimes for politicians to think they can do that. The way you get past that is to figure out that the issue really becomes more important than the participants and the major players. They'll survive all of us. That's the issue you have to think of if you want to think long range.

BATT: Governor?

ANDRUS: Your Eminence?

BATT: Glad you got it right. Did you ask about the effectiveness of the Western Governors Association? I would like to comment on that because I had experience as governor with both the Western Governors and the National Governors Associations. I can tell you there is absolutely no comparison, both in proposals and in effectiveness, because the western governors are willing to leave the politics out of it and look at the mutual concerns of the west. That's not true on the national level. The National Governors Association is almost entirely a political exercise. So I think that's an example of how we can cut beyond the politics, beyond the vested interests, and try to get some solutions. The western governors are really good at it.

ANDRUS: That's a very valid point, and I'm glad you made it. That has gone on for a long time. Those of us that live in the west, men and women alike, are a different breed of cat from those that you see back east. We're willing to settle our own problems.

Let me ask one question, and then we're going to break and go to lunch. "Is it productive for senators and representatives to use phrases like 'War on the West,' and can the governors tone them down?" No. It happens every election year. When I was Secretary of the Interior, that's what I was met with. For example, in the Fruitland Mesa project in Colorado, the cost/benefit ratio was .38 to 1. For every dollar invested, you got 38 cents in return. It was on the list not to be constructed. The headline in the Denver paper read, "War on the West." Every election year, you'll hear that. You'll hear "Don't step on me" and all of those trite phrases.

O'CALLAGHAN: How about "Rape, ruin, and run"? Where did that come from?

ANDRUS: I coined that phrase. That was an outstanding

example of me in my youth, saying, "The three R's of resource management are rape, ruin, and run." The trouble is that you deal with some of these old people who have been with you and around you for many years. Mike and I were both elected in 1970 to our respective posts as governor. No, there is no help for some representatives and senators from various states. I dare not name any of them.

OK, one question here. "If keeping people whole is good, will that include the American Indian and their practice of salmon fishing?"

BANGERTER: I have a little trouble with the blanket implication of making people whole because everything in our governmental policy, everything in our business communities has moved to the point where people are not kept whole. When I was a boy, people got a job, stayed in that job, and retired from that job. That isn't the same anymore. I don't know what the statistics are, but seven or eight or ten jobs will be the lot of the average person. I think you can never say we can make them whole. As you pointed out, we can process a lot more timber today with a lot less help than we could before. That in itself doesn't change the ecosystem. It changes the labor force. Do we have to have policies that go to retraining and helping people make that adjustment? I think that's a very legitimate and purposeful thing to do. But to say that everybody that's disturbed by some change in our society or economy should be made 100% whole—I don't think you can really do that.

BATT: I would agree with that pretty much, but I would say that dam breaching is an example of a very dramatic and deliberate upheaval, one where I would be inclined to agree with Marc that we must make a comprehensive review of who is damaged by that and pay them off.

ANDRUS: On that note, if you want to have lunch, your name tag will get you in. We'll reconvene in there for lunch.

Lunch break

Policy After Politics

How should the next administration approach
public land management in the western states?

Presented by The Andrus Center for Public Policy at Boise State University

Thursday, June 1, 2000

Luncheon

Addressed by:

Jay Shelledey

Editor, *The Salt Lake Tribune*

ANDRUS: Earlier today, I abused our luncheon speaker a little bit simply because I've known him for many years. He's an outstanding journalist. He wrote some rather inflammatory, inaccurate pieces about me when I was in public life. He never caught me with my hand in the cookie jar because I could never find it, but he did abuse me a lot of times on decisions I made that he thought were mistaken. He was wrong.

So I brought him here today. Jay Shelledey is the editor of the *Salt Lake Tribune*, a very experienced and prominent member of the journalistic fraternity, and I've been told that he is number one on the list to be appointed to the Lottery Commission in the state of Utah, if and when the opportunity arises.

Ladies and gentlemen, our luncheon speaker today, Jay Shelledey.

JAY SHELEDEY: Thank you, Governor Andrus. I'm impressed with the turnout that you had at your conference this morning. As I looked through the room, about 70% were interested in the land-use issues. The others were body guards.

I appreciate this opportunity to talk with you today and to bring you greetings from the state of Utah where the Legislature currently is debating whether to change the state motto from "Our Jesus is Better than Your Jesus" to "Our National Monument is Bigger than Your National Monument."

Governor Andrus asked me to speak here today, and he also asked me how things were going in Utah. Well, that's kind of hard to explain, so I might do it this way. The other day I was walking from the Tribune building to the First Security Bank to see whom that venerable institution had gotten in bed with that week, and I ran into this out-of-work person, wandering the streets. No, it wasn't Norm Bangerter. He asked me for a dollar, and I asked him if he was going to use my dollar to buy a drink. He said, "No, I don't drink liquor at all." So I asked him, "Well, are you going to spend this

dollar carousing and partying?" He said, "No, I gave up that lifestyle long ago." I inquired again, "Well, are you going to spend this money on the Idaho Lottery or gamble it away in Nevada?" He said no, he no longer gambled. I said to him, "Look. I'll give you \$10 if you come home with me so I can show Sue what happens to someone who doesn't drink, party, or gamble." Well, that sort of sums up Utah, Governor.

It is an honor and something of a milestone to be asked by Governor Andrus to speak today. It's been 25 years since I last covered him as a reporter, and he just started speaking to me three years ago.

One of the ironies about a formal speech like this is that you come up with the title for the program long before you write the speech. In the newspaper business, we do it just the opposite. We write the story, then craft the headline. Neither process, it turns out, guarantees a correlation. In the present instance, however, my text follows the title, "This Land is My Land."

In drafting this talk over Memorial Day weekend, I came up with a new spin on the old definition of optimist versus pessimist. The Legislature sees the water as half full. The Governor sees the same glass half empty. Environmentalists view the tumbler as not nearly as big as it needs to be. The feds see the glass and say, "Hey, what are you doing with our water?"

Governor Andrus told me there wouldn't be any guidelines but that I should refrain from bashing bureaucrats. I said, "Oh sure; don't worry." He said everyone would be listening to rational, reasoned words of wisdom in the morning, and could I provide the other side of the coin at lunch.

So. A state attorney general, an editor, and a Secretary of Interior were simultaneously sentenced to the guillotine. The first to be executed was the Attorney General. She was led to the platform and blindfolded, and she put her head on the block. The executioner pulled the lanyard, but nothing happened. To avoid a messy class-action lawsuit, the

authorities allowed the attorney general to go free. Next was the editor. He put his head on the block, and the lanyard was pulled. Again, nothing happened. Everyone thought, of course, it was divine intervention, and he was freed. Finally, the Secretary of Interior put his head on the block. As he lay there, he looked at the lanyard and said, "Hey, wait. I think I see your problem."

But enough of this frivolity because, with every federal agency, every environmental group, every state, every rancher, and every resource industry at shovel's point, yelling, "This land is my land," it really is not a laughing matter. While the tug of war over federal lands is as complex as it is fierce, the bottom line revolves around stewardship, state versus federal, and it won't be long before the private sector seriously knocks at the door, looking for a crack at running some limited shows.

So who does it better? That's the issue. Let's imagine this sort of scenario in resolving the question of who can best manage public lands. Let's imagine that we released a rabbit in a large forest and challenged a state department of natural resources, the U. S. Interior Department, and a private management company to utilize its best method and brain trusts to capture the wild rabbit. The state natural resource personnel placed informants throughout the forest, hid microphones under rocks, and placed motion detectors behind the bushes. Nothing. After three months, the state concludes that rabbits do not exist. The Interior Department goes in and, after two weeks of no leads, conducts a controlled burn that torches the entire forest and kills everything, including the rabbit. Interior makes no apologies. After all, the rabbit had it coming. So the private firm goes in, and in just a mere two hours, comes out of the woods leading a badly beaten bear by the ear. The bear is yelling, "OK, OK, I'm a rabbit, I'm a rabbit." It's silly, but so is focusing on who does the job rather than on how can we do it better and more cooperatively.

Frustrated federal agencies often ask themselves, "Why are westerners such obstructionists, such colossal pains in the ass? Are we not all Americans?" Well, indeed we are, but this western tug of war with the federal government is not so strange or so unusual in America's history. Rebellion against what is felt to be oppressive government is wound into the very fabric of our nation. From the start, Americans have distrusted governing from afar. The very theme of this nation's birth was steeped in protest against distant decisions. The British must have asked the same question. "Why are those colonists such pains in the ass? Are we not all Englishmen?"

It was no accident that, after the Revolutionary War, the

initial seaboard states located the capitol halfway between Vermont and Georgia. That was smart for the original club but not visionary. As our nation moved westward, the seat of government became more distant and more distrusted. It is no coincidence either that nearly all modern non-religious revolutions and revolts over farm foreclosures, taxation, gun controls, public land policies—not to mention the rise of the militia—have their genesis west of the Mississippi River.

Out west, we tend not to appreciate federal overseers. It just goes with the territory, most especially when it comes to public lands management. Like guns and pickups, it's a western thing. We believe it's our land, not America's. Proximity equates with greater proprietorship. But, in fact and force of law, people east of the Mississippi have as much say over Idaho's federal lands as Idahoans. They cast covetous eyes on Utah's breathtaking beauty, Montana's landscapes, and Oregon's gorgeous lakes. They want a piece of the heritage. You cannot blame New York City residents for wanting to preserve chunks of New Mexico and Wyoming. Remember, the light at the end of any New Yorker's tunnel is New Jersey.

That easterners, with their political punch and sense of superiority, have sway over our land can seem unfair. Conversely, the billions of dollars derived over the years by western states and private businesses from their federally-owned backyards may seem a bit unfair to residents of Indiana and Pennsylvania. The system isn't broke, nor is the field so badly tilted. The problem rests in the administration of these lands, and that, I trust, is what you're all gathered here to discuss.

It's not so much that we feel that federal agencies are inherently incompetent managers. Quite the contrary, although given recent events, it appears that you can't be trusted with matches. The surprising fact is that a majority of westerners do not mind preserving large parcels of land. They do, however, take frequent umbrage to who always ends up the landlord and how this landlord derives the ownership.

Exhibit One. Utahns woke up one day in 1996 and found nearly 2,000,000 acres designated as the Grand Staircase-Escalante National Monument. Employing the big bang theory of creation, the Clinton Administration invoked, Cecil B. DeMille style, the 1906 Antiquities Act, and—poof—let there be tourists. Bill Clinton saw what he had created, and he was pleased.

This Antiquities Act is not the latter-day franchise of the Clinton Administration. It has been used by nearly every president since its enactment, most especially Republicans Roosevelt and Eisenhower and Democrats Wilson, Clinton,

and Carter. Further, the 100+ national monuments created by this act over the years have been accompanied by stunning bi-partisan support although Congress did hermetically seal Alaska and Wyoming from future consideration.

The process that created Grand Staircase, as you well know, did not sit well in Utah. I'm not simply referring to the Congressional delegation's colossal snit over not being consulted ahead of time. These five partisan obstructionists would not have worked in tandem with the Clinton Administration to create a public water fountain, let alone a reservation the size of Massachusetts. It was Utahns in general who were miffed. So politically estranged from the Administration were our five members of Congress that they learned of this monument-to-come in the newspaper. The political gates were down, the timing lights were flashing, but the train just wasn't coming.

Clinton wants his legacy to be his western public lands policies and creations. He probably will get his wish. Senator Larry Craig of this great state sneers that Clinton's goal "is merely a transparent and futile attempt to erase the tarnish of impeachment." Craig says, "History will not write about Grand Staircase and the like; it will write about Monica Lewinsky." The man obviously does not have the least understanding of history nor does he read polls, and he seems to ignore the public's traditionally short attention span. He seems oblivious to the fact that historians do not spill much ink over one-night stands—or Senatorial dilettantes, for that matter.

Part of the west's current public lands dilemma is that it is out-populated, out-voted, and, in the parlance of the west, out-gunned in the seat of government. We lack the Congressional giants of two decades ago, powerful voices that compensated for their historic lack of horsepower with trust, respect, and sway: the Frank Churches, the Mike Mansfields, the Barry Goldwaters, the Scoop Jacksons, the Tom Foleys, the Mark Hatfields, and the Ted Cannons, to name only a few. Their coordinated, effective resonance has been replaced all too often today with single-interest squeaking.

There is a sign in a Jackson Hole bar that reads, "Where the east ends and the west begins, the whining stops." Would that it were so. Fulminations notwithstanding, Clinton's legacy is and probably will be environmental preservation. That possibility has conjured up fear and loathing among westerners where the thought of rugged independence persists although, like the family farms and cowboys, it is largely a myth, lore than lingers in spite of the fact that life on the range is largely on the dole. Raised crops, mined minerals, and herded cows occur because of federal grants,

loans, and below-market fees, underwritten by taxpayers of all fifty states.

We perceive ourselves as heirs to the pioneer tradition, the successors of Lewis and Clark. We want our lives to be free of anything not of our own making. Our politics in the last two decades has been defined largely as what we are not. Our Congressional delegations are paragons of conservative virtue, who rail against big government but who are always quick to protect the home base: Mountain Home, Hill, Nellis, Goldwater, Fort Lewis, Fairchild, Los Alamos, Umatilla, Dugway, and the like.

What bothers us most is Clinton's seemingly uncontrollable and unilateral appetite for hugging trees and stringing restrictive fences in an effort to become the new Teddy Roosevelt. If nothing else, you must admire his scope. Clinton has paid more attention to preservation than any other president since TR. Few stones, logs, or snowmobiles are being left unturned.

Taking his cue from the boss's play book or perhaps the other way around, the green-booted Interior Secretary got more creative as he wearied with endless negotiations and legal hassles with members of Congress and governors more wired to resource industries than to their constituents. Having to deal with the likes of the Chenoweths, the Cannons, the Gibbonses, the Burnses, the Gerringers, and the Symingtons—all of whom, I'm convinced, rode a Tilt-A-Whirl too many times as youngsters—would send any reasonable person over the edge.

So Clinton and Babbitt just up and did it with the Grand Staircase-Escalante National Monument. What place could be more fitting and deserving than Utah, a state with millions of federal acres, a state that has been dragging its feet on wilderness designation for fifteen years, a state in which Clinton came in third in his 1992 presidential bid, behind Ross Perot? There is a price for political voyeurism.

That said, a majority of Utahns today accept the monument, and a goodly number even welcome it. But we are still somewhat sore over the process. Like our neighbors, we don't cotton to federal bureaucrats, perhaps stereotypically and surely unfairly. After all, it is only 90% of the bureaucrats who give the rest a bad name.

The joke going around Utah as the dust settled on Grand Staircase was: How do you tell the difference between God and Bruce Babbitt? The answer: God doesn't think he is Bruce Babbitt.

It may also seem to us that Clinton and Babbitt see their watch as a kind of payback time against previous administrations and western Republicans in general, who

have been inordinately beholden to grazing, mining, and recreational interests and intransigent on environmental issues. So he loosed upon us the Wicked Witch of the East, Kate McGinty, impresario of the Administration's environmental strategy, fueled with a philosophy that, like the burned rabbit, they had it coming.

Yet Bruce Babbitt is no Beltway bureaucrat. The irony is he was raised on an Arizona ranch, as close to the earth as any of us and, it would seem, close enough to the people to be elected governor twice. Babbitt and his boss are running out of office time, but as they scurry through the west, casting covetous eyes on designations, they are learning. Creation recently, under the same Antiquities Act, of the 1500-square mile Parashant Monument to the south of the Grand Canyon was not a surprise to that state. Babbitt worked with state leaders for more than a year, urging them to do it legislatively. The legislative effort crumbled, unfortunately, so Clinton took executive action. There were angry Arizona politicians, to be sure, but the citizenry itself did not end up in a collective dither. Work at the Craters of the Moon in Idaho also appears to be going quite smoothly although a case could be made that nobody gives a damn about lava beds.

Apparently, six more designations are to come. If the pride of authorship can be extended, most westerners, most of whom would otherwise be classed as social conservatives, can accept and, indeed, might even desire additional protected open spaces.

The population of the intermountain states has increased 25% in the last decade, probably more. Those new residents are changing the picture. They increasingly want certain lands protected because most of them moved here for that reason. They don't see many other states as being capable of protecting those lands. Western states, after all, do not have a great track record of thoughtful, long-term stewardship of public lands.

It is time we stopped being the willing quartermaster for every industrial user of natural resources and public lands and that we demand greater shared governance of federal lands. Future federal resource acquisitions must be accomplished carefully and smartly. According to one so-called "wise-use" think tank, the Political Economy Research Center in Bozeman, every third acre of land in the United States today is under federal control. In recent years, the Center estimates, that figure is growing at the rate of 800,000 acres a year. Some argue that figure might be high, but whatever the exact number, it is at least a yellow-flag trend and probably the underlying reason why you're all gathered.

If the ways in which we use and don't use land continue to

be resolved by taking federal title to the earth in order to protect it or change it, gradually but inevitably we will recreate the same overriding tyranny Americans have always opposed. Central government that is everyone's landlord is colonialism in a new form.

I specifically plead this case today to Governor Kitzhaber of Oregon and Governor Racicot of Montana, who obviously heard a little bit of what I was going to say and left, because my bet is that one of them will end up the next Secretary of Interior. Unless of course, Pat Buchanan is elected, and then it will be Helen Chenoweth.

The Republican and Democratic Parties have chosen for presidential consideration a Texan out of New England stock, who speaks of "compassionate conservatism" because neither New England nor Longhorn conservatism can be compassionate unless you say it is. On the other side of the ticket is a believer, fashioned from the middle of the last century, who thinks Uncle Sam is the only game in town. I want Governor Kitzhaber to know that the west simply won't continue to accept a continued federal padlocking of its lands at the present scale. And I want Governor Racicot to know that national polls show that traditional Republicanism is out of sync with Americans when it comes to environmental concerns.

Any long-term resolution of public lands issues demands sanity. It is not rational for someone in the seat of government 2000 miles away to decide on a daily basis who mows the lawn and turns on the sprinklers. Nor is it rational for the people who own the federal land, the American taxpayers, to subordinate the public interest to the greed of those who may live closest to a given chunk of federal real estate or run of water.

Public lands management demands respect for and loyalty to the people. Damn near every member of the Congress from the Great Basin and Inland Northwest is deeply beholden to the public resource industries: the timber industry, the mining companies, the oil companies, the food processors, and the utilities. But in the 21st Century, we had all better be environmentalists in the sense that we know what happens when we abuse the earth, the air, and the water. What we don't know is how much more these elements can take.

By the same token, we also must be captains of enterprise because we know that knowledge can and does make us prosperous and healthy when we know how to use intangible resources. The CEO of a resource industry is not, by nature, a despoiler of land. A farmer is not just a consumer of Simplot fertilizer. No modern rancher gets an erotic thrill from cows trampling a creek bed.

If we can move past the morally righteous bastards who seem to have taken over the foyer, if we can find a quiet room where we can do some drafting, 1787 Philadelphia-style, we could, I suspect, find common ground and policies that work. I trust that is your goal.

Bottom line, though, is that state government isn't fully trusted in this area yet, nor do states have a process where the stakeholders can sit down and work out a public solution in a public place. Lincoln said it 140 years ago. "We must think anew and act anew." I will add..."and swiftly."

Thinking creatively and in a timely manner is not in the genes of a career federal bureaucrat. Too many of them hold to the theory that while the early bird gets the worm, it is the second mouse that gets the cheese...am I going too fast? Can states do better? I don't know, but it's your chance.

Also complicating solutions is too much hand-holding. In the federal-vs-state debate over federal land management are new-age problem-solving systems: holistic management, watershed coalitions, resource advisory councils. All are based on a loosely-defined principle of consensus-building. It is inherently flawed. A cultural mind-set rooted in perceived birth rights cannot somehow be softened or molded to compromise. Compromise is viewed as defeat—or at best a tie—by groups that range from the Farm Bureau to the Sierra Club. To compromise on a cherished landscape or resource is cowardice to them. Besides, if everybody got along, what would the news media write about?

Senseless consensus-building sometimes is the easy way out for federal land managers who don't want to do their jobs. Indeed they ought to listen—and listen carefully—to the arguments, to weigh and weigh carefully the evidence from science, then to make a decision and take the heat. Don't congratulate yourselves if all sides are foaming at the mouth over the decision. It only means you have failed on all fronts.

Any political initiative designed to bring attention and even-handed treatment of western land issues ought to be based in reality. The reality is that the power brokers in the Beltway sky boxes have little use for the interior west, outside of its making a spectacular backdrop for announcing major conservation initiatives, which cause the west to talk secession and the east to swoon with praise over the preservation of our heritage.

The west, lacking in political punch, war chests, and votes, is left only with the federal porridge for its birthright. It's becoming clear, however, that its natural resources and wide-open frontier, which once fueled the nation's expansion, are no longer necessary in a knowledge-based economy. Economies based on exploitation of natural resources are

becoming less and less significant in the national picture.

From *The Atlas of the New West* comes this warning: "The idea of the west as a remedy for individual and national ills is running head-on into a visible and unmistakable fact: the west is badly in need of remedies itself." Or take this from Francis Stafford, the former Catholic Archbishop of Denver: "In the last century, the western slope functioned as a resource colony for lumber and mining interests. Those scars will be with us for generations. We cannot afford to stand by now as the culture of a leisure colony, like the walled communities that dominate many American suburbs, takes its place."

Because of their changing natures, western states must have a bigger role in that new thinking, in the new public lands policies of the 21st Century, and in their own destinies. That will require a paradigm and torturous shift on the parts of state governments and legislatures as well as the west's Congressional delegations, which heretofore have engineered decades-long debates, probably just filibusters, over most significant preservation proposals.

To gain a role, the states must first show a willingness to ignore antiquated views and to embrace meaningful preservation. There are good signs along these lines. Republicans in Colorado, Arizona, and Utah, among others, have crafted an unprecedented numbers of bills calling for significant conservation of public lands. At least one bill would establish a national monument.

Next, governors, legislators, representatives, and senators must wean themselves away from natural resource special interest, be they extreme environmentalists or big business. Represent the majority of the state's residents, not a small town that hasn't kept up with the times. Represent the future, not some industry that is on its way out. You must leave those special interest brothels in which some of you now wallow. You must respond to the articulated consensus philosophy of your constituents. You must put the future of your state above re-election. Accept the tenuous nature of your office and its brief but spectacular opportunity for leadership and legacy.

Many of the states are ready for additional shared responsibilities. What might they be? Well, for openers, why can't each state handle its own wild horse situation. Surely they would be more creative and competent in this effort than the BLM has been. Wild horses are treated like nuclear waste, shipped state to state, and transported in the dead of night.

For the federal bureaucrats in the audience, my primary admonition to you is stop competing with each other. Intramural federal jealousy, turf-protecting, and sabotage are

wasteful, self-defeating, and scandalous. You have enough enemies without this inter-agency bickering and backstabbing. Take this as gospel: the public does not notice nor give a tinker's damn what patch you wear on your shoulder. What is noticed is what you do or don't do. We need a coordinated, consolidated land-use policy that can only come to pass when all natural resource and land management is under one roof. That roof has to be the Department of Interior, and I hope we will rename it something that makes sense, like the Department of Natural Resources, if we really want to get clever. That most especially includes the U. S. Forest Service as well as oceanic resource management, some of which currently resides with Commerce.

It makes as much sense for forest management to be under Agriculture, with its corn and beets, as for banks to put braille on the keys of their drive-up ATMs. The Forest Service left Interior to become part of Agriculture in reaction to the Teapot Dome scandal in Wyoming three-quarters of a century ago. I think they have served their time.

Put national forests under the same umbrella as national parks. I don't care what Weyerhaeuser or Boise Cascade or Potlatch or whatever they hell they are called today think. I don't care if some Assistant Secretary of Agriculture in charge of political patronage is losing bladder control over the very thought. I don't care. You ought not to care either. They should be the last people that are given any consideration on this.

Marriage is nature's way of preventing people from fighting with strangers. Just to touch on one painful example. The New Mexico fire represents really a lack of expertise on how to administer a needed program. Why wasn't the National Interagency Fire Center, the nation's safest pyromaniacs, called in to take charge of the controlled burn near Los Alamos? It could have provided what was lacking: expertise on the ground. But there was no way that NIFC was going to be allowed to show up the Park Service. Rivalries prevented anyone with enough smarts to suggest that with the Haines Index at 6, it was not the time to start a forest fire. I can't say it strongly enough: Lose your fiefdoms or lose the west.

You are gathered here to consider solutions, and I applaud that and commend Governor Andrus for providing this annual forum. In closing, let me provide half a dozen points for possible discussion.

- The new Administration must appoint a Secretary of Interior that understands the problems. If not Governor Kitzhaber or Governor Racicot, then an aggressive, non-dogmatic western governor.
- Consolidate all natural resource agencies into a renamed Department of Interior.
- Decentralize this new Interior. The BLM headquarters belongs in the west. The National Park Service ought to locate in a central location. The Forest Service should perhaps be in the northwest. A great place for the U. S.

Fish and Wildlife Service might be Dade County. No reflection on the Service—only on what's needed. Other agencies ought to be placed where it makes sense, and frankly, it doesn't make sense to put anything in the interior into the exterior.

- If heads of divisions need to testify before Congress, let them travel to Washington, D.C., the same as they travel now to the far reaches of the nation to oversee operations. Or make Washington, D.C. come out here to talk to them.
- Allow Interior to authorize multi-year budgets, up to three-year spans, when they relate to natural resource or landscape management functions. Nature does not conform to fiscal years.
- Except for matters related to safety and health—for example, fire, water, and air standards issues—the management philosophy ought to push the decision-making authority as close to the local level as possible.
- Require decision-makers to work in an area outside the Beltway for at least one month a year. Likewise, you might invite the Beltway news media to ride along and see what America is really like.

Those six or seven ideas are simple suggestions although the insecure and the kept will find a plethora of reasons why they are not plausible. Those committed to a better future might take such impractical offerings and retool them into bold, imaginative solutions.

We are faced with President Clinton saying this land is my land. The BLM is saying this land is my land. The Forest Service is saying this land is my land. The Park Service is saying this land is my land. Ranchers are saying this land is their land. States insist this land is our land. Mining, oil, and timber industries all are saying this land is their land. Environmentalists are saying this land is their land.

And all along, I thought it was my land.

God must be saying: My God. This is not what I had in mind. I placed humans on earth to be good stewards of the land, and what do I get? A 9-way tug-of-war. This is not good.

Depression-era balladeer, Woody Guthrie, had it right when he wrote: "This land is your land. This land is my land. From California to the New York island. From the redwood forests to the Gulf Stream waters, this land was made for you and me."

Find solutions that are in the best interest of the citizenry. That's what you, who are employees of the federal government, are paid to do. And that is what you elected officials swore before God Almighty you would do.

These are exciting and challenging times. They will maroon the hesitant but inspire the brave. Good luck with those challenges.

End of Session

Policy After Politics

How should the next administration approach
public land management in the western states?

Presented by The Andrus Center for Public Policy at Boise State University

Thursday, June 1, 2000
1:30 a.m. Afternoon Session

Panel Participants:
John A. Kitzhaber
Governor of Oregon

Marc Racicot
Governor of Montana

Norman Bangerter Former
Governor of Utah

Philip E. Batt
Former Governor of Idaho

Mike O'Callaghan
Former Governor of Nevada

Jay Shelleedy
Editor *The Salt Lake Tribune*

ANDRUS: Welcome to the afternoon session of Policy after Politics. You may have noticed an easel with a petition out in the lobby. The people that are meeting out there simply want to make certain that the appropriation for the Land and Water Conservation Fund matches the authorization on an annualized basis. If you're interested in the Land and Water Conservation Fund money—I know we have some county commissioners here and some other state and federal employees who participate in the utilization of those monies—you may want to stop by out there. They're in operation.

Now let me move to the three former governors that we have on the program. We're going to try to accelerate this and get you out of this a little bit early. We've been moving right along. It's been very stimulating, but I'd like to get to the question and answer period with all six of these gentlemen after we hear whatever brief comments the three former governors have. Then they have the opportunity to ask the current governors any questions that they have.

I'll start here with Phil Batt, long time legislative friend and associate of mine. He belongs to that other political party, one of the two we can't mention here today, but he and I have been known to get along on an issue or two. Governor Batt, former governor of the state of Idaho, make any comments you'd like, and then you're free to pose questions

to Jay Shelleedy or any of the others. Governor Batt.

BATT: We don't want to mention our party too much because we're afraid we'll take over the remaining 10% that you have in the state.

ANDRUS: Yes, but domination has never been good in any civilization.

BATT: We have an obvious interest in our natural resources, and the first half of the century, of course, we relied almost totally on mining, timber, and agriculture to sustain the economy in Idaho. Some excesses occurred in those days; no question about it. We know that we have to use those resources better. But in addition to those vested interest, we also have a little more interest in states' rights in the west than in the other parts of the country. We're very much interested in our guns and parental control and lack of interference from the federal government, perhaps more so than most of the nation.

Most of all, we're interested in the things we need here. Uppermost among those is water. Most of the west is desert and arid country, so we're very jealous about the use of our water.

It's already been mentioned several times—and I agree totally—that political posturing needs to be ended in these discussions or throttled as much as possible so we can reach

some sensible solutions. I was interested in the comments on dam breaching, and I want to make it clear to Dan Popkey, who almost wrote that I was in favor of dam breaching, that while I admire Governor Kitzhaber very much—he is one of the foremost politicians in speaking his mind regardless of the political consequences—I don't think that the case has been made yet. I have three questions on that issue: First, will it work? Will it absolutely work? I think the jury is still out on that. It would be a mistake of great magnitude to do it without its being effective.

Second question: What will it cost? What would it actually cost people? I don't think we've come close to assessing the entire economic impact of what dam removal would be.

Third: If we meet the first two criteria, who is going to pay for it? It would have to be Congress, and I think we're a long way from achieving that goal.

I'd like to remark just a little bit on the Endangered Species Act. I think we need to separate the two parts of that act. One regards the extinction of species, and that would include the salmon and the snails, etc. But the other merely talks about geographic dislocation as compared with historical habitat, which would include the grizzly bears and the wolves.

There is no limit to how far we can extend that type of reasoning if we want to put animals back in the habitat they once occupied. Would we want to put buffalo back in all the major cities of the midwest, including Idaho Falls and Cheyenne? Maybe we ought to turn a few rattlesnakes loose here in Boise. They used to be here. I'm not sure we did a good thing when we brought the wolves back to Idaho to let them eat our elk and the lambs and the calves, but that can be argued better than the relocation of the grizzlies, which are incompatible with human activities to a great degree. We've been accustomed to using our back country in a way that's unrestricted by grizzly bears. Marc is awfully proud of his grizzlies, and that's good. I hope you keep them there.

I agree totally with both Governor Kitzhaber and Governor Racicot that honest dialogue is needed. They are very good examples of it themselves, and I would be very pleased, depending on the political outcome of the presidential race, if one of them does end up as our Secretary of Interior. They would be great.

I would hope that the new administration, whoever it might be, would make their appointments on the basis of expertise in the particular arena in which they would serve rather than from political considerations.

That's the extent of my remarks, and I will be glad to participate in the discussion. With that, Governor, it's all I have to say.

ANDRUS: Thank you, Governor Batt. Next is Governor Bangerter from the great state of Utah. I would say, Norm, before we start out that Jay Shelledy made some recommendations at the conclusion of his very stimulating remarks at lunch, suggestions that you might want to think about because the questions will come up for the two governors who were unable to be at the lunch. One related to the consolidation of natural resource agencies in one department, be it a renamed Interior. So think about following up on what Governor Batt said here.

BANGERTER: Well, I was glad that Jay made one good recommendation in his speech, and that was the consolidation of the land agencies, which I think is a good issue.

I want to take a little bit different tack. We have fought for 200 years, and we fought before that with England, under our Constitution, to end this decision-making process. There was a lot of discussion, during the formation of our government, about the rights of the minority. That's been a topic that ebbs and flows, and the rights of the minority are best exercised when they become a majority. We all recognize that that's the case.

I spent the last three years of my life in the Republic of South Africa, where I had a chance to observe at close hand the workings of that fledgling democracy and the challenges that they face. Every time I think about it in those terms, it seems to me we don't have very many problems compared to the challenges that they face.

But I'd like to refer to Nelson Mandela, who just terminated his term as the first freely-elected president of South Africa. His effort is one we can look to as an example of how you try in very difficult circumstances to lead a majority that had been oppressed and held down for a couple hundred years. He has exercised that majority strength, I think, with the greatest of care and the greatest intention to do the best that he could possibly do to build that country to a level that is badly needed. So when I think about the problems of the United States, I put them in that category.

Jay mentioned one other thing. He used the word "secession" in his talk, and I think that referred to the fact that some people do get up in arms about these things to the point that they really want to get out. My friend, Jim Hansen, the congressman from Utah, tells the story of being in Kanab with John Seiberling, a very environmentally-oriented Congressman from Ohio—part of the tire fortune, I presume—and during the course of his speech, John said, "You know, southern Utah is beautiful enough that it all ought to be a national park." Jim said, "I followed up those remarks by saying, "What John meant is that Utah is beautiful enough

that it could all be a national park." As they walked to the car, John said to him, "Jim, I meant what I said." He said, "I know, John, but did you see all those 30.06's hanging in the back of the pickup trucks? I just saved your life." These are the kinds of things that we really do have to be mindful of as we look historically and into the future at how we do resolve these problems, and we must consider all the ramifications on every life.

I was in Governor Kitzhaber's state a couple of weeks ago and in rummaging through an old bookstore, I saw on the top shelf *John C. Calhoun*. I don't know if any of you recognize that name, but the man probably was more responsible for the doctrine of nullification and separation than anyone in the United States. He was the Vice President under John Quincy Adams and then under Andrew Jackson, and then he went on to the Senate. As I read through a ten-year period of his life in this very in-depth biography, I looked back at the events that followed, and there was an attempt in those days to resolve weighty issues like tariffs, slavery, and economic depression in the South because of high tariffs imposed by the manufacturing north as the balance of power shifted. So we all have to be careful that we don't get in that imbalance. It surprised me to learn that in the height of the debate, around 1830, in the Legislature of Virginia, one house voted to do away with slavery, and the other missed voting for that by one or two votes. That caused me to reflect that things have to take their time. Maybe if cooler heads had prevailed, we could have avoided the great tragedy that occurred in the 1860's with the Civil War.

I'm not predicting that will occur again because we fought that battle and established that we're much better off to go together. But to go together, we really have to be totally committed to the notion that we've got to listen to everybody's ideas. We've got to include everyone in this debate, and we must be prepared to give and to recognize the timing of when we can and when we cannot do things. All of you who have dealt with Legislatures know they are tough to handle. There are times when you can get things done in a Legislature, and there are times when you might as well go fishing because you just can't get anything done. That's what we have to do; we have to work together to resolve these issues between the federal government and the states. Everyone uses the founders as their argument—the founders meant this or the founders meant that. What the founders really wanted was for us to have a living Constitution that kept us talking together, responding to the issues, and making prudent decisions.

I enjoyed the presentations today. I think these governors

are on target. There is a horrendous job to do because there are deep feelings, and it is very hard to restrain that power when you get it and not say, "I'm going to do this regardless of what anybody else says." That's something we just have to caution ourselves about. We have to have the debate, and then you have to make the decision and take the heat. The decision is more important than the politician in the final analysis.

ANDRUS: Thank you very much, Governor. Ladies and gentlemen, I would point out that that sounded like an agreement with what John Kitzhaber said earlier. Every once in a while, you have to take a look at these laws and at how things change, and perhaps you have to change some of the ways you do business.

Our third former governor is an outstanding individual from the state of Nevada, who graduated from the University of Idaho as did his wife. He worked in this state, lived in this state, and St. Maries is almost a home town. In 1970, the year that I was first elected in Idaho, he was first elected in Nevada. He's a very direct, strong-willed, plain-speaking individual who served from 1971 to 1979 as Governor of the State of Nevada and is the executive editor of the *Las Vegas Sun*. Ladies and gentlemen, Mike O'Callaghan.

O'CALLAGHAN: I learned some things about federal/state relations quite a while ago, probably because of the experience that I had in the federal government as a bureaucrat, as a regional director in working with the conservation agencies throughout the country. I have perhaps a different approach to many of these things. As Governor, the second executive order I made, during the first month I was in office, was to stop the use of the sewage disposal facilities in the Tahoe Basin because the stuff was going into the lake. I made clear at that time, as I would today, that California and Nevada don't own Lake Tahoe. The people of this country own it, and we're simply the people who are supposed to protect it. We can use it, but at the same time, we have to realize that we have a special responsibility. So the governor before me, a Republican, Paul Laxalt, was the one that put together the Tahoe Regional Planning Agency, and prior to him, it was put together by another former Idahoan, Grant Sawyer, and Pat Brown in California. At that time, I was Governor Sawyer's first Director of Human Resources.

So I've never really feared the feds. I didn't always agree with them, and we had some very contentious times as most governors do from time to time, but you can usually work them out. Today for instance, you talk about shortage of water. In Southern Nevada, it gets pretty hot and dry down

there sometimes. It was 108 yesterday, and it will get warm after a while. Water is very precious. Thank heavens for Bruce Babbitt. As former governor of Arizona, he understands what it is to be dry. He has not capitulated to a state that has more votes and more people than all of the upper basin states put together. He has worked diligently to protect us and to do what is right and to do what is fair. Without the federal government in this, some of the upper basin states would really be in serious trouble, in my opinion. He's been more than fair with us.

We've been growing. Last year, we were taking into our county about 5,000 to 6,000 people a month. The town that I moved into in 1956, Henderson, Nevada, was 8,500 then. There are 180,000 people there now. It has replaced Reno as the second largest city in the state.

During that period of time, I've watched new people come in. You don't fear the feds; you work with them. You don't fear immigrants. They become part of you. We've received great value from the people that have moved into our state, the people that came from back east, the people that came from California. California got crowded, too, and we get the overflow. We have some great people who have come in. They are all contributors to our society.

I'll give you one example. We sat there for years beside a big old swamp, just a big old swamp outside of Henderson. We didn't call it wetlands in those days. I taught school there for five years, and when I heard the shotguns going off in the morning in the fall, I knew that Barney Cannon, who is a veterinarian now, and Ernie Lompfrey, who has passed away, were shooting ducks and that their seats would be empty. I took that for granted.

But this swamp, which later people began to identify as wetlands, was draining and cleaning the water that was flowing into Lake Mead where we get our drinking water. Then, over time, the swamp disappeared. No ducks down there, nothing but dead bushes and garbage. Some new people came in, and they took one look at it and knew we were in trouble. One of them is an engineer from Minnesota, and they say that he irritates people. Yes, he does, but he kept after this and kept working with the University. Finally, we are now back in the business of recreating those wetlands, re-creating something that Nature left there and that we destroyed. With the leadership of new people coming into that area, we are now recreating the wetland. Do you know what it's going to do for us? It's going to clean the water that goes into Lake Mead, water that we're drinking.

There's a plume out there, which was coming from the mud and dirt that was going out there. Now, we're re-creating the

wetland. Some of the new people have taken their time and their talents to help us, and the ponds for cleaning the water are now bird sanctuaries. As a fellow that's been around a few years, I say "Thank God for the immigrants that are coming to us from all parts of the world and for the talents they are bringing."

Again, let me say that I work with the feds, and I treasure them because they are just Nevadans and Americans like the rest of us. Again, the new people that are coming in are not bringing any new problems to us. We've always had those problems, and we're always going to have problems. They are bringing in something special: their talents, their love, and their ability to help solve problems that we've created ourselves.

ANDRUS: Michael, thank you very much. Ladies and gentlemen, let me introduce to you Marc Johnson, former Chief of Staff while I was governor here in Idaho, a principal of the Gallatin Group here. He will be the moderator for this section. We have some of the written questions, but we want to give you governors and you, Jay Shelledy, the opportunity to zero in on either the Governor of Oregon or the Governor of Montana, who spoke earlier. Ladies and gentlemen, I'll turn it over to Marc Johnson.

MARC JOHNSON: Thank you, Governor. Governor Racicot, Governor Kitzhaber, while you were gone for lunch, Jay Shelledy suggested that one or the other of you will be the next Secretary of the Interior...

JAY SHELLEDY: ...but only if Governor Racicot spells his name correctly.

JOHNSON: Would you be willing?

RACICOT: You mean to spell my name correctly? I'm afraid it's a little late in the game to change the spelling, so that might disenfranchise me from the very beginning. I don't know that that's a possibility. I would have a relatively high degree of confidence in the appointment of a person like John Kitzhaber, with his understanding of the issues in the west, and would be comfortable that he would work on behalf of the best interests of all of us who occupy the west. But I certainly wouldn't know how to speculate about the future or levels of interest on the part of anyone.

JOHNSON: Governor Kitzhaber?

KITZHABER: Well, given whom I endorsed in the Democratic primary, I think the possibility of my being offered a cabinet post is extremely remote.

JOHNSON: Well, let me prolong the agony for a moment. Let me ask you, Governor Racicot, name one other western Republican that meets the criteria that you both laid down this morning to be Secretary of the Interior.

RACICOT: Governor Mike Leavitt.

JOHNSON: Governor Kitzhaber, how about another western Democrat that fits your criteria, someone that you'd be comfortable with.

KITZHABER: Bruce Babbitt.

JOHNSON: One other thing that Jay suggested at lunch was that the next Administration ought to seriously consider and advance the notion of consolidating the natural resource agencies into a Department of Natural Resources—take the Forest Service, combine it with the Interior agencies and perhaps a few other oddball agencies that are spread around the federal government. Is that a fair summation, Jay?

Governor Racicot?

RACICOT: I would wholeheartedly agree. I wouldn't confine it just to natural resource agencies, quite frankly. At my last count, having been involved in the practice of criminal justice for a long period of time, I think there are in excess of 23 or 24 different law enforcement agencies at the federal level. It is hard for me to believe they have to exist. I think they are probably more an accident of history than they are a purposeful result of decision-making over the course of time.

As I take a look at the Columbia River and at all of the different agencies involved in its management, it's difficult for me to understand how they know exactly what their counterparts are doing. As a matter of fact, I would allege that on many occasions, they don't—not as a product of choice but as a result of the force of the process.

Through the subterranean tunnels of the federal bureaucracy, it's very difficult to chart an appropriate course. I don't understand why, for instance, the National Marine Fisheries Service is within the Department of Commerce. That seems to me to be an odd location. It seems to make it more difficult when you have the National Marine Fisheries Service, located in the Department of Commerce, arguing with the U.S. Fish and Wildlife Service, located in the Department of Interior, over which species is entitled to more protection: white sturgeon or bull trout, which happen to occupy a lot of native territory in the state of Montana, or several runs of salmon.

It seems to me that one of the functions of leadership is to reconcile the different policy and disciplinary perspectives within the agencies that you control. Now, it is entirely possible for one department to say, "Well, Interior doesn't agree with those agencies in Agriculture," as if that's an explanation. It may be an excuse, but it's not an explanation, in my judgment. One of the principles of leadership that has to be exercised by people in those executive branch agencies with supervisory authority is to reconcile those positions.

For instance, in dealing with bison in the state of Montana, we have different disciplinary perspectives, as you can imagine, with the Department of Livestock and the Department of Fish, Wildlife, and Parks. I've told both agencies that we are going to reconcile our positions inside this family before we ever present a position outside the family. I think that struggle is critically important. It tests our own theories and then allows us to present a cohesive plan that is more well-rounded, thoughtful, and scientifically sound. I don't think that happens in the federal government.

To summarize, the bottom line is yes, I totally and completely agree. I wouldn't confine it just to natural resource agencies, but it is an absolute mess right now. As a consequence of that mess, a lot of people get painted with a broad brush who otherwise have good intentions. They simply cannot function because of the force of the process that's involved in the bureaucracy.

JOHNSON: Does another one of you gentlemen have a comment on that prospect of consolidating those agencies?

O'CALLAGHAN: I'll go along with what they're saying in this regard. If you're going to do it, I would suggest that the administration of such an agency have some line of authority that is direct and limited, like the old Forest Service was. I worked building Job Corps camps all over the country with all the Interior agencies. 50% were on their lands; 50% were on forest lands. I found forest agencies much easier to work with because there were only two people between the district ranger and the chief. There was the forest supervisor and then the regional man. This made them much more efficient, and I believe in efficiency in government. So if they are going to put them all into one department, I would suggest that they rearrange all of them along that line. They would be more efficient and would get the job done better.

JOHNSON: Governor Kitzhaber?

KITZHABER: I also agree for two reasons. I think there is a lack of logic in putting two agencies that manage timberland or deal with aquatic species in two separate departments. I think just logic would require some consolidation. Beyond that, one of the most frustrating things I've experienced and one of the real difficulties we have in the Columbia Basin is the inability of federal natural resource agencies to speak with a common voice. It is impossible to determine what the federal position is on Columbia Basin issues. NMFS has a position; the BLM has a different position; Interior has a different position; the Bonneville Power Administration has a different position.

If you're expecting the region—Oregon, Washington, Idaho, and Montana—to come to consensus on how to manage the

Columbia Basin ecosystem, it's not unreasonable to expect the federal government to come to one decision as well. Going through that process of consolidation would force us to look at the fact that these different natural resource agencies are controlled by different sections of the federal statute, have different missions, different charges. There is no way currently to coordinate them. So that proposal makes a great deal of sense, and I would certainly support it.

JOHNSON: Governor Batt?

BATT: It's a logical proposal and a good thing to aspire to. The track record of consolidating federal agencies is a dismal one, and I think it will continue to be unless you have a Congress and an Administration that is determined to do it. As long as one or the other is not, I think it will be almost impossible. The Congress people, for instance, have these subcommittees formed for each little agency, and it's a position of power for the officeholder. You have to have them on board as well as the administration.

BANGERTER: I said I endorsed that concept, but I'd agree with Governor Batt. It's a long reach to get all these little fiefdoms out of the way and put it into one. You have problems both ways. While I was governor, we spun off Environment from the Health Department. We thought that was a logical thing, and it has worked well, but there was a lot of opposition from Health to losing that department. Whichever way you go on re-organization, you have a major fight.

JOHNSON: Jay, one other thing you talked about at lunch—and I think I have the quote almost right—was that "politicians from both parties need to wean themselves from the special interests, both from the environmental interests and the business and industrial interests." Give me a for-instance about how you think that is polluting the politics and the decision-making on these policy question.

SHELLEDY: You probably quoted me accurately, but I'm talking about the extremes of both the industry and environmental groups, who want their way and nothing else. I think if you play to those, you don't frankly represent what the average person in your state really does want. You don't balance the interests. I simply said to "leave the righteous bastards in the foyer and move into a quieter room" where you could discuss building some sort of policy that works. (I can say that word in Idaho, Norm.)

BANGERTER: I guess it takes one to tell one. But that isn't what I had reference to. I wondered if you were endorsing closed caucuses after all these years.

SHELLEDY: No, just a quiet room where everyone can watch.

BANGERTER: I just wanted to get it straight.

RACICOT: Well, I might offer some journalistic advice along the same lines. We would be well advised to temper the suggestions for the innuendo that is sometimes is made in public, connecting those who have been supportive of a candidate with ultimate policies that are put into place. Sometimes it is alleged that because there are various interests that are supportive of a campaign, that means inescapably that the candidate ultimately, if he or she becomes a public officeholder, will vindicate exclusively the positions of those who support that particular candidate. Those appearances are argued all the time and presented in the press as if they were conclusions that are irreversible and universally true. The fact of the matter is that there have been people that have supported me through political campaigns who have become very disappointed in me after I was elected, not because I disavowed any principle that I may have articulated before or have not lived up to the expectations I had of myself as an officeholder but because I may not have been able to—because I proceeded along a course I thought was appropriate and correct to vindicate my own conscience and my own principles—espouse a cause they believed in.

Those in the journalistic world have a simplistic view of the political landscape and believe that simply because there are people who support a candidate, inevitably that candidate will take positions consistent with whatever is being advocated by that individual constituency or group. Not that I would allege that your newspaper would do that sort of thing. And I really don't allege that because I don't know that to be the case. All I do know is that there are expectations created out there by the media that somehow they believe must be lived up to or down to.

The fact is that isn't how it happens with those who serve in public office, and there ought to be as much of a presumption of good faith with those who serve in public office as there is with everyone else. Until such time as we remove that discussion, we can't start some of these dialogues with a sense of good faith or a presumption of the good intentions of the people involved. So we have to quit categorizing people, everyone that's involved in these debates, and that certainly includes public officeholders.

SHELLEDY: The news media has one other thing it ought to do if it's going to facilitate solutions, and that is not to run to the extremes for our quotes and sound bites. There are huge areas in between that are more reasoned in their solutions, though perhaps not as sexy in their content. But we have to ignore also the same people in the foyer when it comes down to getting a representation of where the two

sides are on an issue.

RACICOT: I would agree completely with that. The bottom line is that there is a competition now that goes on every single day through the issuance of press releases, and with the press of time and the new cycle that you compete in, it's obviously much more attractive and probably utilitarian to report on conflict than it is to investigate and determine where the margins for decision-making might be that would be acceptable to a vast majority of people.

So it's a battle for all of us, not just those in the media but for those of us who serve in the public arena as well.

O'CALLAGHAN: I'll have to agree with both of you in most cases, but, having served with legislators and others, I have to tell you that 99% of them are there as public servants. It's a tough job, and they do a good job. But there are enough cases where people have been influenced that way that it causes reporters to at least look at them with a wary eye. I don't blame them. The reporter should point out that this person is being supported by these people, etc. If there is editorial comment, then that shouldn't be in the story, but I think a reporter should point out that this person is being supported by this group or that group. Generally speaking, however, you're entirely right. The people are not overly influenced, once they go into office, but there are enough cases that an alert writer should be on top of it.

RACICOT: I wouldn't disagree with that either. There ought to be searing inquiry of those who serve in public office. But I don't think you ought to begin with a presumption of collusion. You ought to begin with a presumption of trust.

BANGERTER: The public probably begins with a presumption of collusion. When I ran in 1984, I had a very large contributor. We don't have limits in Utah. I ran for re-election in 1988, and they became the largest contributor to the other candidate, which personally I thought was OK since I won. But that's the challenge that you face, and I think we can look at Senator McCain—whether you were for him or against him—and I think he found a real resonance in this notion. I personally find the huge amounts of money disturbing. I don't have an answer, and I don't know whether I support the McCain bill, but I think there really is a challenge that is getting greater and greater for the political system with the organizations of lobbyists and their connections with campaigns. This goes down to the local races in government with influences occurring that seem to be rather obvious. So I just think we have to figure out some way to address that, and I don't have the answer. It's a real thing that people at every level, at every extreme, and in the middle can perceive as a real problem, and I personally think it is.

I looked at this last vote on China. All of my friends are for it, but I have some grave reservations about it. It may be the way to go, but it sure smacks of the money twisting the tail in my view. We can't ignore those kinds of things.

JOHNSON: Governor Batt, does the media exacerbate our inability to settle or even deal with some of these western issues. Do they make it more difficult to have the kind of coverage of some of these issues that we see?

BATT: I'd say they play a role on both sides of the issues. They do make it more difficult to carry on some rather discreet investigations and conversations that would be beneficial to the solution of the problem. On the other hand, they are very helpful in helping a politician promote his views and the efforts he is making to reach a conclusion. In that context, it is helpful, so I guess it plays both ways.

JOHNSON: I'd like to take this in a slightly different direction for a moment. It strikes me that we have on this panel some genuine expertise about a truly contentious western issue on which the west is, in many ways, united against the rest of the country: its nuclear waste policy. Governor O'Callaghan, you're intimately familiar with the issue as it affects your state. Governor Bangerter dealt with it in a variety of different ways during his time in Utah. Governor Batt certainly did in Idaho. Governor Kitzhaber has Hanford just across the river. What would your advice be to the next Administration to move forward in resolving this incredibly contentious issue that has such impact in the west.

O'CALLAGHAN: Leave it where it is until you come up with a decent solution. It's not endangering anyone at this time; it can sit there for another hundred years or until we come up with a decent solution. Don't try to use my state as a toilet because it's not just plain old desert out there. Our desert is living, and it's near large population areas. These people think they have it all solved by dragging it across through large population areas even to get it to our place. Murphy's Law will take care of that, and about the first time you have an accident, then they'll say, "Maybe we should have approached it differently." Right now, there is no danger in it; it should be kept where it is, but when you start to move it, then you have a problem.

The strange thing about this is we don't have any nuclear power plants in our state, but people went ahead and licensed these nuclear power plants. They knew there was going to be dangerous waste coming from them that would be deadly for several thousand years. That's the time the planning should have been done. If we were going to authorize it, there should have been a solution on how the waste was to be handled—not after you've done it and made or lost your millions on it.

Now is not the time to say, "We have to find some place to dump this. Let's drag it through Chicago, Omaha, Salt Lake City and other major cities and take it out to Nevada and dump it. We also have underground water, you know, and we have large aquifers that we're trying to protect. We're also second to California—as far as the lower 48 states are concerned—in being most likely to have earthquake problems.

So there are several scientific problems that have to be solved here. They are not going to be solved by Congress' lowering the standards. That's what they're trying to do. "Let's lower the standards, and then it will be a good place to put it." Right now, our neighbor to the east of us, Utah, has a problem with the Goshutes, who are trying to make a deal for dumping nuclear waste there. I sympathize with them, but it's their Congressional delegation that has voted each time to dump it in Nevada, so I can't be too sympathetic.

BANGERTER: It sounds like a good answer to me, but we won't route it through Salt Lake City but through somewhere else. This is a real challenge, and I'm not current on what's happening today. If you go back a while—I'll refer to what the two governors talked about—and that's science, the ecosystem. Mike is exactly right. They really don't know what they're going to do with it; they don't know what value there is in it; they haven't made a determination yet. This was a very hot issue back in 1984, and we came to the conclusion that monitored retrievable storage was the answer. You can keep it where it is—they can do that for a number of years to come—but ultimately somebody is going to have to come up with a solution. It may impact the west in some way, and it may be one of those things that ultimately will occur, but I don't think we're ready for that yet, and I don't think they've proved that's the only solution. We ought to resist until they really know for sure what's the best scientific answer to deal with that issue.

BATT: This was a hot issue in 1994 also. In fact, I almost got recalled for taking eight loads of spent fuel from the Navy, which was part of an agreement from Governor Andrus' administration, although he had said at that point that he would challenge it. But we in Idaho also do not have nuclear plants. We were carrying out our part in the defense of this country by accepting the waste from our Navy. That's nearly all that's out there. Three Mile Island debris is out there. The transuranic waste from the building of bombs in Colorado is out there. We were guaranteed every time a load came in that it was only there on a temporary basis and that it would be moved.

I'm not saying, Governor, that we ought to move it into Nevada necessarily, but it should be moved somewhere

because it is over one of the largest aquifers in the United States, the lifeblood of the state of Idaho, and some of it is seeping down in it where it is not contained properly. You talk about the difficulties of transporting this material, but nobody ever complained about it being transported into Idaho. I didn't hear of any accidents or any complaints when it was brought in. So I don't think we can have it both ways. I think it can be transported safely. Perhaps your state is not the place to put it, and you can continue to argue that, but as far as transportation goes, it has been done satisfactorily and will continue to be.

O'CALLAGHAN: I guess Murphy doesn't live up in Idaho.

SHELLEDY: There is a little point that Mike brought up that needs to be addressed. We lay this down now that Utah wants this. Utah doesn't, but the Goshutes out on the west desert are looking at it. You have to understand that there is a problem out there. This is a tribe that has no economic base whatsoever. It wanted to have bingo parlors, but that was deemed far more dangerous than nuclear waste, so you take away entrepreneurship, and they're going to say, "Sure, we can store it out here safely because we have studies that say you can store it safely." I'm not so certain, but reasonable people can argue that point. The real problem is basically that somebody is going to take it. They are a sovereign nation, and they can take it. As it looks right now, we're not going to be able to stop that. But they have no other choice, so our west desert becomes the toilet, but after all, we're all the Great Basin, so maybe it fits.

O'CALLAGHAN: It flows south.

SHELLEDY: There are other issues than just that, and sometimes they are economic.

JOHNSON: Governor Racicot, do you have a comment on nuclear waste policy? I didn't mean to leave Montana out of the equation.

RACICOT: This is one of the few times I will decline to comment. The fact is we don't, and we observe these arguments with great interest, but obviously we don't have the same exposure that other states have.

JOHNSON: Governor Kitzhaber. Have you thought about how the next administration ought to approach this problem? We've seen a little bit of the dichotomy of the debate, even as it works out in the west.

KITZHABER: I think the federal government needs to be put in a position where they place an extraordinarily high priority on developing the technology and the ability to assure the American people that wherever they store this, it will be stored in a safe fashion. I think it's much more productive for western governors, instead of playing the game of potato, to

work together and not provide a pressure release value for the federal government to do what only the federal government can do, and that's make this a high priority. It's not adequately funded; there is not a major national effort underway to try to solve this problem, but we continue to get some of our power from nuclear reactors. We use it in our military department, and we need to make disposal of the waste a high priority.

Again, people always look to the west because there is a lot of open space, so we need to work together to try to solve the problem. At the end of the day, someone is going to have to take it. There will probably have to be some kind of super siting authority. I just dropped eight prisons all over the state of Oregon, none of them welcome. You ultimately can't solve those kinds of problems if you get into the NIMBY issue. But we should have assurances that, at the end of the day, it can be done safely; that's where we should put our collective political energy.

JOHNSON: Dr. Freemuth is in the back of the room, and we want to open this up to questions to our panel. John has a couple of announcements.

JOHN FREEMUTH: Two quick things. If anyone wants to send me one to two pages regarding what they think the next administration should do, along the lines of Jay Shelledy's conclusions, send them to me at the Andrus Center, and I will attempt to incorporate that into the white paper, which I will write, based on the results of this conference.

The other quick note is for those of you, especially in Idaho, who have followed the Federal Lands Task Force, on either side of the issue. There is a one-page update of where that process is. Copies are on the table, and you may pick one up as you leave the room.

AUDIENCE: Gentlemen, I'm Betsy McGreer, and I'm from Lewiston, Idaho. I recently heard that as many as 24 separate areas are under consideration by the Clinton Administration to be designated as national monuments before Clinton leaves office. One was in the Siskiyou in Oregon; another was the Breaks of the Missouri in Montana; another was the Lewis Clark Trail in Idaho. I want to know whether you've been contacted by the Administration, and do you have a plan to respond if a monument is designated without your input?

KITZHABER: I'd be happy to talk about that. We have a couple going in Oregon. The fact is I have been contacted by the Administration, and I don't believe they just cruise in and drop one without some dialogue. It's pretty hard to disguise that; it makes a pretty big splash in the newspapers. I've been working for about two years with Secretary Babbitt and with our Congressional delegation, including Senator Smith and

Congressman Walden on the Steens Mountains to try to develop a legislative solution that would avoid a national monument. We are very close to an agreement. I think everyone recognizes that the Steens Mountains are a national treasure. People also recognize that as population increases, there is an increased likelihood of a very negative impact on that wonderful resource. Right now, it's in good shape, and it's in good shape because the ranchers there are operating in a very responsible fashion.

So we're essentially trying to work out an agreement that preserves the ranching life on the mountain, that limits future private development, that increases the wilderness protection on certain parts of the mountain, and that develops some boundaries. It would also ban future mineral withdrawals from that area. If we are able to do that and if Congress is able to pass this bill, we will have achieved something without a confrontation. I don't believe that consideration of a place for a national monument is necessarily something negative. I think it can be very positive. It can bring people together and build a sense of community if it's done right. It can also be done wrong, but that's not the experience we're going through with the Steens in Oregon.

RACICOT: We are similarly, in the state of Montana, going to do it right. We have had, through a variety of different urgings, been able to secure the Secretary's presence in Montana on at least two occasions to convince him to utilize our Resource Advisory Council, the RAC that he actually put into place, to be the sounding board for public hearings around the state of Montana to take a look at the Missouri River Breaks and the 140-mile stretch up and down the banks of that particular stream. It is a very important part of the geography of the state of Montana. It is delicate in many respects. Those who have been there traditionally over the years—in ranching, farming, exploring for oil and gas, recreating—all believe that with the celebration of the Lewis and Clark Bicentennial, we will experience a horrendous influx of visitors and others who are interested in the area. We have to prepare properly for that and to guide and steer them in directions that will preclude the desecration of the resource itself.

The Secretary has been open to continuing the traditional utilization of those lands by the public—from recreation to agriculture. So far, he has proceeded down that path to try and listen and to put together a package of recommendations. He has indicated that he is willing to proceed with a Congressional solution. We think a lot of the things he can do or wants to do can be done without a designation under the Antiquities Act. In fact, it probably can be done without

Congressional action as well, but nonetheless our Congressional delegation has indicated a desire to consider a proposal that's going to ultimately come to be made by the Secretary.

So I think something is going to happen there, and our great hope is that we do it from the bottom up, rather than from the top down. At the end of the day, if we don't have something accomplished on the basis of consensus, then my suspicion is that he may choose to act unilaterally. I would hate to see that, but the fact is that he may be running out of time prior to the moment when he can actually secure what he thinks is appropriate and may not trust that process to the future. In that event, he may proceed to act unilaterally and declare that area as a monument under the Antiquities Act. In many ways, it has brought positive aspects to the discussion in the state of Montana to do the kinds of things that even those who live on the banks of the Missouri River want to see done in order to protect it. As John said, it doesn't necessarily have to be bad or perceived in a way that is incapable of resolution.

I think the Secretary has provided an example, a model, of exactly what it is that we're suggesting today. He has listened, he has visited, he has looked into the eyes of the people that live there, he has tried to find flexible solutions that allow for the continuation of traditional uses, he's tried to leave people whole, and I think there is every reason to believe that we can accomplish this in a positive, thoughtful way. So in many ways, what he is doing is a vindication of precisely what it is we're talking about, at least in that individual instance. I can't say that that's what has occurred on every occasion, but in this instance at least, we continue to have hope that it will proceed in that direction.

Marc, I think, at this point in time, I need to thank Governor Andrus and all of you here and my colleagues on the panel. I have to dispatch myself from the command module here to go back and preside over some activities in the great and noble state of Montana. Thank you all very much for including me, and thanks to the audience as well for your thoughtful questions and the opportunity to be a part of this discussion. I think it's very, very important, and we could stand to do this on repetitive occasions throughout the west and then let those lessons be seared into us, allow them ultimately to permeate the entire country, and bring about a new regime of making decisions in this country.

Thank you very much.

FREEMUTH: This is a question from a fed. They have been hectoring for two years; now they get to ask one. Pat Shea, Assistant Secretary of Interior, has a question.

PATRICK A. SHEA: Actually, I want to tell a brief story. Governor Kitzhaber's aid was saying that they were in a meeting the other day, and someone brought out a slide rule and asked him if he still knew how to use it. He said, "I think I do." He left the room, and the person who was sitting at the reception desk said, "What's a slide rule?" I say that because in my travels around the country, it strikes me that people under the age of 25 are increasingly not believing in government. It doesn't matter whether it's local, county, state, or federal government. It's just something that is an unnecessary appendage—like an appendix. I'd be interested in each of your perceptions regarding persons under the age of 25 as regards their interest in and commitment to civil government. If you think, as I do, that there is a problem there, what are some of the solutions?

SHELLEDY: I don't think historically that group has ever been that interested in government. It depends on what happens between the ages of 20 to 25 years and from then on. I think the jury's out here. I would not be that pessimistic. I don't think that group is any more disengaged than the rest of us from the process. There is a great deal of frustration about government from anyone who is a senior citizen to that age group, but I don't quite agree that that group is disengaged or will be that disengaged.

BATT: When I was elected, that was my strongest group, so I think they are very astute.

BANGERTER: Well, I sometimes worry about people who come out of college and go right into the political scene and spend their lives there. I'm a great believer that you ought to have some experience outside the system and have to bear the effects of the system before you go in there and try to revamp it.

So I would agree with Jay. I'm not too concerned at that point. They get their education, and then, as they meet the problems of life, they get drawn into this debate and have to deal with those issues because it now starts to affect their pocketbooks, their jobs, and all of the things that go into life.

But it's not just the young people. I sense great disaffection with the political process across the spectrum, and there is a feeling of hopelessness and of the futility of voting. I think that's what we need to deal with. The kinds of solutions you're talking about here today are the things that will be required, but it's very difficult.

I think about my seven campaigns for public office, of the town meetings we had, and of how few people ever really came to listen. That's the challenge. People don't pay attention nearly enough, and we need to figure out how to do something about that. The influence of money has a

dampening effect, but again, I don't have the solution.

O'CALLAGHAN: As I mentioned, I taught government and economics in high school for five years when I started out. One of the first things I did was help push the 18-year-old vote through the state, which I thought was important. Overall, the numbers have not risen to the heights I had hoped, but I think a lot of the problem comes from the attitude we pass on to these people, negative attitudes. When I was governor, my lieutenant governor was one of my former students, and three members of the Legislature were students I had taught in high school. They became very active, and when I ran for office, they helped me. I found them to be active all the way through, and I notice that the children of these people are active as well. One of them is Harry Reid, our senior senator and the minority leader. Their children are staying involved. One way I did it was to get them involved. They had to read newspapers; they had to know what was going on. There was no easy way out because they were tested on it. I found different ways to get them involved in the community. I think we all have that responsibility. I had that responsibility with my five children; I have that responsibility with my grandchildren, so I would say that any disillusionment that they have is learned; it doesn't just come out of the air. And who is teaching them?

KITZHABER: Just one brief comment. I know in Oregon, the voter turnout among 18 to 34-year-olds is at the very bottom. In last year's primary, 6% of the 18-year-olds voted. To me, that's a very big problem. I think there are a couple of reasons for it. First of all, when I was that age, we could get drafted and sent to Vietnam at the age of 18 but couldn't vote till we were 21. We had the voter registration drive going on, and there were some very compelling issues in the late 60's that got a lot of attention, some national policies that directly affected our lives and gave us the motivation to get involved in the political process. I'm not sure that there is any central issue just now, in this period of extended economic prosperity, that gives that kind of motivation to young people. They increasingly think that government is not really relevant to their lives at a time when we all preach the importance of post-secondary education for economic success and social success.

You can't get out of a public institution of higher learning today in Oregon without being \$40,000 or \$50,000 in debt. Kids have to find some work to pay back their loans for the first four or five years after they get out of college. The solution to it is to do what we can to try to understand the issues and concerns of young people, which are fundamentally different than when I was in high school.

When I got into politics in the 1970's, you could drop out of school in the 11th grade in Roseburg, Oregon and get a good job in the mill with good benefits, good wages, and the expectation that you would hold that job for the rest of your life. That's not true today. Those of us who are older tend to see the world the way it was when we were 18 to 34, and it's important to try to put ourselves in the shoes of those young people and then to try to do what we can to make our governmental institutions more relevant to the kinds of issues and problems that they face.

JOHNSON: Jay, you indicated a moment ago you had a question, and then we let Governor Racicot get away before you had a chance to ask it.

SHELLEDY: One of the other points I made at the lunch that you and Governor Racicot so successfully boycotted was that we move the BLM and the Forest Service out of Washington D.C. to headquarters in the west or northwest where the majority of its operations are. What do you think? If you could just wave a wand and do it, would you?

KITZHABER: Having had only five seconds to think about it, I think there is probably some value in doing that. I know that the instances when we've actually had the Deputy Director of Commerce out in Oregon, talking to us, walking the land...when we've had George Frampton, it's been very powerful and very instructive to actually see the issues and actually experience the terrain. So to the extent that plan would get the people who are making the decisions out on the ground, I think that's very positive. However, there is nothing to keep the national director of the BLM from spending time traveling extensively in the west, so I think the end we're trying to achieve is to get the policy-makers more familiar with the west. One means to that end would be to move the headquarters out. Another means might be to have a higher priority of traveling out here.

With that, I'm going to have to excuse myself, too. I thank you, Cecil, for the opportunity to travel over here and to see you put in a corner this morning. It was really a remarkable experience for me.

ANDRUS: Thank you very much. I appreciate very much your being here. Give my best to your family.

I think we had an outstanding opportunity this morning and this afternoon to listen to members of the political establishment of the individual states and to their ideas as to how we can best look to the future to solve our problems. What I'd like to do for the next 15 minutes is to give the four gentlemen who are with us the opportunity to wrap up any comments and suggestions, which will be used to prepare the white paper for presentation to the next administration,

whoever that might be.

Does anyone have a comment or wrap-up remarks?

SHELLEDY: I'd like to comment on two or three things that were said. Phil Batt said that there weren't any grizzlies, wolves, or rattlesnakes in Boise. How soon they forget the State Legislature meets every year.

One of the points that Mike made that I thought was good is not to get too concerned about migrations. They tend to level out, and every state will get an in and out migration. You should have seen the migration into Utah in 1847 from Illinois. It worked out very well.

I have to comment about Norm Bangerter as governor. I don't know that we agree on all that much, but he was a leader. You knew where you stood, and he wasn't afraid to make a decision. I think that is crucial today. You must have leaders in positions of policy-making that are able to make a decision and to say, "That's it. That's the way it's going to be, and to hell with you if you don't like it because I'm the elected leader." Norm Bangerter was one of those persons.

I will say that it was rather historic today that he and I agreed on two points, but his kind of leadership is what it's going to take. Phil Batt was a leader; Cecil Andrus certainly was a leader; Mike O'Callaghan was a leader; and it sounds like Kitzhaber and Racicot are also leaders. What we're lacking at the federal level today is that kind of strong leadership.

On one hand, you have to give Clinton his due on this issue. Whether you agree or do not agree that this needs to happen, he and Babbitt have taken decisive steps to do what they think is right. That is refreshing. Even though I may or may not agree with it, it's still refreshing. It's this wishy-washy, middle ground, can't-make-a-decision that really hamstring government, and you lose the support of the people, whether they 18 to 25 or 55 to 65.

BANGERTER: I think we'd better get out of here because if we're not careful, Jay and I are going to be drinking down at the pub together.

I don't know that I can add anything else, but I am a firm believer that you do have to address the issues, and you've got to get the input from everybody you can possibly get it from, but then you've still got to make the decision. I know Grand Staircase fairly well, and probably it isn't a bad idea to have it in some kind of a monument, but it really does exemplify the poor manner in which we sometimes find ourselves making decisions. We just have to avoid that at all cost, but we still can't avoid making the decision. And we'll still be accused of making it in a vacuum, no matter how hard we try to bring everybody into the issue. You just have to be prepared to do that.

O'CALLAGHAN: In regard to the nuclear waste problem, I'm reminded of an environmental expert. Wally White was his name. When we had our first tertiary treatment of sewage, he used to show exactly how good it was by taking a glass of it and drinking it. I used to watch him drink it—that was it. When it comes to Nevadans and their experience with the Atomic Energy Commission and the Department of Energy, you have to remember that they also were patriotic and let them blow hell out of the desert with nuclear bombs and everything was OK. We'd get up in the morning and watch them go off, and you could see them all the way to Denver.

BANGERTER: ...and the fallout all came to Utah.

O'CALLAGHAN: That's exactly what I'm getting to. And the assurances were that everything was OK, but go to St. George and take a look at the graveyard there. Scott Matheson has some relatives there and may have been a victim himself. They told us everything was OK, but the graveyards down there tell us it wasn't OK. Now they come to us and say, "Don't worry about your groundwater; don't worry about anything. Everything will be OK if you just take the nuclear waste from the power plants." I can tell you it's not going to sell.

BATT: I'd just like to congratulate you on this conference. Governor. It's an honor to have these folks come to Idaho, and we think we have the best solutions here, but they're improving on them with some exceptions. Thank you very much, sir. I think the session has really accomplished its purpose. You deserve all the credit.

ANDRUS: Let me have thirty seconds to express my appreciation, not only to the governors that have already departed but also to the three governors who are still here and to Jay Shelledy for his insightful and humorous presentation at lunch today, one that had a real message, particularly in the latter part when he went through those points with you.

We are going to take the white paper from this conference, and I will see that it is in fact given to the next President of the United States. I will then take it upon myself to see that it is presented to all of the cabinet officials that he will appoint. Whether he chooses to deal with the information that you people have helped us put together, I don't know, but he will have it. The only way you can see that he follows through with your wishes is to put the heat on him and his cabinet.

Thank you once again for visiting the Andrus Center for Public Policy at Boise State University. We stand adjourned.

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Policy After Politics

How should the next administration approach
public land management in the western states?

Presented by The Andrus Center for Public Policy at Boise State University

Thursday, June 1, 2000

The Student Union
Boise State University
Boise, Idaho

PARTICIPANTS

Cecil D. Andrus: Chairman, Andrus Center for Public Policy; Governor of Idaho, 1987 to 1995; Secretary of Interior, 1977 to 1981; Governor of Idaho, 1971 to 1977. During his four terms as Governor of Idaho and his four years as Secretary of Interior, Cecil Andrus earned a national reputation as a "common-sense conservationist," one who could strike a wise balance between the often-conflicting conservation and development positions. That reputation resulted in part from his pivotal roles in the passage of the Alaska Lands Act and the National Surface Mining Act of 1977 and the creation of the Frank Church River of No Return Wilderness Area, the Snake River Birds of Prey Area, and the Hell's Canyon National Recreation Area. He grew up in logging country where his father operated a sawmill, and he attended Oregon State University until his enlistment in the U. S. Navy during the conflict in Korea. Following his return to Idaho, he worked in the northern Idaho woods as a lumberjack and helped operate a sawmill in Orofino. He was elected to the Idaho State Senate in 1960 at the age of 29. During his years in public service, Governor Andrus has championed local land-use planning laws and protection of wild and scenic rivers, and he helped engineer a comprehensive agreement between industry and conservation to assure the protection of Idaho's water quality. He elected not to run again in 1994 and subsequently established the Andrus Center for Public Policy to which he donates his service as chairman. The Center is located on the campus of Boise State University. His awards include seven honorary degrees, the William Penn Mott Park Leadership Award from the National Parks Conservation Association, Conservationist of the Year from the National Wildlife Federation, the Ansel Adams Award from the Wilderness Society, the Audubon Medal, and the Torch of Liberty award from B'Nai Brith.

Norman H. Bangerter: Governor of Utah from 1985 to 1993, currently a building contractor/developer and president of NHB Construction in South Jordan, Utah. He served in the

Utah House of Representatives from 1975 to 1985 and as Speaker for four of those years. He was also chairman of the Western Governors' Association and served on the Executive Committee of the National Governors' Association. Governor Bangerter's many honors reflect his devotion to his community and his church. They include board memberships on the State Constitutional Revision Commission, the Interstate Oil Compact Commission, Utah's Job Training Council, and the LDS Social Services Advisory Board. Such awards as the Silver Beaver Award from the Boy Scouts of America indicate his concern for young people. The Governor has also served as a bishop and stake president in the Church of Jesus Christ of Latter-Day Saints and as a mission president in the late 1990s for the Johannesburg South Africa Mission. He is married to Colleen Munson, and they have six children and twenty-six grandchildren.

Philip E. Batt: Former Governor of Idaho, a farmer for many years in Wilder, Idaho, and author of *The Compleat Phil Batt-A Kaleidoscope*. As a young man, he attended the University of Idaho and served in the Army Air Force during World War II. He has a long record of legislative accomplishment, having served in the Idaho Legislature for 16 years. Those accomplishments include development of Idaho's compensation for state employees, Idaho's first comprehensive civil rights law, and Idaho's farm labor bargaining act. He earned a reputation as a thorough, fair legislator and won respect from both sides of the political aisle. In 1994, he was elected Governor and served until January 1999. His term was highlighted by an unprecedented historic nuclear waste agreement between Idaho and the federal government and by his successful efforts to establish workers compensation coverage for agricultural workers. Governor Batt is a licensed pilot, a golfer, a fisherman, a gardener, and a jazz musician. He has been married for 52 years to Jacquie Elaine Fallis of Spokane, and they have three grown children and five grandchildren.

John C. Freemuth, Ph.D.: Senior Fellow, Andrus Center for Public Policy, and Professor of Political Science and Public Administration, Boise State University. Dr. Freemuth's research and teaching emphasis is in natural resource and public land policy and administration. He is the author of an award-winning book, *Islands Under Siege: National Parks and the Politics of External Threats* (Univ. of Kansas, 1991) as well as numerous articles on aspects of natural resource policy, including five recent publications: "The Emergence of Ecosystem Management: Reinterpreting the Gospel" *Society and Natural Resources* (1996), "Ecosystem Management and Its Place in the National Park Service" *Denver Law Review* (1997), "Science, Expertise, and the Public: The Politics of Ecosystem Management in the Greater Yellowstone Ecosystem" (with R. Mcgreggor Cawley) *Landscape and Urban Planning* (1998), "Understanding the Politics of Ecological Regulation: Appropriate Use of the Concept of Ecological Health" (*Proceedings of the International Conference on Ecosystem Health*, Forthcoming, 2000, and "Roadless Area Policy, Politics and Wilderness Potential" in the *International Journal of Wilderness* (with Jay O'Laughlin, April 2000). He is the author of two Andrus Center white papers on public land policy, based on Center conferences in 1998 and 1999. He has worked on numerous projects with federal and state resource bureaus, including the Forest Service, Bureau of Land Management, and National Park Service at the federal level and the Departments of Fish and Game, Parks and Recreation, and Division of Environmental Quality of the state of Idaho. He recently represented the Andrus Center on the Science Advisory Board of the Bureau of Land Management and now serves as its chair. He has been a high school teacher and seasonal park ranger. He holds a B.A. degree from Pomona College and a Ph.D. from Colorado State University.

Marc Johnson: Boise partner of The Gallatin Group, a Pacific Northwest public affairs/issues management firm with offices in Boise, Seattle, Portland, and Spokane. Johnson served on the staff of Governor Cecil D. Andrus from 1987 to 1995, first as press secretary and later as chief of staff. He has a varied mass communications background, including experience in radio, television, and newspaper journalism. He has written political columns and done extensive broadcast reporting and producing. Prior to joining Governor Andrus, Johnson served as managing editor for Idaho Public Television's award-winning program, *Idaho Reports*. He has produced numerous documentaries and hosted political debates. Several of his programs have been aired regionally and nationally on Public Television. Johnson is a native of South Dakota and received a B.S. degree in journalism from

South Dakota State University. He is a past president of the Idaho Press Club and the Bishop Kelly High School Foundation and serves on the Boards of Directors of the Idaho Humanities Council, the St. Vincent De Paul Society, and the Housing Company, a non-profit corporation devoted to developing low-income housing projects in Idaho.

Dirk Kempthorne: Governor of Idaho. Elected to the governorship in 1998, Dirk Kempthorne has been chosen by the citizens of Idaho to serve at every level: Mayor of Boise from 1985 to 1993, United States Senator from 1993 to 1999. Since his inauguration as governor, he has put forward an ambitious agenda to improve Idaho's public schools, early childhood development, and immunization rates. During his term in the U. S. Senate, he wrote and won passage of a bill to end unfunded federal mandates on state and local governments. He served on the Armed Services Committee, the U.S. Air Force Academy Board of Visitors, and the Helsinki Commission, a North American/European international human rights monitoring group. Prior to his years in public service, Governor Kempthorne worked as Public Affairs Manager for FMC Corporation. He is a 1975 graduate of the University of Idaho where he earned a degree in political science and was elected student body president. He has received numerous honors, including the Idaho Statesman's "Citizen of the Year" award, the Guardian of Small Business award from the National Federation of Independent Business, the Public Service Award from the Association of Metropolitan Sewerage Agencies, Legislator of the Year Award from the National Hydropower Association, and the Idaho National Guard's top civilian honor, the Distinguished Service Medal. He and his wife Patricia, an outstanding advocate for children in her own right, have two children, Heather and Jeff.

John Kitzhaber: Governor of Oregon. Born in Colfax, Washington, Governor Kitzhaber grew up in Oregon and graduated from South Eugene High School in 1965. After graduating from Dartmouth, he earned a medical degree from the University of Oregon Medical School and practiced emergency medicine in Roseburg, Oregon for 13 years. He was elected to the Oregon House of Representatives in 1978 and subsequently served three terms in the Oregon Senate, where he was elected Senate President and was recognized nationally for authoring the ground-breaking Oregon Health Plan. In November 1994, he was elected Governor of Oregon and was re-elected in November of 1998. He has received recognition for his many accomplishments in the field of environmental stewardship, including the prestigious Neuberger Award given by the Oregon Environmental Council. Preserving Oregon's environment remains a priority for Kitzhaber, and during his

first term, he developed and implemented the Oregon Plan for Salmon and Watersheds, a collaborative plan that encourages federal, state, and local government agencies to work with private landowners to restore watershed health and recover endangered salmon species. Governor Kitzhaber is an accomplished fly fisherman and enjoys Oregon's wild rivers. He is married to Sharon LaCroix of Saskatchewan, Canada, and they have one son, Logan, born in October, 1997.

Mike O'Callaghan: Executive Editor and Chairman of the Board of the Las Vegas Sun since 1979. A graduate of the baccalaureate and master's programs at the University of Idaho, Governor O'Callaghan completed further graduate work at Georgetown University, the Claremont Graduate School in Economics, Colorado State University, and the University of Nevada. A Marine veteran, he served during World War II and was awarded the Purple Heart and the Bronze and Silver Stars. He taught high school for five years and subsequently became the first director of Nevada's Health and Welfare Department. He managed the Job Corps Conservation Centers Program in the mid sixties and, in the 70's, was elected twice to the governorship of Nevada, during which time he served two terms as chairman of the Western Governors' Conference and headed up the committee that developed the reorganization plan that resulted in the creation of the Federal Emergency Management Agency. He continues to be involved nationally, having served as an election observer in Nicaragua for the Carter Center and in Iraq for the Kurdish elections in the 1990's. He is married to Carolyn Randall from Twin Falls, Idaho and has five children and fifteen grandchildren.

Marc Racicot: Governor of Montana. A third generation Montanan, Governor Racicot lives the values of his parents, who opened their home to foster children, taking in nearly 50 youngsters over time and formally adopting two, Phillip and Aimee, to join Marc, Tim, Larry, Pat, and Chris. Under the guidance of his father, a teacher and high school basketball and track coach, Marc Racicot played on the basketball team at Libby High School and later at Carroll College. At Carroll, Marc was elected student body president and, in 1970, set a still-unbroken record for the most assists in a basketball game. The Governor received his law degree from the University of Montana Law School in Missoula in 1973 and was immediately assigned to the Judge Advocate General's Corps and stationed in West Germany where he served as chief prosecutor for the largest U. S. military jurisdiction in Europe. After three years, he returned home to become deputy county attorney for Missoula County and ultimately, in 1988, Attorney General. On January 4, 1993, Marc

Racicot was sworn in as Montana's 20th governor, and in 1996, he was re-elected with 80% of the vote, the largest percentage for a governor in Montana's history. After working with the Legislature to eliminate an \$200 million deficit in 1993, the Racicot Administration helped produce a \$22.4 million budget surplus in 1995. The Governor, who drives his own car and keeps his home phone listed, has traveled thousands of miles within the nation's fourth largest state, listening to Montanans in cafes, convenience stores, clubs, and athletic events. Some of the Governor's interests include running, carpentry, and gardening. He also serves on the Board of Directors for United Way and the Board of Visitors of the University of Montana Law School, and he was a member of the Board of Trustees at Carroll College from 1989 to 1993. He and his wife, Theresa, celebrated their 25th wedding anniversary in 1995 and have five children.

Jay Shelledy: Editor, Salt Lake Tribune since 1991. Jay Shelledy received his B.A. in journalism from Gonzaga University and attended law school at the University of Idaho. He is the former editor and publisher of the Moscow Pullman Daily News and the editor of the Lewiston Morning Tribune. Mr. Shelledy worked as a reporter for both the LMT and the Associated Press and as a high school teacher and coach in the late sixties. Among his more colorful employments was a brief stint in 1966 as a railway brakeman. When Governor Andrus looked for Idahoans of impeccable integrity to serve on the Lottery Commission, Jay Shelledy was one of the people he chose. He has lent his time and talents to many civic causes, including the boards of the YWCA Community Advisory Board, the Rose Park Library Project in Salt Lake City, Investigative Reporters and Editors, the Washington-Idaho Symphony, and the Idaho Governor's Task Force on Education. His after-hours activities include sailing, golf, public speaking, and tutoring in at-risk schools. He is married to Susan E. Thomas and has one child, Ian Whitaker Shelledy.