

## Nice Little Redneck Town

## Sabbatical Summary

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Three meanings reside within the title of this project/book. First, among interviews I conducted over four decades in Haines, Alaska, a recurring phrase among long-time residents was “we had ourselves a nice little redneck town until THEY showed up.” Next, I have conducted over 200 interviews with land-use rhetors in 24 states regarding their use of persuasive strategies and language on public lands and habitat issues. Finally, the resulting book will be both an environmental history of Haines and an analysis of the way in which one small town’s rhetorical engagements mirror those of a nation. This sabbatical was meant to support my transition from decades (and counting) of gathering research materials to writing the manuscript. I intended to accomplish the following during spring term 2024:

- Pursue interviews, attend gatherings, and update research materials
- Organize an extensive body of research into accessible physical and digital forms
- Write fifty pages of first drafts of key chapters

After organizing materials for most of April, I spent the rest of spring and summer in Haines where I conducted six interviews, researched in the archives of the local museum, and wrote. In late May I read the prologue, “Hanging Greens in Joseph,” at the faculty reading of North Words Writers Symposium held for the public in the Skagway, Alaska Eagles Hall. In June I traveled to Gustavus, Alaska to participate in a Tidelines Institute conference with young environmental leaders from around the country.

The following drafts follow:

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## Prologue:

### Hanging Greens in Joseph

Nine o'clock Sunday morning, jittered with caffeine and ugly news, I pull into Andy Kerr's driveway and knock on the front door.

From his spacious log home nestled in a Ponderosa pine grove at the foot of northeast Oregon's Wallowa Mountains, Kerr's view of Eagle Cap Wilderness is the only reason he needs to live here. Rising from Chief Joseph's beloved valley of grass and pine, white-topped peaks form a serrated palisade guarding a half million acres, wild as they come. Thirty miles east, the range crashes into the deepest gash on the continent, Hells Canyon.

Andy opens the door. We shake hands, he introduces me to his wife NAME and points to a steaming mug on the breakfast bar. This is our third interview since I began researching this book. Kerr is the executive director of the Oregon Natural Resources Council, a statewide environmental group equally revered and reviled for, among other things, proposing ten million acres of additional wilderness out of lands otherwise blessed with cows, clearcuts, and tire tracks. From his corner suite on a high floor of downtown Portland, Kerr's "take no prisoners" approach to protecting wild lands earned him the media moniker of "Oregon's Most Hated Man." The green warrior swings his cup toward the dining table.

Kate brings me a plate of potatoes and eggs which I devour before asking if they'd heard what happened in town last night. Not a thing. They relocated from Portland to Joseph a couple years earlier--less lightning rod, more seismograph. With six thousand residents in three tiny towns and a scattering of ranches in a valley as big as Delaware, Andy and NAME hoped to find a rural Eden.

I take a breath, tone turns serious. I'm in town for the week as a lone journalist in a locked-down grange hall full of ranchers and landowners strategizing ways to stop the Clinton administration from protecting habitat, raising grazing fees, and reintroducing wolves. Last night, the sheriff barricaded Main Street where more than a hundred people rallied around a stage with a scaffold, emcee leading songs and chants. I watched the rally metamorphose into a posse

comitatus as land rights lawyer William Perry Pendeleay (later Trump's Bureau of Land Management director) targeted a clear and present enemy—city slickers who “won't be satisfied until everything from the 100th Meridian to the Cascades is turned into a park into which everybody can drive around eating their organic chips and drinking their Perrier.”

“Tell it!” a nearby Sumo in overalls bellowed. Two cowboy-hatted teens tote a home-stitched dummy. Older hats moved in, slipped a noose over its head, and strung it up.

"It had your name on it, Andy."

"You're kidding," he snorts. He slouches, glares at the ceiling, and exhales. "Jesus, I grossly underestimated the intensity of the reaction to my moving here."

Kerr's close-cropped hair, swarthy beard and pugnacious demeanor suggests a brawler, a perfect villain for Wise Use speakers who dub him "the most dangerous man in America." Kerr is one of many New Settlers in the Wallowa Valley whose desires for solace include not only living near a great wilderness but ushering reluctant locals into an age of new economic and cultural realities. His notoriety as an old growth forest champion draws attention he wants to avoid in Joseph. Since troops chased the Nez Perce off their homeland in 1877, white settlers surveyed, sectioned, and parceled the valley where they raised generations on dreams of freedom. Kerr's presence threatens everything Old Settlers hold dear.

It is precisely for that reason that Dale Potter organized the lynching. His mother's family staked out property eight years after Chief Joseph was exiled. Standing in the grange hall parking lot, I ask about recent changes. His eyes go gray, jaw tightens. “I'm particularly concerned when Andy Kerr moves into Joseph and advocates a policy of total shutdown of public lands. He promised that after he closes public lands he's going after private lands. And I'm talking about grazing and timber. He's openly declared war on rural Americans, says he's going to wage a war of attrition and run us off the land. And being a military man and having flown a lot of combat in Viet Nam I accept that challenge very readily. I know perfectly what he's talking about and I'm perfectly comfortable with it. And I'm ready to do battle.”

Two sawmills in Joseph closed the previous month, adding a hundred-ten former employees as casualties in a war of perceptions. Longtime residents feel pushed aside as artists, telecommuters and back-to-landers move in. Local grazers loath Interior Secretary Bruce

Babbitt's proposed reforms which they say will decimate the economy. Kerr's arrival is a five-bell. He shrugs. "Intolerant people have so much to hate and there's so little time." Kerr unrolls a razor-wire of lacerations at the Forces of Darkness, or "FODs." "But this intolerance to change is going to finish 'em off in the end. I was perhaps a little metaphor, a symbol: Andy Kerr moving to Joseph, oh my God, the devil's moved in next door."

Kerr chuckles and sets his jaw, confident that those who would hang him will eventually die or deal with it. "I use the model for the five steps of death: denial, anger, bargaining, grieving, and acceptance," he says about turmoil induced by the rapid transformation of small towns across the country. "Denial: the spotted owl doesn't need old growth. Anger: I like my spotted owl fried. Bargaining: we can have timber and owls, etc." Andy chuckles. He is the lead author of the ONRC's hundred-year plan for restoring biological diversity in the state. As Joseph's mills closed in September, Kerr was at the podium at a University of Colorado law school conference stumping his plan to "rewild" sixty percent of public lands in Oregon. He proposed that another twenty percent come from private lands of willing sellers.

Local shockwaves produce the "Conference on Private Property Rights and Federal Lands" in the Joseph grange hall featuring Pendeley, Wise Use "tank commander" Chuck Cushman, U.S. senator Helen Chenoweth (R-ID), grazing champion and author Wayne Hage, and Wise Use founder Ron Arnold.

As a public relations executive for the wood products industry in the heydays between Eisenhower and Reagan, Arnold was alarmed by the rise of environmentalism manifested in the Wilderness Act, Earth Day, and Endangered Species Act. Timeworn corporate cries of "jobs, jobs, jobs" failed to ignite sufficient passions in a greening public "not terribly sympathetic to the working man." The march of progress was no match for rising "eco-hysteria," he reasoned, so he pivoted to the fear and dismay rural Americans felt for the collapse of their cherished values. He bet on a constitutional rock, a cause for revolution, in fact, the very reason for the colonists' War of Independence: private property rights.

"Now they see private property rights being threatened everywhere by such things as this declaration of critical habitat for the golden checked warbler in 33 counties of Texas. Oh my." A trimmed white beard and cotton turtleneck under a suede jacket set Arnold apart from the festival of Western wear. He is not a manual laborer. He is a prophet. "Then it affects the real estate

salesman and the plain old smalltown banker who's holding the mortgages on all those ranches and he just realizes that, uh oh, we don't have communities or ranches here anymore. We got little bird habitat. How're we going to sell that?"

Arnold christened his new movement "Wise Use" after the definition of conservation coined by America's first forester, Gifford Pinchot. Alarmed at timber theft on federal lands, in 1907 Pinchot declared that policy must be guided by the "wise use of natural resources" to protect the "ownership, control, development, processing, distribution, and use of the natural resources for benefit of the people." At first, some decried Pinchot's gospel as socialism, but as industry interests grew, so did the cooperative spirit of the US Forest Service and Bureau of Land Management. By the 1964 passage of the Wilderness Act, most NUMBER public lands were being logged, mined, or grazed at a rate much higher than a 19<sup>th</sup> century logger could conceive. As more laws were written in defense of ecological values on public lands, frustration and animosity festered among rural workers who considered themselves stewards, not degraders. Their rage grew. Wise Use was born.

When I checked into the Ponderosa Motel in nearby Enterprise a few nights earlier, I asked the owner how the valley was doing these days, any changes. "It's those people in Joseph," she said. "It's getting all touristy." Attracting too many visitors? "Well, not exactly. It's the environmentalists all moving in. They want to lock everything up around here. Look, *I'm* an environmentalist! But they close down the mill, then want to end ranching, then the sheep--it never stops. Just makes me mad to talk about it." Despite increases in deer population, she says, deer hunting has declined over the last few seasons because "urbanites want to lock it all away." Long sigh as she hands me the key. "Hunters don't camp anymore, so they stayed here. Now they're gone."

A hundred-fifty of her neighbors cram into the grange hall early the next day to exchange variations of the same story. I stroll across town to sign in at seven a.m. for coffee, pie, and get-to-know-yous until the lockdown at eight, bluegrass band jangling at breaks until the program ends promptly at ten p.m. Belt buckles and button-ups sit at cafeteria tables arranged in lanes, home-cooked platters served by teens in their church-picnic best. Every seat filled. I sit next to Mike Brennan, son of Hollywood B-lister Walter Brennan, who calls himself a "newcomer" since his dad bought a 12,000-acre ranch there in 1941. Mike leans in. Shortly thereafter, his dad

built the Ponderosa Motel for the tourists he expected would gawk at the scenery, drop a few bucks, and leave. “We got ranches to take care of, but here we are on a Saturday morning fighting bad guys.”

“Joseph isn’t what it used to be,” Florence Brennan adds. Her family settled here in the 1880s. “I just hate coming to town anymore. They treat us like tourists after we’ve lived here all of our lives.” She sets down her orange juice and bows her head as a pastor opens the program with prayer.

I’m a guest of Arnold and Cushman, who invited me--rhetorician to rhetorician--to their “little roadshow” as part of my quest to understand the persuasive powers of opposing land use arguments. They sat with me for several interviews at their bases in Bellevue and Battle Ground, Washington for my research on environmental rhetoric. For decades, my twin passions for the natural world and academic debate merged on a single question: What are the best arguments to save the Earth?

“I can promise you something to write about,” Arnold-the-mastermind said.

“Come for the fun,” Rent-a-Rioter Cushman chuckled.

The messages I heard in Joseph are emblematic of those I studied all my adult life.

Fourteen on the first Earth Day, I came of age believing that profligate destruction of natural processes must be curbed. To that end, I set out to understand the strategies employed by successful advocates, a mission fueled by seven years of competitive debating, many more as a coach. Following a ponderous master’s thesis on a rhetorical history of American land use conflict, however, I realized that my study was lopsided. Unlike intercollegiate debaters who argue two sides of a proposition, “real world” environmental wrangling involves many parties, each coming to the table to protect a unique worldview. My investigation expanded, leading me to the lairs of over two hundred land use rhetors of all stripes, many embroiled in small town politics over their futures—biological, economic, cultural.

Fresh out of graduate school at University of Oregon, I needed to find a case study, a community in the throes of conflict over natural resources where residents were unabashed in their love of place and willing to fight for it. I landed in Haines, Alaska.

Mantled by a reputation as the state's most cantankerous community, Haines is arguably its most beautiful. Glaciers hang from cathedral peaks that plunge eight thousand feet to Lynn Canal, the longest, deepest fjord in North America. Forests of spruce and hemlock, old and intact, cling to steep flanks that plunge to marine beaches ninety miles from open ocean. Into the sea on either side of my town pour two wild rivers renowned for robust salmon runs, grizzly bears, and the largest concentration of bald eagles in the world. Up the Chilkat River from Haines is a Tlingit village three thousand years old set in the heart of a state preserve guarding 49,000 acres of critical biome from the fate of an industrial world. From its 1982 inception, the Alaska Chilkat Bald Eagle Preserve has been a flashpoint among locals whose fierce clash supplied a gripping narrative I've lived with for five decades.

With fewer than three thousand people living in a remote borough the size of Connecticut, Haines is a "fifty/fifty town" where a handful of votes separates elected officials, where your child's best friend may be from a family with whom you cross swords at town meetings. Feuding or not, Chilkat Valley residents swim together in a fishbowl—the next town up the road is in Canada three hours away.

As I listened to neighbors and advocates across the country, my primary research question morphed into something more nuanced, more essential: How do we sustain human populations while preserving natural life-support systems? How do we love rivers, redwoods, and clearcuts while loving others? How do we save ourselves from ourselves?

Read on. Listen with your heart and mind. Perhaps you'll find an answer.

## Notes

Kerr, Andy. Interview with author. Joseph, Oregon October 2, 1994.

Kerr, Andy. "ONRC's 100 Year Plan for restoring biological diversity, living within our ecological and economic means, achieving a sustainable population, and restoring family values in the Greater Oregon Ecosystem," address to Natural Resources Law Center, University of Colorado School of Law, Boulder, Colorado, Sept. 28, 1994.

Arnold, Ron. Interview with author. Joseph, Oregon, October 1, 1994.

Cushman, Chuck, Interview with author, Battle Ground, Washington Sept. 28, 1994.

“Old Growth: A Reconstruction of Gifford Pinchot’s *Training of a Forester.*, 1914-37, *Forest and Conservation History*, Jan. 1994, p. 7

Brennan, Mike and Florence. Interview with author, Joseph, Oregon. September 30, 1994.

See *HCN*, 11-94 “Things Get Ugly in Joseph;” *Wallowa Chieftain*, 10-94 “Dummies”



## Chapter One

## Green Crush

A kiss transformed me from uber-nerd to eco-zealot.

My second year of a debate scholarship at Mount Hood Community College required a twenty-six-mile bus commute. Hours on the road plus layovers in Portland afforded ample time to read *US News and World Report* or cut-and-paste shoeboxes full of evidence cards.

Our debate team's swagger at weekend competitions barely masked our titanic insecurities. Sporting silvery three-piece suits atop bell-bottoms and platformish shoes, my partner and I asserted our virility by the speed and certitude of patter fortified by card files stacked on hand-trucks lugged by sycophants. Nixon's resignation had prompted the national debate question: should presidential powers be curtailed? In colleges across the West, we argued alternating sides of the question, junior knights of Aristotle. On my bus commute, however, a fringed leather jacket, jeans, and waffle-stompers project one more awkward teenager pining for love in the stink and clang of downtown.

Cold rain turns to slush as my bus lumbers into view two blocks away. I step to the curb under a bouquet of umbrellas. Clove and patchouli refocus me on a young woman who sidles up as pedestrians swirl around us. Dark hair cascades from a knit cap. Green eyes flash at my raised eyebrows. We smile. I freeze.

"Excuse me," she says. "Do you have the time?"

Unable to conjure witticism nor come-on, I shrug at the large Victorian clock on a nearby post. "5:52."

She extends her hand and firmly shakes mine.

"I'm Michelle," she says. "I work for Greenpeace."

"Dan." I gaze into eyes that glimmer like sunlight on ocean waves. I ask about her work.

"I go door-to-door talking to strangers about the whales."

“What’s that like?”

Air brakes squeal as my bus shudders to the curb. A surge of riders shoves Michelle against me, eyes closed as her lips press mine. For three electric seconds we kiss, starved souls.

Squeak of door closing. “Gotta catch this,” I stammer to her collar. “See ya.”

I pull away, stumble aboard, and lurch to the back bench. Michelle waves on tiptoe when she sees me in the rear window. I wave at her shrinking form.

Three blocks later, my hormonal delirium is squelched by the gut-souring realization of my folly. Really? Did a pretty girl on the street kiss me with more steam than I’d ever known and did I really flee? I raise a hand to pull the bell cord. Paralyzed by hot stabs of humiliation and self-loathing, I watch blocks become miles.

Until now, I have denied the emotional context of this bewildering episode. Shunted to a place I rarely revisit, the memory laid dormant for decades. Embarrassment may have been enough to repress the scene, but I suspect it has more to do with what happened next.

I arose from a fitful night with a singular mission: find Michelle. That evening, I stood at the corner clock-post in plain view of the girl who was surely searching for me. Likewise, I goggled passersby while hunched over a backpack jammed with debate briefs, scanning for kick-ass evidence. Despite my preoccupation, I knew Michelle would spot me, we would throw our arms around each other, and all would be well. When that didn’t happen, I roamed the streets, scanning miles of sidewalks and storefronts.

Soggy weeks passed without a clue, but I did land a job. The 1976 presidential primaries were in full bluster as Vice President Gerald Ford attempted to repair the GOP in the aftermath of his former boss while a pack of Demos scattered promises like peanuts. On layovers, I peered into the campaign headquarters of national candidates, large street-level suites with tall windows draped in patriotic colors. I was drawn into the offices of Arizona Congressman Morris Udall (AZ-D).

Affable, arm-twisting “Mo” was catnip for an Oregon boy poised to enter the movement. Among the leaders I’d heard of, Mo seemed the most serious about protecting the Nation’s public lands and environment overall. I knew he had sponsored bills to stop dams in the Grand

Canyon, establish wilderness areas, and protect water. He was a major force in settling disputes over vast federal lands in Alaska, first by wrangling passage of the 1971 Alaska Native Claims Settlement Act (ANCSA) which all but abolished the reservation system, creating Native corporations in twelve regions and a hundred-seventy-four villages that, theoretically, would sustain themselves with forty-four million acres transferred from the feds. The “d-2” section of the law mandated sweeping land selections that would culminate in the 1980 Alaska National Interest Conservation Lands Act (ANILCA) creating three-hundred fifty-seven million acres of parks, monuments, and refuges. “The stakes were immense and both sides mounted frenzied lobbying campaigns,” Udall recalled in his memoir. Presidential stakes aside, Mo aimed to double America’s protected public lands.

As a college debater trained to see the success of advocacy based on broad appeals, I admired the common-sense tone Udall used to fuel his sweeping vision. Green policies were essential to a long-term economic vision, he maintained on William F. Buckley’s *Firing Line* in 1972, but the government should “never sell out on basics. We’re not going to pollute the beaches; we’re not going to tear up the land unless we can put it back.”

In my mind, Mo was inseparable from his brother Stewart who had served as Interior Secretary under presidents Kennedy and Johnson, shepherding landmark legislative policies like the 1964 Wilderness Act, the Endangered Species Preservation Act of 1966, and the Land and Water Conservation Fund Act of 1965. Published in the same year as Rachel Carson’s pivotal work, *Silent Spring* (1962), Stewart Udall’s bestseller *The Quiet Crisis* unfurled the century of environmental destruction that birthed a counter-crusade based on “recovering a sense of reverence for the land,” a theme Mo rhetorically reinforced. I sensed they loved wild lands as much as I did.

Growing up in an outdoorsy family, I resonated with the humor and humanity in Udall’s message. My parents were raised on farms in rural Idaho, married after the Korean War, moved to Oregon to pursue professions where, as Dad said once or twice, they could “escape the n-word.” They baited me with a lifetime of camping and fishing; five years of Scouting set the hook. Books by Thoreau, Abbey, and Snyder rode in my backpack. The first Earth Day in 1970 charged my generation with a mission to protect our planet. I believed Mo just might take us there.

Volunteering for Udall obligated my afternoons but did not supplant the prime directive. Whether stuffing envelopes at a desk by a tall window or nonchalantly radar-sweeping the streets, I remained faithful to my heart. In the month following our kiss, I visualized Michelle on her own quest, yearning, burning. Blissful reunion was inevitable.

Another month of sidewalk gawking passed until it struck me that the easiest way to find Michelle was to join Greenpeace. All I knew about the organization was the media projection—swashbuckling eco-pirates thwarting corporate harpooners—and the proliferation of “Save the Whale” buttons on teeshirts and guitar straps. Beginning with the “Don’t Make a Wave” committee sailing to Alaska in 1971 to protest a proposed nuclear weapons test, Greenpeace introduced “direct action” as an alternative to the excruciating pace of policy.

Udall was diplomatic; Greenpeace defiant. I wanted both.

A rippling-haired woman perched on a folding-chair behind a long table, the only visible furniture in the vacuous showroom. Her eyes widened when I asked about volunteering, invited me to an upcoming orientation. In ensuing days, my fantasy loop opened with Michelle’s surprised smile at my entrance, enduring the talk until we burst into the street, happy ever after.

I arrived late to see a dozen women about my age cross-legged on the floor, beaming faces tilted toward a man—blond, bronzed, muscular—standing at parade rest as he recounted heroic exploits in a slightly disinterested tone. No Michelle. I stood in the back. At the close of a final, heart-wrenching account, Lars took a few starstruck questions, paused, locked the gaze of each admirer. “We need you.” On a clipboard he wrote names and contacts for volunteering at information tables, phone banks, or canvassing. He strode to me and tipped his chin toward a corner where a teetering stack of magazines and documents leaned against a bank of file cabinets. “This will be your station, man. We need you to clip and file this mess.” For the next month, I followed shifts at Udall headquarters with evenings behind a locked door at Greenpeace. Lars sometimes swung by to meet a volunteer for dinner. “Hard at work?” he always asked. I became one with the cabinets.

The 1976 spring primaries produced a front-runner who, to my surprise, was the peanut farmer, former Georgia governor Jimmy Carter. Surprise yielded to shock one morning when my debate coach told me that Carter was making an unannounced campaign stop on campus and as

team captain I should spar with the candidate as an opening for his Q & A. What—today? He nodded. At noon.

I turned to the cards, of course, skipping two classes to comb files from the previous year when we ran a case for the phase-out of nuclear power in favor of wind and solar. In intercollegiate policy debate, the opening speaker presents a case to affirm the resolution which, for that season, was US energy policy reform. Five elements are required in the eight-minute speech, each of which must be supported with evidence. First, what is our need and is it significant? (everyone depends on electricity.) Next, how has federal policy addressed the need and failed? (overreliance on nukes) What health and economic harms resulted? (radiation and long-term costs) A plan follows which proposes an action, administration, and funding (development of alternatives like wind and solar). Finally, the speaker must document a significant advantage to the reform (safe and sustainable). As a naval officer, Carter had commanded a nuclear submarine, so I meant to demonstrate his complicity with a dangerous industry.

Three hundred students and faculty jammed the seats and floor space of the lecture hall. Media crews pressed against the low stage. A few dozen patriotically attired campaigners filled the two front rows. I sat just behind them with a half-dozen members of the debate team. Dignitaries introduced each other until someone introduced the speaker as “The next President of the United States” which cued the rising cheers of supporters as Jimmy Carter strode to the lectern, smiling and waving.

Carter spoke in a calm, common-sense tone befitting his Sunday-school-teacher persona. National healing, modest defense spending, more support for education and the poor. A trademark beatific smile illuminated his optimistic rhetoric and honeyed southern affect. His campaigners cheered the slightest aphorism. I fought to focus on the facts.

As applause ebbed, I rose from my seat and strode to the floor mic. A dean introduced me; I fired the first shot. How could the governor support large-scale nuclear power production when evidence showed so much potential disaster, including the recent near-meltdown at Three Mile Island? All teeth and nobility, Carter praised debate in a free society, then opened his assessment of nuclear power with “As you know, I commanded a nuclear submarine” followed by a semi-technical minute of data to prove a safe means toward energy security.

Energy security at what cost? I shot back. The Arab Oil Embargo was proof enough that the U.S. needed alternatives. Solar, wind, geothermal, according to my sources, would supplant nukes. The embargo heightened the need, Carter conceded, but was confident from his decades in the field that technological advances would safely wean us from oil. As I opened my mouth to rebut the candidate, he extended an open palm to me and thanked the debate team for exercising its democratic legacy by raising important issues and, when necessary, expressing dissent. A sharp burst of student applause echoed Carter's nod and deft shift to the next questioner.

While other tables talked about cars and sex at the pizza joint that night debater traded views of my Carter encounter. The candidate's rhetorical display was textbook Aristotle—in our brief tangle, Carter managed to honor the lowly debater and his home audience with his goodwill and authority emblazoned by the light of a high-beam smile.

#### Gerald Ford/Squeaky Frome/US Bank

Aristotle ran laps around my mind when I next reported for duty at Greenpeace, but the desk lady was deep in Dostoevsky, so I silently waited out the rain shower by rifling through my perfect hanging files, reading notices, and always *always* keeping a lookout for Michelle. My heart found reasons for hope in the smallest clues—her name on a volunteer board or the lingering scent of clove. Many fragile months after our convergence, I was relieved and disappointed to feel a callous forming over my heart. I nearly passed over a flyer promoting a film about a recent high seas interception, but the next evening found myself on one of twelve folding chairs in the windowless walk-in closet used as a screening room. I sat in back, next to the projector which sprung with a clatter.

A latecomer felt her way down the narrow aisle until she located the chair in front of me. I deeply, secretly inhaled her fragrance and held it. The film showed Greenpeace protesters confronting a Japanese whaling ship, including lurid scenes of carcasses, body parts, and blood, lots of blood. I watched it through the part in Michelle's luxurious dark hair, missing most of the gargled narration, caught in the exhilarating, excruciating moment.

I panicked as the film neared its end. What would I do? Tap her on the shoulder and ask if she remembers me? She turns, smiles, and we talk. Maybe offer to walk her to her car or apartment or wherever. Maybe ask her opinion. Bloody shame, eh?

The white tube lights snapped on and hummed. Numbled by blood and stabbing light, filmgoers shuffled out. Inches in front of me, Michelle hefted a colorful import bag, inspected it, tucked it under an arm, then joined the outflow. Paralyzed and speechless, I concentrated my telepathic powers on Michelle to turn around, recognize me, and kiss me, but superpowers failed. Alone in an empty room, I lowered my burning face into open palms.

Moments passed before I straightened and pulled a blank 4 X 6 card from my daypack. Rhetoric, I wrote in the center inside a triangle of words: Facts, Needs, Desire. At the bottom: What works?

I walked out the front door on a new mission. When we want to save the world, when we want change human behavior, when we want love—which persuasive strategies are the most effective? I aimed to find out.

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#### Notes

*He was a major force in settling disputes...* Udall, Morris K. *Too Funny to Be President*, Henry Holt and Co., 1988, 69-70.

*Green policies were essential...* Udall, Morris K., *Firing Line with William F. Buckley Jr.*: “The Prospects for Democratic Moderation,” Dec. 12, 1974, Hoover Institution Library & Archives, YouTube (acc. 08/29/24)

*recovering a sense of reverence...* Stewart Udall. *The Quiet Crisis*. New York: Holt, Rinehart, and Winston, 1963, 12.

“The stakes were immense...” Udall, 67.

Beginning with the “Don’t Make a Wave...” Scarce, Ric, *Eco-Warriors: Understanding the Radical Environmental Movement*, Noble Press, 1990, 47-50.

## Chapter 2

### Rebel Creek

A few dozen steps past the French Pete Wilderness sign I veer off the trail and slide into a deep gorge. Far below, a froth-white ribbon boils between steep walls. A thicket of interwoven Douglas fir saplings slows my fall as the sixty-pound backpack shoves me forward. I plunge into a lacerating tangle of salmonberry and alder, ski through shifting rubble to the creek, scramble over a side channel, and heave my pack onto the ground. Rebel Creek roars, drowns my labored breath. Sleet slaps my neck as I unpack a tent, dried food, sleeping bag, clothes and survival gear stuffed into ditty bags. I spread a blue tarp over the heap. Dry gear is essential at the outset of this half-month rumination in an ancient forest of the western Cascades.

At the trailhead earlier, David and I raised several St. Paddy's Day toasts to women, Aristotle, and my intention to write a thesis for the ages. More than almost anything, I want to know the best arguments to protect nature from human excesses. This vision quest, I hope, will determine if my compulsion is worthwhile.

David thinks I'm onto something. An arch-rival in high school and college debate, David Frank is now my roommate and co-coach of the University of Oregon speech team. As graduate students in rhetoric, we study ancient Greeks and Romans, St. Augustine, Kenneth Burke, and others as their theories relate to discourse of social movements—women, civil rights, gender identity, democracy. David's research focus is the Israel-Palestine conflict; mine is public lands protection. He awaits at the trailhead with dead weight and Jack Daniels. Cold drizzle leaks down my back as I heft the pack and lurch up the slope for one more load: books, files, typewriter.

Of the fifteen Greek muses, perhaps rhetoric is the least understood. She cringes when we dismiss her domain as so much hot air. Blessed or baneful, brilliant or bullshit, rhetoric is a fulcrum meant to move the Other. In his seminal work written circa 320 BC, Aristotle defined rhetoric as "the art of using all available means to persuade." Unlike the logical processes leading to Aristotle's foundational works on astronomy, biology or geology, rhetoric was an "art," a product of individual creativity requiring a person to package messages so others could



catch their meaning. Whether a cave painting or a symphony, artistic creation ignites connections between humans. Art in rhetoric arises when we strategize how to transform thought into action—parent to child, citizen to senator, pastor to congregant. But how to connect? How to create change?

Your seventeen-year-old daughter asks to use the family car for a New Year’s party at a friend’s house. “I’ve told literally everybody that I’ll be there,” she says, voice rising. “James expects me to pick him up on the way.”

You listen, arms crossed. In a call-in show that morning the police chief said that New Year’s was the worst single day for car accidents. “I have to say no, sweetheart. I love you too much to let you roam on the most dangerous night of the year.”

“But Mom—”

“My mind is made up. You can drive any other time except tonight.”

Your daughter pauses, breathes. “You know I appreciate your trust, Mom, and would never do anything to lose it. You often say you’re not worried because I’m responsible. I haven’t changed, Mom. I’m still your responsible daughter. You know I won’t drink or drug or do anything stupid. And I’ll be home by one. Promise.”

You lock eyes for several seconds before you speak. “Hmm. Tell you what. Because I believe you and love you, I’ll let you go.” You shake your head at her stifled exuberance. “Here’s the deal: You will text me every half hour and call right after midnight to wish me a happy new year. Got it?”

“Sure, Mom.” Hug.

A version of this conversation is common in households whenever an exigency (situation) arises that demands a rhetorical exchange. The daughter wants to use a shared vehicle; her mother holds the keys. Daughter wishes to socialize; mother weighs the request against her concern for safety.

While language is essential to achieve mutual understanding, vocal tone, eye contact, and touch seal the deal, underscoring the role of nonverbal behaviors in persuasive communication. In a functional democracy, verbal and nonverbal messages constitute “all available means” that

citizens use to persuade others, from a revolutionary treatise to a facial expression. Persuasion is measured by behavioral change. Successful persuasion is measured not by promises, but by intentional behavior. A business succeeds when a customer buys their product or service. A social movement succeeds when advocates channel their passions into a simple story with a compelling image—titanic trees, for example.

I set up camp on a patch of sand amidst a jumble of overflow debris. Noisy creek channels on both sides collide a few yards downstream. An eight-by-eight tarp hangs above the zippered tent entrance, defining a dry space that will serve as kitchen and office for the duration. Paper and typewriter go into a plastic trash bag, drawstring cinched. Food sack hangs from a high branch in a dead hemlock fifty feet away. I survey my meager camp with false sense of security, ignoring, for the moment, any possibility of bears, floods, or bad weather. Time to look around.

Armored in full raingear, I push through clouds of huckleberry and devil's club to the island's center, two or three feet higher than the periphery. Ancient trees cling to the shallow, mossy soil; their skeletal former selves stand in creek bed capillaries, victims of periodic flooding. Slush thickens to potato flakes. Watery white noise shushes in stereo.

A cavity at the base of a massive red cedar draws me in for a closer look. Big enough for a six-hundred-pound black bear or two humans crouched side by side. Fire-blackened inner walls protect a sandy floor. I sit cross-legged, bent over my journal: "Beyond this hobbit hutch the mossrocks, Jurassic ferns, and pure crystal noise of the creek speak to me. To think that rhetoric saved this place!"

For most of the century prior to my encampment, French Pete was ground zero for a fierce debate between timber and preservation interests. When Bob Marshall founded the Wilderness Society in 1935, local Eugene climbing club, the Obsidians became one of the first citizen groups in the country to advocate for protection of a specific wildland. The valley gained "primitive area" status in 1938, the same year Oregon became the top timber producing state, a rank it still holds. The designation prioritized unique wild values in roadless areas, but still allowed the US Forest Service to permit clearcutting. In ensuing years, the toothless designation was challenged by logging companies eager to profit from one of the few remaining virgin tracts.

In 1953 the Secretary of Agriculture withdrew French Pete's protected status, prompting years of court battles.

Passage of the 1964 Wilderness Act heartened activists to back legal protections for places "where the earth and its community of life are untrammled by man, where man himself is a visitor who does not remain." The law instantly preserved several sections of mostly high-elevation federal land in the West, including the Three Sisters Wilderness Area, of which French Pete had been a part until timber lobbyists convinced lawmakers to remove all protections from its wetter, low-elevation slopes where groves of ancient trees towered in a valley untouched by industry.

Touting a potential harvest of over three million board feet, the Forest Service posted a bid in 1968 for logging the French Pete valley. A year later, fifteen hundred citizens protested the action by blocking streets and surrounding the Forest Service headquarters in Eugene. "French Pete was the last straw," a marcher told me years later. "We felt like we had no other choice. And it worked."

In 1972 a University of Oregon group led a delegation of lawmakers on a hike up the French Pete watershed during which organizer Roger Mellem stressed the area's status as a remnant of the state's past glory. "At the turn of the century there were sixty-five unlogged valleys over ten miles long in Oregon. Now there are three." Fresh off the trail, US Senator Wayne Morse (D) declared that that the outing "greatly strengthened my conviction" that the French Pete should remain primeval.

The hollow in the cedar tree becomes my retreat in late afternoons when, cold and stiff from hunching over a nest of research materials, I uncoil from under the kitchen fly into the glistening woods. A few days in, I notice my prints in the sand are pushed flat. A tuft of dark hair sticks out of a charred wall. Only one animal comes to mind. I saunter around the cedar looking for tracks in the washed pebbles. Possible. Hard to say.

*...Chapter in progress...*

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## Learning to Live with Eagles

Daniel Henry

Think: Bald Eagle.

Does your mind's eye meet a gaze meant to bore holes through your skull?  
Scimitar beak? Eight-foot wingspan? Talons like meat-hooks? Gleaming head atop a  
dark, predatory body?

Or do you think of an attitude: free, fierce, independent?

Or a national symbol, meaty package of glory and redemption.

Maybe you think of the bald eagle as an endangered wild animal, and that  
wildness reminds you of the power of this land we have inherited. Maybe you feel a  
twinge of anger or urgency over its undoing.

Or maybe in eagles you see money.

If pressed, which vision do you fight for?

This is a story of the largest gathering of bald eagles on earth, and the people who  
collided head-on with competing visions of life with the birds. Years of community battle  
over the fate of the Council Grounds splintered the two thousand residents of Haines,  
Alaska into factions fed by fish-bowl rage. In public and unambiguous ways, business  
interests declared war against anyone who supported wildlife habitat over jobs, God, and  
America. In meeting halls and on the street, "eagle lovers" were excoriated and burned at  
the rhetorical stake. Brake lines were cut, workers were fired, fists flew.

Weirdly, though, things changed. Adversaries were forced to talk, to strategize  
ways of blending opposing visions. Following a series of historic round-table discussions,  
Governor Jay Hammond signed into law the Alaska Chilkat Bald Eagle Preserve on June  
15, 1982, in effect making a 48,000-acre promise to eagles and to the battle-bruised  
people of my hometown.

Flush with the excitement of establishing the Preserve in 1982, green media

quickly proclaimed victory. In one of the first truly collaborative (as opposed to the usual coercion) land-use negotiations in American history, a group of fifteen citizens armed with fifteen independent views laid down their swords to preserve a singular vision of natural splendor. To inform the discussion, Audubon supplied three years of field research and local dialogue. At the tenth anniversary celebration of the preserve, former Governor Jay Hammond called it “a Mission Impossible” that became “the crown jewel of collaborative resource management.” For a few warm-fuzzy moments, those of us in attendance looked around at a couple hundred others and felt pretty good about ourselves.

Honoring a truce for a week or a month or a year isn't easy. Twenty-five years is even harder. As usual, the lure of personal financial gain provokes the loudest caterwauling: the rules are unfair because they don't let me make money. Jobs depend on it; livelihoods hang in the balance. You can't eat scenery. To stay alive, you gotta sell it.

Part of this story, then, concerns the ensuing style of community conversation since the creation of the Eagle Preserve. That we have in our struggles sustained a promise to our children along with salmon, brown bear, mountain goat, and eagle stands as testament to a stubborn love. This place we call home evokes deep passions; it is when we stop talking with each other that the violence comes. Ask the elders. It's hard to keep a promise.

Juneau anchors the southern end of Lynn Canal, a fjord cutting northward 60 miles through an icy fortress of coastal mountains where it forks into two fingers. The eastern finger, Taiya Inlet, leads to Skagway, a frontier cruise ship mecca near the Chilkoot Pass, on the trail to the Klondike goldfields. The western fjord, Chilkat Inlet, meets the Chilkat River at a great braided fan; ten miles upstream it becomes the Alaska Chilkat Bald Eagle Preserve, a dramatic backdrop for one of nature's most astonishing wildlife spectacles. The Preserve flanks the river for another 16 miles upvalley until it is lost to its Canadian high-country origins.

Six-thousand-foot castellations confine our glacier-scored valley draining a

thousand square miles of raw landscape. Along the braided river, ribbons of forest, swamp, and meadow twist within our lush valley bound by ice and rock. Sitka spruce and black cottonwood line the narrow margin between Chilkat River and Haines Highway, sometimes only a few yards away. Trucks and buses shoosh past photographers in high click. The bald eagles hardly seem to notice. They think they own the place.

From September through January, upwards of four thousand eagles congregate in the Chilkat from as far away as southwestern Washington to gorge on a late chum salmon run. Twenty miles from its mouth at the head of Chilkat Inlet, warm upwellings keep a four-mile section of the river ice-free during the coldest months, allowing easy access to the big, spawned-out fish. “Chilkat” means “salmon storehouse” to the Tlingits whose village of Klukwan hugs a river bend facing south across the Council Grounds. “Fish brings us all to the table,” a local Tlingit elder once told me. “You’re here, right? So many animals come here for the salmon.”

For more than half of each year, five species of salmon crowd up the Chilkat. Swelling interest in the Chilkat/Chilkoot watersheds likewise attracts a proliferation of tour operators eager to supply the public with a requisite set of idealized experiences. In the scramble to capitalize on natural beauty, however, some operators chase swelling profits at the expense of the habitat that feeds it. For them, visions of eagles have little to do with wildness or national symbols. Eagles feed the bottom line. Hot on the tails of salmon and eagles, industrial tourism has landed.

Word of the wildlife spectacle spread, bringing boatloads of tourists surpassing eagles five-hundred-fold, each seeking a three-hour “ecotainment” package to authenticate a tenuous vision of Self in Nature. From May-September, a perennial stream of cruise ship passengers fulfill their mythic visions on the Chilkat by rubber raft or jetboat, each draped in a rain poncho logoed by Viking, Princess, Disney, Carnival, or Royal Caribbean. Thinking yourself a local, you may roll your eyes or make cracks about the summer scenery junkies. Most of us shrug it off as a way to make a living. Until they touch our fish.

A quarter century after making our promises, Haines partisans still square off, but this time our attentions lock onto the escalating numbers of people who jam into buses,

boats, helicopters, and small planes to grok a few hours of Alaska's in-your-face wildness.

Twin-engine 150-horsepower jet boats bear thousands of cruisers upstream from the Council Grounds. Data collected by state biologists suggests that jetboat wakes cut into riverbanks, possibly damaging habitat that is crucial for spawning salmon. Tour operators point to surging salmon returns as proof that their tours do no harm. Local conservationists and commercial and sport fishers have joined with the village of Klukwan in legal efforts to oppose large-scale jet boat operations. Once again, our meeting halls reverberate with invective sprayed like machine gun fire.

December on the Council Grounds, though, is subdued. Temperature squats at zero, dead calm. In an atmosphere redolent with rotten fish, steam ghosts rise from bottlegreen water channeling through snow flats. In the gray light of solstice, to scan a thousand or more eagles from a single site is to bear witness to animal religion. Top predators gather for only one reason: supper. Rot-rusted backs and green dorsal fins vector upriver. Trapped in river sweepers, salmon carcasses twine with grass and sticks. Frozen fish die in the icy mud at the highwater mark.

Eagles are watching. They perch on any bump of frozen driftwood on the gravel flats. Hunched in the skeletal cottonwoods like brooding quarter notes, six or eight to a tree, eagles scan for scraps. Listen.

You are standing in deep hoarfrost at river's edge when a grand, wild chorale pierces the hush. The screaming glissandos continue for several movements until silence reclaims its perch. In the beat of breath and pulse you hear it: This place is worth the fight.

I stepped off the state ferry on June 15, 1982 to explore the possibility of making Haines home. It was the first day of the new Alaska Chilkat Bald Eagle Preserve. Following the closure of a U.S. Forest Service work camp near Sitka, dozens of twenty-



some things scattered throughout Southeast Alaska in search of places to settle and live out our visions. At the northern end of a four-hundred-mile long archipelago, most of which lies within the Tongass National Forest, Haines' uniquely nonfederal land base offered inexpensive rural properties in breathtaking neighborhoods. It looked like paradise.

During our two-week rendezvous, my friends and I discovered a town bristling with energetic, innovative sorts whose greatest commonality is a mulish independence. When the next closest town is a three-hour drive away, you make the best of what you're served. Seems like everyone we meet speaks from a bully pulpit: righteous, idealistic, testy. Main Street pitches with drunks and Chevy pick-ups whose battered bumpers dare you to "Kiss My Axe." The mill owner's wife yells "Eagle lovers!" across the street at us in the same tone she'd bellow "Baby killers!" While celebrating Saturday afternoon at a local bar, we watch two grizzled men wield barstools at each other like rutting moose, prompting the rest of us to rush into the fray or out the door.

Loitering in front of the Main Street bar, I turn to a wiry, bearded guy sipping a Rainier in the shade of a rumpled NRA ball cap.

"What was that all about?"

"Dumbshit toasted that new eagle preserve," NRA-Hat says, eyes fixed on his beer. "Not smart when every man in there's working at the mill, got mouths to feed. Timber on the hoof—we're sorry, you can't have it cause we're giving it to the eagles."

Provoked by his sarcastic tone, I ask, "Is there a good reason you can't have both?"

His purpling scowl cuts me cold. "Birdwatcher, eh?" He pivots into a group of friends. A clot of NRA-Hats at the door convinces us that it's time to slowly back away from the scene, avoid eye contact, and challenge no paradigms.

God help me, I am drawn to clash—not so much as a partisan, but as a recorder of phenomenon. As a longtime academic debater, teacher, and coach, I spend my life attempting to manage and understand human conflict. I catch a snootful often enough. I

discover Haines near the end of graduate school at University of Oregon, half-through writing a sprawling master's thesis on the rhetorical history of American land use conflict. Haines feels like a case study.

While at U of O, I meet author Ken Kesey who, with his wife, Faye, confesses a fascination for Haines. As part of his research for *Sailor's Song*, the Kesseys summered in Alaska in the early 1980s. "There's more than one bullgoose looney hunkered in Haines," he muses to me on his Oregon farmstead in February 1983. Over several afternoons, we discuss rhetoric, literature, land use, and our mutual love for Alaska. Kesey wistfully repeats his desire to spend a few winters "up that big crack in the earth...where I could play the edge with the edge-masters." For those who seek the bold gestures of frontier living on the margins of global breakdown, the Chilkat Valley is ideal. For me, a frontier rhetorician, this is ground zero.

Distracted by visions of drop-jaw wild beauty inhabited by endearing curmudgeons, we fall in love with the place. Glacier-cloaked mountains crash into seawater. Rivers boil with fish. No chain stores. Cheap land. The next year we return for the long haul.

My first employer in Haines is newspaper publisher Ray Menaker who, with his wife Vivian, brings me to their dinner table many times for homegrown pork or turkey and garden greens while we sort through community issues. Civic activists since they arrived as teachers in 1957, the Menakers played seminal roles in the creation of the eagle Preserve. A graduate of Columbia University, Menaker grew up in New York City then enlisted in the Navy during WWII. At the dinner table, in wool sweater and wool pants with suspenders, Ray is a bemused gnome. His eyes twinkle behind glasses and a woolly beard. Vivian, who grew up on a farm in Oregon, exudes American Gothic until she breaks into the smile that charmed kindergartners for twenty years. When I record their oral histories in 1992, Ray and Vivian are still clearly amazed ("pickled tink" as Ray put it) that permanent protection prevails for this international treasure, their beloved preserve.

A former history and English teacher, Ray hangs his recollections on a timeline of pivotal events. When they moved to town, he recalls, “eagles were just something to shoot at.” Charged with the perception that eagles competed with the fishing industry for salmon, generations of Haines residents supplemented their income by collecting bounties for shooting “buzzards.” It was not uncommon see pickup trucks bouncing on the dirt streets with dusty carcasses piled in the beds.

Throughout the year, a 55-gallon drum on Main Street contained eagle talons turned in for the two-dollar reward. When it was full, Ray Menaker remembers, someone would take the drum to the boat harbor and dump the talons on the beach. In a few hours, “dozens of eagles” would gather to scavenge any scraps of flesh. Vivian hated the scene but held her tongue.

Statehood in 1959 meant that Alaska would conform to federal eagle protections, though eagle shootings in the Chilkat Valley were not uncommon into the 1980s. As recently as 1998, a local man was convicted of shooting an eagle. United States Fish and Wildlife Service (USFWS) biologist Fred Robards’ studies of Chilkat eagles through the 1960s resulted in a cooperative agreement in 1968 to protect eagle nest trees during logging, mining, or road construction. Robards came often to Ray and Vivian’s table and shared with them stories and images of the eagle gathering.

When Congress authorized the Alaska Native Claims Settlement Act in 1971, Alaska Native groups were, for the most part, cut loose from the Bureau of Indian Affairs, transformed into regional and village corporations whose purpose was to sustain an income for shareholders by selecting and developing tribal resources. That year, Klukwan announced plans to develop a mine in what was purported to be the largest iron deposit in North America, in a mountain rising behind the village and draining directly into the Chilkat River. To sustain 900 jobs for 20 years the operation would dredge the entire Tsirku Fan, including the Council Grounds and Klukwan, which would have to be relocated.

Vivian spoke up when talk of the mine spurred recollections of long-term timber contracts proposed within the protected area. Late-night ecological dissertations by Fred Robards, cigarette in one hand, coffee cup in the other, convinced her that cutting the big

cottonwood and spruce along the river would spoil eagle habitat.

Alarmed by the projects, Vivian Menaker wrote a letter. “I was a member of the Audubon Society, so I wrote to the people and told them that here we have thousands of eagles every fall. And they came here for the fish. And their habitat was going to be affected, I feared, by all the cutting that went on.” She manages an arid chuckle. “I kept very quiet about that letter for years and years and years.”

At the time of Vivian’s letter, Haines was a boisterous community of 2100 residents, most of whom relied on one of two sawmills for income. Tugboats dragged huge rafts of subsidized Tongass lumber up Lynn Canal to two docks where mills chipped “defective” old-growth spruce bound for Asia to be transformed into rayon and paper. Paydays packed four bars spilling drunks into the streets.

When word got out that the Menakers were taking the eagles’ side, and that a group of residents led by Vivian had formed an environmental advocacy group, Lynn Canal Conservation (LCC), to curb profligate development, the drunks got mean.

Tensions boiled over in 1972 when Governor Jay Hammond signed an emergency measure establishing a 4800-acre Chilkat River Critical Habitat Bald Eagle Council Grounds to “protect and preserve” critical wildlife habitat. Commercial fishing advocate Dorothy Fossman responded with a letter to Ray Menaker’s *Chilkat Valley News* and 211 signatures to the governor: “Let’s create a refuge for the people in this area, as the people represent the minority group and not the eagles! Let’s get back to the people, the economy and proper development of the great State of Alaska.”

To counter the swelling interest in eagles, a group of businesspersons, fishers, miners, and loggers aligned in 1976 as the Haines Coalition. Spokesman Merrill Palmer declared for the record that eagle preservation was part of an environmental conspiracy to “bring this country to its knees” and that those advocating protection for the national bird were “enemies of liberty and justice.”

Angry talk about elitists locking up resources persisted through the 1970s. Hammond bulldogged the issue, proposing various alternatives, each of which was met with incendiary blasts. Timber’s subsidy-dependent economy slid toward disequilibrium,

hastening closure of Pacific Lumber mill and threatening the second, Schnabel Lumber. There was, as Ray Menaker sighs, “a desire to blame someone.” Anyone who supported eagles was assigned a bull’s eye and branded a commie. A locally distributed mimeographed letter blamed “Red Ray” for Haines’ declining fortunes. Conservationists’ children were harassed in school, “greenie” businesses boycotted, cars damaged. Shouting matches broke out at public meetings and grocery stores.

Still, everybody read the *Chilkat Valley News*. In its four pages (now eight) are articles, letters, and paid statements by and about a tiny, stubborn cluster of humans wedded to a difficult place. From its start in 1966, the paper covered events with a civil, matter-of-fact tone, often absent in frontier journalism. Menaker desired to serve a community need, rather than extol a way to think. His sense of civic duty put him on a lot of boards and councils (eagle preserve advisory council, borough assembly, school board, numerous non-profit boards), often several at a time. Never condemnatory, Menaker wrote his few editorials about government process and civics. In the dark days, though, Ray’s nonpartisan slant made him all the more suspect. He participated in most major community decisions made over three decades, and each week reported it in print. Easy target.

Mild-mannered and understated, Ray Menaker winces as he recounts the flurries of anonymous threats and public excoriations. “We carry with us a lot of baggage from the ‘70s when there were real serious differences of opinion in the community. And some of that baggage includes (saying) ‘they’re just out to lock things up for a park.’ And that feeling was very strong in the community.” Trying to smile, Ray bares his teeth.

“You’re picking off scabs that we’ve tried so hard to heal,” Patricia Blank tells me at the end of a January 2007 interview. She and husband Norm came to Haines in 1960 when Norm accepted a position with the state as Haines’ first wildlife protection officer. After five years of law enforcement in a frontier town, Blank became a fisherman so “I could stay independent.” The Blanks’ outspoken conservationist stance, however, drew the attentions of angry loggers. Patricia calls the public meetings “lynch mobs.” Norm laughs—that same dry, ironic chuckle. “It was like a B movie.”

Norm describes a 1977 hearing for a proposed Council Grounds State Park held in

the elementary school gymnasium and led by a young Fish and Game biologist from Juneau. “‘We don’t need a trial,’ somebody shouts out as the biologist stands to begin the meeting. ‘Hang ‘im!’”

Patricia clasps her hands on the table and stares into them. “For the first time I feared for my life.”

“We sat in the front row,” Norm continues. “The lynch mob behind us got their points across and nobody dissented. At the end of it, Leo Smith loudly said, ‘That’s the last time they’ll ever be back.’” Norm chuckles, eyebrows raised to his wife of a half-century. “Well, it was too late for that.”

Bad blood in town turns into killing on the Council Grounds. Steve Waste, a graduate student whose eagle study proved the gathering to be the world’s largest, reports more than 20 eagles dead of gunshot wounds in a two-month stretch of 1977. In the following summer, Audubon sends biologists Erv Boeker and Andy Hansen to Haines for a two-year study to gather data and assuage tempers. Their arrival prompts further vitriol. Another posted notice—this from the Haines Independent Business Association—warns that any further effort to protect the national birds will incite a rampage: “It would take a platoon of Army (sic) to protect those eagles.”

Keenly aware of his public relations duties, Erv Boeker hits the streets. The broad-shouldered scientist told me in 1989 that he knew his studies or outside threats weren’t enough to change local attitudes. Support had to come from within. He said that his greatest success came from frequenting Main Street bars where “I could see my detractors up close and let them get a load of my ugly mug.” Often, a millworker would approach Boeker while he was sipping his beer.

“‘What d’ya wanna save eagles for?’ they’d ask. ‘Can’t eat ‘em’ was the usual line,” Boeker recalled, chuckling at his retort. “You can eat ‘em a helluva lot easier than you can one of those damn trees of yours.” They’d both laugh and Boeker would buy the next round. Humor and respect, Boeker said, were the keys. “It was just a matter of time to convince the people here that we were just as much for the people as we were for the eagles.”

Boeker's strategy worked. Former Klukwan Inc. chair and current Alaska legislative representative, Bill Thomas remembers how Boeker's style put potential adversaries at ease. "Erv was honest and really laid back. Some of the others were working on emotion, but Erv came in and worked on real needs." In recent months, I have often heard Boeker called "real people." Unafraid to confront honest differences, Boeker infused his conversations with humor and compassion.

Squinting in the headlight glare of national attention forced "Hainiacs" to talk nice. Too many people watching. In 1979, U.S. Representative Morris Udall (D-AZ) included federal land designation for the Chilkat in HR 39, a precursor to the Alaska National Interest Lands Act (ANILCA). Haines mayor Jon Halliwell's response at the monthly chamber of commerce meeting: "Don't hire hippies." Halliwell told me a decade later that "we felt surrounded—a new breed wanted us out."

A contingent of Haines business owners, including Merrill Palmer and Halliwell flew to Washington D.C. to convince Rep. Udall to remove the provision. Udall complied but warned that the eagle issue must be resolved soon or risk federal intervention. Following a few months of deepening community implosion, Governor Hammond contacted Senator Gary Hart (CO) regarding national wildlife status for the Chilkat. A former commissioner of the Department for Natural Resources (DNR) said that Haines felt betrayed, and "screamed out against it like gut-shot rhinos."

Halliwell and others flew to Juneau for a parlay with the governor. If he called off the Feds, they would strike a deal. Hammond agreed. Senator Hart signaled that he would delay action if local groups could reach an acceptable consensus. The governor called a moratorium on development in the Council Grounds, cancelled a long-term timber contract with Schnabel Lumber, and appointed and funded the Haines-Klukwan Cooperative Resource Study Advisory Committee. Its mission was to draw up a plan that would not only protect eagles but would set a blueprint for planning a larger swath of Haines Borough, to eventually become Haines State Forest, the first state forest in Alaska. Members of government, Native, business, and environmental groups who had all previously been at odds were compelled to develop a plan or succumb to Congress.

By the final committee meetings in Haines at the end of January 1982, tensions

around allowable timber harvest levels petrified the group's momentum. Unable to reach agreement, the group fizzled. Snow was beginning to fall and several had expected to fly to Juneau. The flurry became a blizzard, grounding all air traffic. A ferry wasn't scheduled for the day, so the group continued their work.

Into the night, fifteen committee members haggled over allowable cut. Schnabel argued that there had to be enough timber to sustain a mill. How much is that? Menaker asked. What is the magic number? "The real push for the eagle preserve, I think, came from the timber and mining interests because they wanted to get out from under the moratorium," Ray recalls. In the end, "timber interests lost somewhere between 4-5000 acres of timber land because the eagles needed it, and the rest of the forest is still open for logging... Everyone who sat around the table agreed that the traditional uses, such as fishing, trapping, jet boats, access, and recreation should continue."

After months of wrangling over paradigms, the committee distills their agreements into five management commandments. Foremost is the vow to "protect and perpetuate the Chilkat bald eagles and their essential habitats." Next is a promise to "protect and sustain the natural salmon spawning and rearing channels" of the river "in perpetuity." Water quality, public uses "that do not create harm," and perpetuation of traditional lifestyle fills the decree. Simple, even poetic, these "management requirements" cast a protective cloak around a rare jewel, sparing it from fate as another side dish at the banquet of constant consumerism.

Signatures are put to paper; participants rise and shake hands. Some linger a bit more to forestall the grim scene outside: vehicles in ice cocoons. The list of signers looks like a spanking line of litigants: mayors of the Borough and City of Haines, Audubon Society, Southeast Alaska Conservation Council, Schnabel Lumber Co., US Fish and Wildlife, Lynn Canal Conservation, and the Haines branch of the Alaska Miners Association, as well as proxies for an array of state agencies. Maintaining that they are the sovereign inheritors of the area, the Village of Klukwan declines to sign, but agrees to abide by preserve regulations.

It is, as Juneau-based filmmaker Joel Bennett said in his 1983 Audubon film, "Last Stronghold of the Eagles," proof positive that "land management issues can come



to a consensus instead of strife.”

The governor would call the event “unlike any other land protection effort in American history.” Since the inception of the first national and state parks in the 1880s, government had designated wildland by mandate, not consensus. We were different. People talked to each other, listened, and carved out an acceptable plan. In our town, greenies and rednecks would maintain eye contact when making our vows of partnership “in perpetuity.”

That following November I’m driving a ‘67 yellow Ford Fairlane through the preserve and roll to a stop for three eagles crouched around a roadkill bunny on the center line. After a stalemate minute, I ease off the brake and creep within inches of the large male. He swivels his head at me, shoots a baleful stare, then heavily flaps his huge wings, one of which whacks my windshield. What had been a 3-inch hair-crack shoots from one corner of the glass to its opposite. Dour as hell, the bird lands closer to the carcass, on which he returns his attention. None of the eagles budge. I retreat, and pass on the shoulder, rightly submissive. In my rearview, the trio stares me down until I’m around the bend.

Most Chilkat eagles may not have read state policies for the preserve in the last quarter century, but they still maintain a fierce claim to all they survey. Thwack. The humans are no different. In the years following the preserve’s formation, we continue our sibling clashes over worldviews. Our tempers sometimes can’t contain the anger we feel when someone (especially an “outsider”) tells us how to manage our land. And our cantankerous, self-righteous demeanor tends to blow away newcomers. But time blunts the edges, and then your daughter marries one of their sons. As time tootles by, raucous debates look more like family reunions. Just keep an eye open for that left hook.

A month after the governor’s historic signing, logger Leo Smith blocks off Norm Blank’s Subaru wagon in the parking lot of the Harbor Bar. Leo refuses to move his truck for a ‘goddamned treehugger,’ so Norm calls a cop. Under pressure, Leo backs out, but when the cop leaves, he appears at Norm’s window. “The next time I see you, you’ll be

going into the harbor.” “I was so mad,” Norm remembers. “As Leo walked away, I got out of the car and said, ‘Well, why don’t you throw me in right now?’ I told him we could settle it right then. I goaded him so much that he took a swing. Naturally I went back at him. My fifty-third birthday and there I am down in the gravel, fighting for eagles.”

Haines is still in bandages when I begin working in 1983 for Ray Menaker as his lone reporter. Everybody is torqued over someone else’s bad behavior. War stories spill freely. The wife of the police chief declares at a public radio annual meeting, “There are two kinds of people in this valley—granola crunchers and good, hardworking folks.” Beyond the public stage, our community schism spreads to the post office, school, and grocery store. Some snarl or mutter; some wear long, silent scowls, a few of which persist today. Members from either camp pass on the street wearing frozen church smiles, hurling hearty ‘how ya doing’s’ without breaking stride. A thousand people vow not to speak to the other thousand for crimes against their Myth.

Politicians and environmentalists placate downtown Haines with promises of money—the world will beat a path to see our eagles. The city asks former teacher and sporting goods storeowner Dave Olerud to head up a tourism task force. A natural salesman, Olerud surveys the market, sees the opportunity, and becomes a convert. “‘They said, ‘Dave, you take this subject and run with it.’ I’ve been running ever since.” On top of economic value, Olerud’s vision expands to include a research foundation and visitor center, which, he feels, will perpetuate local tourism. In 1984 he spearheads the American Eagle Foundation and a campaign to secure funding for the foundation, which channels community passions toward a new visitor’s center and wildlife display.

When *Audubon* runs “The Chilkat Miracle” as its January 1984 cover story, the eagles’ status as celebrities seems secure. More than eagles, author Jim Reardon captures a glimpse of a small town struggling with its new face, hopeful against a history of combat. Our uneasy truce feels as miraculous as the feathered assembly in the Council Grounds. No less a miracle, however, is the appearance of wildlife paparazzi.

At Thanksgiving, 1985, when light and life are dimmed, over a hundred guys show up in full photo-artillery, including TV’s travel bard, Charles Kuralt, with his “On

the Road” crew. Following three days of spectacular filming, three days of blizzard grounds all flights. No ferry either. For most of each day, Kuralt paces the three blocks of downtown Main Street, stogie clenched, smoke woven into snow flurries. He chats with anyone who stops. I say that it looks like he has pressing business elsewhere. He smiles as an astronaut might if asked if NASA wants him. “Oh, they’d like me back in New York,” Kuralt rumbles. “But they can’t have me. Yet. The people back home? They can’t conceive of what they’re missing. But after this program, they’ll know.”

Also stuck in town is former Senator Howard Baker (R-TN) and his coterie of camera jockeys. One leaves a message on the news desk that the Senator is calling a press conference that night in his room at the Captain’s Choice Hotel. An hour later I’m scribbling notes on the Senator’s bed while the radio reporter thrusts a microphone in his face. Wearing a down jacket, jeans, and snow boots, the senator announces his bid for the presidency: “Among the symbols that characterize our great nation, none holds more power than the bald eagle. There is no better place than here, at the home of the American bald eagle, for me to declare my intention to be the next president of the United States of America.” The nine of us, including Kuralt and crew, break into brief applause. Later, conversation returns to the future of Haines. As the mills falter, I say, some fear that Haines’ economy will crash. “You take care of your eagles,” replies the senator, “and the money will follow.”

In years to come, more people like Kuralt and Baker appear on Main Street in early winter, low-slung with photo-tech worth a home down payment. Summer tourist numbers surge, pushed by a rising cruise ship presence. In 1986, Jon Halliwell hires Chip Waterbury as Haines’ first tourism director, paid for by a 1% sales tax increase dedicated to tourism. Caught between shifting economic bases, the chamber of commerce performs pirouettes for the promise of visitors while bemoaning the loss of a year-round economic infusion from the mill.

As inventories of cheap Tongass trees dwindle, local loggers join the Great Skid toward the Northwest timber crash of the Eighties/Nineties. Schnabel Lumber becomes Pacific Forest Products when Mike Chittick buys it in 1986. Two years later, Chittick sells it to Ed Lapeyrie and Larry Beck, bolstered by millions in state loans and grants.

Local mood swings from despair to reconciliation, and back to despair, punctuated regularly by bouts of public humiliation.

In 1987 and 1988 mayor Halliwell sponsors the Haines Conference in which adversaries come forth for a day of face-to-face conversation and speeches. I moderate both years. The mayor wears a wry smile as he delivers the opening address at each conference from a podium onstage at the Chilkat Center. Owner of a local garage, wearing his ball cap and in his pack-a-day nasal: “Welcome to Haines, Alaska—home of the American bald eagle—“ He doffs his cap to show his bald head—“And I’m not it.” It becomes his schtick—a weary shrug at the past. And to the eagles—may they bring the big bucks, and soon.

Piece by piece, we mend a tattered community fabric. During that time, I work as program director for our sole local radio station, then become the high school English teacher. Students earn extra credit by attending public meetings and writing essays about them. Local officials begin asking me about the influx of students at meetings. Some say that meeting-goers tend to be more civil with kids in the audience, unwilling to act childish in front of children. Still, most student papers reflect alarm at the behavior of adults. One 16-year-old girl writes, “These are people I’ve known all my life—how can they be so crass? This makes democracy look like a sadistic joke.”

In 1990, students write about a chamber of commerce luncheon in which a speaker for the Canadian mining giant Geddes Resources announces to giddy locals their plans to develop the largest copper mine in the world. Seventy-five miles up the Haines Highway, in British Columbia, Geddes will build a side road sixty miles long to the Windy Craggy mine. The project engineer promises up to 130 jobs for as long as 50 years at the mine site. Thirty to fifty daily round-trip truckloads, each with as much as eighty tons of ore, will roll down from the high interior mountains of B.C. on a two-lane highway through the Chilkat Valley, along the river, and cutting into the heart of the eagle preserve for a deep-water dock in Haines.

Familiar tensions sizzle amongst us. Geddes’ initial scoping report, released in May 1989, spurs a flurry of conversation at potlucks and meetings. High school students debate it in my speech class. Environmentalists point to the “single-use” mandate of the

eagle preserve. Former millowner Schnabel publishes a flyer as “Alaskans Inc.” that declares, “The Eagle has become the surrogate of those who oppose this project.” He points to Erv Boeker’s Audubon research finding that traffic does not disturb the eagles. If we can set aside the “emotional aspects” of the debate, Schnabel writes, “we can overcome any hurdles.... We must do this or perish.”

Local dialogue builds until a series of public relations meetings in May 1990 orchestrated by Geddes president Gerald Harper and his attendants. The events offer great opportunity and disaster—let alone cheap entertainment—perfect fuel for our tendency toward tiny-town hysteria.

The first meeting is a “listening session” attended by 125 citizens, in which Gerald and the suits listen to questions from the public. They promise answers at a future meeting. Pro- and anti-mine people ask about implications for the future. Former logger Don “Duck” Hess says the mine is our “last chance” to make up for lost timber. “Our parents put us here and we in turn have put our children here. What do they do without industry and development?” And what will they do without fish, asks Klukwan chief Joe Hotch. “What do I tell my grandchildren when one of your trucks tips over in the river and kills the fish with chemicals and acid? What do you tell your grandchildren?”

Nobody warned Geddes about public meetings in Haines, considered recreational for those who need to vent in public, and we who like to watch. Three hundred people cram into the high school gym on May 14 for the final meeting. Antagonists share the bleachers, swaddled in the same pungent sweat-cloud. Notepad in hand, I trace the rising tensions among 300 people, 50 more than saw the Heinrich boy score 34 points against Metlakatla back in January. Someone should be selling popcorn.

Behind his impeccable suit, Gerald Harper controls the mic with a laconic Australian drawl, introducing other members of the team who snap to slideshows sculpted, they tell us, to answer all our questions. Somewhere in mid-speech, four protesters in full animal costume wordlessly prance onto the gym floor—fish, ferret, and eagle carry signs: WILDLIFE? YES! ORE TRUCKS? NO! Outraged, a jarhead in camo and boots erupts from the bleachers, growling. Disney-like, the creatures scatter from under the basket to the two doors at the end of the gym. Like vaudeville cops and thugs,

Camo Boy chases Protest Critters through the doors and around and through the doors again, prompting hoots of laughter, boos, unsettled muttering. When it comes time for 2-minute public comments, more than fifty names are on the list, and others line up at the clipboard as the speaking starts.

Most in attendance oppose the mine. The suits admit in a frank tone that yes, accidents do happen, but, well, that's the cost of doing business. They pound the drumbeat of jobs. And from us they hear "Fish" over and over. "It's simple," says Haines physician Len Feldman. "The river is our lifeline. We all depend on it to live. You're looking at a room full of sockeye."

In the fifth hour of testimony, a pack of teenagers slouches toward the clipboard. Five testify—two in favor of the mine, three opposed. Jim Horton swaggers to the mic and orates about his family's right to their visions: "I tell you, friends, that my mother and father--and my aunt, uncle and their kids—moved here not because of what Haines is,

but because of what it could be." Classmate Doug Potter argues that eagles and salmon are symbols of our connections with everything. "This is the survival of the earth we're talking about." On the way back to his or her seat, students catch my eye—Was that worth extra credit or what?

For the next three years, Geddes pushes ahead as if the mine is a forgone conclusion. The threat to the eagles, and to the wild Tatshenshini River, climbs into popular media when notables like Al Gore, Ed Abbey, Ethan Hawke, and Prince Phillip float the Tat, then crusade for its protection. Primeval images of glacial wilderness play big in the U.S. and Canada, and in the rising adventure tourism market. Overnight, the Tat is *de rigueur*, from a few hundred annual passengers in the mid-Eighties, to over a thousand in 1992. Gerald Harper dismisses the tour boom as "a lot of hype."

On June 22, 1993, the B.C. government designates 2.2 million acres of watershed as wilderness, connecting three other designated parks—Glacier Bay, Kluane, and Wrangell-St. Elias. At a ceremonial signing, B.C. prime minister Mike Harcourt, says, "B.C. is living up to its global responsibility" to preserve "one of the most spectacular

wilderness areas in the world.” In the next year, the United Nations designates the combined 25 million acres as a World Heritage Site, affirming its commitment for the largest protected wilderness on the planet.

In spring of 1986, Dave Olerud leaves a message at the radio about meeting me in his office. For an hour, Olerud lays out grand plans for an eagle foundation building. A Minnesotan who came to Haines as a teacher in the late 1960s, Olerud found an economic niche that he and his wife Charlotte filled with a sporting goods store. Tucked behind his desk in a tiny, cluttered office, Dave speaks from the mountaintops. “The community’s got to pull together if we’re going to progress into this new identity,” he reiterates. “Each one of us. We survive if the eagles survive. A visitor’s center and research facility will assure our sustainability into the future.” Despite my own economic uncertainties, I sign a thousand-dollar pledge which, with more than a hundred other local pledges, is enough to secure a loan and some grants. The city donates a prime lot. At the ground-breaking ceremonies I notice that most of the donors are conservative business owners, many of whom railed against the formation of the preserve. “This is a new day, a day for dreams” Olerud says in his address to the group.

Shoulder to shoulder, ideological counterparts build the dream. Draftsmen, earthmovers, carpenters, biologists, plumbers, artists, electricians, and grunts commit hundreds of free hours; businesses donate thousands of dollars in materials; and someone always sees to it that there’s food on hand. An eagle foundation wall-raising scheduled for a 1990 Saturday morning work party calls for twenty men, but only 17 show up. They go for it anyway.

Seventeen determined men on the wall are not enough to set it upright. When the wall comes down, all but Olerud escape. The community shifts into life-support mode for the Oleruds’ progress on the building stagnates. Spinal damage confines Dave to a wheelchair. Far from draining his vitality, however, the injury gives Dave an iconic quality. Touched by community support for the project and Dave’s messianic demeanor, funders across the continent contribute to the foundation.

Along with a couple hundred other locals and dignitaries, I attend the building's grand opening on July 16, 1994. Its high windows reveal spacious rooms airily occupied by Alaska wildlife exhibits, including grizzly bears, a beluga whale, and plenty of eagles. Among the crowd is 72-year-old Marty Tengs, a local businessman who served on the borough assembly and city council during the eagle preserve controversy. Tengs insists that the eagle was used by environmentalists to shut down the timber industry, but says he's learned to live with it. "Now that it's here, I'll grin and bear it. You can't fight city hall." He shakes hands with Dave, chats in a knot of old-timers, and lifts a sugar cookie on his way out.

In the coming years, the research center attracts biologists who contribute to a growing body of data about eagle health and those of us whose lives depend on it. Among them, Angie Hodgson with the Wildlife Conservation Society arrives in November 1997 with a grant to conduct field research for two years. Along with studies about eagle breeding behavior and seasonal transience, Hodgson's team collects data about the impacts on eagles disturbed by an increasing flow of people on the river. Like Boeker, Hodgson finds that Chilkat bald eagles are "less skittish" than Lower 48 eagles around highway traffic, including trucks and buses; and on the river near passing rafters. The eagles are there for the fish, she says, and don't feel that they need to move in our presence. As long as the fish come back in mesmerizing numbers, eagles continue to perch on their prerogative.

In years immediately following the creation of the eagle preserve, the late chum run pushes 750,000 fish, but the returning run in 1989 drops by 75%. After three bad years, local Fish and Game commercial fish biologist and preserve advisory council member Ray Staska declares a "conservation crisis." Further fueling the disaster, Staska says, are the "disproportionate cuts" to "the most basic management programs" necessary to "find out what's going on with the fish." Through the Nineties, about 100,000 chum escape upriver each fall. Fish enhancement projects, like man-made spawning channels, gradually build runs to record levels in 2007.

Eagle numbers vary, too. The 1984 count of 3988 birds is still considered a record, with more recent numbers ranging from a low of 1124 in 1986 to 3000 in 2003.



Wildlife fluctuation raises a thousand questions, but funds for answers are nil. Aside from the annual fly-over count and a handful of ADFG biologists in Haines, state and federal sources contribute little to monitor the delicate dance. The preserve is the jurisdiction of a lone park ranger whose job includes managing another thirty thousand acres in local state parks. “I care a lot, but there’s only so much caring one man can give,” former ranger Bill Zack once told me. Added cuts from Fish and Game “guttled” the 1982 mandate, Ray Staska reiterates. “It’s a highly sensitive, highly productive watershed to which the State is committed by law. But there’s no money to study it, so who’s kidding who?”

Meanwhile, the volume of human visitors outpaces the wildlife. While independent road traffic steadily declines from a high in 1994, numbers of cruise ship passengers soar. Boatloads of people come to Haines, “last stronghold” of the bald eagle, even if, as Hodgson’s research shows, only 200 resident eagles are here in the summer to greet them. No problem. It is myth that matters. It is enough to touch the wild, if only from the seat of a rubber raft.

When world-class rafter Bart Henderson founded Chilkat Guides in 1978, the rafting company offered three-hour, non-motorized float trips through what would become the eagle preserve. The arrival of cruise ships in the late Eighties gave Henderson a shot at brokering his float trip as a shore excursion. Business boomed, allowing Chilkat Guides to expand tours into other local areas. The Chilkat float trips remain the mainstay of the Guides, which, in the first decade of the 21<sup>st</sup> Century, escort an average of 15,000 clients through the eagle preserve annually.

Square-jawed and tanned, Henderson’s face creases into a broad-if-slightly-ironic smile when he describes what he calls the “age-old conflict between which users are we maintaining and managing a resource for.” Public lands, he says, should be accessible to everyone. “When land is set aside in New York as public land, you can still visit that public land in New York. I mean, it’s the United States. It’s why we’re one country.” As chauffeurs on a far-flung river, Henderson maintains, the Guides provide a service to visitors wishing to take stock of land that, in fact, they own.

Bart’s is the dominant business on the river until Duck and Karen Hess start a jet

boat tour of the upper Chilkat in 1991, in a section of river above Klukwan and the Guides. Hess tried jet boat tours as early as 1972, but lack of clientele killed the venture. Nineteen years later, Duck tells me, “We saw Bart was getting busier and saw a few more ships coming up the channel so it seemed like a good time to get back into it.” The second try works—cruise ships supply the Hesses’ River Adventures with a steady flow of customers seeking a way to the wild.

Haines was a timber town in 1965 when Duck arrived from Oregon to drive a log truck for his dad’s outfit. After seven years of logging, Duck and a partner bought a Main Street bar, called it the Rip Tide, and hung on for eleven years. During that time Duck often spoke against the eagle preserve, such as a meeting in 1979 he recalls when Udall’s “d-2” parks provision threatened to “lock up” several thousand acres around the Council Grounds: “I show the map to these other guys and it heats up. We totally disrupted the meeting; we were makin’ it known how big it was. The gal that was heading the meeting never came back again. They got rid of her and got somebody else in. They wanted to make the Chilkat Valley a satellite park of Glacier Bay. That was it. And that was the beginning of the separation here in the valley.”

I hear it over and over again from a cluster of long-time residents: We used to have ourselves such a cute little redneck town. Until the eagle preserve controversy, folks lived in Haines because they wanted to cut a tree, catch a fish, mine for gold. Then the greenies invaded, and things changed. “I’ll tell you right off,” says Karen Hess, president of the chamber of commerce and former magistrate, “It’s the elitist attitude that is forced upon us by very persistent people here, and we fight it. We fight it. It would be different if they could sit down with us and work it out. But they won’t.” Karen waves a hand toward her office door. “If any of them walked through that door, I’d talk. But they won’t do it.”

Scrappy and outspoken, Duck and Karen share a reputation as passionate promoters of local resource development. Duck is a bow-legged bantam rooster who looks 15 years younger than his 67 years. Karen cuts a commanding swath. They are known to cross swords with local environmentalists. I taught both their girls and directed Karen in a play, so we have a relationship. As she speaks, I imagine members of their rogue’s gallery walking through the River Adventures office door. I imagine a safe place

from which I can take notes.

A block of families evaporates following the mill's last gasp in 1990 (DATE). Disney makes *White Fang* in town the next year and Haines is buoyed by record income for a short stretch. A few, like the Hesses, stay, gambling on the mystique of Place. Along with many of us, they hustle an option, hoping customers materialize.

A decade of relative civility as artists and loggers, and anarchists sit at the same table with shop owners, tour operators and government officials, all with the common goal of remaking ourselves. We gather at meetings to plan infrastructure, plot promotional pitches, even to write a community code of conduct signed by the Hesses, Menakers, Norm Blank, Bill Thomas, John Schnabel, his daughter, Debra, and 42 others. In 1995, local organizations collaborate on the first annual Alaska Bald Eagle Festival, featuring speakers, workshops, and the ceremonial release of recuperated eagles.

The third annual festival leads with a keynote address from Dave Cline, longtime executive director of Audubon in Alaska. From my reckoning, about half of 250 people who come to see him speak adamantly opposed him the last time he stood before them. Cline was at the table with the Chilkat Fifteen, buried under that snowstorm in 1982; he participated as an usher of a rare paradigm shift among the terminally stubborn. "The first guy who called me," he says, "was this fellow, Dave Olerud, who tells me that if Audubon tried to impose our will on the Chilkat Valley, it would take an army to budge the residents. The battle lines were drawn." To merge the disparate camps, Cline says, Haines had to accept that we "live in the company of eagles." It is our privilege, our responsibility.

Our Warm-Fuzzy Era fizzles during hearings for the twenty-year management review of the preserve. At the first scoping hearing, held in the Chilkat Center lobby on Sept. 14, 2000, sixty strong-willed citizens gather to tell DNR commissioner Bruce Phelps their concerns, which center on the growing presence of commercial tours. Duck Hess insists that his early efforts to start jet boat tours satisfies the "traditional use" clause

of the preserve's creed. In 2000, River Adventures runs four 150-horsepower jetboats with nearly 14,000 customers. Some locals, including Klukwan chief Joe Hotch, begin questioning the impacts of jet boat wakes on the delicate spawning grounds of the upper Chilkat. The remote tours blindsided conservationists. "It wasn't even on our radar," says LCC director Nancy Berland.

The trouble with River Adventures, Berland says, is the jetboat wakes. Her brown eyes glitter behind round wire rims framed by a curly silver halo. Her scientific ammo comes in 2001 when ADFG biologists release a memo stating: "It is a fact that large boat wakes are disturbing critical salmon habitat" inside the preserve. The memo confirms the belief that the health of the Upper Chilkat is essential to abundant runs. Wake damage is contrary to the intention of the law, Berland argues, "(LCC) interpreted the letter and the spirit of the law that this place was for research, to protect the habitat. Other things could happen but they couldn't harm the eagle and fish habitat." Commercial jetboat traffic, Nancy says, "pushes the limits."

The 2000 scoping meeting draws the usual cast of characters—Tlingit leaders Bill Thomas and Jan Hill, the Hesses, former district representative Peter Goll, Vivian Menaker, Norm Blank, Ray Staska, and Lynn Canal Conservation president, Thom Ely. "Commercial activity still threatens the preserve," Ely declares. "in apparent contradiction of the preserve's primary purpose." Turns out, LCC obtained video of River Adventures boats in off-limits spawning grounds. Thomas stands after Ely: "Now I don't want to open up all this again—" Thom interrupts, barked down by the big Tlingit man: "Oh shut up Thom—sit down, Sugar Ray.

From his arrival in 1984, Ely sustains an adventure lifestyle: kayaking up Southeast Alaska, first to telemark down several local peaks, first to windsurf in the fjord, first to paraglide off the top of Mt. Ripinski (several times), the 3800-foot peak behind town. He is a passionate conservationist, a coyote drawn to public meeting campfires. Dubbed "that lifestyle guy" by long-standing magistrate, Carl Heinmiller, Ely never backs away from his red-blooded defense of the environment. At 30 he opens a bicycle shop which morphs over time into a lucrative tour operation for thousands of cruisers. In a few years he's out there with Henderson and the Hesses, schmoozing cruise ship reps,

but retains his eco-edge. “Anything affects our salmon,” Thom tells me in 2007, “we react.”

The revised plan evokes strong feelings, like in the bad old “eagle days.” Details of an assault on Ely by Karen Hess on August 31, 2000 show up on the front page of that week’s *Chilkat Valley News*. (SEE ARTICLE) Former magistrate strangles lifestyle guy. They were having a beer with three cruise reps, says Ely, when he responds to her rant about “public lands hippies” with a comment about River Adventures’ “personal fiefdom” in the preserve. The three reps jump to pull her off him. Karen apologizes and Thom drops his charges the following week. “It’s to our advantage to work together,” he says. “We’re both trying to run our businesses in a small town.” Like family, we clash with a greater sense of connectedness, knowing that the other ain’t going away.

A dramatically different town wrestles with our declared vow to the eagles. Apart from the occasional public outburst or barroom brawl inherent to frontier living, Haines molts out of its rough-and-ready adolescence. Meetings linked to land still draw heat, and some choose not to speak to others over insurmountable differences, but most of that fades. In an outpost like this, we measure each other on our value as neighbors, as flame-keepers in vast wildness. Usefulness trumps head-butting. Hippie invaders age into civic leaders. Their kids are local bus spielers and rafters and business managers and baristas and artists and caregivers to the old guard. Brute force becomes *outré*.

Alarmed by Haines’ political conversion, a handful of local businesses, including the Hesses, decide a media prop will wake up the citizenry, perhaps incite the “good, hardworking people” to rise up against the greening of Haines. After *CVN* editor Bonnie Hedrick refuses to sell to them, the investors create their own weekly, the *Eagle Eye*, on (DATE). For the four years that Haines is a two-paper town, *EE* sustains a small-town swagger, complete with careless editing and big-bellied bluster. It sells for the same seventy-five cent price as the *CVN*, but in a few months withers to a free advertiser with attitude.

Editor-guys slouch through town. They attend a few meetings, meet a few of the right people, then whip up a campaign against the enemy—“local environmentalists who are a well-oiled machine...Not only do they have an agenda, they have a working plan

that has been and is being followed to the end. Step by step—they have garnered control over the destiny and lives of private individuals.” Inflated and paranoid, the pseudo-journalists thatch invective around them like porcupine quills.

*Eagle Eye*’s editorial position is that of a curmudgeon chained to a woodpile in deep winter, imagining each block of wood as a greenie’s head. The editor-of-the-week chuckles darkly at Al Gore, global warming, and endangered species before launching into a screed trashing enemies of “traditional use” in the preserve, code for jetboats. Bottom line: stay out of our way. Four editors in four years. It adds a “beacon of truth” sheen to the *Chilkat Valley News* that was harder to see before.

“It was a pissing match,” says Karen Hess. “The minute you say anything they come back and you go back and they come back and pretty soon it’s not even worth your time. It’s nothing but newspaper entertainment, irritating. They agitate you—they personally make it a point to agitate you.” She describes a scene on the river when a local activist stood on the bank frowning with thumbs down as a jetboat passed, and of the “spies” they send on tours—yet none, she maintains, will walk through her office door for a face-to-face talk.

ADFG stands behind its findings, generating political friction in a pro-development state, and ultimately taking a fall in 2002 when DNR’s revised plan caps the jetboat tours at their highest numbers. The revised preserve plan coincides with the coronation of Governor Frank Murkowski, who reorganizes ADFG, rendering biologists’ studies impotent statewide. “Then Frank became governor and it all went downhill!” Nancy Berland releases a long, hearty laugh.

Following 2000’s high of 13,800 jetboat passengers, River Adventure’s numbers drop, then climb back to 9000 by 2005. In a pro-development Republican-led state, Nancy sighs, it doesn’t matter. “It’s not so much the Hesses any more as it is the next guy they sell their business to.”

After years of wading through administrative appeals, LCC files a lawsuit in spring 2006. With co-litigants Joe Hotch of Klukwan, Southeast Alaska Conservation Council, a gillnetters association, and Audubon, LCC seeks to overturn a commercial tour

permit issued to River Adventures for operation in “sensitive habitat” It took a long time to get here, Berland says. “We exhausted every possible administrative remedy.”

How long can we keep our promise? When I listen to local Tlingit elders whose collective memories go back a millennium, I realize that honoring twenty-five years of administrative designation is to say: This is a first step. Will the preserve last a century, or a thousand years? Are salmon stocks destined to gradual decay? How long will the eagle gathering last? Are we doing all we can to sustain this natural abundance?

“We got to be careful,” Joe Hotch tells me at an October 2004 meeting of elders in Klukwan. “God made us stewards of our earth and stewards of our children, too.” As the sole member of the Chilkat 15 who declined to sign the charter, Hotch maintains from the outset that the Council Grounds is ancestral territory, a title that he may not relinquish.

During the 2001 preserve revision hearing in Klukwan, Hotch says, “Tlingits took care of the land because if we did not, it would not take care of us. The village is never consulted until it’s over.”

On this afternoon in February 2007, I sit in the Klukwan Alaska Native Sisterhood hall basking in the slant of late light across a table from village council president Kimberly Strong. On the south wall is a huge, carved wall panel; beyond it unfurls the Council Grounds in full, frozen light. It is easy to understand Klukwan’s reluctance to give away too much. Threatened over the years by logging, huge mines, toxic traffic, land lockups, and plenty of empty promises, Klukwan emerges, beaming. This is a village with vision.

Care of the Council Grounds, asserts Strong, is foremost. “We are here for the same reason the eagles like it here—the fish.” Strong is closely involved with a village project to build a visitor center with an eagle observatory, tribal house, and gift shop. “Because we want these fish to continue, we have decided that it is necessary to educate the public about the eagles, fish, and the people of this place.” When the project is completed in the next five years, Klukwan will officially be open for business—as an education center.

Strong talks about the commitment that Klukwan people feel for their home, and

now, after centuries of seclusion, their willingness to share it “We have decided that it is time to open up to the world. As Tlingit people, we honor the eagle, honor this place that is so abundant.” Strong emphasizes the need for learning to talk in groups. A tradition of regional meetings produces Tlingits adept at Robert’s Rules. She recalls a recent Eagle Preserve advisory council meeting. “They don’t want to follow a format,” she says about the citizen council. “They want some people to talk as long as they want, and to stifle others. They let it come down to personalities.”

Silhouetted cottonwoods holding dozens of eagles pass by on my drive home. Kimberly’s words echo. Keep the peace by letting everyone speak, follow a format, don’t let a few suck all the air. Learn to talk in groups.

After twenty-five years of passion and foment, that feels like a good place to start.



## NOTES

P2 At the tenth anniversary celebration... Hammond, Jay. Speech at Eagle Preserve 10<sup>th</sup> Anniversary, Haines, Alaska, Nov. 1992.

p3 "Fish brings us all to the table..." Hammond, Austin, oral history with author, Chilkoot River, Alaska, August 1991.

P5 "There's more than one bullgoose looney..." Kesey, Ken. Interview with author, Pleasant Hill Oregon, March 4, 1983.

P6 A former history and English teacher... Menaker, Ray and Vivian. Interview with Daniel Henry, Haines, Alaska, October 16, 1992.

P7 That year, Klukwan announced plans... Kalen, Barbara. "Klukwan Iron: Soon?" CVN, Oct. 4, 1971:1

P7 Commercial fishing advocate Dorothy Fossman... Fossman, Dorothy. Letter to the *Chilkat Valley News*, Jan 31, 1972: 2.

P8 To counter the swelling interest in eagles ... Palmer, Merrill quoted in Stratton, Jim and Marty Peele. "Haines Lawsuit: The 25,000 We Don't Owe." *Ravencall*, Summer 1983: 2.

P8 "You're picking off scabs..." Blank, Norman and Patricia. Interview with author, Haines, Alaska, February 9, 2007

P9 "It would take a platoon of Army..." Cline, David. "Conflict on the Counciling Grounds." *Alaska Conservation Review*, Winter 1979:6-10.

P9 Keenly aware of his public relation duties... Boeker, Erv. Interview with author, Haines,

Alaska, 1988.

P10 “Erv was honest and really laid back...” Bill Thomas quoted in Beans, Bruce. *Eagle Plume*. University of Nebraska Press, 1996, p. 265

P10 Haines mayor Jon Halliwill’s response... Halliwell, Jon. Conversation with Daniel Henry, Haines Conference, October 1987.

P10 A former commission of the Department... LaResche, Robert (Former State commissioner of DNR) quoted in Beans, Bruce. *Eagle Plume*. University of Nebraska Press, 1996, p. 256

P11 “The real push for the eagle preserve...” Ray Menaker, October 16, 1992.

P12 It is, as Juneau-based filmmaker Joel Bennett... Bennett, Joel. *Last Stronghold of the Eagles*, Audubon Films, 1983.

P12 The governor would call the event... Hammond, Jay, November 1992.

P12 A month after the governor’s historic signing... Blank, Norm, February 9, 2007.

P13 Olerud, Dave. Interview with author, KHNS, Haines, Alaska, March 6, 1986.

P13 When *Audubon* runs “The Chilkat Miracle” ... Rearden, Jim. “The Chilkat Miracle.” *Audubon* January 1984:43-54; Ross, Ken. Ch. 4

P14 He smiles as an astronaut might... Kuralt, Charles, Interview with author, November 3, 1985.

P14 Wearing a down jacket, jeans, and snow boots... Baker, Howard, Interview with author, November 2, 1985.

P15 Owner of a local garage, wearing his ball cap... Halliwill, Jon, speech at Haines Conference, October 14, 1987.

P15 Former millowner Schnabel publishes... Schnabel, John. "Trucking in Haines." Alaskans Inc. newsletter, March 3, 1990: 1.

P16 The first meeting is a "listening session" attended by 125 citizens... Hotch, Joe, Duck Hess, Windy Craggy "listening session", Haines, Alaska. May 3, 1990. I attended this meeting at the Chilkat Center.

P17 "It's simple," says Haines physician Len Feldman... Harper, Gerald; Feldman, Len; Horton, Jim; Potter, Doug. Testimony at Windy Craggy meeting, Haines, Alaska. May 14, 1990. I attended this 5-½ hour meeting at Haines High School.

P17 At a ceremonial signing, B.C prime minister ... Whitney, David, and Hulen, David. "British Columbia puts Tatshenshini drainage off-limits to new mine." *Anchorage Daily News*, June 23, 1993: 1.

P18 "The community's got to pull together ... Olerud, Dave interview, March 6, 1986.

P18 "Now that it's here, I'll grin and bear it..." Tengs, Marty, comment at dedication of American Bald Eagle Foundation Center, Haines, Alaska, July 16, 1994.

P19 In years immediately following the creation ... Staska, Ray, KHNS News Interview with author, Haines, Alaska, November 11, 1989.

P19 "I care a lot, but there's only so much caring..." Zack, Bill, Conversation with author, Haines, Alaska, September 4, 1990.

P20 Boatloads of people... "Eagle research conducted in Chilkat Valley." *On the Wings of Eagles* (ABEF newsletter), January 1999.

P20 “When land is set aside in New York as public land...” Henderson, Bart. Interview with author, Haines, Alaska, August 30, 2000.

P20 Nineteen years later, Duck tells me... Hess, Duck, Interview with author, Haines, Alaska Feb. 12, 2007.

P22 “The first guy who called me...” Cline, David, Keynote Address, Alaska Bald Eagle Festival, Haines, Alaska, Nov. 13, 98.

P22 At the first scoping hearing... Jump, Robert, “Agencies overwhelmed at meetings,” *Eagle Eye News*, June 16, 01, p. 4.

P22 “It wasn’t even on our radar...” Berland, Nancy, Interview with author, Haines, Alaska, February 11, 2007.

P23 “Commercial activity still threatens the preserve...” Ely, Thom. Interview with author, Haines, Alaska, Feb. 7, 2007.

P24 They attend a few meetings, meet a few... *Eagle Eye News*, June 16, 01, p. 4.

P25 “Then Frank became governor...” Berland, Nancy, February 11, 2007.

P25 “We got to be careful...” Hotch, Joe, Discussion at Elders Council, Klukwan, Alaska Nov. 8, 2004.

P26 Care of the Council Grounds, asserts Strong, is foremost... Strong, Kimberly, Interview with author, Klukwan, Alaska, February 20, 2007.

### Chilkat Valley Environmental Notes

#### *Fun Facts about the Alaska Chilkat Bald Eagle Preserve:*

- ✓ The Law: AS 41.21.610-41.21.630, article 16(a)-(b-1-4) “The primary purpose of establishing the ACBEP is to perpetuate the Chilkat Bald Eagles and the essential habitat within the ACBEP in recognition of their statewide, nationally, and internationally significant values in perpetuity.
- ✓ The ACBEP is also established to: (1) Protect and sustain the natural spawning and rearing areas of the Chilkat River and Chilkoot River systems within the preserve in perpetuity; (2) provide continued opportunities for research, study and enjoyment of bald eagles and other wildlife; (3) Ensure to the maximum extent practical water quality and necessary water quantity under applicable laws.
- ✓ Federal law prohibits the possession, sale, barter or transport of any part of a bald eagle, nest, or eggs. Violations of the law can result in a fine of up to \$10,000 and two-year imprisonment. (AK State Chilkat Critical Habitat brochure ‘89)
- ✓ Eagles are attracted by runs of salmon made available through warm upwellings. The gravel overburden on the Tsirku fan is 200-800 feet deep. Water coming down the Tsirku goes under the gravel and then is warmed through friction as the solid substrate here Iron Mt.) forces it to well up through these glacial silt aquifers. It stays 4-5 degrees C above freezing; warm enough to keep the river open year-round. (Boeker, Beans)
- ✓ The late chum run may bring as many as 100,000 fish. (ADFG)
- ✓ Chilkat eagles have been located far south on the Pacific Coast, including Willapa Bay, 1100 miles away. (Boeker)
- ✓ How big is the area? 50th smallest state-RI= 1,045 sq. miles; 49<sup>th</sup>=Delaware=1,982 sq. m.; 48<sup>th</sup>=Conn=4,845 sq. m. Haines Boro=2620 sq. miles; Chilkat River drains 958 sq. miles
- ✓ The upper Seymour Canal area of NE Admiralty has the highest concentration of nesting bald eagles in the world, many of which fly to the Chilkat for the winter.
- ✓ Severe cold prompts eagles to leave the valley. Once in winter of 1980 2000 eagles all left in a day or two. (Boeker)
- ✓ 15-year contract allowed for 10.2 million BF from 60,000 acres of state land to Schnabel, committing 83% of old growth to clearcutting
- ✓ Eagle Counts: 1984=3988 “modern record” (USFWS); 1124=1986; 2167=1990; 3233=1984; 1991=3233; 1992=2550; 1993=3284; 1994=2137; 1995=1946; 1996=2212; 1997= 2443; 2000=3444; 2003 (ground count)=3000
- ✓ People Counts: 1993=530 went to preserve Oct 15-Dec 9; 1997=860 people to preserve in November
- ✓ (State parks chief Bill Garry) Chilkat Guides took 13,821 through preserve in 1997; River Adventures=1200 in 1996

- ✓ Staska: for most of the 80s the commercial harvest for late chums was 400,000 w/ 350,000 escapement into Chilkat R, but in 89 escapement dropped to 120,000 despite comm. harvest of 124,000. King and sockeye also down
- ✓ VS; 8-10,00 eagles gathered in the 50s (USFWS: VS #s are “extreme”)
- ✓ (State parks chief Bill Garry) Chilkat Guides took 13,821 through preserve in 1997; River Adventures=1200 in 1996.
- ✓ Council Grounds: Between 19-24-mile on HNS HWY
- ✓ In 1984 there were 96 nests in the valley; fewer than half are used during nesting season, the rest are used by transients
- ✓ In 1999 the eagle nesting success rate was eggs laid in 25 nests, eaglets surviving in six. The 24 percent success rate compares to an average 50-75 percent for SE AK. (CVN Sept 9, 99 p. 9)
- ✓ Signers of the document supporting passage of a bill included the mayor of the borough of Haines, Audubon, SEACC, Haines city mayor, Schnabel Lumber Co., USFWS, LCC, and the Haines branch of the AK Miners Assoc. The only recorded opposition came from Klukwan
- ✓ A title on the cover of *Alaska Mag* Oct 86: “10,000 Eagles in One Place at One Time”
- ✓ The coastline of Admiralty averages almost 2 eagle nests per 2 miles (Robards)
- ✓ Brackendale, BC claims eagle championship with 3766 count in 1996
- ✓ Aerial surveys tend to undercount actual numbers (Jacobsen, CVN 11.27.96)
- ✓ The Chilkat River is 52 miles long
- ✓ Some of the Chilkoot corridor is also in the Preserve
- ✓ More than 280 species of birds visited the Chilkat Valley in the 1970s
- ✓ As of '99 the longest eagle migration recorded is 1600 miles from no. Cal to NWT (ABEF Newsletter, Ap. 99)
- ✓ 35000-40000 BE reside in Alaska (ABEF); 13,000 live in SE, where there are between 8000-10000 nests
- ✓ Chilkat valley hosts the highest concentration of BE in the world (ABEF)
- ✓ A Juneau man files for a \$2000 insurance claim when an eagle drops a 5-pound stick on his speeding car. Laurie D. witnesses it. (CVN Sept 23, 99 p. 1)
- ✓ Eagle dies from attacking a porcupine; one dies a week earlier on the Haines Hwy. (CVN March 30, 2000, p. 7)
- ✓ Each day eagles must consume 5-10% of their weight
- ✓ Alaska Dep of F & G: bird-watching nationwide grew by 155 percent in a 12-year period ending 1995, increasing more than any other outdoor recreation.
- ✓ Sources: Sherwonit, *CVN*, Rearden, Ross, *State of the Preserve*

## Notable Quotes

Menaker, Vivian. Interview with Daniel Henry, Haines, Alaska 10.16.92.

“No matter what battle we’ve had around here, it’s, you call the people a pie. And you have the antis on one side and the pros on the other, and the pie’s cut right down the middle. The argument could change. We’ve still got the pie and the angle might be a little different. So these are against these. And, I don’t know, it seems to be 50-50, no matter what the battle is (laughs).

Ray: Essentially....but there were land-use problems that came up at that point...In other boros people developed land-use plans. They had to because they had planning and zoning, mandatorially. They had to do it. We didn’t have the right, much less mandatory. We didn’t even have the right to plan and zone...and so, we had no land-use plan. And the state had a lot of land around here. And one day the state announced that they were going to develop a land-use plan for their lands. And what was going to be timber and what was going to be recreation...and so on and so on. And some people got really hot and bothered about this, because they felt it was, first of all, I think a lot of people felt, “The state has no right to come in here and do this to us.” (Person from DNR came in, held lots of meetings, developed many overlay maps with inventory of resources.) So the comments from people who were strong on preservation were kind of frozen out of the general getting together. They started in fine, but somewhere along the line, they got frozen out...of course, it was the fact that the mill was closed...well, both mills were closed and one of them had been sold by this time. And so the who situation was real difficult economically here. And there was legislation passed that said you could have long-term up to 25 years timber sales, which is a new departure, negotiated timber sales...Because we always had no more than 5-year sales, and they had to be competitively bid...and there were people who thought this was wonderful. And people thought it was maybe not too good an idea. And there were a lot of differences of opinion for several years in there. Eventually the long-term timber sale was passed. And the mill did open up. And we had more employment. And things moved.

Vivian: But we did save a few places from cutting.

Ray: Then there was a land use plan that was developed...in 1982 came the State Forest and the Eagle Preserve in the same legislation. And that State Forest Plan...mandated a land-use plan for the State Forest, just as the Eagle Preserve mandated a land-use plan for the Eagle Preserve. And those, then, were worked on by the State, by DNR, but local people had a lot of input. And there was quite a lot of fuss and feathers over the State land Use Plan for the Forest, which was eventually resolved and things got quiet.

Vivian: Members of LCC didn’t always say they were members of LCC in those days. (Laughs) I was afraid to talk in some of those large public meetings.

Hansen, Andrew; Boeker Erwin; Hodges, John; and Cline, David. Bald Eagles of the Chilkat Valley, Alaska: Ecology, Behavior, and Management. National Audubon Society, Mar 1984: 25. The Bald Eagle Council Grounds must be given special management. Up to 98 per cent of the bald eagle population concentrates within this approximately 5000-acre portion of the preserve

between October and January each year. Nothing that would place undue stress on the birds should be permitted to occur there during the critical four-month wintering period.

Rearden, Jim. "The Chilkat Miracle." Audubon, Jan 1984, p. 43

(Some wanted Audubon to enter the lawsuit, but they upheld a commitment to advocacy through science—Dave Cline:) "Our approach was to learn as much as we could through scientific research, and to use that information to educate everyone involved, and as a basis for final action... We went into the Chilkat controversy as a peacemaker, a catalyst, searching for an Alaskan solution. Others went at it as if to do battle. For four years our Alaska office had been providing citizens and decision-makers with facts regarding the Chilkat bald eagle phenomenon. Release of a citizen alert entitled 'Conflict on the Council Grounds' and Joel Bennett's award-winning film 'Last Stronghold of the Eagles' paid substantial dividends by spurring conservationists in Alaska and nationwide to action.

"It soon became evident that eagles were important to many Americans. At the height of the Alaska lands debate, Governor Hammond and US Senators began receiving more letters on the Chilkat bald eagle controversy than any other issue. The letters urged Governor Hammond and Congress to protect the eagles. Senator Gary Hart of Colorado, an avid admirer of eagles, proposed a land exchange between the state and federal governments to create a national wildlife refuge for bald eagles in the Chilkat Valley. This frightened many Haines residents, for they felt a federal landlord would be much less responsive to their concerns than a state one. Thus the stage was set for achieving an Alaska solution to the Chilkat controversy.

Erv Boeker, Interview with Daniel Henry, November 1989

I was contacted by the Nat. Aud. Soc. in late '78 after retiring from the USFWS... we started the Chilkat study in fall of 1979—it was to be a 4-year study... Our primary concern was how and why all the eagles collect in the Chilkat, and where they nested... with an ultimate goal to determine the habitat for fish and wildlife in the area... the public relations part of the job was just as much my responsibility as the biology... It was just a matter of time to convince the people here that we were just as much for the people as we were for the eagles... There's definitely a good feeling about the Preserve; all we did was to prevent large-scale developments that would disturb the stream... the preserve allows traditional uses to continue, but might curtail some if it came to a point where it might impact the habitat... Audubon should get some credit for the international and national significance of this area—it is one of the greatest wildlife spectacles in the world... it is good to get the State involved because now the whole world is looking at the Chilkat... our radio study also found a steady turnover of birds in and out the valley. A conservative estimate of the birds that come through here might be at 10,000.



“Some called me a flaming conservationist because I tried to distinguish between healthy and unhealthy growth. Healthy growth is environmentally sound, benefits all the people, and is supported by a majority.” Hammond, Jay. “Hammond: Preserve a Crown Jewel.” CVN, Nov. 21, 1996 p.1

The Chilkat episode served to advance sustainable use of Alaskan resources in several ways. It generated experience in cooperative problem solving, strengthened the roles of the national public and environmental groups as interested parties, demonstrated the essentiality of scientific research, gave permanent protection to a unique wildlife population and, not least, left most participants feeling good about the outcome. Several conditions made the success possible, including the patriotic symbolism of the bald eagle, the lack of high financial stakes, sympathy from important elements of the state and federal governments, and the skill of negotiators. Rarely would such a favorable array of circumstances be found in an Alaskan environmental dispute. Ross, Ken. *Environmental Conflict in Alaska*. University Press of Colorado, 2000, p. 47

#### *What Beat the Windy Craggy Mine?*

If the mine is developed—which won’t happen until the mid-1990s, at the earliest—its owners will probably seek to ship several million tons of copper ore past the preserve to Haines, either by pipeline or by truck. Some connected with the project have said that, if used, trucks would pass the preserve every 1- to 12 minutes for 30 years. Sherwonit, Bill. “?” Anchorage Times Dec. 15, 91, p. B1

The Preserve was important to the debate because the image of ore trucks spilling into the river woke people up. Anything affects our salmon, we react. Ely, Thom. Former President of Lynn Canal Conservation. Interview with Daniel Henry, Feb. 7, 2007

Blank, Norman and Patricia. Interview with Daniel Henry, Haines, Alaska, February 9, 2007

NB: (Modern challenges to the EP) Even recently, people are trying to get at it. Not much over a year ago, Bill Thomas put the heat on the preserve, but we held him back. It’s become a national thing, not state. The threat is big commercial interests—twin-engine, high-powered jets up and down the river. Bigger than Duck and Karen. We understand River Adventures is for sale for \$2 million. People have been talking about buying him out. Zack used to be great, had tapes of all the meetings. Mike Eberhardt tries hard to play the role, you know, good old boy. Duck and Karen are the lynch mob again. I think it’s a good tour...but I think he got greedy and kept getting bigger and I worry about even bigger operations moving in. There are ways to make it work—even a hover craft would work.

PB: And Duck has people working for him who are not as concerned as they should. I think he appreciates the river, but there are others that could care less.

NB: Eric Holle has videos of River Adventures going into Sheep Canyon Lake and spreading a big wake over the banks. And we have tape of Gary Hess talking about it as he went right in with one of these boats.

### Chilkat Valley Environmental Chronology

November 1879- John Muir delivers the “Brotherhood of Man” speech that transforms the last bastion of hostile heathens in America, opening the Chilkat Valley to settlement.

Spring 1884 Rev. Eugene Willard surveys and registers the 640-acre Haines mission reservation (ABT 81)

1898-1950s Prospectors find gold on the Porcupine and vicinity and extract 60,000 ounces of gold

Aug 1902 Theodore Roosevelt establishes the Alexander Archipelago Forest Reserve, what would eventually become the Tongass National Forest, which, at 17 million acres, is the largest NF in US; leaves out the Chilkat Valley because of strong Native presence and uncertain US-Canada boundary.

1929-Alaska Native Land Claims movement begins at an ANB convention in Haines (Dauenhauer)

1936- “Eagle shooting, of all forms of rifle shooting, is...most attractive to the finished rifleman.” *National Rifleman* as quoted in *Nature*, vol 8, 21,1936, p. 106

1939- 19-year-old John Schnabel arrives from Klamath Falls OR to join his father and brother in a sawmill business.

1939- U.S. Forest Service projects an annual cut of two billion board feet to supply five pulp mills in the region. Sawmills in Ketchikan and Juneau supply lumber yards in Anchorage and Fairbanks. Louisiana Pacific (LP) government loans and subsidies construct a pulp mill in Ketchikan in 1955, joining an existing sawmill. A few years later, Japanese-owned Alaska Lumber and Pulp (ALP) builds the second pulp mill in Sitka, then a sawmill in Wrangell. Due in part to limited access to Tongass timber after the other big mills, the Juneau mill fails in the 1950s, but in Haines, Schnabel Lumber grows.

June 8, 1940—National Bald Eagle Act establishes federal protection; Territory of AK pays a bounty of \$1 to \$2.50 on eagles, which supposedly preyed on salmon=128,000 destroyed; statehood ended the bounty

-1947 Statement by Paddy Goenett identifies Native ownership in the Haines area (Light 28)

1955- Ray and Vivian Menaker arrive from Pelican, AK.

- September 1957 To develop mining, villager council members push Congress to pass special legislation establishing the Klukwan reserve at approx. 900 acres and confirming it as a permanent withdrawal, thus joining Metlakatla as the only other statutory reserve created in AK. (Hotch, Lani. "In Klukwan" CVN 02.25.93)

-1959 Alaska statehood; the State begins land selections, including large withdrawals in the Chilkat Valley

-1959 US Court of Claims decision establishes a legal basis for Native land claims in AK

1959 Columbia Mining Company announces plans to develop iron ore deposits near Klukwan requiring diversion of the Chilkat River and disposal of tailings over approx 3840 acres of flood plain. Plan dropped in 1960 due to unprofitability.

1960 Klukwan Iron Ore Co. incorporated in partnership with US Steel

Early 1960s USFWS agent James King conducts first eagle surveys; Fred Robards initiates eagle banding on the Chilkat

1965- Ray Menaker and Bill Hartmann begin publishing the *Chilkat Breeze* as a school journalism project.

1966- Menaker and Hartmann publish the Chilkat Valley News

1966- After the State passes the Mandatory Borough Act, Haines is required to organize into a borough. It becomes the first and only Third Class Borough in America with little authority beyond running schools and public facilities.

1968 Five years of bald eagle research from USFW scientist Fred Robards resulted in a cooperative agreement in 1968 to protect eagle nest trees during logging, mining, or road construction.

1971 Alaska Native Claims Settlement Act transforms tribes into regional and village corporations whose purpose was to sustain an income for shareholders by selecting and developing tribal resources. Klukwan announces plans to mine the largest iron deposit in North America in a mountain behind the village that drains into the Chilkat River. To sustain 900 jobs for 20 years the operation proposes to dredge the entire Tsirku Fan, including the Council Grounds and Klukwan, which would have to be relocated. (Kalen, Barbara. "Klukwan Iron: Soon?" CVN, Oct. 4, 1971:1)

Sept. 30, 1971—Consent agreement signed between Mitsubishi Corp and the Klukwan Village Council to mine Iron Mtn. Dick Hotch, Steven Hotch, Edwin Kasko, and Joe King sign the agreement. Plans are made to move the village as the mining operation would cover the whole council grounds. (CVN, Oct 4, 1971:1)

1971- Proposed long-term timber contracts in the Chilkat Valley prompt Vivian Menaker to write a letter to Audubon. "...I told them that here we have thousands of eagles every fall. And they came here for the fish. And their habitat was going to be affected, I feared, by all the cutting that went on." She manages an arid chuckle. "I kept very quiet about that letter for years and years and years."

1971: Increasing threats to the area spark the creation of Lynn Canal Conservation, incorporated by Ray and Vivian Menaker and Frank Holmes. The founding board of directors included Bruce Gilbert, Patricia and Norman Blank, Charles Brouillette, Richard Folta, Gil Smith, Vivian Menaker, Barbara Kalen and Joanne Beierly.

1972 With an emergency order Gov Jay Hammond creates the 4800-acre Chilkat River Critical Habitat Bald Eagle Council Grounds to “protect and preserve habitat areas throughout the state...(restricting all uses) “not compatible with that primary purpose.”. (USFWS recommended 128,000 acres)

-Commercial fishing advocate Dorothy Fossman responds with a letter in the *CVN* and 211 signatures to the governor: “Let’s create a refuge for the people in this area, as the people represent the minority group and not the eagles! Let’s get back to the people, the economy and proper development of the great State of Alaska.” (Letter to CVN, Jan 31, 1972: 2.)

March 16, 1972—Haines Chamber submits a petition supporting a reserve that protects bald eagles on the Chilkat (signing: Heinmiller, D. Fossman (for Klukwan), VanHoesen, Olerud, P & N Blank, David Light, K. Culp (Snowburners), E. Sykes (HNS Sportsmen’s Assoc.), Mike Roscovious (F&G, Gary Saupe Forestry, DNR)

March 19-25, 1972—Letter to Gov. Egan, “As a community contribution to National Wildlife Week, the undersigned are in favor of the Chilkat River Critical Habitat Area” (J and E Schnabel, K and B Heinmiller M and H Tengs, Van Housen, Ray Rose, Culp, P Blank, others...)

1973 Chuck West launches the modern Westours, including motor coaches and a fleet of 8 boats.

May 1974 Meetings in HNS and SKG review resource info for creation of the Haines-Skagway Area Land Management Plan

-LCC and SEACC suggest lands protection; Alaska Logging Assoc. and local timber businesses suggest maximum yield; Klukwan IRA=2.6 million acres

1974 All local timber allocated by the State sale of 1969 is cut; mills seek more

1974 Haines population=2100

1975 Pacific Lumber Company closes

1975- State considers Tanani Point tank farm as a petrochemical plant

-In 1977, the Borough conducts a survey with a 42% response rate that exactly splits public opinion for and against the petrochemical plant.

1976- To counter the swelling interest in eagles, a group of businesspersons, fishers, miners, and loggers align in the Haines Coalition. Spokesman Merrill Palmer declares that eagle preservation is part of an environmental conspiracy to “bring this country to its knees” and that those advocating protection for the national bird were “enemies of liberty and justice.” Palmer, Merrill quoted in Stratton, Jim and Marty Peele. “Haines Lawsuit: The 25,000 We Don’t Owe.” *Ravencall*, Summer 1983: 2.

1976-78 Wilderness Research Institute (Steve Waste and two other biology grad students) population study reveals that Chilkat eagle congregation is largest in world.

1977 Proposed Haines-Skagway Area Land Management Plan subsidizes a 20-year sale for Chilkat Valley forests.

1977 Jay Hammond proposes the Bald Eagle Council Grounds State Park in the Chilkat Valley. Norm Blank recalled a Fish and Game hearing for the proposed park:“ ‘We don’t need a trial,’ somebody shouted out as the biologist stood to begin the meeting. ‘Hang ‘im!’”

“We sat in the front row The lynch mob behind us got their points across and nobody dissented. At the end of it, Leo Smith loudly said, ‘That’s the last time they’ll ever be back.’ Well, it was too late for that.”

1977 Vivian Menaker writes a letter to Audubon about Schnabel’s plan to log cottonwoods in eagle habitat.

1978 Audubon sends biologists Erv Boeker and Andy Hansen to Haines for a two-year study to gather data and assuage tempers. Their arrival prompts further vitriol. On a flyer posted around

town the Haines Independent Business Association warns that any further effort to protect the national birds will incite a rampage: "It would take a platoon of Army (sic) to protect those eagles."

1978- Norm Blank: We had some big meetings at the Legion and it was packed. I remember Ruth Katzeek saying, "Who would ever want to come here and see eagles?" Jeff David made a big speech against a preserve. (Laughs) Evans Willard stood up and said, "You got to be careful about those bird watchers."

1979- Erv Boeker conducts meeting after 20 eagles shot and killed in Chilkat Valley. Bill Thomas: "Erv was honest and really laid back. Some of the others were working on emotion, but Erv came in and worked on real needs."

Boeker knew his studies or outside threats weren't enough to change local attitudes. Support had to come from within. He said that his greatest success came from frequenting Main Street bars where "I could see my detractors up close, and let them get a load of my ugly mug."

" 'What d'ya wanna save eagles for?' millworkers asked. 'Can't eat 'em' was the usual line," Boeker recalled, chuckling at his retort. "You can eat 'em a helluva lot easier than you can one of those damn trees of yours." They'd laugh and Boeker would buy the next round. Humor and respect, Boeker said, were the keys. "It was just a matter of time to convince the people here that we were just as much for the people as we were for the eagles." (Interview with DH 1989)

1978-79 Hearings with Gary Hart (US Senate) Robert Mrazek (US House) about national park status became shouting matches (Haines "screamed out against it like gut-shot rhinos."-DNR Commissioner)

- U.S. Representative Morris Udall (D-AZ) includes federal land designation for the Chilkat in HR 39, pre-ANILCA. Haines mayor Jon Halliwell's response at chamber of commerce meeting: "Don't hire hippies." Halliwell told me a decade later that "we felt surrounded—a new breed wanted us out."
- Duck Hess on an HR 39 hearing: "I show the map to these other guys and it heats up. We totally disrupted the meeting, we're were makin' it known how big it was. The gal that was heading the meeting never came back again. They got rid of her and got somebody else in. They wanted to make the Chilkat Valley a satellite park of Glacier Bay. That was it. And that was the beginning of the separation here in the valley."

1979- DNR announces its revised land use plan a 15-year contract negotiated by Schnabel for an area of high employment with an underutilized/overbuilt manufacturing facility, and underutilized allowable cut. Plans are made to cut the forests around the Council Grounds, including the cottonwoods along the river.

1979- The next month SEACC files a preliminary injunction with Sierra Club LD to stop the sale

1979- The Nature Conservancy of Alaska gets its start with donation of 320 acres of the “Dalton homestead” to the preserve by Lois Jund and Dorothy Whitney

1980- Superior Court refuses to grant SEACC’s pre-injunction and requires it to pay costs. State supreme court agrees, but strikes down the payment.

July 21, 1980- Gov. Hammond declares a moratorium on logging in the eagle area, cancels the Schnabel contract, and allocates \$250,000 for study; Haines-Klukwan Cooperative Resource Study Advisory Committee, including Jon Halliwell, Bill Thomas, Dick Logan (ADFG), Dave Cline (Audubon), Jack Hodges (USFWS), Reed Stoops (DNR, chairman), and Jim Duncan (legislator).

1980 Pre-ANILCA legislation (D2) includes the Haines-Klukwan Natural Resource Study for research of eagles and habitat. Threat of a study provokes heavy opposition from the City of Haines and Chamber of Commerce, led by Porcupine miner Merrill Palmer.

Halliwell, Palmer and others told the Governor that they would strike a deal if he called off the Feds. Hammond agreed. Senator Hart signaled that he would delay action if local groups could reach an acceptable consensus. The governor called a moratorium on development in the Council Grounds, cancelled a long-term timber contract with Schnabel Lumber, and appointed and funded the Haines-Klukwan Cooperative Resource Study Advisory Committee. It was charged with a plan to protect eagles and create a blueprint for planning a larger swath of Haines Borough as the Haines State Forest, the first state forest in Alaska.

January 1982- 15 stakeholders meet in Haines to finalize eagle preserve details.

Unable to reach agreement on allowable timber cut, the group fizzled. A blizzard grounded all air traffic. A ferry wasn’t scheduled for the day, so the group continued their work. Schnabel argued that there had to be enough timber to sustain a mill. How much is that? Menaker asked. What is the magic number? “The real push for the eagle Preserve, I think, came from the timber and mining interests because they wanted to get out from under the moratorium,” Ray recalled. In the end, “timber interests lost somewhere between 4-5000 acres of timber land because the eagles needed it, and the rest of the forest is still open for logging...Everyone who sat around the table agreed that the traditional uses such as fishing, trapping, jet boats, access, and recreation should continue.”



The only no-vote came from Joe Hotch who claimed stewardship of the 2.6 million acre Chilkat *Kwaan*. The village agreed to comply with Preserve legislation as long as the State recognized Native subsistence rights.

June 15, 1982 Governor Jay Hammond signs into law the Alaska Chilkat Bald Eagle Preserve with five management commandments: Foremost is the vow to “protect and perpetuate the Chilkat bald eagles and their essential habitats.” Next is a promise to “protect and sustain the natural salmon spawning and rearing channels” of the river “in perpetuity.” Water quality, public uses “that do not create harm,” and perpetuation of traditional lifestyle fill the decree.

On the Preserve’s 10<sup>th</sup> anniversary, Hammond calls it the “crown jewels of cooperative resource management, unlike any other land protection effort in American history.”

1983- Audubon filmmaker Joel Bennett produces, *Last Stronghold of the Eagles*, testimony to the possibility that “land management issues can come to a consensus instead of strife.”

1983-84 Haines Independent Business Association and Chamber meet to discuss future with eagles, appoint Dave Olerud head of economic committee

January 1984- Audubon runs “The Chilkat Miracle” as a cover story

1984- Bald eagles endangered in 43 states; 30,000 eagles lived in AK

1985 Haines State Forest review meeting—John Schnabel offers olive branch

1985- Celebrity eagle viewers include Charles Kuralt who shows the Preserve to millions of TV viewers, and Sen. Howard Baker (R-TN), who announces his bid for the presidency. “Among the symbols that characterize our great nation, none holds more power than the bald eagle. There is no better place than here, at the home of the American bald eagle, for me to declare my intention to be the next president of the United States of America.”

1986- Jon Halliwell hires Chip Waterbury as Haines’ first tourism director, paid for by a 1% sales tax increase dedicated to tourism.

1986-Schnabel Lumber becomes Pacific Forest Products when Mike Chittick buys it in Two years later, Chittick sells it to Ed Lapeyrie and Larry Beck, bolstered by millions in state loans and grants.

1986- 650 photographers visit the Chilkat Valley

1987-88 Mayor Jon Halliwell sponsors Haines Conferences I & II

1989 Geddes' Resources announces its intent to create the world's largest copper mine in the Tatshenshini watershed, and store mine tailings on a glacier. Releases its initial scoping report in May.

May 1990 Geddes Resources holds a town meeting about the proposed Windy Craggy Mine in which more than 500 participants converge in the HS gym

1990 250,000 cruise ship visitors to JNU

November 1991—PBS includes the eagle preserve in opening segment to “and of the Eagles,” an 8-part natural history series

October 1992- Brenda Wilcox succeeds in a push to remove Ray Menaker from the Preserve Advisory Board for being a “Communist”

June 22, 1993 Establishment of the 2.2 million acre Tatshenshini-Alsek Provincial Wilderness Park

1993—Katey Palmer finds a 28-year-old eagle that set the record for wild eagle longevity (CVN, Apr. 24, 97. p. 1)

1993- Ten percent of all visitors to SE AK during the summer of 1993 came to the Chilkat Bald Eagle Preserve and 5 percent saw the Chilkat Dancers, in *Southeast Alaska Visitor Profiles*, produced by the McDowell Group, statistics compiled for the Alaska Visitor Statistics Program.

Most visitors arrive by cruise ship, 317, 500 in 93...average visitor was 55 years old with an annual income of \$61K; JUN most popular destination. Av. Stay in HNS was 2.3 nights Blum, Bradley. "Study finds eagle preserve, Chilkat Dancers top attractions." CVN, Oct. 20, 1994: 1

Summer 1994 RCCL ships repeatedly dump wastewater in Lynn Canal

1994- American Bald Eagle Foundation building opens

July 16, 1994 American Bald Eagle Foundation grand opening draws all factions, including preserve opponent Marty Tengs: "Now that it's here, I'll grin and bear it.

August, 1994- Chilkat Eagle Preserve Foundation formed, chaired by R Menaker to raise money for eagle preserve, wants to earmark money for the preserve from gifts, grants, or legislation. In more than 11 years, the preserve has yet to receive any operational funds from the legislature, said Southeast parks manager Bill Garry.

Staska: It's ironic that the reserve hasn't received any funding for research since studies in the early 1980s identified the area's uniqueness and helped lay the groundwork for creation of the preserve. "This is long overdue. The management plan way back then pointed out the needs and proposed ways to manage the preserve, but less than a handful have been addressed, (including public safety and habitat questions about the winter chum run...) (Board: Menaker, Staska, Gilbert, Bruce, Folta, Blank) Hedrick. CVN, Aug 25, 1994 p. 1

October 1994 Welcoming ceremonies in Haines and Klukwan for Whale House Artifacts

November 1995- Dan Egolf and others organize the First Annual Alaska Bald Eagle Festival

Dec. 21, 1994 NPS announces a 72% increase cruise ships to Glacier Bay, despite overwhelming public opposition

1995 Chilkoot sockeye escapement of 7,209 was the lowest on record (later associated with illegal dumping by RCCL)

1995 Four “Haines 2005” Meetings led by Lenise Henderson envision projects in the Haines area, including the harbor and Tlingit Park playground.

June 1995 Nearly a hundred residents opposed to heli-tours attend borough assembly

1995 to 1996- LCC advocates a ban on summer helicopter tours in the Haines Borough.  
A 1996 survey shows majority of Haines voters oppose summer helicopter tours.

February 1996- HNS Cruise numbers- Almost twice as many cruise ship passengers are expected to visit Haines this summer as did just two years ago, according to city tourism director Tyson Verse. The tentative schedule shows 16 ships making a total of 181 calls...94,643 visitors. Half of the visits from RCCL. McAllister, Bill. “Cruise dockings set to increased this year.” CVN, Feb 29, 96 p. 1

May 1996 Haines Good Neighbors Conference— Dan Henry facilitates a community code of conduct signed by Duck and Karen Hess, Menakers, Norm Blank, Bill Thomas, John Schnabel, his daughter, Debra, and 42 others.

June 20, 1996 Due to a dramatic increase in cruise ship water purchase and treatment, the City of Haines’ treatment plant maxxes at 500,000 gallons per week.

1997 NPS allows increased cruise ship traffic in Glacier Bay—107 to 139 visits, prompting a lawsuit from NPCA arguing a full enviro study was needed. US Ct of Appeals agrees, and reduces traffic to pre-96 levels until the study is done.

1997 McDowell finds cruise passengers spend an average of \$51 in HNS.

November 1997- At the third annual Alaska Bald Eagle Festival Audubon Alaska director Dave Cline says about the Preserve: “The first guy who called me was this fellow, Dave Olerud, who tells me that if Audubon tried to impose our will on the Chilkat Valley, it would take an army to budge the residents. The battle lines were drawn.” To merge the disparate camps, Cline says, Haines had to accept “living in the company of eagles.”

Summer 1998 RCCL ship *Nordic Empress* is caught dumping in SE AK

Summer 1998- Glacier Point opens to commercial tourism, bringing 1228 customers; by 2000 more than 10,000 toured Glacier Point

Bart Henderson called the (White Pass) railway a key piece in Haines' tourism scene. "There's no question, when the train was down for a couple of years, things just dwindled fast." Williams, Steve. Local tours thrive on Skagway cruise business. CVN Aug. 6, 1998: 1.

Nov 1998—Dan Hart named ABEF executive director and Angie Hodgson as resident research biologist.

Ap. 1, 1999 RCCL donates \$30,000 for Haines baseball field.

April 15, 1999 Klukwan Inc. announces plans to develop HNS tourism

Aug. 7, 1999 RCCL pleads guilty to dumping waste off the West and East coasts, in the Caribbean and in the Inside Passage of Alaska, and is fined \$18M.

Aug. 14, 1999 LCC enters the float, *Legend of Disease*, into the state fair parade, provoking several outbursts culminating in the "Tomato-Throwing Incident."

Aug. 17, 1999 Protest group of 80+ meets RCI's *Rhapsody of the Seas* at the Port Chilkoot Dock.

August 25, 1999 Royal Caribbean Cruise Line's Jack Williams apologizes to Haines, including 130 people in the ANB Hall.

Oct. 1999 Special Expeditions Cruise Lines announces that it will drop HNS in 00 due to overcrowding

1999- Angie Hodgson counts 125 eagle nests in Haines area, 30 of which had eggs

1999 American Bald Eagles Foundation sees 44,000 visitors, 2/3 from cruise ships

December 7, 1999 Fred Folletti and Gene Rajala sentenced for throwing tomatoes at an anti-cruise dumping parade float.

January 2000 None of the RCI fine money allocated to the State goes to Haines projects

February 2000 The final \$2M of RCCL's fine money goes to the National Park Foundation for creation of an endowment and marine projects Glacier Bay, Wrangell-St. Elias, and Klondike Gold Rush parks, and 5 other coastal NPs in AK.

Ap. 6, 2000 Three Holland Am employees sentenced for intentional dumping of oily bilge from the Rotterdam in '94.

Ap. 17, 2000 Norwegian Cruise Lines announces they'll pull out of HNS in 01

Ap. 18, 2000 HNS voters approve a 4% tour tax

Ap. 21, 2000 AK Senate passes a \$50 head tax for cruise passengers

May 2000 *Dawn Princess* cancels May docking in HNS due to tax

May 2000 Cruise ships agree to voluntary monitoring of wastewater and sewage

July 18, 2000 Jack Williams holds a meeting at Chilkat Center with 60 generally supportive citizens to announce RCI's enviro upgrades and a \$110,000 donation for ballpark upgrades and uniforms.

Aug. 2000 Gershon Cohen alleges pollution from Celebrity boat; DEC finds nothing.

Aug. 2000 EPA recommends \$110K fine for Princess and a \$55K penalty against Norwegian for violating smokestack emissions standards in SE AK.

September 2000- State imposes moratorium on new tours in Preserve....studies the effects of commercial tours... The (EP) plan did not contemplate the possibility of such tours developing, nor does it address how to manage high numbers of visitors.” (Shane Horton, trying to start a new tour, flips): “He was ‘very angry’ when he found out...the move amounted to ‘castration’ of the advisory board... (Council member Norm Blank): The permit wouldn’t be an issue if it were for kayaks or canoes, says NB. “Silence is a commodity around here...I just don’t think this kind of use is compatible with the preserve.” (Mayor Don Otis): “The eagle council is being used as a forum to limit tourism...the purpose of the BEP is to manage the preserve for the eagles.” Morphet, Tom. “State ends new tours in preserve.” CVN, Sept. 28, 2000.

Oct. 2000 JNU voters approve \$5 head tax

October 2000 Virginia-based Conservation Fund buys 110 acres of the Turner homestead above Chilkoot Lake and negotiates with Floreske on 2.5 acres at 10-Mile... The CF has been involved in the purchase of 3 million acres around the country...it is “the first national conservation organization whose character includes economic development and conservation as primary goals.” “Conservation group negotiates land sale.” CVN, Nov. 1, 2000: 1

Dec. 2000 Royal Carib. Inter’l announces cancellation of cruises to HNS

-Highest year for violations for dirty smoke from cruiser stacks

DEC Test Results of cruisers: High Fecal coliform

Sept. 14, 2000 DNR Haines State Forest Review 20-Year Scoping meeting; advocacy from *Eagle Eye* packs the event with more than 100, many who shout at the DNR moderator. Sixty citizens tell DNR commissioner Bruce Phelps their concerns, which center on the growing presence of commercial tours. Duck Hess insists that his early efforts to start jet boat tours satisfies the “traditional use” clause of the Preserve’s creed. In 2000, River Adventures runs four 150-horsepower jetboats with nearly 14,000 customers. Some locals, including Klukwan chief Joe Hotch, begin questioning the impacts of jet boat wakes on the delicate spawning grounds of the upper Chilkat.

## 2000-01 Twelve meetings of the Chilkoot Working Group

Jan. 2001 HNS Mayor Otis leads local contingent to RCI headquarters in Miami.

Feb. 2001 After an incomplete report is rejected, 9<sup>th</sup> US Circuit Court of Appeals orders NPS to go back and perform a full environmental impact statement on cruise ships #s in Glacier Bay.

May 2001 Cruise pollution settlement funds go to local enviro projects

June 2001- State Parks makes eagle baiting in commercial tours illegal

July 2001 Sen. Ted Stevens attaches a rider to lock in SQ cruise numbers

Aug. 2001 Carnival, Celebrity and Radisson Seven Seas all assign new vessels to Alaska. "Cruise ship travel is now the single largest growth industry in the state of Alaska." (Jack Williams.)

Oct 11, 2001- Study shows best young eagle population since the studies began in 1980.

October 2001 DNR Eagle Preserve review meetings in Klukwan and Haines

"As at the contentious public hearings in HNS and KLK earlier this year, the proposal to limit motorized commercials tours in the EP drew the most attention from writers...135 of the written comments agree with the predominant verbal hearing response: no commercial restrictions in the EP. (Bruce Phelps): "The economic well-being of the community is an important theme...a strong theme was that if government begins to take away some rights, you begin down a slippery slope that will lead to more rights being taken away. (Mayor Dave Black): "This town is on its knees, and anything we can do has to take in to consideration economic development." ...Eagle biologists Dave Cline and Erv Boeker wrote: "To put such an economic and ecological treasure at risk to satisfy the shortsighted economic whims of an outspoken and selfish minority simply cannot be allowed...Fundamental to the (1982) compromise was recognition of the (preserve) as a special use area" with the adjacent HNS St For estab for multiple use." Williams, Steve. "Land plan revisions draw 550 comments." CVN, Oct 25 2001: 1.



Nov. 15, 2001- Fran Ulmer keynotes the Bald Eagle Festival

“The foundation was evident when the state debated whether to create the Chilkat Bald Eagle Preserve 20 years ago...At the time the debate was framed as an either-or contest...either we log and mine the valley or we collect unemployment. Time has shown that the truth lies somewhere between to two extremes. The communities of Haines and Klukwan deserve much credit for finding a middle ground. They worked with the Audubon Society, the Alaska Miners Association, local loggers and the University of Alaska, all stakeholders in Chilkat Valley, to carve out a preserve for the eagles.” “Ulmer lauds founders of the preserve.” CVN, Nov. 15, 01 p. 6

Jan. 2002 HNS conflicts are highlighted in Alaska Tolerance Commission’s “Ten Ways to a More Tolerant Alaska.” (Commissioner Kochman: “HNS has a reputation and it’s no secret.”)

Jan. 2002 Klukwan Inc. purchases the Haines-Skagway Water Taxi

January 2002- DNR holds commercial tour meeting in Klukwan...

(DNR Comm. Pat Pourchot, Marty Rutherford, Bob Loeffler, and Bruce Phelps come to Haines for semi-private hearing with Chilk Ind Vill, HNS Boro Comm Helicopter Serv Area board, LCC, HNS CoC, elected officials and other interest groups) (Por:) (When making decisions like this one pertaining to jetboat wakes)...”We also look at the social impacts and the desires of the community in general. Heliskiing is a classic example. There’s no scientific evidence that any number of helicopter landing is going to create certain impacts, but the community may feel quite strongly about it and there are social impacts to having some areas open and some areas not. There are lots of decisions that can be made while we pursue key scientific information...The attorneys that have researched the intent of the preserve legislation said traditional uses includes things like hunting, fishing, and trapping. Things of a personal nature, which doesn’t include operating a commercial tour business.” ...Lani Hotch: “We asked lots of questions and tried to impress upon them our concerns about commercial activity and its impacts on salmon and the quality of life. We’re mostly concerned about subsistence,” “Locals air concerns to DNR contingent.” CVN, Jan 24, 02, p. 9

May 2002 - Hank Jacquot’s property is washing into the river due to jet boat wakes from the Hesses.) Jacquot said he’s lost 8-10 feet of land on portions of his 200-yard riverfront parcel, and that the water is threatening to take out his water utility box. I’m not against the tour. I’m against the big boats. When they cut power, they push up a four-foot wave. It doesn’t take a hydrologist to figure that out.” (K. Hess disagrees) “Of course he says that. He hasn’t lost anything, and if he has it’s because of natural erosion. He does whatever he can to make sure that Duck gets grief.

He's jealous and he's been that way ever since we stopped operating from his property." May 16, 02 p. 8

July 2002- DNR submits revised Preserve plan...Bruce Phelps seeks to balance eagles with needs of commercial operators. "We have a strong multi-use mandate to allow commercial tours if possible in the preserve." Prohibits RA from running the Chilkat north one mile south of the Kelsall delta...F&G Ben Kirkpatrick: "Generally, we want to be protective. There is the possibility of an opening, maybe based on time of year or water level. It's such a productive area. We feel it's better to close it now and be able to give it back then. (Karen Hess): "There's no evidence that there's any negative impact. We've been running for 12 years and swan numbers are up, eagles are stable and the salmon runs are the same as they've always been, some years they're up and some years they're down. If it appeared that there was a decline, then I could see them being cautious. They're not using the data they already have that there's no negative impact."

(legislative atty Gerald Luckhaupt): "...the legislature when providing for traditional uses in this and other contexts has not usually included commercial activities within the reach of traditional uses." Williams, Steve. "Tours in the upper Chilkat restricted in final preserve plan." CVN July 25, 2002: 9

2002 Cruise #s = HNS : 80,000; SKG 610,000 (up to 41,000 of those take tours to HNS)

May 2003- Competing studies lead up to issuing of permit... Hesses commissioned a study with Juneau biologist Elizabeth Flory. They want the ban lifted June 7-Aug 15 upriver from the confluence of Kelsall and Chilkat 8 miles north of Wells Bridge. Flory's study concludes that because only a small percentage of spawning occurs in the main stem of the river above the Kelsall, RA should be allowed full use of the upper river...Ben Kirkpatrick says while Flory's report is a good summary of habitat conditions in the river, it understates the Up Chilk's value to local salmon runs, and the potential damage jetboat tours could cause. "She states that because it's only a small part of the system that it's insignificant. We don't agree with that. Our take on it is that we look at a specific stock that's adapted to mainstream spawning. It's important to have all the small stocks that are here and adapt to the conditions."...Kirkpatrick wrote that the Up Chilk is rare habitat because it supports three stocks of salmon... "Because habitat suitability for spawning by Chinook, coho, and sockeye salmon is likely very patchy across the entire Chilkat watershed, any area where aggregations of spawning fish are detected are of particular concern and important for maintaining productivity in the system." RA is barred from running the UP Chilk during the time frame in its large boats because smelt hatched in the Kelsall and Tahini Rivers are passing through the area from April through June and king and sockeye spawn there during the commercial tour season. The lg boats stir up too much sediment along riverbanks that salmon prefer for rearing, Kirkpatrick wrote....the June-Aug ban on large commercial tours on

the Up Chilk also is justified because of the eagle preserve's unique legal status, which places a premium on wildlife habitat... We feel that relaxing the standards in the existing management plan would not meet our statutory responsibility... (Parks superintendent Mike Eberhardt wavers.... due to release permits May 10. CVN, May 1, 03 p. 1 "State rebuts new report, defends ban"

May/June 2004 *Alaska* magazine article on cruising devotes only one line to HNS, a place where "anti-cruise ship demonstrations have led to street scraps complete with name-calling and tomato-throwing."

May 2004—Former Gov. Hammond denounces River Adventures request to feed eagles

June 2004- River Adventures can run its jetboat tours in upper Chilkat River salmon habitat...ruling by DNR Commissioner Tom Irwin. It doubles the range of the RA tours...30-passenger river boats...back in 2002 F&G's director of Habitat Div Chip Dennerlein said: "There is unlikely to be a time when large motorized tours in the delta area can occur without impacting fish habitat in this sensitive and highly productive area."...(F&G found that RA's wakes are ): "ten times greater than that created by small boats" and create "larger sheer stress and dissipation than naturally occur along the Chilkat River banks." (Karen Hess): "not happy about it...last week there was 6 feet of water in the delta and that's enough to run...running eight miles of river just isn't a quality tour for us. If the depth is too low to run without disturbing salmon, then I can see it, but it shouldn't be determined just by a date." Williams, Steve. "DNR decision expands tour routes." CVN June 3, 04: 1

Jan. 2005 Lawsuit filed against cruise ship initiative, citing "devastating impacts"

August 2005- Letter from Jay Hammond and four former F & G commissioners to acting DNR state parks dir, Dick LeFebvre...after barring RA from sensitive parts of the river for two seasons, LeFebvre will open it up to tours...(Nancy B): "DNR has usurped the authority of F & G to manage salmon habitat in the Chilkat River."...Duck): "They've got a few radicals in there who don't want people on the river. If you have a raft or a kayak, that's fine....You can't have a boat on the river without doing some minute damage..." (he ran 9000 passengers up in five boats last year...(former DNR comm Carl Rosier says that since he's talked with people in FG and DNR that he's convinced the tours don't seriously harm the salmon, but still need some permit restrictions: "It would be nice to maintain the wilderness up there. A big jet boat roaring around up thee doesn't exactly give you a feeling of peace and quiet. It's the usual argument." Dobbyn, Paula. "Letter protests jet boats." ADN, Aug. 2, 05: 1.

2005 953,000 cruise passengers to Juneau

Jan 29, 2006 Princess Cruise Lines sentenced for killing a pregnant humpback whale in the previous summer

June 2006- Lawsuit filed by Earthjustice for LCC, SEACC, and Joe Hotch seeking to overturn a commercial tour permit issued to RA for operation in “sensitive habitat” of the EP) (Hotch): There is...concern over jetboats running up and down the river, that they are going to destroy the salmon runs.”...they had exhausted administrative appeals, so have gone to court...the opening of the ‘secondary route’ is allowed up to 565 trips per season, open based on water levels. DNR Comm. Michael Menges wrote that “salmon do not begin spawning in the main channel until the water level drops and clears, usually around Sept 15. By this time the water depths are too low to access this portion of the river with commercial tours, and thus a seasonal restriction seems unnecessary.” He also cites a 05 study that found that fry were relatively unaffected from increased levels of turbidity. However the plaintiff claimed that the twin 150-horse, 32-passenger boats hurt salmon. Hawthorne, Matt. “Lawsuit targets Chilkat River tours.” CVN June 29, 06: 1

(United SE AK Gillnetters (USAG) and Juneau Audubon filed to close RA access into sensitive habitat....(USAG exec. Dir. Ken Duckett): “We believe the jetboats are damaging critical spawning and rearing areas of the Chilkat River. Without strong habitat protections in place, salmon stocks will suffer.” (Lawsuits merged) July 20, 06: 3.

Aug 19, 2006 Alaska Division of Elections intervenes in Aramark’s effort to create illegal polling booths

Aug 22, 2006 Cruise Ship Initiative passes 53-47%

Sept. 2006 JNU sets a record for most summer days with measurable precipitation—109 of 153 days from April through August.

Sept. 2006 NW Cruise Alliance presents a \$25K skiff to HNS harbor.

2006 Cruise ship #s : 111 dockings=31,278 passengers to HNS

## HNS Cruise numbers

Jan. 2007- Cruise ships=89 port calls=up to 29,626 passengers....down from 06 when 111 dockings brought 31,278 passengers Hedrick, Bonnie. "Dockings to dip in 07." CVN Jan 18. 07, p. 1

Feb 1, 2007 Formation of Alaska Cruise Association announced, headed by John Binkley

May 4, 2007 Judge Larry Zervos issues a 10-day restraining order for implementation of the cruise law in response to a lawsuit over the disclosure clause from many HNS, SKG, and SE businesses

May 10, 2007 Friends of the Earth sues the EPA in Fed Court for failure to act on a 7-year-old petition from enviro groups to assess and regulate cruise ship pollution.

2007 Cruise ship #s = 29,626 passengers to HNS

## 2010 Community Matters