

Testimony of Gloria Flora

On behalf of

Public Employees for Environmental Responsibility

Before the

House Resources Subcommittee on

Forests and Forest Health

Hearing on

"Eco-Terrorism and Lawlessness on National Forests"

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To spread their message and inflate their importance, "eco-terrorism" groups must command a prominent public stage. Unfortunately, this subcommittee hearing is aiding these so-called eco-terrorists by giving them the United States Congress as a forum.

This craving for attention is illustrated in a recent self-promoting report on the exploits of eco-terrorists that seeks to magnify the number and impact of their activities. This hearing serves the media agenda of these groups by assigning a greater importance to their role and by attempting to falsely suggest that they are a major force on the vast public lands within the National Forest System.

If you ask Forest Service employees to rank the problems they must confront daily, "eco-terrorism" would not even make the chart. I know because for over 22 years, I was a Forest Service employee and have worked in national forests throughout the West.

My name is Gloria Flora and, in my career in public service, I have occupied many positions including Forest Supervisor on the Lewis and Clark National Forest in north-central Montana and on the Humboldt-Toiyabe National Forest in Nevada and eastern California. I resigned from the Forest Service in 2000 specifically to call attention to the far greater threat of harassment, intimidation and lawlessness that haunts Forest Service employees. I have started a non-profit organization, Sustainable Obtainable Solutions, dedicated to ensuring sustainability of public lands and the communities that depend on them.

I am here today testifying on behalf of Public Employees for Environmental Responsibility or PEER. PEER is a national service organization for the scientists, land managers and law enforcement officers working on our state and federal public lands. Speaking on behalf of the organization, PEER condemns terrorism in any form as do I.

There is a problem of lawlessness facing Forest Service employees and the citizens who visit, work within or live near national forests -- but it has little to do with eco-terrorism. This afternoon I would like to discuss the nature and extent of these challenges, outline the causative factors and conclude with steps we all need to take together toward solutions.

Conflicts over public land management continue to escalate and challenge even the most innovative land stewards and community members. When values collide, the first casualty is the ability to communicate our views with civility and respect. Sometimes, and with a seemingly growing frequency, violence, or threats thereof results.

Federal agents across the West deal with hostile, even dangerous working conditions fanned by the flames of anti-government sentiment.

Each winter, California's Imperial Valley swarms with off road vehicle riders on long holiday weekends. As Bureau of Land Management agents struggle to mitigate the environmental damage caused by thousands of vehicles, more and more, they are forced to protect themselves from the ever-increasing incidents of violence against their ranks. In recent years, rangers have been attacked by mobs, run down by vehicles and assaulted with weapons by off-roaders yelling anti-government epithets.

This past Thanksgiving a record crowd of 200,000 off-roaders descended on the desert wilderness. By the end of the weekend, BLM agents had dealt with two deaths, 220 medical emergencies, 50 arrests, nearly one thousand citations, several shootings, and one ranger run over by an angry 3-wheeler.

As reported in the *New York Times* on January 2nd, Forest Service managers voiced doubts about the safety of sending their own law enforcement personnel into certain areas of these public lands because the danger is too extreme. Internal agency memos describe the situation as near-riot conditions.

Federal agents are often targets because it is their job to enforce environmental policies. In the California desert, some off-roaders resent federal decisions to close portions of the desert to vehicle use to allow the land to recover and protect the habitat of the threatened desert tortoise. As I have witnessed in other parts of the country, some people extend their anger about federal policy into violence against federal employees.

While this annual chaos in the California desert is a dramatic example, it is certainly not an isolated case. According to agency records collected and tabulated by PEER, beatings, shootings, threats and other incidents of violence against federal resource managers, primarily in the West, rose sharply in 2000, and have risen in all but one year since the Oklahoma City bombing in 1995.

Overall, attacks aimed at U.S. Forest Service employees and facilities rose by more than 20% in 2000, the latest year for which we have statistics. Incidents at Fish & Wildlife Service rose by half, while incidents at the Bureau of Land Management (BLM) rose by a third. For all three agencies combined, serious incidents rose by nearly a third in 2000.

Number of Reported Incidents

Year	Bureau of Land Management	U.S. Forest Service	Fish and Wildlife Service
1995	8	34	No data
1996	13 (+61%)	42 (+24%)	No data
1997	24 (+85%)	44 (+20%)	No data
1998	42 (+75%)	53 (+5%)	No data
1999	21 (-50%)	27 (-49%)	6
2000	28 (+33%)	33 (+22%)	9 (+50%)

(Percentage change relative to preceding year.)

PEER assembles these numbers because the U.S. Department of Justice has yet to implement statutory requirements that it compile and report on attacks against government workers. PEER has established its

own database on violence against federal resource agency employees using the Freedom of Information Act to collect incident reports.

These numbers, however, do not begin to tell the story. Employees have reported to PEER many incidents not reflected in the official counts. The agencies have no incentive to aggressively monitor employees' working conditions. To some large extent, agencies often reflect a "no news is good news" attitude with regard to these incidents. As a result, PEER believes that the official numbers significantly understate the true number of events.

Moreover, the bare numbers do not convey the impact even one incident can have on affected employees, agency operations and public perceptions. Take one case: Guy Pence who, until his transfer, was district ranger of the Carson District on the Toiyabe National Forest (before it was combined with the Humboldt National Forest), which includes Nye County, Nevada, the heart of the anti-environmental "wise use" movement.

A Forest Service employee since he graduated college more than 25 years ago, Pence started working on the Toiyabe in 1984, and he developed a reputation as a no-nonsense manager. He suspended or canceled the permits of grazers, loggers and miners who violated permit conditions and environmental laws. One of the users Pence cited for violation was Dick Carver, a Nye County commissioner, private rancher and an outspoken "wise use" leader. Carver gained national attention (including the cover photo of *Time* magazine) in the mid-90s when he drove a bulldozer towards Forest Service rangers in an attempt to open a road that had been closed by the agency. This act added to an already alarming level of tension surrounding public land management issues in Nevada.

A few weeks before the tragedy in Oklahoma City, a bomb exploded at the Carson City ranger station. Fortunately, no one was in the office at the time. The bomb was set outside Guy Pence's office sending a clear signal as to who was the target. No suspects were ever arrested, and no group claimed responsibility.

In August 1995 a bomb exploded under Pence's personal vehicle, which was parked in his driveway. Miraculously, no one was hurt. The blast destroyed the family van and blew out the front windows of the Pence home. Luckily, Pence's wife and daughters had just left the living room. Again, no arrests were ever made and the case remains unsolved.

The Forest Service transferred Guy Pence to its Boise office where his new duties include aviation, fire, and law enforcement. The Forest Service says Pence's transfer was not a demotion, and it maintains that it did not move Pence out of fear. Most people, however, can read between the lines.

Since Pence's transfer, the Boise office has been evacuated several times due to bomb threats. And the employees on the Carson District still fear another attack. They implemented security measures that are now commonplace for protection from terrorist attack.

No matter where they are or how far they go, neither Pence, nor his family, will ever be able to forget what happened in Nevada. While Pence admits that the safety issue looms large, he is much more concerned about his family's safety than his own. He is worried more about the effect the move to Idaho has had on his wife and three daughters. His wife had to give up her teaching job, and his daughters, who grew up in Carson City, have lost life-long friendships. Pence said, "The bombings really made us take stock of our life. Things that seemed routine or normal now seem so fragile and more precious than ever. Actions are so interconnected and their impact can ripple out to affect everyone involved."

The legacy of the Guy Pence was still very much alive when I became the Supervisor of the now-combined Humboldt-Toiyabe National Forest in 1998. By the end of 1999, I resigned my position as Forest Supervisor in protest of the pervasive and escalating intimidation and harassment of Forest Service employees. Let me be clear that I did not allege that there were prosecutable threats of direct violence that were being ignored.

In the previous 18 months, there were none of which I was aware. Rather it was the insidious and increasing acts of hostilities, fueled by media sensationalism, private vendettas and political posturing which made life extremely difficult for many Forest Service employees and their families... 24 hours a day, 7 days a week.

Instead, the legacy of the previous incidents contributed to something almost more insidious: a syndrome I came to call "Fed-bashing." Fed-bashing is a tough phrase. I define it as destructive actions or words meant to hurt and belittle federal employees, personally and/or collectively. It is not much different than racism. You pick a class of people, you decide they are the source of your problems and you proceed to systematically make them unwelcome in your community.

I do not begrudge anyone for being upset with certain federal laws or policies but how we handle that dislike is measure of our own personal integrity and ultimately, the yardstick of a community. Because I resent a tax, I do not have the right to personally vilify the tax collector or members of his family.

Some say that I over-reacted. In an atmosphere of hostility, how do you decide when your employees are truly at risk? How do you calculate how many insults, personal attacks in the media, refusal of service in public establishments, are "acceptable" and how many equal a precursor to violence? When actively hostile citizens threaten to break the law using "Remember Waco" as a rallying cry and the local sheriff, the FBI and the Justice Department warn you and your employees to stay 100 miles away instead of doing your job... is that the warning salvo that violence is just around the corner? The last time someone "remembered Waco" in a very visible manner, over 180 people lost their lives in Oklahoma City. None of them reported a "prosecutable threat" prior to losing their lives.

My point is simple. More than overt acts of violence should be of concern. When frustrations grow and dialogue becomes uncivil, nasty and personally demeaning toward individuals of a certain group of people, an unsavory element is attracted to the fray, like sharks to the smell of blood. There are far too many boastful threats about armed insurrection and civil uprising in the rural West to be sanguine about this situation.

Perhaps my biggest frustration was the behavior of many public officials at all levels who either turn their backs or openly condone such behavior. In response to my expressed concerns about the treatment of my employees and their families in Nevada, a member of Congress, casually quipped, "You're federal employees: What do you expect?"

This phenomenon of elected officials egging on the tensions is certainly not confined to Nevada. Recently, an elected official in Montana likened a Forest Service manager to a Nazi for not openly opposing the roadless initiative.

To evoke the image of fascism and compare it to contemporary public land management in America is at best delusional and, at worst, a disgrace to the memories of those who suffered unimaginable terror at the hands of the Nazi regime. Try to convince the relatives of millions of people who lost their lives that the situations that we face in the rural West are comparable.

To my knowledge, all elected officials, as well as Forest Service employees sign an oath of office to uphold the Constitution and the laws of the United States. That oath should not be taken lightly. Those who wish to selectively support the laws, that is, only the ones that please them personally, should recognize that they are violating their oath of office and are doing a disservice to the public.

No matter how disturbing, these events are only the symptoms of deeper causes. Federal resource employees are targeted because of conflicts surrounding those resources. While the acreage within the National Forest System is vast, the natural resources contained within it are finite.

In many places, public lands are degraded: non-functioning, denuded riparian areas, dropping water tables,

degraded water quality, sediment in streams, excessive fuel build-up, loss of biodiversity, and species heading towards extinction confront us. There are still hundreds of abandoned mines leaking acidic water with a pH of 2 and poisoning ground water, despite billions of dollars spent on clean up.

Look at the cattle industry on public land, for example. Public land grazing is a struggling industry that produces less than 4% of the nation's beef supply. In many areas, the public range can no longer sustain traditional levels of grazing. Plant species are lost, riparian areas shrink. When the lands suffer from overgrazing, people get alarmed and demand that basic stewardship be enforced. The Forest Service re-evaluates the allotment management plan and reduces allowable numbers in some places. The result is that the range con and district ranger are cast as villains attacking custom and culture. Wrong. What is the real story?

The real story is economic and social. The market for beef does not keep pace with inflation, production costs rise, and middlemen profit while price on-the-hoof plummets. Trade policies loosen. Cheap, subsidized beef from other countries flood the borders. People have grown concerned about their health; they no longer trust chemicals, they want less fat in their diet. Although they buy significantly less red meat, they are willing to pay more for chemical free, low-fat beef. ***In reality, these changes in public taste, market forces and international trade agreements affect ranchers' livelihood far more than the laws of Congress or Forest Service policies.***

Some ranchers understand that the Forest Service is not the enemy. Rather than attacking the Forest Service, ranchers figure out how they can use the research capabilities of the government and universities to help determine better techniques to graze cattle, improving weight gain while maintaining habitat diversity. They switch to lower fat breeds, and stop using chemicals. They find a niche market for the product in demand, sell directly to the retailer and get twice the price. These folks work with the agencies and organizations to develop a certification program for beef raised in environmentally sustainable methods, creating a cache for concerned consumers and higher demand. They sell a conservation easement on the ranch and keep it in the family. They thrive, the community thrives and so do their cattle and the wildlife.

By contrast, some of their neighbors try a different approach. These ranchers make sure everyone in the community knows what "those Forest Service bastards" have done to them. They violate the commitments they signed off on in their grazing permit, overgraze the land and their cattle do not thrive. They mortgage the ranch to sue the Forest Service based on what they believe is a constitutional right to run as many cattle as they want, wherever they want on public land, because their grandfather did. They refuse to change. They lose the suit and the ranch is subdivided. They suffer and the community suffers. Whose fault is it?

When seeking the roots of complex natural resource problems, I find it worthwhile to step back and look at the larger context. This often helps us to understand *why* we are where we find ourselves. We must look at local and regional history, social trends, and environmental changes, while examining the national and global trends that affect us.

Looking at the social situation in the rural west, the operative word here is **change**. Life as we know it has changed dramatically and the pace continues to accelerate with every new technological development. Even during the recent period of broad national economic prosperity, there are plenty of pockets within the rural west with lots of folks still struggling to get by. The "have's" are getting richer while the "have not's" see their buying power and political influence waning.

A shift in demographics is also evident; geography for many is no longer essential to job. Many people can work anywhere, and you know exactly the places they want to live-- where the air is cleaner, and the mountains tower majestically over their new home in the last, best place. Indeed local culture is changing: name a town that does not have at least one place to buy espresso.

The population is shifting and growing. This requires a greater degree of tolerance and sharing; a greater

degree of tempering individual demands for the sake of community. This means getting along with others by working out equitable solutions for sharing public resources.

History is replete with examples of civilizations having to share or lose their "traditional" uses. It has only been a little more than 100 years since this society appropriated all resources from the First Americans. Now, a century later, we are again thrusting massive change upon the western landscape, its people and what our culture considers "traditional use" communities. There is much to value in these hard-working decent communities and much we can do to ensure these communities continue to be viable.

Any conservation plan or policy for public lands that does not consider the economic health of both the rural communities of the intermountain west and struggling tribal nations is woefully inadequate. It is not too much to ask for the world's wealthiest nation to have a sound economic transition strategy when we change the way we value and manage the resources on public land. We cannot throw people out of work with just a shrug and a brief apology. However neither can citizens expect that their chosen way of life is an inherent right that all others must protect regardless of the consequences.

Life has never been easy for those who choose to make their living off the land. Prior to the Industrial Revolution, the vast majority of the population depended directly on natural resources for their livelihood. Since the Industrial Revolution, labor related to natural resources has been steadily declining. Now basic extractive industries account for less than 5% of our gross national product.

This shift means that life keeps getting tougher for those who want to continue to make their living off the land while contesting the changes that society mandates. This shift is just as inevitable as the massive societal transformation of the industrial revolution, the invention of the computer and introduction of mass communication. We have accelerated the rate of change--change that is inevitable.

It is not my intention to be harsh or cavalier. I have worked in small communities for over twenty years; I know how badly these dislocations can hurt. It is how we manage that change is critical for both the rural communities in the West and the surrounding landscapes. We, as a nation, cannot consume and waste, populate and communicate at this rate and expect that the rural west will be just like it was when we were growing up. **There is no going back.**

So, what are the solutions? Civil discourse is step one. There is no bogeyman out there. We are all in this together, like it or not. Respectful civil dialogue is an essential tool in establishing and reaching long-term goals for the preservation of our nation's natural treasures. In my opinion, this approach is essential in convincing the American public that an investment in the health of their children's inheritance is wise -- a sound fiscal strategy. Such an investment in restoration and natural wealth accumulation will also bring a sustainable prosperity to the communities previously dependent solely on extraction.

The time is right for the nation and especially the Intermountain West to adopt a new strategy in the management of public lands through civil discourse because the alternative is a widening chasm between the majority of Americans and a shrinking but steadily more extreme collection of groups fighting to maintain a fading status quo of resource extraction at the expense of clean water, productive soil and vibrant wildlife.

I recently read that a Montanan proclaimed that "we, the people, will decide" what uses will be permitted in a heated protest against the roadless initiative. He promised armed conflict and bloodshed if uses were restricted. He is right on the first item, the people will decide. And most of you know that "We, the People..." are the first words in the Constitution. It applies to all Americans. All the Americans who have been paying for the care and maintenance of the national forests, and subsidizing every use for more than 100 years will decide what we leave for the future.

We are facing predicaments that can only be resolved by civil discourse. Through a series of events, natural and social, we are trying to make the land do more than it is capable of in terms of supporting us for the

next hundred years.

Clearly one of the least effective ways of seeking resolution is to vilify the federal employees who are stewards of this land we all share. What sense does it make to shoot the messengers?

The second essential step is to end the Fed-bashing. Public officials at all levels need to provide moral and political support for the district ranger, field biologist, range conservationists and other professional struggling to faithfully execute the law and serve the public in trying circumstances.

Politicians must resist the natural urge to "pile on" when the mob demands "heads should roll." We need more rare acts of courage when public officials are willing to stake their own careers on telling people what is right when it is not popular. We need more leaders willing to stand shoulder to shoulder with embattled public servants, to let them know they are not alone and that someone in the public they serve appreciates the struggle.

In my Forest Service career I met too few real leaders. In Nevada, when my staff really needed support from higher-ups in state and federal government, there was precious little. I resigned to draw attention to that lack of support and, in that I succeeded.

What concerns me is what happens the next time? Will lessons have been learned? Are my successors in the Forest Service doomed to walk the same path, share the same frustrations and meet the same fate? I see signs and fervently hope that collaborative solutions are emerging not just on the Humboldt-Toiyabe but on the other challenging resource faults lines in national forests throughout the West.

The final step is to look to the future. We cannot lose sight of our responsibility to leave a quality environment for the future. The superfund sites and abandoned mines that we spend billions on to stabilize and prevent further damage are perfect examples of waiting until the damage is done to face the issue -- and then shifting the higher cost to the taxpayer and the legacy of pollution to our children.

I do not mean to over-simplify, there are fundamental problems that even the hardest-working folks cannot easily overcome. One is the lack of market incentives to help transition to sustainable methods in industries. Shifting from dependence on non-renewable energy sources is one area that shows promise: fuel cell technology and solar advancements are emerging methods of providing energy, while reducing demand for a non-renewable resources, reducing air pollution and ultimately global warming, as well as providing jobs that can be located in rural areas. Organic agricultural products reduce ground and water pollution, bring higher prices and can be an economical small business in rural areas. There are many deteriorated landscapes and areas of poor forest health. Restoration using the equipment and skills of forest workers is a very viable idea that needs an influx of money and a change of perspective.

A paradigm shift is required in the political leadership of the rural West. In making decisions, local leaders need to take natural capital, i.e., the real dollar value or replacement value for the goods and services that we get from the land, into account. The cost of restoring degraded landscapes frequently far exceeds the value of what has been extracted. But, a plan for managing public land as a long-term trust, ensuring we are living off the interest and not depleting the capital, is possible only with the willing, civil participation of all interested parties.

We need to be willing to collaborate on solutions rather than wanting to overpower and win. Freedom to share and hear all viewpoints was clearly seen by the crafters of the Constitution as an imperative. We need to accept the fact that we do not know everything. There is a golden opportunity to learn from our neighbors and for us to share with them our experience and knowledge. The bottom line is showing respect and civility towards others despite what you think about their opinion or in how they express their relationship with their landscape.

I suggest that our personal relationship with the land is an excellent barometer of how we relate to other people. I believe there are different levels of maturity in land relationships. A child-like attitude may lead one to take the land and its resources for granted, as if it will always be there and it will meet all of your needs. A mature attitude recognizes that you are much more transient than the land. With maturity comes the understanding that you must give and sacrifice for the sake of the relationship. What you take must be returned and never take more than you absolutely need for the sake of those who come after you.

Solutions are tough. We need to recognize that no one is going to win it all. But I remind you, this is not about winning, it is about finding balance through sustainable practices. We are in this for the long-run.

Demaneing each other will not bring about solutions, nor will it suggest to the rest of the nation that we in the West are thoughtful, reflective, inclusive individuals; people who can be trusted to make good choices and therefore deserve greater local control. If we can demonstrate to the rest of the nation that we collectively are far-sighted, cooperative stewards, we will gain the support of the rest of the nation in our efforts to reach sustainable solutions to our considerable natural resource challenges...civilly.

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