

BOOK REVIEW

BACKYARD WILDERNESS. By David Knibb. The Mountaineers, Seattle. 1982 Pp. 233. \$17.50.

In 1964, Congress passed the Wilderness Act¹ "to ensure for the American people of present and future generations the benefits of an enduring resource of wilderness."² Twelve years later, Congress enacted the Alpine Lakes Area Management Act³ to protect and manage a wilderness area of approximately 920,000 acres in the Cascade Mountains of Washington State. *Backyard Wilderness* is the story, from an insider's point of view, of the organizing and lobbying effort that succeeded in creating the Alpine Lakes Wilderness. As a citizen lobbyist, author-lawyer David Knibb participated in this legislative process from 1968 with the inception of the Alpine Lakes as a battle independent of its stepfather, the North Cascades National Park, through the drafting of a bill and finally its passage through Congress in 1976. Knibb is thus eminently qualified to give a personal history of this piece of major land use legislation.

Carved by glaciers thousands of years ago,⁴ the Alpine Lakes Wilderness is "an environment of timbered valleys rising to rugged, snowcovered mountains, dotted with over seven hundred lakes, displaying unusual diversity of natural vegetation, and providing habitat for a variety of wildlife."⁵ While *Backyard Wilderness* recounts the legislative conflict that created the protection for this unique alpine area, Knibb points out that the "story does not concentrate on the area but on that effort

1. Wilderness Act, Pub. L. No. 88-577, 78 Stat. 896 (1964) (codified as amended at 16 U.S.C. §§ 1131-36 (1976 & Supp. I 1977, Supp. II 1978, Supp. III 1979, Supp. IV 1980, Supp. V 1981)).

2. 16 U.S.C. § 1131(a) (1976). That section goes on to define "wilderness" as an "area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain." *Id.* at § 1131(c) (1976).

3. Alpine Lakes Area Management Act of 1976, Pub. L. No. 94-357, 90 Stat. 905 (codified at 16 U.S.C. § 1132 (1976)).

4. For an excellent concise history of the area's geology and exploration by Americans, native and otherwise, see generally F. BECKY, *CASCADE ALPINE GUIDE: CLIMBING AND HIGH ROUTES, COLUMBIA RIVER TO STEVENS PASS* (1973).

5. Alpine Lakes Area Management Act of 1976, § 2(a), 16 U.S.C. § 1132 (1976).

itself."⁶ The thrust of Knibb's book, then, is the ebb and flow of the legislative fight, the battles won and skirmishes lost, all culminating in the passage of the legislation in Congress. As a caution to the novice lobbyist, or as a reminder to the experienced, *Backyard Wilderness* effectively describes each of the triumphs and defeats, the defiant stands, and necessary compromises required to create the Alpine Lakes Wilderness.

Knibb began his lobbying odyssey as a member of the Alpine Lakes Protection Society (ALPS), a citizen's group formed to promote Alpine Lakes legislation. ALPS' initial hurdle was the checkerboard land ownership pattern in the area slated to become the Alpine Lakes Wilderness. In the 19th century, Congress, in order to encourage the opening of the West, granted the railroads alternating sections of land along tracks the railroad companies laid.⁷ The heritage of this "give-away" was a jumble of federally and privately owned land in the Cascade Mountains. From the first, ALPS recognized that any comprehensive piece of legislation would necessarily have to deal with the Cascade's legacy of private ownership. ALPS' proposal, therefore, was to create a wilderness core area protected under the 1964 Act, with a surrounding periphery constituting a National Recreation Area subject to land use controls and emphasizing recreation.⁸ ALPS' solution to the ownership question was essential to its success because no wilderness could exist with alternating sections of clear-cuts.

Finding a means around the problem of ownership interests was not ALPS' only difficulty. Proponents of any major land use effort, like the one involving the Alpine Lakes, always fear losing the war even before the battle is joined. In this case, Knibb describes ALPS' effort to prevent conversion of the wilderness that was continually threatened because of Forest Service policy. The Forest Service granted access across the federal property to private owners who wished to log their land.⁹ In order to ensure that access roads were built to its standards, the Forest Service

6. D. KNIBB, *BACKYARD WILDERNESS* 7 (1982).

7. See, e.g., Act of July 27, 1866, ch. 278, § 3, 14 Stat. 292, 294.

8. D. KNIBB, *supra* note 6, at 29. The Wilderness core area is federally owned. Any private areas to be included could either be acquired by purchase or by trade. The periphery is part federally owned and part privately owned. The land use controls would prevent undesired use of the private periphery land thus creating a uniform use for the entire Wilderness area.

9. *Id.* at 36-37.

would propose a cost-sharing agreement for the road construction. But because the Forest Service would sell the timber on its land to finance its share of the road construction, the size of the clear-cut would double. This arrangement meant that with each passing year less and less wilderness¹⁰ remained to be protected, even if Congress passed any legislation. Facing a continual erosion of the status quo, ALPS' early objective was finding congressional friends to sponsor an Alpine Lakes bill.

Enlisting the right sponsor for a bill is a crucial step in a lobbyist's attempt to pass legislation. Without such insider's guidance, Congress would never seriously consider any conservationist's bill. ALPS found its champion in Congressman Lloyd Meeds from Washington. Although Meeds sometimes seemed to waver in his support for a bill, he nevertheless proved an invaluable link between Congress and ALPS. Though in the end the Washington State delegation introduced four proposals (later narrowed to three) "by request,"¹¹ Meeds remained a positive force behind the Alpine Lakes issue.

Getting legislation introduced merely initiates the battle for its passage and the Alpine Lakes bill soon proved to be no exception to this rule. Bills before Congress go through numerous compromises because of conflicting societal interests. For example, on the one side, the timber industry opposed the Alpine Lakes Wilderness bill because it threatened to lock up vast tracts of valuable timber in Wilderness classification. On the opposite side, the conservation groups desired to preserve a small part of a dwindling, irreplaceable resource. Other interested groups included off-road vehicle clubs and rock hounds who wanted carefully drafted language for the perimeter that would not foreclose their use of the land. And each group had its friends in Congress.

The struggles on Capitol Hill are the truly fascinating part of *Backyard Wilderness*. ALPS, at Meeds' suggestion, sought support for the ALPS bill from the entire Washington State del-

10. The effects of clear-cutting will manifest themselves from three to six generations after the act. *Id.* Thus, one easily sees why ALPS fought these "brushfires" of conversion with such intensity.

11. "By request" means that the Congresswoman introducing the bill is not in fact a sponsor but is merely introducing the bill as a favor to the folks back home. The fact that the four proposals were introduced by request did not matter here since the Alpine Lakes was a live issue and there was little chance that the bill would die from inattention. *Id.* at 72.

egation of two Senators and seven Congressmen and Congresswomen. But keeping all of their divergent views in line, even on a compromise bill, was no easy task. Congressman Mike McCormack from eastern Washington, the timber industry's man in Congress, proved to be the biggest obstacle to getting a unified voice from the Washington delegation. McCormack insisted that the Alpine Lakes proposal would create a near catastrophic job loss in the timber industry in eastern Washington even though the facts clearly indicated otherwise.¹² As a result of McCormack's stance, the attempt to unify the delegation was eventually abandoned. Despite this setback the bill progressed to a subcommittee "mark-up"¹³ but did not emerge unscathed.

Compromise characterized the subcommittee's bill. When returned to the full committee, the bill included more wilderness area than ALPS had originally proposed. Gone, however, were the land use controls in a perimeter constituting a National Recreation Area. Although a "buffer" zone had been created,¹⁴ there were no controls over private land. Approved by the full committee in substantially this form, the bill went to the floor of the House. In a characteristically anticlimactic vote, the House passed the bill sending it to the Senate for a similar vote orchestrated by Washington's Senator Henry M. Jackson.¹⁵ President Ford signed the bill on July 12, 1976, and six years of hard work came to an end.

As a frequent visitor to the Alpine Lakes before and after its designation as a Wilderness area, and as a witness to the subcommittee field hearings in Seattle, I took a particular interest in *Backyard Wilderness* as a chronicle of the legislative effort required to save a unique wilderness area. Knibb's account of this effort, however, is potentially appealing regardless of whether one has ever traversed the Alpine Lakes wilderness. A readable story of one lobbying effort, *Backyard Wilderness* will be enjoyed by anyone with an interest in government. It illustrates that a citizen effort to affect the law under which we all

12. *Id.* at 136-37.

13. "Mark-up" is the "kitchen work" of Congress. In mark-up, a bill is rewritten to ensure its procedural integrity and constitutionality, and to hammer out any final compromises. *Id.* at 168.

14. *Id.* at 163.

15. *Id.* at 206-18.

live can successfully preserve a priceless and irreplaceable resource for future generations.

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