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POLITICAL DYNAMICS OF WILDLIFE MANAGEMENT: THE GRAND CANYON BURROS

by R.W. Behan

School of Forestry, Northern Arizona University, Flagstaff,
Arizona, 86001

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INTRODUCTION

Controversy and conflict seem to be the context in which public resource management takes place today.

There is a sizeable controversy swirling around the management of wild burros in the Grand Canyon. The issue attracted my attention soon after my family and I arrived in Arizona, from Montana, several years ago. The burro issue seemed to parallel another resource controversy--over forest management practices on the Bitterroot National Forest in Montana--that I had witnessed there.

The paper to follow compares the two issues and, relying on a smattering of political science, attempts to find some first approximations of more effective, and perhaps more comfortable, styles of public resource management.

I am wholly in the resource manager's corner--not with respect to the burro issue per se, because I don't have the faintest idea of what should be done with them (and, respecting both arguments, I don't care a whole lot more)--but because I think I have something here the resource managers can use.

A great deal of human misery has resulted, however, from such presumptions as that: I do not intend to slay any resource managers for the sake of their own redemption, but if they find this gospel useful, or even appealing, I will be amply rewarded.

Two years ago, at the 41st "North American" in Washington, D.C., Steven Carothers, Merle Stitt, and Roy Johnson presented a paper entitled, "Feral Asses on Public Lands: An Analysis of Biotic Impact, Legal Considerations, and Management Alternatives." (Carothers, et. al., 1976)

In it they discussed the problem, as they saw it, of wild burros in Grand Canyon National Park; they presented the results of Carothers' excellent research; and they made some suggestions about solving the problem.

Domesticated burros were brought into the Grand Canyon roughly 100 years ago, apparently, by the early prospectors and miners. When their grubstakes ran out, so did the prospectors, but their burros, some of them, stayed behind, either turned loose or escaping into the vastness of the Canyon. They thrived, reproduced, and their descendants are with us yet, long since having become a feral population.

As long as 50 years ago, Park rangers began "...reporting to the superintendent that for the sake of the native wildlife, drastic control measures were needed to restrict the destruc-

itive and rapidly expanding feral ass population." (Carothers et. al., 1976) For half the time the burros have been with us, the ranger force has sensed a problem, and they undertook a sporadic control program. By 1931, almost 1500 burros had been shot.

Between then and 1969, 252 animals were live-trapped and removed, and almost 1200 more were destroyed. Some 400-odd burros were shot from helicopter gun-ships in 1969 (Walters, 1977) and this event, coupled with the rising public sentiment for protecting wild horses and burros, put an end to the active control program.

From March 1, 1974 until January 31, 1975, Carothers conducted his research, a soundly conceived paired-plot study that documented the ecological consequences of burro use in the riparian and desert scrub habitats. He, Stitt, and Johnson concluded that the burro problem remained largely as the earlier rangers had described it, and suggested direct reduction through shooting as the only feasible solution.

That was two years ago. Since that time the issue has become a little more widely known, rather more complicated, and a great deal more robust.

On the basis of Carothers' research, apparently, the Grand Canyon administrators decided to proceed with a control program. They now had some solid data to work with, but they were well aware of the controversiality of burro reductions; and, since 1969, the National Environmental Policy Act had been law. If the proposed program constituted a "major federal pro-

gram," or if it promised to be "controversial," there would have to be some sort of inspection made and a report filed about environmental consequences. The Grand Canyon administrators decided to proceed directly with a full-scale, detailed environmental impact statement.

The Regional Office people in San Francisco felt otherwise. Burro reduction programs had been carried out in Death Valley and Bandelier National Monuments without public outcry, and they felt the Grand Canyon situation would be no different. They persuaded the Canyon managers to proceed instead with a less detailed, somewhat more casual, "environmental assessment."

The Canyon people did so, and by late fall in 1976 they had produced, printed, and distributed a document entitled, "Feral Burro Management Plan and Environmental Assessment." (National Park Service, 1976)

Relying heavily on Carothers' research, the plan proposed the program suggested in the Carothers-Stitt-Johnson paper: eradication of the burro population through shooting. And the plan "would be translated into a field exercise" after a 30-day review period.

Public reaction was immediate, intense, widespread, and serious. Headlines proclaimed, "Grand Canyon Burros to Face Firing Squads." (Arizona Daily Sun, 1976) A citizen from Philadelphia wrote to the Canyon, with copies to four members of Congress, and said (Clinton, 1977):

I have just learned of one of the most stupid actions that I have ever heard of. Who was the nut that has decided that a bunch of morons have the right to go

out and shoot down 500 to 1000 innocent burros
in the Grand Canyon?

That was typical of the flood of correspondence to Park officials, to Washington office people, to the Secretary of Interior, to the White House, and to Congressmen and Senators by the score. A "Committee to Save the Grand Canyon Burros" sprang into life in Tucson, Arizona.

And on February 4, 1977, that group and two others, the American Horse Protection Association and the Humane Society of the United States filed suit in the U.S. District Court in Washington. They sought a declaratory judgement and injunctive relief: until a full environmental impact statement was written, the Park Service would be prohibited from implementing the burro eradication plan.

Interior Secretary Andrus rendered the case moot almost immediately, when he ordered the Park Service to follow the plaintiff's request precisely: there would be no shooting until the full EIS process had been completed.

That was a year ago. The managers at Grand Canyon were to have an initial draft finished by December of 1977, and they did have. It is circulating internally now, apparently, and will be released for public comment shortly.

As of February, 1978, there the matter stands.

What are we to make of the case? At least on the surface, the professional judgement of the managers, whose charge was to manage the Park's resources in the public interest, has been challenged and stymied by a small but effective coalition of

obstructionists. This is a matter of concern to the managers, who might assert, "We must manage for the benefit of the 'silent majority,' not a shrill, vocal, emotional minority." The managers had made their judgements based on their professional expertise and resented, I suspect, the interference of emotional laymen. Indeed, in their 1976 paper, Carothers, Stitt, and Johnson quoted from an article by a burro-lover and called it an "example of the severity of public hysteria with which land managers must deal." (Carothers et. al., 1976)

I want to inspect this case clinically, as a student of resource management controversies. My purpose is simple and would be shared, I believe, by most public resource managers: what can we learn from it, and how can we improve the practice of public land management?

There is a single element in the case that might constitute the foundation for the entire controversy. That element is the extremely high degree of esteem granted the National Park Service by the millions of people that know about the parks and care about them. The "image" of the Park Service is one of unblemished good work in the name of good causes, and the image has endured for generations.

Public esteem can hardly help but generate a high degree of self-esteem among Park Service personnel. They feel good about their performance of a worthy mission, and they have accumulated a long-standing, almost instinctive knowledge of which practices serve "the public interest" and which ones don't. They have confidence in their professional expertise, and the clarity of their policy-mandate is unquestioned.

These sentiments were summarized by one of the Canyon managers, it seemed to me, thoroughly and forcefully in a memorandum to the Superintendent. Arguing for an aggressive response to the lawsuit, the manager wrote, (NPS, 1977):

The integrity and well being of this great national park is being assailed, and [unless we eliminate the burros] we stand in clear violation of our own principles, policies, and legal edicts.

This feeling of propriety, soundness, and legitimacy--based, as I've argued, on a long history of public esteem--was certainly reinforced by a brute fact: the rangers at Grand Canyon had already been shooting burros, intermittently, for half a century.

And then suddenly accusations of villainy; scores of vitriolic letters; and a court case.

There is certainly something amiss when a coalition of citizens' groups has to haul a public agency into court, accusing it of illegal behavior. But the track record of this particular agency had been essentially spotless, and no one could have predicted such a confrontation. And yet there it was....

I believe the sequence and the elements of the burro controversy are recapitulating, with amazing fidelity, the pattern exhibited in another issue that began nine years ago on the Bitterroot National Forest in western Montana. That controversy focussed on "forest management practices," and involved professional foresters, not biologists.

The Bitterroot foresters had been harvesting timber for years--indeed, they had been clearcutting for years--just as the Canyon rangers had been shooting burros over a period of decades. The Forest Service had solid research results to support terracing

as an effective way to reproduce and grow ponderosa pine saw-timber--an analog of Carothers' research on burro impacts. But when clearcutting and terracing were combined, a sizeable public controversy erupted--bold black headlines, letters to Congress, and all the rest.

At the request of Montana Senator Lee Metcalf, a committee was organized by Dean Arnold Bolle of the Montana School of Forestry to investigate the matter. I had the privilege of serving on the "Bolle Committee " with Dr. Les Pengelly, now president of the Wildlife Society, and our final report to Senator Metcalf was sharply critical of the Forest Service. Soon the issue of "forest management practices" expanded beyond Montana to include the Tongass National Forest in Alaska and the Monongahela National Forest in West Virginia.

In the Monongahela situation, the Izaak Walton League, in collaboration with the Sierra Club and the Wilderness Society, finally took the Forest Service to court, accusing it of illegal behavior--an action equivalent to the lawsuit in the burro issue. This case, though, went to trial, and the Forest Service lost. It lost a subsequent appeal, too, and Congress passed the National Forest Management Act in 1976, to resolve the issue with fresh legislation.

I do not think the burro issue will escalate to the proportions of the forest management issue--burros simply are not as widely distributed as national forest trees--but the sequence and the elements of the two issues bear a striking resemblance.

The foresters felt their professional judgement had been stymied by a small and effective coalition of obstructionists.

They, too, had felt a need to manage for a "silent majority," and not a shrill, vocal, and emotional minority. And they, too, resented the interference of emotional laymen.

The Forest Service had enjoyed a high degree of public esteem. And the Bitterroot foresters had taken satisfaction in performing a worthy mission. They, also, had developed an instinctive knowledge of what the "public interest" required on national forest lands. They had confidence in their professional expertise, and their policy mandate was clear to them, too.

Operating in two different land management agencies, two resource management professions, both of which are comfortable in their management and professional postures, find themselves embroiled in public controversy. Why?

I want to develop my answer in some detail.

At the conclusion of their 1976 paper, Carothers, Stitt, and Johnson said this, (Carothers et. al., 1976):

Control of the rapidly expanding herds of wild equines is an undeniable necessity on our public lands.

We have the considerable advantage of hindsight, of course, but that statement is now patently false. The American Horse Protection Association, for just one example, will be happily obliged to "deny" that "necessity," and with some degree of enthusiasm, I imagine. And I doubt the authors would disagree.

The final statement in their paper was this:

Effective management will not be achieved until the resource managers and scientists alike collect adequate data on habitat destruction and relate it in a convincing manner to the general public.

Once again we must acknowledge a great debt to hindsight, but I

do not think "adequate data" is going to do the trick. There is no such thing as a scientific solution to a political problem, and I am convinced the burro problem now falls in that category. Again I think the authors will quickly agree.

Political problems are something new to most of us resource-types. There were no courses in political science in my professional education--and none in the curriculum in which I teach today, for that matter. Perhaps it follows that resource managers find themselves in frequent danger of making faulty assumptions about political affairs.

I am persuaded the Bitterroot foresters did. Here is a list, a rather impressionistic list, I am quick to admit, of those assumptions.

1. The assumption of "majority rule." There is a comprehensive, cohesive, and singular "public interest," determined by the majority of the American people, that public resource managers ought to satisfy. (This majority, however, has a frustrating habit of remaining silent.)

2. The assumption that vocal minorities subvert this greater public interest; it is often necessary to override these vocal minorities to serve a broader public. (This is a corollary of #1.)

3. The assumption that a federal agency--in this case the U.S. Forest Service--serves all Americans. The administration of the national forests must be in the best interests of all--or at least a majority--of the "stockholders."

4. The assumption of the separation of powers. Congress makes policy via the legislative process. The executive simply

administers policy--a fairly mechanical and value-free, neutral process. "We're only doing what Congress says."

5. The assumption that resource management is fundamentally a scientific, technical matter, and the professional managers are the experts whose judgement should prevail. "This is what we're hired to do."

6. The assumption that "politics" is only a bunch of partisan, Democrat vs. Republican activities--getting and holding elective office and using it to impose public policy.

7. The assumption that resource managers must avoid politics--if only because of the Hatch Act. And they really should avoid politics, anyway. "This is not what we're hired to do."

Did the Grand Canyon managers make the same assumptions in the burro issue? I have an impression that some of those managers made some of these assumptions, but I didn't look into the matter systematically.

My intention in any case is not to hurl accusations of political naivete at anybody. We are all ignorant about most of the universe of human affairs--except our own tiny little piece of it. I simply want to offer my tiny little piece; the contents of a number of books about politics that I have found persuasive.

One of them was written by Charles Beard and he talked about "majority rule," our first assumption. (Beard, 1913, 1935, 1941) The majority can't rule if it can't speak, and Beard showed how cleverly the Constitution guarantees its silence. And why: the Founding Fathers were almost unanimously afraid of "majority rule," and they set up a political structure and a political pro-

cess that systematically prevented a majority from speaking, mobilizing, and creating public policy. An aristocratic and paternalistic government was emplaced to rule for the majority, but the Founding Fathers couldn't tolerate rule by the majority. When they had prevented that, they retired and lobbied for ratification. Successfully, of course.

A system of political parties soon emerged, but they couldn't mobilize a majority and deliver policy without capturing, simultaneously, the Senate, the House, the Presidency, and the Supreme Court, and holding them all to a common policy line. That has proved impossible to this day.

Another system soon emerged, too, as a popular protective mechanism against the aristocratic and paternalistic government. This was a system of "associations," as DeTocqueville called them in 1831. (DeTocqueville, 1831) They were citizens' organizations that went to Washington to protest policy proclamations or, in later years, to make aggressive and positive suggestions of their own. Today we call them, variously, political interest groups, special interest groups, pressure groups, "vocal minorities," or perhaps, in careless moments, "emotional laymen."

And minority, pressure-group politics is all we have. It represents almost the only way--and certainly the most effective way--that American people can participate in making public policy. The Wildlife Management Institute is one such pressure group--and so is the American Horse Protection Association.

There is no such thing as a single, comprehensive public interest because there is no such thing as a single, comprehensive

public. The "majority" is bound by the Constitution to be silent; and we have, instead of "majority rule," a mosaic or plurality of minorities seeking to establish public policy.

Assumption #2: do vocal minorities subvert a greater public interest? Not in the view of a number of political scientists. (See, for example, Bentley, 1908; Truman, 1959; Lindblom, 1965; Dahl and Lindblom, 1953; Dye and Zeigler, 1972; Easton, 1965.)

In the aggregate, the vocal minorities are the public but, as we have seen above, there is no such thing as an "aggregate" public interest, and you can't "subvert" what isn't there.

So how is public policy made? By reconciling the conflicting minorities or coalitions of minorities that coalesce around the "pro" and the "con" positions in policy controversies. The pragmatic strategy is not to search for--or pretend to speak for--the "silent majority" or a broader public interest. Those are impossibly out of reach, beyond the insurmountable barrier of the U.S. Constitution.

The answers are getting easier as we grasp the pervasiveness of minority politics. Does a federal resource management agency serve all Americans? This was assumption #3. Certainly not. It was created by a minority for a minority, and it serves a distinct, identifiable minority of the American people--those who know about it, care about it, and are affected by the decisions of the agency. (See Ogden, 1972) Consider this insight from William Everhart's book, The National Park Service (Everhart, 1972):

No one would seriously contest that visiting parks

and historic sites is an activity directly proportional to income. National parks are essentially a middle class experience....The culturally disadvantaged are not a significant part of the statistics of national park travel, and black families are seldom encountered in the campgrounds. (Italics added.)

Agencies serve particular and identifiable clienteles. The clienteles are not closed and they rarely achieve consensus. The Arizona Desert Bighorn Sheep Society would like to have the Grand Canyon burros eradicated; the Committee to Save the Grand Canyon Burros obviously would not. The conflict is normal, and both groups are among the clientele of the agency; but by no means does the clientele include "all Americans." Only a minority of them.

"We're only doing what Congress says" was a favorite dodge of the Bitterroot foresters. They were making assumption #5-- that only Congress makes policy, and that administration is value-free and neutral, in policy terms. Paul Appleby years ago demolished this myth. (Appleby, 1949) "Administration," he said, "is policy-making."

Congress cannot legislate every detail. It has to pass laws that are broad and flexible, and they tell the resource agencies, in effect, "do good things with these public properties." Congress didn't tell the Bitterroot foresters specifically to clearcut and terrace the hillsides, and it didn't tell the Grand Canyon resource managers specifically to shoot all the burros. Both of these were management decisions, all right, and they both established policy through administration, not legislation. To say that "We're only doing what Congress says" is irresponsible: it sidesteps the accountability for locally very important decisions.

Public resource management, it follows, is by no means simply a scientific, technical enterprise, as assumption #6 would have us believe. (See Caplow, 1954; Mosher, 1968; Behan, 1966; Ostheimer, 1977) As we saw above, management decisions are made by exercising the discretion provided by statute; but those decisions often grant benefits (or satisfactions) to some elements of the clientele and impose costs (or dissatisfactions) on others. Management decisions often have value consequences; they are then policy decisions, and that is another way of saying they are political decisions.

The second part of assumption #5 asserted that professional judgement is the expert judgement, and it should prevail. "This is what we're hired to do." I don't believe, in theory, that professional resource managers--foresters, biologists, or any of the others--should "prevail" in making value-laden management decisions, but the empirical case is more quickly made: those decisions don't prevail. The Bitterroot decision ultimately went to court and finally back to Congress; the burro management decision bounced from a lawsuit to the Secretary of Interior. Had those decisions been as sound politically as they were technically and biologically, I don't think they would have bounced anywhere. (And I also suspect they would have prescribed different practices.)

So just what is it that professional resource people are hired to do? What is our area of professional expertise? We are experts in the behavior of physical or biological systems, and hence we can predict the consequences of various treatments of

those systems.

In short, we are the experts in outlining the management possibilities and in predicting the outcomes of each--and that is just about all.

The evaluation of outcomes--judging them to be "good" or "bad"--is a social and political process, not a scientific/technical/professional activity. I think the forestry profession, after 8 years of bruising public controversy, is beginning to believe that; I'm not yet convinced that wildlife biology is thinking about it quite yet. Maybe it takes 8 years of bruises. We shall see.

Assumption #6 commits an error of oversimplification. Politics is not so simply a matter of Democrat vs. Republican attempts to get and hold office to impose public policy. That obscures some critical distinctions.

The most important distinction to make is the one between "party politics" and "policy politics," and in our country the separation is almost complete--for a number, once again, of fairly complicated Constitutional and historical reasons.

Party -politics serves only to get people into office; it has virtually nothing to do with public policy, party platforms notwithstanding.

After the partisan whoopla, after the election, the business of making public policy is undertaken. It is concerned with the handling of public properties and the solution of public problems, and the process is one of bargaining, negotiating, and compromising--in short, reconciling the conflicting

minority views on policy questions. When the affected parties can "live with" the policy proposal, it is ratified or confirmed by whizzing through Congress. If someone can't live with it, he kills the proposal--and it is far easier to kill a bill than to pass one.

(That, of course, is how statutory policy is made in the legislative process; administrative policy should be made the same way, I believe, through the reconciliation of conflicting minority views. I will come back to this point shortly.)

If resource managers make a clear distinction between party-politics and policy-politics, they can be a lot less anxious, probably, about assumption #7: that resource managers must--and should--avoid "politics."

The Hatch Act applies only to party-politics, for example. And I suppose it is convenient, at least, for public resource professionals to avoid all that campaigning.

But there is no legal limitation on participating in policy-politics. Quite the contrary: if your decisions have the potential of pleasing some people and displeasing others, you can't avoid policy-politics. (And if they don't, either a pure technician or a computer can do your job better, faster, and cheaper.)

What I've said here, I guess, taking the last few pages together, is that resource management professionals are thrust into jobs for which their education and their expertise is not totally sufficient. We are not taught policy-political skills in our professional schools, and it is easy, on the job, to overlook the need to acquire some. I hope I have made a capable case

for that need.

There are lots of questions being asked (Peterson, 1977; McGuire, 1977) and some general directions are being suggested here and there. (See Fairfax, 1975; Hendee, 1977; Twight, 1977; Erickson, et. al., 1977; Behan, 1977, 1978) Perhaps we can summarize the suggestions this way:

1. Dive into policy-politics with courage and enthusiasm.

2. Don't worry, much, anyway, about the mythical "silent majority." The "public" will come at you in the form of conflicting minorities.

3. Keep the game wide open for anyone who wants to play.

4. Contribute your professional predictions about the consequences of various management alternatives.

5. As the political evaluation of the consequences proceeds, adopt one of the following tactics:

a. act as a neutral monitor, and decide in favor of the majority of the vocal participants, or,

b. act as an inspirational leader, and construct a consensus around an ingenious alternative that everyone can support, or,

c. assume you have value-expertise as well as biological/technical expertise--that is, assume that you know what is "best," impose that value, and get ready to go to court.

So what should be done with the Grand Canyon burros? I don't know. I don't know what the outcome of this controversy should be, and I'm not certain what it will be.

I think I've learned, however, through the books on politics I've read, something about the process of reaching that decision. And much of that theory has been confirmed in practice--ask any public forester with black eyes and a bloody nose. Eight years is a long time to be taking it on the chin. (And on the nose and eyes, I guess.)

The political dynamics of wildlife management are identical to the political dynamics of forest management, and I hope the wildlife profession can profit by the foresters' experience.

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