

Cliven Bundy's way is not the Idaho way

Marty Trillhaase/Lewiston Tribune

Two paths face suction dredge miners who want to shake a stick at the Environmental Protection Agency.

The Cliven Bundy way.

Or the Idaho way.

The Bundy way, of course, refers to the Nevada deadbeat rancher, who for decades robbed the American taxpayer when he grazed his cattle on federal lands and refused to pay. He wrapped this theft in the flag and the gun.

Faced with a man willing to shed blood, the feds wisely backed away - although the ending, when it comes, will not be to Bundy's liking.

Egged on by Bundy's story and agitators such as Idaho County Commissioner and GOP lieutenant gubernatorial hopeful - Jim Chemlik - and the Southwest Idaho Mining Association's John Crossman, suction miners seem to be headed toward a confrontation of their own.

Says the EPA: The practice of sucking river sediment to the surface, searching for gold and then flushing it back into the river is verboten wherever it threatens endangered fish or occurs within an Indian reservation or the National Wild and Scenic River system. That pretty much covers the Salmon and Clearwater rivers.

So come next July, the miners plan to rev up their suction dredges along a section of the Salmon River.

To call this an act of civil disobedience is to malign that noble tradition.

Civil disobedience is walking into a segregated lunch counter, demanding to be served as is your constitutional due and then accepting the consequences - arrest and jail - in protest.

Entering the protected waters and begin disturbing the river floor is the equivalent of loggers protesting the spotted owl policies by sawing down the nation's old growth timber.

It's no better than a farmer building his own private dam.

It's the same as if a rancher parked his entire herd of cattle on a small plot of public land, chewed up the grass, beat up the soil and then fouled the nearby stream.

While one group of people has special rights, the rest of us must sit meekly on the sidelines and accept it.

You can see where this is leading.

The politicians get their faces on television.

The miners get into trouble.

And the feds face another choice between escalating altercation or submitting to mob rule.

Sen. Jim McClure, Gov. Cecil Andrus, Gov. Phil Batt and Gov. Dirk Kempthorne might have taken a different path.

For instance, they'd ring up the protest organizers and remind them:

- If suction dredge mining does not harm the resource, make the case in court. If the EPA is overreaching, go to Congress and slap the agency's hands.
- Nullification is a fantasy. The Clean Water Act is established law. The EPA is obligated to enforce that national standard.
- Even in Idaho, this standoff will not win public sympathy. Two years ago, Republican pollster Bob Moore found 73 percent of Idahoans agreed "protecting and preserving our national public lands is something the federal government does well."

Next, these Idaho leaders would get the federal and state land, water and wildlife department managers at the same table and offer them a few realities:

- Idahoans are not imagining it; they truly are over-regulated.
- Unlike Bundy, the suction dredge miners are not trying to steal a livelihood from the public purse. They simply want to continue a recreational activity that until recently was legal.

All of which would set the people at the table on a quest for streams, rivers and tributaries where the miners could enjoy their hobby.

Such an arrangement would leave no one entirely happy. No one would go away entirely dissatisfied, either.

That's the Idaho way.

Or at least it used to be.

Whatever happened to it? - M.T.