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The Rise & Fall of the Eco-Radical Underground

They saw themselves as revolutionaries protecting the environment. The government calls them "the number-one domestic terrorism threat"

(Abridged, online version, published originally August 2006)

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It was a moonless night on the mountain at Vail, and in his black clothes Bill Rodgers imagined he was nearly invisible. Five feet six and barely 120 pounds, Rodgers was darting in and out of buildings at the Colorado ski resort, 11,000 feet up. He crept into the back bowl's ski-lift shacks, then made his way across the slopes to a massive shelter for skiers and a snack bar piled high with bulging trash bags. Everywhere he went, Rodgers set a crude timing device. Each timer was connected to a small filament attached to a matchbook. The flame from the matches would ignite a road flare or a gas-soaked sponge, which in turn would set off a five-gallon plastic bucket filled with a mix of diesel and gas—a concoction Rodgers liked to call "vegan jello." When the timers went off, the entire mountain would go up in smoke.

At thirty-three, Rodgers was the oldest member of the Earth Liberation Front at Vail on that October night in 1998. With his red hair, pale complexion and delicate features, he looked more like a computer nerd than a revolutionary intent on hastening the collapse of the "ecocidal empire," as he and his fellow members of the ELF like to call America. Few knew his real name—he went by Avalon, which came from *The Mists of Avalon*, a novel about matriarchal pagans fighting the oppressive forces of phallogocentric Christianity. Avalon was hoping the name would help him connect with the soft and feminine side of his personality, at least enough to get him a girlfriend; he was the only one in his ELF cell who couldn't get a date. Known as "the Family," the cell was a loose and shifting group of twenty or so activists, all living in the Pacific Northwest and most in their early twenties: a diverse collection of hippie true believers, bearded ascetics, self-styled anarchists and one self-confessed criminal—Jacob Ferguson, a poor kid with a badass attitude and tattoos creeping across his sinewy chest, punctuated by an ominous pentagram on his skull to mark himself as the beast, a cast-out, a nonmember of polite society. To the middle-class brothers like Avalon who were posing as outlaws, he seemed like a blue-collar hero. To some revolutionary sisters, Ferguson, handsome and tall, was the trophy fuck.

But tonight was Avalon's mission, his master stroke in the war to protect all that was powerless in the world. And there was no more appropriate symbol of power than the biggest building at Vail that he rigged with a timer: the Two Elk Lodge, a 33,000-square-foot, multimillion-dollar restaurant for the Kahlua-and-cream-sipping rich, built from old-growth fir logs, its walls decorated with a million dollars' worth of buffalo robes and elk-horn racks, snatched from their rightful American-Indian owners. Over the objections of local environmentalists, Vail was about to add almost 1,000 acres of new skiing terrain and twelve miles of roads in the last known habitat of the mountain lynx, a reclusive animal that hadn't been sighted in the Rockies for twenty years. Avalon was going to save the lynx, if it still existed, by making a statement that no one could ignore.

Shortly after 3 a.m., as a few snowflakes fell, Avalon and the three or four other members of his cell who were on the mountain watched as hundreds of gallons of vegan jello burst into flames. It was beautiful: The blaze spread across a mile and a half, lighting up the night sky and creating so much smoke that the first person to see it said it looked like a volcano had erupted. The mountain was on fire.

The Vail fire was the most destructive act known to be committed by environmental activists in U.S. history, leaving the Two Elk Lodge and seven other buildings in cinders and causing at least \$12 million in damages. From 1996 to 2001, Avalon's cell is accused of setting at least fifteen arsons across the West in the name of the ELF and the Animal Liberation Front. The "elves," as they call themselves, decimated meatpacking plants, forest ranger stations, animal research facilities, university bioengineering labs, three logging company headquarters and two wild-horse corrals—anything they could think of to defend the natural environment. The Senate Environment and Public Works Committee estimates that the ELF and ALF have caused a total of \$110 million in property damage in the United States. Of this sum, the Family is responsible for \$45 million.

It's long been assumed that those who counted themselves members of the ELF—less a group than an ideology, with no central office or leader, and its only mission the destruction of property with no harm to human life—were angry suburban boys in their late teens or early twenties who worked in small cells, performing one or two misdeeds and then disbanding. In fact, nearly every member of the Family was an adult committed to environmental activism, whether traveling below the radar, like Avalon, or as "top-landers," like Jonathan Paul, a longtime anti-whaling advocate and the brother of a *Baywatch* star, who famously posed as a fur farmer in the early Nineties to secretly videotape mink-ranching techniques. (Paul, accused in only one of the Family's arsons, has asserted his innocence.)

"Most of these people had two lives," says Mike Roselle, co-founder of Earth First! and the Ruckus Society, two of the country's leading environmental and civil-disobedience groups. "In their day lives, they were important activists. In their night lives, they were secret. I'm surprised at what I didn't know. I never knew I was hanging out with members of the ELF."

Although the elves always focused on destroying property and avoiding the loss of human life, the Bush administration now treats the ELF as the homegrown equivalent of Al Qaeda. Last year, FBI deputy

assistant director John Lewis called the group—along with the ALF and an aggressive animal-liberation outfit called Stop Huntingdon Animal Cruelty—the nation's "number-one domestic terrorism threat." In the past three years, the administration has doubled the number of Joint Terrorism Task Forces, multi-agency units that add state and local police and Alcohol, Tobacco and Firearms agents to each FBI field office, and many seem intent on busting arsonists like Avalon rather than catching killers like Osama bin Laden. In 2003, when activists including CalTech graduate students firebombed several SUV dealerships in Los Angeles, FBI director Robert Mueller responded by assigning the entire terrorism task force in L.A. to the case and personally briefed President Bush about it. In a post-9/11 world where every FBI agent wants to catch a terrorist, an "eco-terrorist" is better than nothing.

"Nabbing a bank robber or a big con guy is seen as so old-timey and passé by the top brass at the Justice Department," says Mark Reichel, a criminal-defense attorney who has defended several "eco-terrorists." "If you can bust an ELFer or an ALFer, you're big time—you move ahead in the organization."

In January, Attorney General Alberto Gonzales held a press conference to announce the success of Operation Backfire, a federal bust that resulted in the indictment of eleven members of the Family. It is the single biggest roundup of environmental activists in U.S. history. It is also part of a larger federal crackdown that radical environmentalists call a "green scare." In the past year alone, the government has indicted longtime animal-liberation hero Rodney Coronado for making a speech in San Diego in which he answered an audience question about how to set a jug of gasoline on fire; convicted six members of Stop Huntingdon Animal Cruelty for posting the home addresses of executives of an animal-testing company on the group's Web site; and arrested three young activists in California who had purchased ingredients at Kmart to make a plastic explosive—not realizing that their pal "Anna," a twenty-year-old anti-war protester with pink hair, long legs and an overtly stated hankering to blow shit up—was an FBI plant paid \$75,000 for her troubles. One of the guys, with whom Anna sometimes shared a bed, now faces seventeen years behind bars.

Branding activists as terrorists not only makes for good headlines, it also results in longer prison sentences. In 2001, forest advocate Jeffrey "Free" Luers, perhaps today's most passionately embraced eco-martyr, was sentenced to nearly twenty-three years for setting fire to three Chevy SUVs. The Family faces far more prison time. Under a 2003 order by then-Attorney General John Ashcroft, any arson set with a timer must be prosecuted under a post-Oklahoma City statute that defense lawyers call "the hammer." Under standard arson charges, the maximum sentence is five years for each building or car that is set ablaze. Under the hammer, the mandatory sentence for a single act of arson is a minimum of thirty years in prison. For two, the minimum is life—with no possibility of parole. The government wants to sentence some members of the Family to life plus 1,015 years.

Given the current environmental crisis facing the planet, even some of those responsible for putting the Family behind bars find themselves sympathizing with the group's motives. "My heart's with these people," says Kirk Engdall, the lead prosecutor in the case. "We've got to save the planet for our children

and grandchildren. Where they went wrong is when they resorted to violence. They were desperate, because they felt that their cause wasn't being addressed appropriately."

Supporters in the environmental movement agree. "This is such a waste of good people," says Roselle. "I'll bet I trained some of these people in nonviolent civil disobedience, and we taught them that history shows that radical movements that are violent make people paranoid, isolated and easy for the feds to pick off." He starts to choke up. "When I think about them, it brings me to tears."

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For Avalon, the impetus to wreak havoc on man-made structures began with a pure-hearted love of the wild. To him, every creature was precious, from sparrows to mountain lions to his favorite: bats. Avalon, raised in upstate New York, was a quiet, sensitive child of middle-class parents. In the early 1980s, he enrolled in an ROTC program at Rensselaer Polytechnic Institute in Troy, New York, but dropped out after a few months, making his way to Prescott College, an environmental school in Arizona. In the high desert of Prescott, a town of Republican retirees with a tight-knit group of radicals on its fringes, he was introduced to Deep Ecology, a vision of the world in which humans have no more divine right over the planet than any other life form. "He was amazingly connected to the Earth," says ex-girlfriend Katie Rose Nelson. "Everything in nature was like a family member with whom he had formed an intimate relationship."

By the early 1990s, Avalon was devoting most of his time to Earth First!, the unruly, zealous environmental group established in the 1980s in reaction to polite, mainstream groups like the Sierra Club, which radicals viewed as making unjustified concessions to industry. Founded by a bunch of macho cowboys with a yippie sense of humor and an adulation of cult writer Edward Abbey, Earth First! urged activists to monkey-wrench the system by employing "all the tools in the toolbox"—pulling up survey stakes, pouring sand in the gas tanks of bulldozers. The goal was to protect America's remaining swaths of "big wilderness" from any human intervention, from logging and mining to overflights by aircraft. Their slogan: "No Compromise in Defense of Mother Earth."

Avalon not only bought into the Earth First! worldview, he took it further. Convinced that even the most modest human habitation was too much of an imposition on the Earth, he took to living out of his silver-blue Toyota truck, a present from his parents. He even preached against domesticated pets and houseplants, explaining that humans could never fulfill the true desires of cats and ferns.

Traveling across the West in his truck, Avalon devoted months to the group's effort to save Arizona's red-squirrel habitat from a university astrophysics observatory and spent summers campaigning to stop logging in Idaho's Cove-Mallard forest, part of the largest roadless area in the lower forty-eight. Then, in 1996, he heard that a new kind of campaign was taking place in Oregon on fourteen acres of old-growth timber in the Willamette Valley. To prevent the forest from being logged, activists had transformed the area around Warner Creek into "Fort Warner," a square mile of encampments complete with a

watchtower and ten-foot-deep trenches outfitted with a stream-fed shower. Avalon took his place behind the fortress walls, where activists chained their wrists to half-ton concrete barrels whenever Forest Service officers approached. The activists saw the area as part of Cascadia, a vast bioregion spanning the Pacific Northwest, and they defended the fort for eleven months.

"Warner Creek was one of the first permanent encampments, or 'free states,' as we called them," says Jim Flynn, a former editor of *Earth First! Journal*. "Whereas most Earth First! actions had been about 'you block the road until they kick your ass, and then you leave,' here people went up to the woods and declared that Cascadia is our land, and we're not going home, because this is our home."

Avalon was inspired by the radicals at Warner Creek, who seemed to herald a more militant stage of the movement. They even flew a new flag, of the Cascadia Forest Defenders, symbolically casting off Earth First! and its "patriarchal cowboy" baggage. At Warner, Avalon met the core group of intelligent PC activists who would form the Family. He already knew Chelsea Gerlach, a peppy twenty-two-year-old from the Oregon boonies first arrested for civil disobedience when she was only sixteen. Her boyfriend, Stan Meyerhoff, was a handsome, arrogant guy hell-bent on figuring out a way to live for the rest of his life without working. Kevin Tubbs, nicknamed "the Dog," was a dreamy kid from Nebraska with a degree in fine arts and philosophy and a deeply held, almost spiritual commitment to animal rights, feeling physical pain himself when faced with the suffering of animals. The Dog lived in the newest and niftiest civil-disobedience contraption around, a "bipod"—a platform raised between two poles—rigged to pitch him down a cliff if messed with by the wrong person. "I hope that the Forest Service shows more respect for human life than they do for plant and animal life," he said at the time, shrugging.

Avalon also met Jacob Ferguson, one of the leaders on the trench-digging team at Warner Creek. Ferguson went by a variety of code names, including Donut and Patch, but none of them stuck. He thought all the forest-elves stuff stupid. Like many of the protesters, Ferguson looked like a gutter punk, but he was no suburban kid pretending to be a panhandler—while growing up, his dad was in prison for armed robbery and writing bad checks. "I'd been all over the country hopping trains since I was nineteen," Ferguson says. "I was in New York squatting and sleeping on the sidewalk, stealing cars, breaking into shit, robbing people, burning the rich kids who came down from Connecticut to cop drugs, hopping a train to New Orleans, getting fucked up and hopping a train to Minneapolis, mailing heroin to San Francisco and getting money mailed back." When Ferguson got off a train in Eugene, Oregon, he bummed free food at the Food Not Bombs kitchen, where he befriended some of the forest defenders and soon found himself at the Warner Creek encampment.

"I'm a homeless, stupid dirtbag, and suddenly I get to go hiking and do something to stop the loggers," Ferguson recalls. "Man, it was so empowering."

The Forest Service eventually canceled its logging plans for Warner Creek, but not before officers destroyed the blockade and arrested four women who had chained themselves to concrete barrels. Ferguson was furious. "You get fed up because you're so much into it with your heart, and then you get insomnia and can't sleep at night," he says. "You look for a way to say, 'You guys in power have been

fucking things up for years and years, and we're sick of being passive and playing by your rules.' " At Warner Creek he'd heard stories about the ELF, a new group of England-based radicals who were resorting to "ecotage." Ferguson liked the sound of that. He always did like to play with fire as a kid.

In October 1996, two months after the victory at Warner Creek, Ferguson and his new girlfriend, Josephine Sunshine Overaker, an herbalist with a huge tattoo of a bird spanning her back, drove to a ranger station in Detroit, Oregon. Creeping among the moss-draped hemlocks, they scrambled onto the roof of the station and lit a wick attached to a jug of gasoline, but couldn't get it to ignite. They managed to set fire to a Forest Service pickup truck and spray-painted graffiti on a nearby shed: "Earth Liberation Front." It was the first time the phrase appeared at the site of an arson in the U.S. Two days later, Ferguson and Sunshine brought the Dog along to burn another ranger station, in Oakridge: This time they got it right, burning the place to cinders. They also threw piles of nails on the road as they left to slow down firetrucks on their way to the scene and chucked their gloves into a reservoir on the way home. The nucleus of the Family was now in place. The Dog had the commitment, Ferguson had the criminal skills and Sunshine would do anything for Ferguson.

FBI agents immediately began prowling the Eugene coffee shops, but activists resisted the idea that one of their own had set the fires. Sure, they believed in monkey-wrenching, but this was way more hard-core than anything Earth First! had ever preached. "We thought Oakridge couldn't have been us, because the building was burned so expertly," says Flynn. "We didn't think we had people who were that good"....

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