

# Drop that Cactus!

Agriculture cops want saguaro rustlers out of the state by sundown

by Cynthia Scanlon

**T**hroughout its history, the West has attracted all manner of vermin and varmints — horse-thieves, bounty hunters, stagecoach, bank and train robbers, cattle rustlers and gunfighters.

Now, Arizonans can add to that list a new, insidious lot, one that threatens the heart of our desert, the symbol of our character. That lot is cactus rustlers, persons who steal into our deserts and rip out cacti — usually saguaros — spiriting them off to a burgeoning state and national black market.

Fortunately, the West also has been a magnet for upstanding, courageous lawmen, some of whom are battling these would-be destroyers of our desert, under the auspices of the Arizona Commission of Agriculture and Horticulture.

Last year, Arizona's "cactus cops" confiscated stolen cacti valued at \$8,000, issued 131 citations and warnings for illegally displacing desert plants, and conducted 31 investigations resulting from citizen tips on possible cactus thievery.

One of the most notorious cases ACAH investigated occurred earlier this year near Wickenburg. Thieves made off with a rare, stately, three-

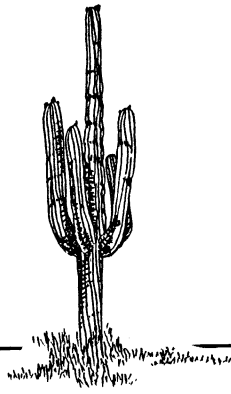
armed crested saguaro. Because these fanned-top cacti are so rare and because scientists haven't been able to figure out why this oddity occurs, such cacti fetch upward of \$1,000 on the black market. Unfortunately for these particular cactus baggers, the desert deviate they stole was also very identifiable. Consequently, so was its absence, which was reported to ACAH by concerned Wickenburg residents.

Native plant specialist Larry Richards and special supervisor Bob Gronowski, both of ACAH, were called in. "We started checking places where it would tend to show up," Gronowski says. "Nevada is one of those places because saguaros have a higher value up there."

Sure enough, the kidnap victim turned up in a Las Vegas-area nursery, wearing a \$1,500 price tag. The pilfered giant is now tucked away in protective custody, pending completion of the investigation. At press time, Gronowski says he is unaware of any arrests in the case.

If arrests are made, it might surprise the cactus-nappers to learn that, in their zeal to command bigger, out-of-state dollars for their booty, they also increased the potential penalty they'll have to pay. Because they took their captive across state lines, they not only violated the desert, but

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a federal statute known as the Lacey Act as well. The 1929 mandate makes it a felony to transport plant or animal species that are on federal endangered or threatened lists, or, like saguaros, on a state's "protected" species list. Punishment for violating the Lacey Act can be up to three years in prison or a \$1,000 fine.

Had the thieves been content to settle for lower prices within our state, their crime would have been considered a misdemeanor, punishable by 30 days in jail or a \$500 fine for a first offense, up to 90 days and a \$1,000 fine for a second.

According to ACAH regional director Richard Countryman, although out-of-state saguaro prices are as much as three times higher than those in Arizona, rustlers who peddle their booty here aren't exactly risking bankruptcy. Larry Richards says, "The market bounces from \$10 to \$20 per foot and some dealers will add \$50 per arm to that price."

These "hot" saguaros often are sold to unsuspecting homeowners. Cactus thieves aren't renowned for the care they take in uprooting and transporting their prey; consequently, stolen cacti are usually damaged, diseased or sometimes on their deathbeds. Because saguaros grow — and die — very slowly, it often takes months or even a year for the new cactus owner to recognize that the cornerstone of his desert landscape isn't long for this world. By then, of course, it's too late to recoup a sizable investment.

For-profit pillagers aren't the only threats to the survival of cactus and native plants. A good deal of loss results from recklessness, carelessness and just plain stupidity. "We lose as many cactus from vandalism as we do from theft," Countryman says. "People run them down with four-wheelers, shoot them up, chop them down and kick them over."

Newcomers and visitors from states where native vegetation comprises grass, flowers and plants other than cactus are prone to picking and digging desert flora whenever it grows wild. In Arizona, however, "There is no such thing as open land," Gronowski says. "Ninety percent is owned by some government agency. The other 10 percent is privately owned. There's no place where you can obtain

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plant matter without a permit and permission from the landowner."

Malicious intent or not, anyone who mutilates, destroys, transplants or uproots desert vegetation without permission is subject to the wrath of the law, as administered by ACAH and as set forth in the 1929 Arizona Native Plant Act. And, if you dig up a desert plant, even in ignorance of that law, and get Richard Countryman on your trail, expect no mercy. Countryman is a 33-year ACAH veteran who's testified before Congress, presents plant protection and desert survival programs to schools and clubs and takes his job seriously. In fact, he proudly admits to having arrested his neighbor twice, and adds "we've even arrested schoolchildren." That zealous and consistent approach, he says, is the only way he can keep his integrity intact. "Guys I went to school with and have known for 40 years have had to go down the line with me. They know I have a job to do."

Besides, Countryman points out, stately giant saguaros don't grow on trees. "It takes 150 years to replace a two-armed saguaro."

Richards, Gronowski, Countryman and their fellow cactus cops report an increase in public awareness of the problem. According to Richards and Gronowski, people are beginning to report the sudden, suspicious appearance or disappearance of cacti. Such a tip in the Wickenburg cactus caper led to the recovery of the crested saguaro.

That's good news for several reasons. For ACAH investigators, it means their tough job is getting a little easier. They rely on tips, Gronowski says, because "we can't stake out all the desert and watch every cactus to see which one is going to be stolen. We have to track them from places where we know there is a market. And we have to listen to the rumor mill because if only one-tenth of it is true, at least we get some leads."

Public support of the effort to halt cactus rustling is good news for the rest of us too. Without such cooperation, future generations of desert dwellers and cactus-lovers could be deprived of saguaros altogether.

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