



Photographs by John H. B. Pedén

Ann Wesling in the "illegal house" which she and her husband Mike built over the past winter.

[Rural Renewal]

Trouble in Paradise

"I went to the woods to live deliberately."
—Thoreau, Walden

I.

WHEN THE MILITARY POWERS of California shot up and occupied the streets of Berkeley to destroy People's Park last May, it did so, according to Governor Reagan, to defend the inviolability of private property: If you want to "do your own thing," do it on your own land. Citizens of the little off-beat rural community of Canyon, just ten miles on the other side of the Berkeley hills, must have listened to this official rhetoric with a sense of irony. They do own their own land, yet this has not allowed them to do their own thing. Private property notwithstanding, in Canyon, just as in nearby Berkeley, the establishment has ruthlessly denied its own ethic of independence and individual initiative. Instead of sheriffs and shotguns, Canyonites face a limitless coercive bureaucracy. Instead of armed occupation, they face a new version of a familiar weapon—an onslaught of Rural Renewal.

Canyon isn't Drop City. It is a community, not a commune, a collection of artisans and professionals who care about their land and about its hundred-year history and traditions. Most of its residents are recent "drop-outs" in one way or another—if only from the sclerotic ugliness of the inner-city. But the energy and talents that they have withdrawn from the mainstream economy have been carefully re-invested in their own environment. Canyonites are like people all over the country who are leaving the boiling cauldron of the big city and seeking the space and freedom that is promised in the American dream. But they are finding that there is about as much trouble in their wooded paradise as there is in the urban hell.

II.

HIDDEN AWAY JUST BEYOND the reach of freeways and shopping centers, Canyon is about a 20-minute drive from the big cities of the Bay Area, up a steep hill going east, past \$70,000 executive homes to an unmarked winding country road that dips suddenly into a rugged wilderness full of thick vegetation and topped by groves of redwood, oak and madrone trees. Three miles down this road there is a U.S. Post Office in a trailer, a little bridge with children playing around it and a pay telephone booth. A little further down is a two-room school modeled after the "little red schoolhouse" of the American past.

If you can't see any of the 45 homes that make up the community, it is because they are hidden in the thick forest up on the steep slopes of the canyon from which the community takes its name. Everything is still very much the way it looked over a hundred years ago when Canyon was not a retreat, but rather the economic center of the East Bay's thriving logging industry. Then, the lumberjacks lived in tents and cabins on

the same wooded slopes where there are now handcrafted houses. There once were five brawling saloons doing business along the main road, and a stage coach joined the town with the sister city of Oakland. In its pioneer heyday, Canyon was a rough frontier town with its share of lynchings and shootings. The prime forest area was finally logged out, but for almost a century people have continued to seek out Canyon's isolation and rugged terrain, and to assume some of the hardy characteristics of the men who first built the town.

Because of its beauty and its inaccessibility to major highways, Canyon became one of the last enclaves to hold out against the swath cut by bulldozers and real estate schemes through once beautiful Contra Costa County, which is now a scramble of tract homes and ugly industrial towns. But as Canyon became more and more attractive, the powers that rule the adjacent municipalities discovered that it was an untapped mother-lode of potential subdivisions as well as a threat to the dominant suburban life-style.

In the name of progress the local water company became interested in the beautiful greenbelt area in which Canyon was centered. East Bay Municipal Utilities District (or East Bay MUD as it is generally known in the area) is legally a municipally owned utility which, under California law, ought to be controlled by the people in the district. But like most public utilities, it functions on a day-to-day basis as a monopoly responsible to no one but itself. It is notorious for the land speculation policies (promoted under the guise of protecting its watershed rights) which have made it one of the richest and largest landowners in California. An independent study made in the 1950's estimated that the company's excess lands were worth a potential \$600 million in profits to any developer who subdivided them, built homes and sold them off—enough money to provide free water to every homeowner in the district for life. But the profits earned by East Bay MUD through its land speculations never result in lower rates for its customer-owners—only in increased wealth for the company.

In the early '50s, the water company turned its greedy eyes on Canyon and began to buy up all the available real estate in the area. To facilitate its land grabbing, East Bay MUD began a propaganda campaign claiming that Canyon's septic tanks were polluting the nearby creeks that ran into its reservoir—a charge which has never been substantiated by any independent investigation. In 1952 alone, the company bought up 24 Canyon houses and had them burned to the ground.

From 1950-1959, the population of Canyon dropped from 500 to 150, the number of homes from 110 to 40. At the little red schoolhouse, the number of children dwindled from 66 to 28. Many of the older residents became discouraged and gave up their homes without a struggle. But from the late '50s through the '60s, the direction of the migration reversed. A new breed of younger, hip pioneering types, fed up with life in the surrounding Bay Area cities, looked to Canyon,

by Sol Stern



View from the bedroom of Mike Wesling's "illegal" house.

despite its problems, as providing the possibility of open space. To the local press and power structure, the new migration became a "hippie invasion." But while many of Canyon's men wear beards and long hair and the women long dresses and few bras, and while there is some pot around, the community is hardly an offshoot from the Haight-Ashbury. Indeed, there is a family solidity, a technical competence and a sense of privacy that gives Canyon the feel more of a California frontier town than of a hippie scene. Among the new Canyonites are an architect, an engineer, a contractor, and several auto mechanics, trained carpenters, social workers and teachers. Canyon people build their own homes, beautifully unorthodox but sturdy structures that blend in with the rugged terrain and greenery. They maintain and repair the community road and elect their own school board. They grow vegetables and fruit and raise chickens, goats and horses. And their children live in a paradise of tree houses, nature trails and animal life.

III.

WHAT IS IT LIKE TO LIVE IN CANYON? This is the way it was described by 26-year-old Sally Kehrer, who migrated from Berkeley three years ago: "... we are closely bound together by our love for the land and each other, by our mutual participation in the cycle of the seasons and by the overwhelming magic of this place called Canyon. Together we watch the flowers come with the warm days of spring—different flowers every week in the grass and among the trees. We watch the hills grow brown and dry in the summer. In the fall we gather to make wine by crushing the grapes and storing them in barrels. We come together in our houses in the cold windy rain of winter and talk in front of a fire. We help each other build what needs to be built—a house, a store, a porch, a septic tank.

"Each individual is loved and respected for himself, and the community is almost self-sufficient in individual skills. If you have something wrong with your car that you just can't seem to fix, you just call Malcolm or Tim. If you're planning to build anything and you need advice, ask Dave or George or Barry. If you have a problem with your water system, ask Doug or George or John. . . .

"Once a month there's a community meeting where we talk about Canyon and its problems—or where we air our differences and discuss them together. Sometimes these meetings can be quite argumentative, but we usually leave feeling that something has been done and that we are all together again."

The president of the Canyon school board for the past eight years is 51-year-old George Menge, a tall, ramrod straight, pipe smoking father of seven daughters, who looks more like a small town Rotarian than one of the leaders of a "hippie" community. In fact Menge is a cop—a civilian criminal investigator for the U.S. Navy, a source of much good natured ribbing from his younger, stranger-looking friends in Canyon. "Yep, I guess I'm the fuzz," he chuckles when you ask him about it. Despite his occupation, Menge has been one of the toughest and most militant of the Canyonites in fighting back against the local establishment's attempts to intimidate the community. Nor has Menge's ostensible respectability protected him from the harassment meted out to Canyon's residents. Recently several of his dogs were picked up on his own property by the dog catcher, and the county building department has refused to give him a permit for a new barn.

George Menge and two of his daughters.





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Menge and his family live in a sprawling house (built mostly by Menge himself) in the midst of several acres of hilly Canyon land. His wife Virginia works part-time in the Canyon post office, and all of his daughters, ranging in age from 5 to 17, were educated in the little red schoolhouse down the road. "I started out here 23 years ago with just a small cabin, and then as my daughters came along, I kept adding new rooms and fixtures," says Menge. He also added horses, chickens, ducks, geese, pigeons and dogs. A familiar sight in Canyon is one of Menge's daughters, riding bareback up and down the canyon trails in a long, flowing dress.

In a warm, closely knit community like Canyon the "generation gap" is what it ought to be—a sense of mutual respect between young people and their elders, a dialectic of experience and spontaneity. Only in such a community could young "hippies" elect a 51-year-old cop to head their school board. For his part, George Menge says, "I let my kids run free. I let them associate with whomever they want. It's a good thing my kids and others don't live the way their parents do. If kids just did what their parents did, we never would have gotten out of the caves one million years ago. But I have a lot of hope for these kids. They're the ones who are really going to make the changes so the kinds of things that have happened to this community don't keep up."

Bob Trupin is a 37-year-old physicist and college teacher who moved out to Canyon with his wife Sue and their two children several years ago. Trupin had been active in Berkeley radical politics and Sue had participated in the Free Speech Movement at the University of California in 1964; they now see the creation of small rural communities like Canyon as a valid part of the struggle to change society.

When East Bay MUD started pouring the heat on Canyon, Trupin wrote a letter to the local newspaper saying: "We in Canyon are the first line of defense in a fight which involves not only ourselves, but the people of the county—perhaps of the entire nation. For what is involved is the right of human beings to live in peace on their own land, in their own homes, in their own way. I know of no other community which has a deeper sense of responsibility to its residents, its neighbors, its ecology, to the future. And because of this responsibility we are determined not to be destroyed."

With the coming of families like the Trupins, the job of gobbling up Canyon became a little more difficult. The new settlers gave the community fresh hope and vitality. They were willing to fight for the land, and more importantly, they had the resources with which to wage the fight.

BELOW LEFT: *Jungle gym built by Barry Smith.*
BELOW RIGHT: *The little red schoolhouse.*



Tim Biggins' condemned house built without a permit. The County demanded that he put in two off-street parking spaces.

Recently a two-acre parcel of Canyon land came up for probate sale. The water company confidently made a bid of \$16,000 to the court. The Trupins heard of the impending sale and practically overnight raised enough money from friends to outbid the company. A county courthouse full of natty lawyers and civil servants looked on in amazement as Trupin and other brightly-dressed Canyonites plunked down a certified check for \$17,300 when the judge asked for the bids.

But it was 28-year-old Barry Smith, tall and bearded, with piercing blue eyes, one of Canyon's most creative builders, who organized the most spectacular defense against a water company land-grab. Smith heard that an 80-year-old widow named Mrs. Holmes was about to sell her 27 acres of choice Canyon land to the water company for \$55,000, so he rushed to see her and talk her out of it. When he got to her house, he discovered that she had already signed a letter of intent to sell to the water company. Undaunted, Smith convinced her that Canyon would be destroyed if the water company got her land. He retained a high-priced real estate lawyer to get her out of her obligation to the water company and promised to raise \$60,000 cash within several weeks to top East Bay MUD's bid. At the time Smith didn't have a penny, but within the allotted period, through word of mouth and ads in the underground press, he found 14 people who came up with several thousand dollars each to buy the land. This group of buyers decided that except for each individual's homesite, they would hold the land in common. They began to call themselves the Water Brothers Association, a name derived from Robert Heinlein's *Stranger in A Strange Land*, in which the sharing of water becomes the highest honor one man can bestow upon another—thus the notion of "water brothers."

STYMIED IN ITS LAND MANEUVERS, the water company used its political muscle with the county government to make it impossible for the Canyonites to do anything with their land. Tim Biggins was denied a permit to rebuild his house, which had been destroyed by a fire, because his plans did not provide for "two off-street parking facilities." Biggins' house happened to be on the top of a rugged, steep slope; you couldn't get a mule up there, much less a motor vehicle. When George Menge asked for a permit to build a barn, he was told he didn't have enough land to house a secondary structure. So Menge arranged to lease an adjacent parcel. This time the inspector said that he couldn't put a secondary structure on a new parcel which had no primary structure.

Soon the local politicians too began to find it expedient to come down hard on Canyon. The local suburban newspapers began referring to Canyon as the "Haight-Ashbury" of Contra Costa County. John Nejedly, a politically ambitious D.A. (later elected to the state legislature), announced that Canyon was the source of the county's "drug problem." Big Jim Moriarty, chairman of the Board of Supervisors and a businessman with a hand in real estate, told a private community meeting that he had decided the "hippies" in Canyon had to go. The reason? He had become convinced the community was a menace when his wife came home from the shopping center one day and hysterically told him that she had seen some "dirty hippies" from Canyon handling the produce.

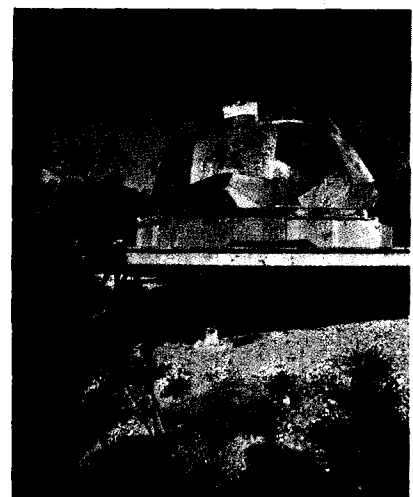
With the politicians joining the water company, Canyon began to feel the heat that local bureaucracies can generate when they work together. County narcotics officers, dog catchers, building inspectors and health officials became regular visitors. Several Canyonites were busted on trumped-up dope charges. Canyon people found that they couldn't cash checks at the nearest supermarket.

After the sale of the large tract of Canyon land to the Water Brothers, East Bay MUD convinced the Board of Supervisors to pass a new ordinance preventing the granting of septic tank permits within 1000 feet of any tributary to a reservoir. (Prior to this, the water company's official position had been that it required only a 300-foot *cordon sanitaire* around its watershed.) This ruling meant in effect that no new septic tanks could be built, and without septic tanks there could be no new building permits.

George Kehrer, one of the Water Brothers, recalls asking a county inspector just how he could live on his own land while he was waiting for a permit to build a house. "Can I put up a tent?" asked Kehrer. "I'm afraid you can't," said the inspector. "How about putting in a camper?" asked Kehrer. "You can't do that either," said the inspector. "Well how about a sleeping bag?" said the exasperated Kehrer. Unable to find any reference to sleeping bags buried in his building code, the inspector said, "I guess that's O.K."

Some of the more adventuresome of the new Canyon residents went ahead and built on their land anyway. Traditionally the county solves building code hassles through a process of informal negotiations with the home owners, but in this case they staged a gestapo-style raid on the whole community. Canyon residents awoke one morning recently to find a small expeditionary force of twelve deputy sheriffs fully armed and helmeted, three narcotics agents, a dog catcher with a tranquilizer gun, and three building inspectors marching up and down their slopes, trespassing on their land and entering their homes, looking for "illegal structures" and other violations. When they had finished their mission, they had "posted" 20 structures (including a warehouse, a barn, a tree house for children, a chicken coop and a "sculpture"). Residents were told that anyone found in the houses after 48 hours would be subject to immediate arrest and that children would be taken off to juvenile hall. Canyon got a temporary injunction holding off any criminal action while it argued against the constitutionality of the building codes. But within several months the county had gone into phase two of its plan: it gave notice that if the posted houses were not dismantled within 45 days, the county would demolish the structures and bill the owners for the work. Although the deadline has passed and the matter is still in the courts, the people in the homes—and in a larger sense the entire community—continue to live under the axe.

One of the "illegal" structures is a beautiful geodesic dome built on a sturdy platform on the rim of the canyon. It is the home of Sally and George Kehrer, a young couple who were recently married at a ceremony in the local redwood grove. A local architect has said of the Kehrers' house, "If there were ever an earthquake in the area, I'd make book for their house to ride it out." Like most of the other posted homes, it is a unique architectural gem. Looking at the "Do Not Enter" sign that was posted on their dome, you reflect about the fact that in the eastern end of the county there are farm workers living in one-room dingy shacks which do not incur



building code proceedings. And in the county's industrial city of Richmond, railroad workers are housed in box cars without any inspectors objecting. Looking over the canyon from his dome, George Kehrer recalls his emotions when the county's "authorities" found his house and posted it. "There was all this anger and helplessness, but we couldn't do anything about it. It was a nightmarish thing—something we had worked on so hard and all of a sudden there were these strangers there saying 'throw it all away.'"

To the Kehrers, both ex-Berkeley residents, the meaning of Canyon is in the living. "When we stand on our platform and look out over the hills and see smog everywhere except in Canyon, I know this is an alternative—I know I am breathing fresh air," says George. "In the last year living here I have learned more about animals, land, machinery, sewage, ecology and politics—everything that's important to my life and survival—than I could have learned in ten years in Berkeley."

V.

SURVIVAL HAS BECOME THE NAME OF THE GAME in Canyon. In its struggle, the community came up with one last plan which took advantage of a provision in the State law allowing any unincorporated community to petition the county government for the creation of a "community services district for such purposes as sewage disposal and fire prevention services." A group of Canyon residents submitted such a plan to the Contra Costa Board of Supervisors.

The heart of their proposal was a unique and potentially revolutionary plan for sewage disposal drawn up by Doug McMillan, one of Canyon's resident experts. McMillan is a 37-year-old hydraulic engineer with a PhD from the University of California and a long list of impressive professional credentials. His sewage disposal plan called for the installation at every homesite of an individual, cheap and portable sewage treatment plant—aeration units just recently placed on the market. After initial treatment at each homesite, the water, now 95 per cent pure, would flow in pipes down to the bottom of the canyon to a pumping station from which it would be pumped up to a series of filters for further treatment. Finally the water, now 100 per cent pure and reusable for irrigation and as a fire-fighting reserve (which Canyon does not now have), would be collected in a tank at the top of the hill. The beauty of the proposed sewage system is its total application to the ecological and planning needs of Canyon.

The system, or variants of it, has obvious potential for other communities as well. It avoids the orthodox sewage disposal methods now being employed in the Bay Area which pipe untreated waste directly into the ocean—a process that has led to (among other ecological disasters) the pollution of the Bay and the destruction of a once flourishing fishing industry.

McMillan is a slightly built, quiet person who recently bought into the Water Brothers. He sat at his work-desk in his home (not posted) a while ago, and mused about his run-ins with the county bureaucracy. "When I first got out here I thought with my knowledge in the field I could talk reasonably to the county health people and work out the problems of the septic tanks. I saw my role as a protagonist for Canyon, so they couldn't fool us with their technical arguments. But I couldn't get anywhere with them. Finally Gerow [Ted Gerow, the county health department's sanitarian] told me that when it came to Canyon his mind was 90 per cent closed. When I

pressed him on a specific technical point, like the question of pollution of the watershed, he would throw his hands up and say 'It's a matter of philosophy.' In the beginning I used to think these people at least were honest if misguided. Now I am more cynical about their motives."

A hearing on the proposed system was held a while ago in the neat, oak-paneled Supervisors' chambers. The entire county bureaucracy, plus all the experts the water company could dig up, had turned out to oppose the granting of the special district to Canyon. Their tactic was to deluge the Supervisors with technical objections to the proposed sewage system. Dr. McMillan's system was unfeasible, they argued. It had never been tested and there was no guarantee it would work. Besides, it was a complicated mechanical system and the people of Canyon could not be expected to maintain it themselves.

The county officials argued that instead of having its own system, Canyon should be incorporated into the county's central sanitation district (the same district that had recently been cited by State water officials for its pollution of the Bay). A sure-fire solution—except that it meant that Canyon's sewage (like the rest of the county's) would be dumped into the Bay and that it would cost each Canyon homeowner a prohibitive several thousand dollars extra to bring in central sewage. Most importantly for the future of the community, bringing in central sanitation (which would involve terracing the land, installing manholes about every 50 yards, etc.) would be the first step in opening up the whole region for real estate development and subdivision, thus threatening the greenbelt ecology of the area.

Bob Trupin sat in the spectator's gallery muttering at the insanity of it all. "They want to charge me \$5,000 to dump my shit in the bay," he grimaced. Walking out of the hearing later, he turned around to look at the Supervisors, each of whom had been in office at least ten years; they were discussing a good citizenship award for some local Rotarian. He said in disgust, "They're a bunch of old men with no faith in the future and they haven't even made any provisions for the planet being habitable for more than another decade." If this were a rational society, its leaders, plagued with pollution, water shortages and the other problems strangling the planet, might see Canyon as an experimental ecology station. Canyon might be looked to as a living model of the frontier ethos that Ronald Reagan likes to talk about when he is on the stump. For it has the virtues of small government, self-help, community spirit, and respect for privacy and independence.

But rationality does not prevail, and our leaders are clearly engaging in empty rhetoric. On September 2, the Contra Costa Board of Supervisors voted 4 to 1 against allowing the residents of Canyon to have their own sewage district.

Canyon people aren't missionaries. But if there is anything that they would want people to learn from their community, it is that Americans must stop tearing up and exploiting the greatest gift bestowed on them, the *land*, and instead really start living on it. That would be their message to the outside world, but no one seems to be listening; and the freeways, the hot dog stands, the smog and the bulldozers keep creeping steadily closer to the rim of the canyon.

Sol Stern is a free-lance writer and frequent contributor to Ramparts.

DIAL-A-BOMB:

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ROCKET-A-BOMB



by Joseph Goulden
and Marshall Singer

Photo by John Peden