

The Environmental Bi-Weekly

High Country News

Vol. 5, No. 16 35¢

Lander, Wyoming

Friday, August 17, 1973



At Steamboat Springs, Colorado, row upon row of high rise condominiums dominate the scene at Mt. Werner ski area.

In the next two issues we'll look at local land use planning in the Rocky Mountain states. We will focus on five mountain communities: Steamboat Springs, Colo.; Ketchum, Idaho; Flathead Valley, Mont.; Jackson Hole, Wyo.; and Aspen, Colo. They have made some planning mistakes. But high pressures have also forced them to come up with interesting solutions to the rush for land. We'll try to point out their failures and successes for the benefit of anyone who is wondering where his elbow room went.



MOUNTAIN RESORTS-1

"Land of Bewilderment"

by Marge Higley

Steamboat Springs, Colorado, used to be a "sleepy little cow town." The county seat of Routt County is on the Yampa River, and is surrounded by fertile farmlands. The title "resort town" is nothing new to Steamboat. More than 50 years ago summer visitors came to enjoy the warm waters of the mineral springs, while winter visitors flocked to watch or participate in ski jumping on Steamboat's famed Howelsen Hill. (Last winter the 60th annual ski carnival was held there.)

For years the town showed the normal, orderly growth expected in a prosperous, rural community which also caters to a healthy tourist trade. About 10 years ago some local citizens started a new ski area at Storm Mountain, just southeast of town. Two years later, in 1966, the area was taken over by LTV Corporation, one of the largest conglomerate corporations in the country.

The name was changed to Mt. Werner in memory of Bud Werner, Olympic skier and native of Steamboat Springs. Under the direction of LTV, development moved swiftly. Soon shops, restaurants, and condominiums were springing up all around the base of the

hill. Now, they reach up the sides of the mountains, and still more are being built at even higher levels. Last winter, after long and heated arguments pro and con, the townspeople voted to annex Mt. Werner ski area and incorporate it into the town, thereby greatly enlarging both population and area.

What impact has this sudden growth had on that once "sleepy little cow town?"

It is difficult to distinguish between the impact on the town, and on the county, since so much of the surrounding area has been affected. I talked to Charley Jordan, administrator of the Routt County Planning Board. His office works with the Routt County Planning Commission, and also with the City Planning Commission, through an arrangement with the county.

"Our biggest trouble at first," said Jordan, "was making citizens aware of the problems that could result. In 1967 the county proposed county-wide zoning. We held public hearings in order to get some citizen input, but what little input we got was all negative to the idea."

It was not until March, 1972, that county-wide zoning came into being. By then, the character of land-usage around the ski area

(and all other areas immediately surrounding the town) had changed from agriculture to commercial. So that is the way they were zoned.

According to Jordan, "The biggest problems are pretty well being ironed out. We still have a problem with water pollution. We're up to 90% of the pollution that the Yampa can handle right now."

Another problem which has recently come to light is the impact on big game animals. Elk and deer have been pushed out of their usual habitat and forced elsewhere. Now, there are signs of overuse in the areas in which they sought refuge.

In spite of the problems, Charley Jordan feels that, all in all, the growth is good for the community. There are many who would not agree with him.

NO LAND FOR CATTLE

The increased tax basis has worked a hardship on rural property owners. The market value of the land has increased so that farmers cannot compete with developers. Surrounded by "commercial" zoning and

(Continued on page 4)

2-High Country News
Friday, Aug. 17, 1973

HIGH COUNTRY

By Tom Bell

What is happening in the fabled Sun Valley of Idaho epitomizes one of the struggles now going on in the West. The conflicts over land began when Indian tribes grew beyond the capacity of the land to sustain them within a certain area. They fought mainly over hunting grounds.

The coming of the White man changed all that. He took the land away from the Red man and the buffalo to carve out huge ranches and sprawling wheat and cornfields. Such ventures were entitled "the settling of the West." They were often accompanied by great "land rushes."

But the conflicts of the past were somehow different. The Indians fought amongst themselves because it was virtually a fight for survival. Land represented freedom, as well as wealth, to the White man so he took it away from the Indians. On his own land he was a free man and a free spirit. In his own way, he was as fiercely independent as the Indian had been in his.

Most of the land has long since been "settled." But "land rushes" continue. The developer has stepped in where warring tribes and the tillers and grazers of the soil left off. No longer is the holding or acquiring of land the means to survival or sustenance. It is now a means to a quick buck.

And now the fierce independence of the land freeholder comes back to haunt us. Land is the most valued of all possessions, with the possible exception of gold or precious stones. The practical value is unquestioned for you can live off products of the land. Yet, it is one of the ironies of the times that land is being acquired and "developed" only for wealth. Even knowing this, other landowners will not tolerate the interference of anyone in their right to use or dispose of land as they see fit.

Somehow those who fear land use planning must be convinced that it is the lesser of two evils. Land use planning, properly done and properly presented, offers no serious threats to a man's property rights except under unusual circumstances. And under those circumstances, the individual can be reimbursed for the value of his land. Laws of public condemnation already exist.

In the meantime, a concerned public has only antiquated laws to deal with a growing problem. Not only that but some laws actually work against reasoned and planned growth. They allow exploitation of the land because a few, mere technicalities can be fulfilled.

Once again, it appears that only a national land use act will force local communities, counties and states to face realities. The U.S. Senate has passed a reasonably good bill on land use planning. However, a sanctions amendment was narrowly defeated. It can only be hoped that the House will incorporate a sanctions provision and it can be kept intact in conference. Only by sanctions can the states be forced to action. The sanctions would involve loss of various federal funds for not carrying out the provisions of the act.

The Senate bill wisely provides for a land use planning process. That process has to include public education in planning and management, and provides for public participation in the statewide planning process. After three years a state must also have established a program of state review and regulation of "land sales or development projects." Other provisions are far-reaching in their effect and would go far in controlling the cancerous growth of second-home developments and rural subdivisions in the West.

It is regrettable that those who live closest to the land are so difficult to convince of the value of land use planning. Only by planning can the most enduring values of the land be preserved. For some, the painful truth has come too late.



Letters

Dear Mr. Bell:

As a reader of your newspaper and an advocate of your policies and ideas I wish to seek your help. One of the problems that confronts many areas in Colorado and other states is the rapid and poorly regulated growth of the recreation areas. An important reason for this problem is the lack of knowledge of most developers (as well as their lack of concern) and planning commissions about how to regulate and plan new developments to minimize damage to the environment and ecology. Areas like Vail and Aspen finally learned how to deal with the problems... perhaps too late. It took Steamboat Springs more than two years and many serious mistakes to establish what might be a workable "Master Plan." The planning commissions are unable to contend with the pressure and huge sums of money that developers bring into the area. In addition, they lack perspective and knowledge about the long range problems that the developments will bring. I mention these areas of Colorado because of my familiarity with them but I'm sure there are many more that have suffered the same illness and many that are going to be afflicted.

I would like for the High Country News to study this problem and to publish an article that evaluates such issues as population density, water and sewer, the open space or green belt concepts, use of agricultural vs nonagricultural land (which "forces" ranchers to sell), the effects of elevation on the land's ability to support development, the proximity of urban areas to a development for the provision of services and the value of "planned unit development" on the environment and ecological balance of an area. This is a very difficult problem but many areas have found solutions that may not be ideal but have provided a "livable" answer.

Sincerely,
Stuart G. Gordon, Ph.D.
Denver, Colo.

Dear Mr. Bell,

Coming recently back to Wyoming after a long stay in West Germany, I am appalled to find that Wyoming neither seems to recognize not only the environmental but also the social problems involved in exploitation of the state's coal resources, nor does it seem to care.

I can only say that I prefer the Wyoming air quality over that of the coal-rich Ruhr industrial area in Germany. I hope that your excellent reporting on this subject will not be without tangible result.

Sincerely,
John Winkel
Casper, Wyoming

* * *

Dear Tom:

Under the column "Eavesdropper," there is a short note relative to reduction of the number of people moving into California annually. According to the regularly released figures from one of leading banks, for every three families that move into California — there are five families moving out. The net increase of population growth in California comes from the families already residing here.

Los Angeles County Planning Commission released figures on growth in the county last year. The growth rate was only 1½ per cent last year, quite a reduction from the period from 1955-1969. There is considerable mobility of families in California thus accounting for fairly high growth in suburban areas. Adults are moving out of homes into mobile home parks (push) or into retirement communities. In addition the birthrate has dropped to the lowest since 1942 — with no prospects of increase.

Regarding the invasion of off-the-road vehicles, the BLM has a pretty good case on their lands near Barstow, California. Every week-end, one can see thousands of campers out-bound from the Los Angeles area, with one to three bikes on the back. In addition, thousands of ½ or ¾ ton trucks join the invasion carrying two to three off-the-road bikes. The damage to the desert ecological

Editorial

Fees Outlawed

Free camping will replace fee camping throughout most National Forest and National Park campgrounds. Robert Miller, deputy supervisor of the Custer National Forest estimated that no more than 30 Forest Service campgrounds in the entire nation will still charge. At the risk of being unpopular, we want to condemn this change.

The Land and Water Conservation Fund Act authorizes collecting fees in public campgrounds. The fee goes in to a fund that is used to acquire new recreational lands. About five million dollars was collected nationwide from Forest Service sites last year.

Public Law 93-81 which amends the Land and Water Conservation Fund Act will eliminate charges in most of these areas. The law states that areas which do not provide such items as flush toilets, sanitary disposal systems, reasonable visitor protection and control, and reasonably available showers cannot charge a fee.



Besides diminishing the already diminutive Land and Water Conservation fund, this new law will encourage over-development of the nation's public campgrounds. Money will be pumped into a few campgrounds to provide comfort for a few instead of providing minimal service at more primitive areas. We contend that flush toilets and showers are not a must in the woods.

Because of Forest Service budget cuts and an administration mandate for increased timber sales, we are already seeing a drop in the number of public campgrounds. Tom Coston, supervisor of the Bridger-Teton National Forest predicts the closure of up to 25 percent of the campgrounds in that forest because of this new policy.

Coston is working with a recreation budget of \$385,000, or roughly 30 cents per visitor day. Can you imagine trying to provide city comforts to campers for 30 cents? Coston said the less popular campgrounds or those in poorer physical condition would probably be the first to go.

Dropping campground fees will probably result in fewer acquisitions of new lands and

the closure of existing "unpopular" primitive campgrounds. It would seem more sensible to let the agencies continue to charge for camping, and change the law so that part of these fees can be pumped back in to maintenance and improvement of existing campgrounds.

As things were before this new law, campers were being asked to pay for campgrounds while the Forest Service could not even afford to collect the garbage or provide drinking water. For example, Coston pointed out that five campgrounds in the Pinedale District of the Bridger-Teton National Forest currently have inoperative water systems. If the water system "doesn't test out, we just take it out," he said.

The public should complain. Not about the cost of camping when services are not provided, but about the lack of funding that the Forest Service is getting for recreation management. Removing the charge only insures that we will have fewer recreational opportunities in the future.

The timber cuts are increasing and the campgrounds are closing. Who owns the National Forests anyway? —BH



community has been terrible to behold. The invasion of the desert lands continues unabated. The Los Angeles Times is not one to bring pressure for control of off-the-road vehicles.

Fran Barnes' arguments in defense of trail cycling might carry some weight when he talks about this type of cycling in non-populated regions. His argument doesn't hold much water because off-the-road vehicles are not strapped upon the rear of campers and the intrusion of off-the-road vehicles takes place many miles distance from the owner's home base. California, Nevada and Arizona are literally being torn asunder by the trail bikes. I can see no good from their invasion of the desert.

Barnes' argument that trail cycles leave few wheel marks and are so erased by the next breeze or rainfall. He should travel into the high desert in Southern California where General George Patton trained his troops. Even today, one can see the imprint of machines and light vehicles in the surface desert landscape. In my travels in the desert near Apple Valley for Spanish gold mines, we find man's imprints of his explorations in the 1860's and 1870's.

The strip-mining of lands for coal will do more to disturb the high-altitude ecological community than man has ever seen. I take the position that if the Europeans can prohibit the destruction of their environment by eliminating off-the-road vehicles, recreation roads and fully developed campsites, while focusing on hiking — we can do the same. Unfortunately, we in the United States have a philosophy that what belongs to the government (state, county, or federal) is free for everyone and can be used in whatever manner the public chooses. Not so in Europe!

So pleased to receive the High Country News. As soon as it comes I sit down and read it.

Best regards,
Johnston C. Craig
La Verne, Calif.



Guest Editorial Clustered Growth

Reprinted from MAINE TIMES
Topsham, June 15, 1973.

As our reporter Lynne Langley explained in her report on the coming of condominiums to Maine, the structures have little to do with the name. "Condominium" implies a system of ownership, not an architectural style or certain structural plan. Nevertheless, because typical condominium developers want to earn the maximum return on their investments, they usually end up putting a sizeable number of living units on a minimum amount of land. Because this has happened so often, much of the public now associates condominiums with what might more accurately be called cluster development.

We don't know much about the merits and demerits of the ownership system, but we do know that clustering living units on a minimum amount of land is the best sort of development for Maine and the people who live in and next door to the new housing. Some of the reasons are obvious. There is, for example, likely to be one good building site on a given five or ten acres; rather than forcing some of the owners to live in make-do sites by building one house per acre (and using the available green space in the process), a cluster plan can give every owner part of the best site, leaving the remaining open space for the enjoyment of all.

This is obvious. What may not be quite so clear is the hopeful pattern inherent in some cluster developments, condominiums or not. We can see signs that the best of the developers are now thinking in community terms, and planning for an entire service system. Ideally, for example, a good cluster development of upwards of 50 to 100 units would provide waste disposal services, water, sewage treatment, roads and sidewalks.

From there, it is just one more step to providing an in-community school, a mini-fire department, police, and other community services like a shopping area, cultural facilities (one New York City apartment now has its own closed circuit television station, with tenants running the shows) and even certain agricultural facilities, like acreage for gardening and truck farming.

For us, this is just a short step from a total



post-industrial community, self-contained, independent, in harmony with nature, based on saving rather than wasting, reusing rather than constantly consuming. For others, it may be a long step; but they are perhaps not considering the uniform resistance which is being mounted against large new developments which demand increased services from their host communities. In Vermont, New Hampshire and Maine, in Harpswell, Carrabassett and Kennebunkport, those kinds of developments are being strenuously resisted, even to the point where townspeople enact moratoriums on all building of any kind, suffering their own curtailments in an effort to slow the breakneck pace of development.

It is doubtful if they would adopt such extreme measures if they believed the proposed development would not drain their limited resources. If a cluster community can take care of its own wastes (using such systems as the Multrum-Clivus toilets), can provide its own services, educate its own children, and even grow some of its own vegetables, provide group transportation and some facilities for medical care... if these and other needs can be met from within, rather than without, then much Maine land would be enhanced rather than defiled; many Maine communities would end their attempts to block all building.

With some state legislation to block fast-buck profiteering and with a model community to show the way, we can see condominiums leading to a better system of living for Maine. There is no way the state can keep people out. What it had best do is plan for the best way to accommodate the migration. Self-sustaining, post-industrial clusters are surely part of that way. —JNC

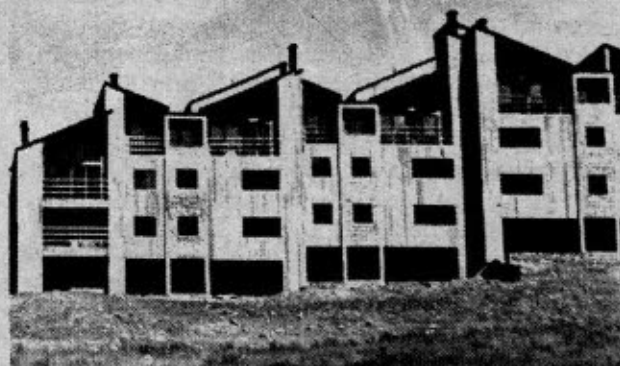




Photo above (courtesy of Steamboat Pilot) shows Storm Mountain ski area as it appeared about 1965. LTV Corp. acquired it in 1966, renamed it Mt. Werner, and started development. Recent photo, below, shows only a small part of that development. Last year three new lifts were added and skiable terrain was increased by 30 percent. Condominiums, shops and restaurants are nestled into the folds of the mountains at left.



Bewilderment . . .

(Continued from page 1)

unable to expand, many old-timers have taken the opportunity to sell out to the developers at a good price, and have moved away.

I talked to one 46-year resident, a rancher's widow who now lives in town. "I'm not against growth or progress," she said, "but this is going so fast it's gotten out of hand. And what are people going to eat when there's no land left for the cattle?"

Another long-time resident says "These big outfits come in here and all of a sudden the town is full of new people who are trying to change everything."

One change soon to go into effect is a new type of city government. A charter group is now drafting a city charter to set out the duties and responsibilities of a 7-man Council, which will elect from its members one man to serve as Mayor for ceremonial and legal purposes. (Former mayors have been elected by the populace.) The administrative duties will be handled by a City Manager to be selected by the Council. This will be a full-time salaried job.

By next January there will be a city police department, but at present the sheriff's office

is doubling for the police department. According to Sheriff J.T. Kelton, the crime rate in general has gone up in the last few years.

"Strangely enough," he says, "the biggest increase is in trespassing. People see all this land and property changing hands, and they seem to think they have the right to go in and take anything that's there. Why, they'll even go in and tear the sides off an old barn, just for the lumber!"

Business people generally feel that the growth has helped their business, but some say there's now more competition. This is certainly true for the realtors, and the restaurant business. Ten years ago Steamboat had four or five restaurants — now there are 32, most of them on "the hill." One citizen remarked, "You can't even eat downtown anymore. If you want to go out for a good meal you have to go clear up to the hill."

At the assessor's office I asked if the increase in tax income would be enough to cover the increased cost of government — water, sewer, street maintenance, fire and police protection, snow removal, etc.

"Right now we have no idea," was the answer, "but we're working on that. Come back in about a year and we'll have the figures to answer your question."

"Development" seems to have spread like a fever over the entire county. Since zoning

laws were not in effect until 1972, localities could do little except complain. Now they are beginning to realize that they can take their arguments to the County Planning Board as plans for new developments are presented. This board hears arguments for and against each development, then makes a recommendation to the 3-man Board of County Commissioners, who, after another public hearing, makes the final decision. Zoning is a new part of the Commissioners' job, and they seem unsure of their power. In one recent case they voted 2-1 in favor of a zoning change to allow a new ski area, in spite of the fact that most of the nearby landowners were against it. Their reasoning was to the effect that it gave them too much power if they could dictate what a company could do with its own land. (In this same case, one argument presented by the developer was: "Why should anybody object to a ski run on that mountain — that land isn't being used!")

Most of the old-time county residents (and some of the newer ones) are uneasy about the changes that are taking place. County Commissioner Dr. John Utterback voiced the thought succinctly: "I sure do hate to see this county go from the Land of Wilderness to the Land of Bewilderment!"



"Quit thinking about decent land-use as solely an economic problem. Examine each question in terms of what is ethically and aesthetically expedient. A thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise."

— Aldo Leopold Sand County Almanac

* * *

"Land development has been one of the best ways to turn a buck in this country, and that has hurt the American people. . . . Land is a very critical and scarce resource that can't be dealt with any longer as a speculative commodity."

Mort Hoppenfeld

Vice President, Rouse Co.

(developer of a new town,
Columbia, Md.)

HIGH COUNTRY NEWS

Published bi-weekly at 140 North Seventh Street, Lander, Wyoming 82520. Tele. 1-307-332-4877. Copyright 1973 by HIGH COUNTRY NEWS, Inc. 2nd class postage paid at Lander, Wyoming 82520.

Material published in HIGH COUNTRY NEWS may be reprinted without permission. Proper credit will be appreciated. Contributions (manuscripts, photos, artwork) will be welcomed with the understanding that the editor cannot be held responsible for loss or damage. Articles will be published at the discretion of the editor.

Editor	Thomas A. Bell
Associate Editor	Joan Nice
Field Editor	Bruce Hamilton
Office Manager	Mary Margaret Davis
Circulation Manager	Marjorie Higley

Subscription rate	\$10.00
Single copy rate	35¢
Box K,	Lander, Wyoming 82520



Ketchum, Idaho (pop. 4,500) is a hub of outdoor recreational activity. More and more people are discovering fishing on the Big Wood River, camping and hiking in the Sawtooth National Recreation area, and downhill skiing at Sun Valley. Ranchers here are under high pressure to subdivide.

MOUNTAIN RESORTS-2 Ketchum Tomorrow

by Joan Nice

Land users are marching to court. They find that their conflicts are not addressed in state or local regulations. Then courts are forced to rule by outdated laws. The resulting land use decisions may be just, but they are beginning to seem unworkable in the very small modern world.

In Ketchum, Idaho, for instance, a judge has ruled that the city cannot deny a building permit on the grounds that its sewers are full. To deny the permit, developer must be found in violation of zoning regulations.

Another judge is being forced to make "planning" decisions 12 miles down the valley in Hailey. The decision might add 6,000 to a population of 1,425.

The entire Blaine County region, which includes Ketchum, Hailey and the ski resort town of Sun Valley, is facing the impacts of a myriad of projects with names as alluring as the surrounding 8,000-foot peaks — Greyhawk, Woodside, Elkhorn, Bigwood, Balsamroot. David Vhay, Blaine County planning and zoning administrator, expects that the Ketchum-Sun Valley area will rise to over 24,000 as a result of planned and future developments.

Some people in the county support the growth because they believe it will increase the tax base. Others feel that the developments mar the character of the area, damage the land, and force taxes up — not down.

The largest proposed project in the region promises not only to increase the tax base, but to solve the nation's balance of payments problems as well. Ketchum rancher and lawyer William R. Burt has suggested that the Forest Service promote a ski area for 200,000. The project, extending from Wood River Valley west to Featherstone, would be "the largest international recreational complex in the world." One hundred thousand Japanese flown into a jetport somewhere nearby could contribute four billion dollars a year to redress our payments problems, Burt says.

MORATORIUM

A desperate Ketchum City Council declared a moratorium on building permits this January. They hoped to postpone development until decisions were made about expansion of the already overloaded sewage system. The Greyhawk court ruling in July stripped the council of their stalling power, however. Judge Theron Ward ruled that if the proposed Greyhawk development met existing zoning requirements, the town of Ketchum had incurred "a solemn obligation" to pro-

vide sewer service when it had assessed the plaintiff's property and levied a sewer assessment.

This ruling leaves Ketchum caught between court orders and health regulations. During peaks, the sewage plant is now allowing solids to flow into the Big Wood River. Fines of up to \$1,000 a day could be levied for further violation of the state law. Studies to determine how much expansion of facilities the river can take have not been completed.

The judge might as well have said "jump over the moon," according to a Ketchum Tomorrow editorial, unless some higher resolution is sought.

Twelve miles of sewage effluent downstream from Ketchum, citizens have forced another court to examine sewage capacity and the limits to growth.

The Hailey sewage plant is running at 70 per cent of capacity, serving a population of 1,425. McCulloch Properties Inc.'s proposed Woodside development might quadruple the demands on the plant.

Some people in Hailey fear McCulloch's ability to draw people to the region. The corporation, a subsidiary of a chain saw and

High Country News-5
Friday, Aug. 17, 1973

petroleum firm, brought the London Bridge to Havasu City, Ariz. They built the world's highest fountain to lure buyers to Fountain Valley, Ariz. They are famous for using advertising and free airplane rides to create a demand for land in remote places. To some Blaine County people, McCulloch is the Pied Piper of L. A.

"I don't like to see any artificial spurs to development," says Steve Lathrop, associate editor of Ketchum Tomorrow. "McCulloch provides them, and the result is a demand for recreational facilities which the area can't sustain and which wouldn't have occurred otherwise."

On the grounds that sewer capacity will limit their rights to develop their own property if Woodside goes ahead, some Hailey property owners are suing McCulloch. McCulloch's lawyer, interestingly enough, is also the city attorney and the county prosecuting attorney. He claims that small landowners have no right to consider themselves superior to the developer in claims to the unused sewer capacity of Hailey.

PLANNING BY JUDGE

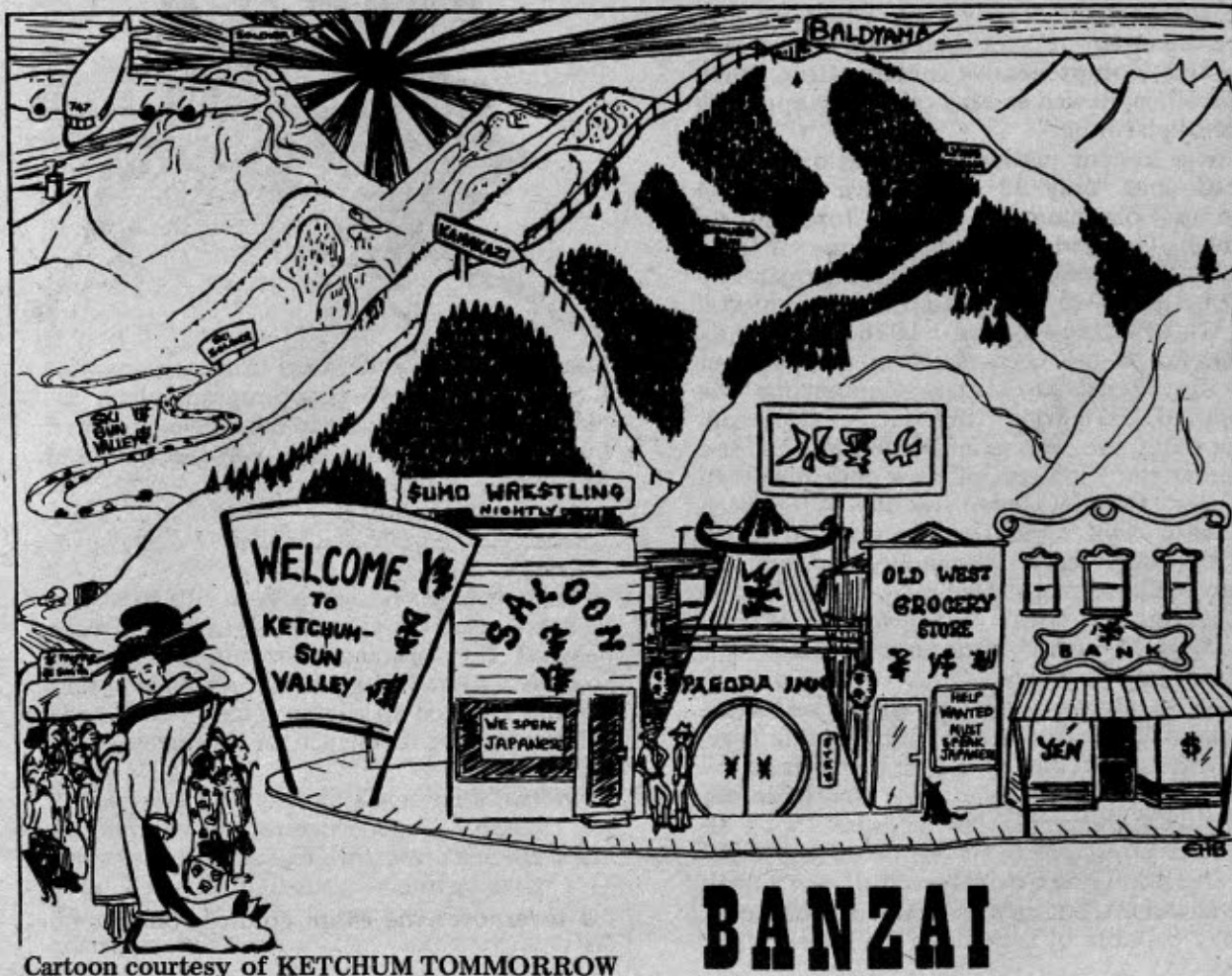
For the next few months at least the county seems doomed to this "planning by judiciary" approach. Both Ketchum Tomorrow and a citizens' group called the Ketchum Community Project are urging that citizens choose alternatives to the courtroom. Ketchum Tomorrow has suggested that a comprehensive plan be adopted.

"There are many sound, legally substantive reasons for denying... (an application for a building permit), but none of them will stand up in the absence of a comprehensive plan," the newspaper says.

The Ketchum Community Project presented such a plan to the public and to their planning and zoning commission in June. Guided by goals expressed in a "public questionnaire, the project drew up a plan which attempts to protect natural features, set a peak population for the Ketchum-Sun Valley area, minimize the cost of providing necessary government services, and create "a living environment which residents and guests find enjoyable and superior in quality."

Governmental authorities have taken no action on the plan as yet.

More lawsuits are expected.



Cartoon courtesy of KETCHUM TOMMORROW

High Country News
Friday, Aug. 17, 1973

Lobbying for Land Use

Jim Monaghan is a full-time state lobbyist for the Colorado Open Space Council. In the 1972 short session he worked hard for the passage of a state environmental policy act. This past session, Jim fought for good land use legislation at the Capitol and throughout the state. Jim was campaign manager for Alan Merson in his 1972 attempt to unseat Rep. Wayne Aspinall. They defeated Aspinall in the primary, but lost to Rep. Jim Johnson in a close race for the Colorado Fourth Congressional District seat.

In the article below, Jim describes the struggle for land use legislation in Colorado. The editor.

* * *

by Jim Monaghan

We hear many times that environmentalists should attempt to bridge the communications gap with businessmen, legislators, industrialists, and developers — the point being that many conflicts are precipitated by a lack of understanding.

Well, Camelot fans, a number of us in Colorado have just engaged in a six-month, intensive communications exchange about land use with our state legislature, under a vehicle referred to as "Senate Bill 377." The result was that all sides ended up understanding each other perfectly well; and the most important environmental bill of the session was defeated.

SB 377 was a strange embodiment from the beginning; one must understand some background leading to the introduction of the measure to appreciate what political forces were at work both for and against the bill.

BAND-AID PROTECTION

It would be fair to characterize past environmental legislation in Colorado as being of a "band-aid" nature. With over 40 state agencies alone involved daily with environmental problems, we have in the last few years introduced and worked upon legislation dealing with all of those diverse agencies. In this manner we have yet to fully address some of the central concerns which were characterized in SB 377. The Colorado Legislature seems ready to require that an industry comply with water and air pollution regulations, but the solons seem to shy away when we urge that the entire project should undergo a careful and comprehensive investigation. That, after all, is viewed as a radically new approach called "planning."

In a recent national publication it was noted that only 11 states have state-level land use planning and control. Interestingly enough, Colorado was listed as one of those states. The reference was made apparently with regards to the Land Use Commission (LUC), which was formed in 1970 in Colorado.

The LUC has been remiss in carrying out specific legislative changes concerning the proposed 1976 Winter Olympics in Colorado, comprehensive recreational planning, and use of emergency powers of cease and desist. In the past two legislative sessions it has been our very own Land Use Commission which has opposed certain comprehensive environmental bills, urging instead, that the legislature was moving too fast to control the use of land. Clearly, the commission has violated the spirit of its existence.

The LUC, very early on, embarked upon an elitist path. When scheduling public hearings throughout the state, one member of the Commission stated that there was little use in holding open meetings because "... all you hear from is the damn dissidents anyway."

"The three-year track record of the highly politicized LUC shows it to be an ineffectual agency capable of little more than theoretical

ruminating and vague generalizing. It lacks credibility as an instrument for bringing order out of land use chaos," said the Rocky Mountain News in an editorial.

The inactivity of the LUC led to SB 377. Since members of the legislature were put off at every turn by the LUC, they decided to draft a comprehensive land use measure themselves. Eleven members of the Colorado Legislature banded together, representing the entire leadership of both parties in the Senate and House, and began a six-month process of drafting and attempting to pass a significant land use measure. It was the first time in recent legislative history that such a bi-partisan effort had been lodged by individual legislators. The result was a strong bill which included:

1. A State Commission, appointed by the Governor, with authority in the following areas:

— Land being taken out of open space in the Front Range of Colorado

— Development in hazardous areas of the state

— Developmental activities, such as highway construction, large subdivision, airports, natural resources development, etc.

— Boundary controls to prevent the helter-skelter annexations, incorporations, and special district formations which have been disruptive in Colorado

— Approval authority for regional master plans

2. A state policy which was included in the bill and was to have been applied to all decisions made by state and local governments.

3. Regional Commissions to coordinate land use in the region and to specifically deal with the land use decisions which were not of "state concern" or of concern to the State



Commission. The Regional Commissions were further directed to adopt regional land use plans which would have to have been approved by the State Commission per the policy of the Act.

UNDER FIRE

Even with a prestigious group of legislators co-sponsoring the bill, SB 377 came under the heaviest fire that any environmental bill has seen in Colorado's history. Lobbying against the bill reached an all-time high with over 25 full-time organizations actively trying to defeat the measure.

In the first series of hearings on the bill, the Senate Local Government Committee heard from an assortment of so-called citizens. The first witness identified himself as a "citizen and homeowner from Fort Collins." As it turned out, he is a land developer and

strongly opposed any measure which might limit the amount of "at-any-cost profit" he might want to extract from the community. Parading before the committee were the Rocky Mountain Land Developers, the Denver and Boulder Board of Realtors, the Homebuilders Association, the Apartment Owners Association, various farm organizations, and the County Commissioners Association, to name just a few. However, the bi-partisan battle in the Committee was well-fought; and with Democratic Rep. Dick Lamm (a 1974 gubernatorial hopeful) working side-by-side with Sen. Joe Schieffelin (the GOP Senate leader), the bill moved out of committee in acceptable form.

In the Colorado Senate, bills with fiscal impact must go to the Senate Appropriations Committee for a price tag and fiscal scrutiny. In this case, however, the Appropriations Committee did a bit of substantial violence to the bill over and above meeting their fiscal review responsibilities.

The contention of the Committee was an interesting one. They felt that the state or any other governmental entity could not control a land use activity unless all possible data and information concerning that activity was on hand; and it was the responsibility of the state in this case to generate that information needed for decision-making.

There are some fallacies with this approach that should be dealt with. Some things are obvious even before scientific data fully describes the potential environmental consequences. In the case of flood plains, the Senate Appropriations Committee contended that the state cannot control development in these hazardous areas until the state had completed a thorough inventory of flood plains in Colorado. Until such time, the Committee inferred that it would not be right to control or halt construction in suspected hazardous areas because of a lack of information. This concept seemed so fool-hardy that it was difficult to debate.

Time is growing short for Colorado. Presently in Colorado there are enough lots platted to sustain a population of approximately 12 million persons more than we presently have in the state. In Weld County alone, 78% of the plats are not built upon at the present time. Now the Senate has suggested that we should put off controls until we have firmer data. The options will be lost in the interim if we do not place at least some form of rudimentary control upon land speculation and developers, and we will have precluded the need for any land use legislation in the future.

This interesting approach to land use planning was adopted almost across-the-board by the Senate, which stipulated that until such time as regional commissions developed comprehensive plans, no controls whatsoever should take place. Over and above this, the Senate stripped the State Commission from the bill.

THE DISMAL PRODUCT

While the bill was being discussed on the Senate floor, a series of circumstances took place which amazed even the most hardened veteran of the legislative battles. While we were hoping that the Senate would strengthen the bill after the violence the Appropriations Committee had done to it, the senior solons instead moved to weaken the measure even further.

A measure that called for mandatory, comprehensive regional plans to be drawn and adopted in accordance with the stated policy of the act remained in the Senate Local Government Committee's version of the bill and the Senate Appropriation Committee's version. But it was taken out on the Senate floor. That meant that 12 planning regions

in the state were to adopt individual land use plans with absolutely no guidance from a state body, with absolutely no coordination, and with absolutely no common policy guide.

During one day's debate, major issues that should have been the subject of separate bills were amended onto SB 377 without dissent. The makeup of the diluted state commission was changed radically three times within a four-hour period, passing each time without dissent.

The panic drew to a quick close when Schieffelin laid the bill over a day and convened the Senate GOP caucus to work out a compromise. This was the first hint of partisan treatment of the bill; the GOP caucus wrote an absolutely do-nothing measure in one short hour. That measure, which has been referred to as the "County Commissioners supplemental appropriations bill" rather than a land use bill, was the final product of the Senate.

The House of Representatives took less time with the measure and generally put the bill back into a form worthy of passage. While the Senate worked over the bill for months, the House went to each concept, discussed the merits, and voted. The result was a bill which retained most of the authority over Front Range open space control, hazard areas, developmental activities, and boundary adjustments within regional commissions, rather than a state commission. While the House did not put the concept of the state commission back into the bill, they did require that any regional plans be adopted in conformity with the state policy.

Since there was such a difference in the Senate and House versions of the bill, the measure went to a conference committee made up of four supporters of a strong land use bill and two stronger opponents who opposed virtually any attempt to control the use of land in Colorado.

One of the most heartening aspects of SB 377 was the work that the conference committee accomplished. While a good degree of debate centered upon the authority of a regional commission over county and municipal officials, the two outspoken opponents of the measure encountered a thorough education about land use. They came away from the experience with a radically different perspective than they seemed to have upon entering discussions. This hopefully points up the fact that when a number of decision-makers take the time and effort to understand and examine what is happening to our state that they will come away with many common feelings.

KILLED

The result of the conference committee's work was that the compromise between the House and the Senate was nearly identical to the stronger House version of SB 377. Upon receiving the conference report, the House adopted that version by a rather healthy vote; but then the Senate rejected the compromise version, adhering instead to its original version — "the supplemental appropriations measure for county commissioners." Refusal of one house to accept a conference report immediately kills a bill; therefore, on the last day of the legislative session, after inching through eight crucial stages of the legislative process, SB 377 was killed by the Senate without even cursory debate.

While the organizations which had opposed SB 377 are obviously well-pleased with their efforts, it was an organization which came in at the tail-end of the process that actually proved to have the greatest impact. That organization was the City and County of Denver, which, being well-oiled with taxpayer's money, put on a final attack against SB 377 that was unmatched. Denver's problems arise from the fact that the city administration under the dubious leadership of Mayor William McNichols would like to annex their way practically to the Kansas border in

an effort to expand their tax base. SB 377 would have required that Denver run such annexations through a Regional Commission (which Denver would have in all probability controlled) before proceeding.

The arrogance of the city administration is demonstrated by the fact that with over 25 public hearings on the bill, they never found time to testify concerning their annexation problems, assuming only that the bill would be killed somewhere in the process.

In retrospect, one comes away with the feeling that SB 377 highlighted the best and certainly the worst of the legislative process in Colorado. On one hand we have a large group of legislators who are opposed to any land use control whatsoever, attempting instead to solve all of our problems through fact generation and master planning. They were joined in the course of the session by other solons who simply lacked the will or stamina to invest themselves in the difficult pursuit of responsible land use legislation. Frequently, we noted that many legislators would not even read the various versions of the bill, wishing only that the time would come when they could vote against the measure and end the lengthy session. The irresponsibility was shocking at times when legislators either overtly attempted to kill the measure because of obvious personal conflicts of interest or simply ignored the importance of land use control.

MAYBE NEXT YEAR

On the other hand, never has a bi-partisan group of legislators with diverse experiences and beliefs worked together in such harmony. A coalition made up of the most liberal Democrats and the most conservative Republicans jointly believed that the time was growing much too late for determining our environmental future in Colorado. They spent half a year each in an effort which remained bi-partisan from the beginning to the end in search for a reasonable, but responsive, land use measure. They were successful in the House but were rebuked by a single vote in the Senate. As in sports, the only statistic which is looked at is the won/lost column, and that is presently showing Rocky Mountain Land Developers, Realtors, Homebuilders, City and County of Denver, County Commissioners Association,

High Country News-7
Friday, Aug. 17, 1973

et al. . . "1"; Colorado. . . "0."

There will of course be a session of the legislature next year; and there is every reason to believe that a significant land use bill will be adopted, if those who worked and dreamed so hard this year will stay in the battle. If efforts with next year's legislature are unsuccessful, then all of the voters in Colorado will be given a chance to directly engage in passing a strong land use bill through the referendum process.



"We abuse land because we regard it as a commodity belonging to us. When we see land as a commodity to which we belong, we may begin to use it with love and respect."

— Aldo Leopold

Advisor Named

Despite the defeat of this year's land use bill (S.B. 377) in the Colorado legislature, prospects for passage of a meaningful land use package look bright next session. The reason is that Colorado has a new environmental advisor. John Birmingham, a Republican state senator from Denver, resigned his legislative position to accept the appointment from Gov. John Vanderhoof.

Birmingham is working with the governor to prepare a package of several bills to accomplish roughly the goals of S.B. 377. One of the criticisms of S.B. 377 was that the bill was too large and tried to cover too many separate areas.

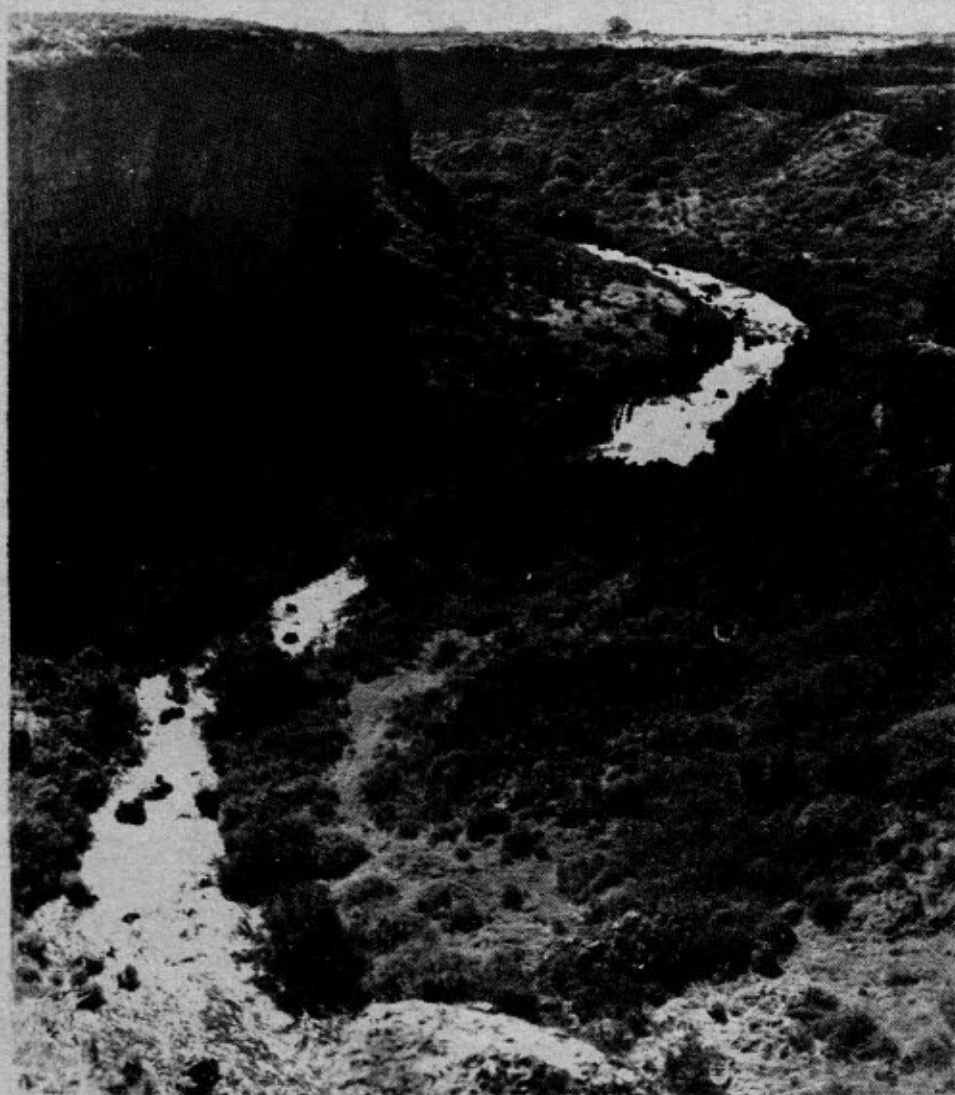
Birmingham is an outspoken friend of the environmental movement. He was the author of a state environmental policy act which failed to pass in the 1972 short session, and worked hard for the comprehensive land use bill this past session.

In an interview with Straight Creek, Birmingham said he was "delighted" with his new job and confirmed that he plans to spend "80 percent" of his time on land use matters. "To me," he said, "that is the number-one thing."





Lower Box Canyon has been proposed as a National Recreational River. The bulldozing below the cliff is for a road and a pipe to carry water from the canyon under the Snake River to the Clear Lake Trout Company on the other side.



Upper Box Canyon may be protected as a National Wild and Scenic River. The source, Box Springs, is the 10th largest natural spring in the world.

REF

THOUSAND

The legendary Thousand Springs area is a man. The springs, believed to be the outlet of the Snake River, pour forth clear water for 100 miles away, pour forth clear water for 100 miles away.

In 1912 some of the major springs were destroyed by a performance, Idaho Power Company gl... There is talk of removing the plant and...

Trout farms are concentrated here because of the pure, 58-degree water out of the canyon and a dozen men in the area produce 80 pe...

These springs recharge and purify the water. It is refilled by this underground aquifer. The blue water extends into the roily river.

The area also is famous for the geologic Bonneville Flood where a massive discharge (now located) formed gravel the size of a football. One of these beds, the result of an irrigation pipe for a potato...

A central feature is the spectacular spring in the world, carved this scenic controversy. For years, politicians and protective legislation. When Clear Lake Trout divert its waters, the politicians finally b...

Now, along with the scars, there is a new surrounding region. (For a story on potent...



This sign marks the area where zebra-like horses used to roam over 3,400,000 years ago. Today the bones are found in beds that have been recommended for National Monument status.

Photos by Bruce Hamilton and Joan Nice

REPRIEVE FOR THOUSAND SPRINGS

ndary Thousand Springs area near Twin Falls, Idaho has long been a workhorse for springs, believed to be the outlet for the Lost Rivers which disappear underground over way, pour forth clear water from a basalt outcrop which towers over the Snake River. Some of the major springs were tapped to produce hydroelectric power. Now, at peak e, Idaho Power Company gleans 7,500 kilowatts of power from the development. k of removing the plant and restoring the area.

ms are concentrated here because the springs pour thousands of gallons a second of ree water out of the canyon walls. The water provides the ideal trout environment, men in the area produce 80 per cent of America's restaurant and supermarket rainbows. rings recharge and purify the Snake River which is nearly used up by irrigators before by this underground aquifer. As each spring's outlet enters the Snake, a ribbon of clear extends into the roily river.

also is famous for the geologic history it portrays. The region was once the site of the Flood where a massive discharge of water from an ancient lake (where Salt Lake City ed) formed gravel the size of watermelons. Fossil beds contain bones of animals over ears old. One of these beds, the Horse Quarry is bisected by the thoughtless place-irrigation pipe for a potato farm.

l feature is the spectacular Box Canyon. Box Springs, the 10th largest natural e world, carved this scenic canyon which has been the subject of so much recent For years, politicians and government officials dragged their feet in drafting pro-ation. When Clear Lake Trout Company started to bulldoze the lower canyon and aters, the politicians finally began to act.

ng with the scars, there is renewed interest in preserving the canyon and the sur- gion. (For a story on potential protective legislation see page 10.)

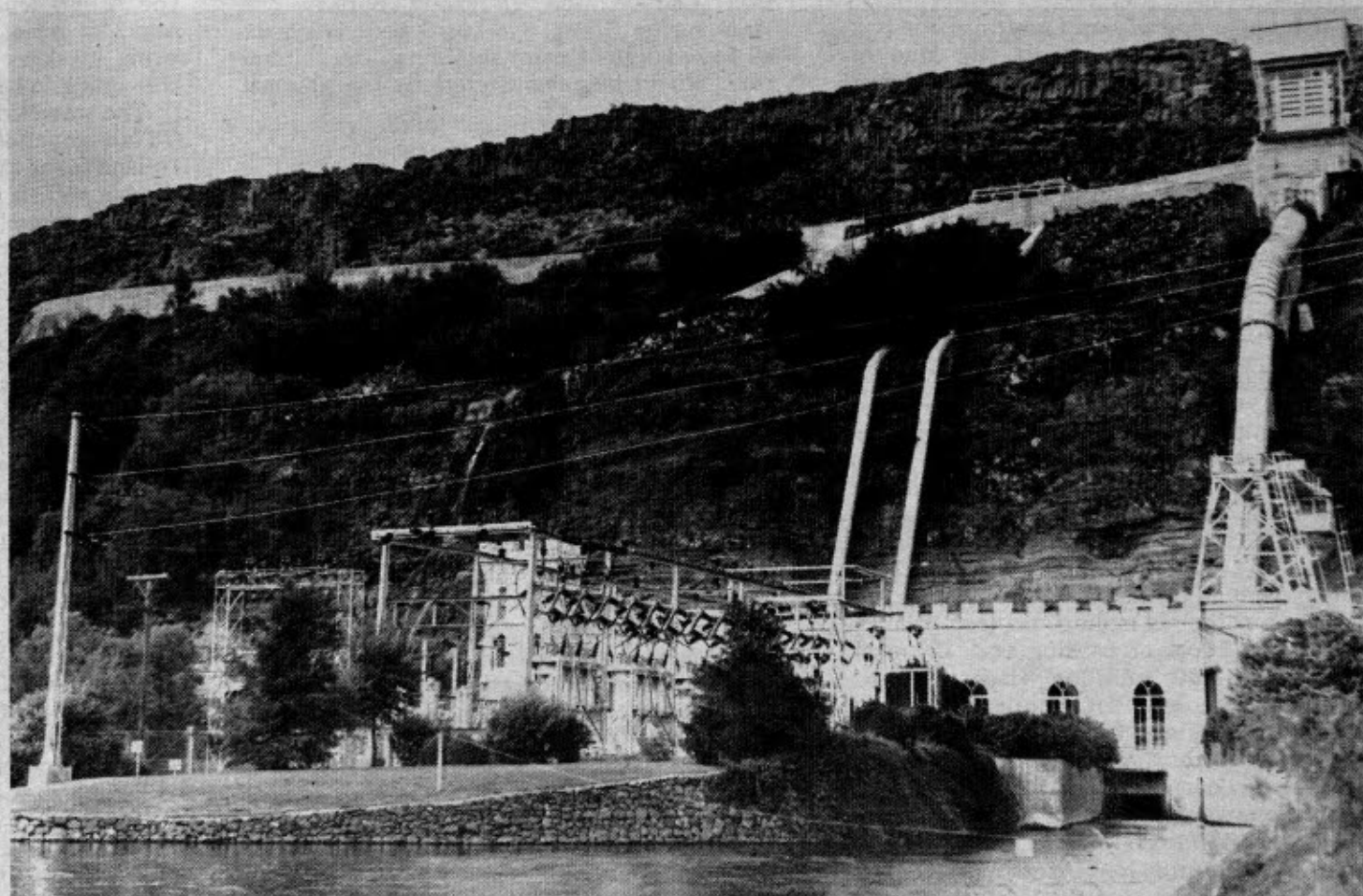


Clear, pure, 58-degree water pours from a basalt outcrop in Idaho's Thousand Springs area.



er 3,400,000 years ago. Today their fossils lie

ce Hamilton and Joan Nice



The Idaho Power Company's Thousand Springs Hydroelectric Plant could be removed if restoration was desired. Its 7,500 kilowatt maximum output is insignificant in the power grid.



The Jackson Hole Airport is at the base of the Grand Tetons. The proposed runway extension to accommodate jets would extend into Grand Teton National Park. The environmental impact statement on the development says that jet service to the foot of the Tetons won't necessarily help Frontier Airlines turn a bigger profit and isn't needed by the local skiing industry. The Jackson Hole Ski Corporation disputes this point. Noise could more than double and air pollution would increase by about one-third in areas close to the airport if the extension is built, according to the statement.

Crucial Time for Springs

Bulldozers have gouged out most of lower Box Canyon in the Thousand Springs area near Twin Falls, Idaho (See centerspread). Sen. Frank Church asked the National Park Service for a study and draft legislation to protect the area two years ago. Now, after some feel it is too late, the Park Service has pledged to make available by early September draft legislation to provide protection.

Another attempt to protect what is left of Box Canyon is being spearheaded by Sen. James McClure. He has introduced legislation to include upper Box Canyon in the National Wild and Scenic River System. He said the move would head off further development of the canyon and "save one of the last of South Idaho's fabled Thousand Springs in its natural state."

"There has been considerable fear expressed that the upper end of Box Canyon — the Box Springs — will be subject to the kind of development that has marred the lower canyon, and I share that fear," McClure said.

McClure's bill would place the upper Box Canyon Creek in a "wild river" status. The lower end, which empties into the Snake River, would become a "recreational river" accessible by a road that would be open to

the public. The dividing line would be the present diversion dam built by the trout-processing company that has developed the lower canyon.

Another endangered feature of this region is the Hagerman Valley fossil beds. While under state control, a potato field irrigation pipe was placed across part of these unique beds. Now a preliminary report from the National Park Service has recommended the establishment of a national monument to protect these sites. As an alternative, the report suggests that the fossil areas could be made a state park and federal cooperative zone.

McClure has also called for the study of a possible "cultural park" for the Thousand Springs area. The cultural park would include Box Canyon, the Thousand Springs, the Watermelon Gravel, and fossil beds which are all found in the Hagerman Valley. The cultural park would be administered by the National Park Service.

Battle Shaping Up

A battle over the use of two controversial pesticides is shaping up.

Hearings began August 7th on the continued use of aldrin and dieldrin, two pesticides related to the already-banned DDT. The two pesticides are being used extensively in Midwest cornfields and Florida citrus groves. Dieldrin has been used to protect clothes and blankets from moths, and to protect paint and wall paper from other insect damage.

Both the Environmental Protection Agency and the Environmental Defense Fund are attempting to prove that the two pesticides cause "unreasonable adverse effects on the environment." Their arguments will parallel those used against DDT.

The preliminary hearings are expected to last at least a year and a half. After that, it is expected that Shell Oil, manufacturer of the two bug-killers, will appeal to the courts. It may take as long as five years for a final decision to be made.

The Food and Drug Administration was on the verge of outlawing the two pesticides back in 1968 when the E.P.A. was formed and took over the pesticide problem. : : EARTH NEWS

Hi-Rise Tenting

Spotted in the press clippings:

Hi-Rise Campsites, Inc., has announced plans to construct a 20-story campground in downtown New Orleans and is seeking financing for the project. "This will be unique," said Wesley Hurley of Hi-Rise. "It is designed for today's different brand of camping. People don't want the woodsy bit now; they want to camp in comfort near the city."

Plans for the \$4-million project call for eight lower floors of parking and 12 upper stories, with 240 individual sites equipped with utility hookups for campers, and carpeted with artificial turf. The campground will include a rooftop pool.

Albert Ledner, architect for the project, and Hurley plan to open the facility to coincide with the 1974 Mardi Gras and the opening of the nearby New Orleans Superdome.

Can't wait to see what they're going to do for an encore! (Conservation News)

Reckoning from Washington

by Lee Catterall

Anti-aircraft environmentalists have gained ammunition, albeit small caliber, in their attempt to stop the proposed extension of the Jackson Hole Airport runway. Whether it's the kind that will alarm Sec. of Interior Rogers C.B. Morton or, if not him, the courts, remains to be seen.

Sens. Clifford Hansen and Gale McGee and Rep. Teno Roncalio all have staunchly supported the extension, which would allow Boeing 737s to land at the airport in the southern end of Grand Teton National Park. In what Hansen described as "a great team effort," they succeeded a year and a half ago in getting congressional approval of the \$2.2 million project. McGee called it "a great step forward."

Planes only as large as the 50-seat Convair 580, which Frontier Airlines flies into the airport about a dozen times daily from nearby points, now are allowed on the strip because of its length. The 737 holds about twice as many passengers and would be able to fly direct from the East Coast with loads of winter skiers. Frontier wants to phase out its Convaers.

Environmentalists say the big jets would make too much noise for both themselves and their furry and feathered friends. McGee, Hansen, and Roncalio acknowledge the big planes might cause some irritation, but consider it minor against what they describe as real economic and safety needs.

After hearing from a group of pro-extension Jackson Hole residents who came to Washington in February, the three legislators sent a joint letter urging National Park Service Dir. Ron Walker to consider "all aspects" of the proposal, not just the environmental one.

In a separate letter, Hansen told Walker that "improvements are urgently needed for safety reasons," and "loss of adequate airline service" would work a "hardship on the community" and bother tourists.

The Park Service disagrees. In an environmental impact statement completed recently, it says other



improvements besides the extension could make the airport safe for the Convaers. Furthermore, it says, "it is not necessary to have jets in order to bring in skiers in sufficient numbers to support the skiing industry."

The statement says "little is known" about how 737s might affect the park's environment if allowed to land at the airport, but estimates the noise would double and air pollution would increase by a third.

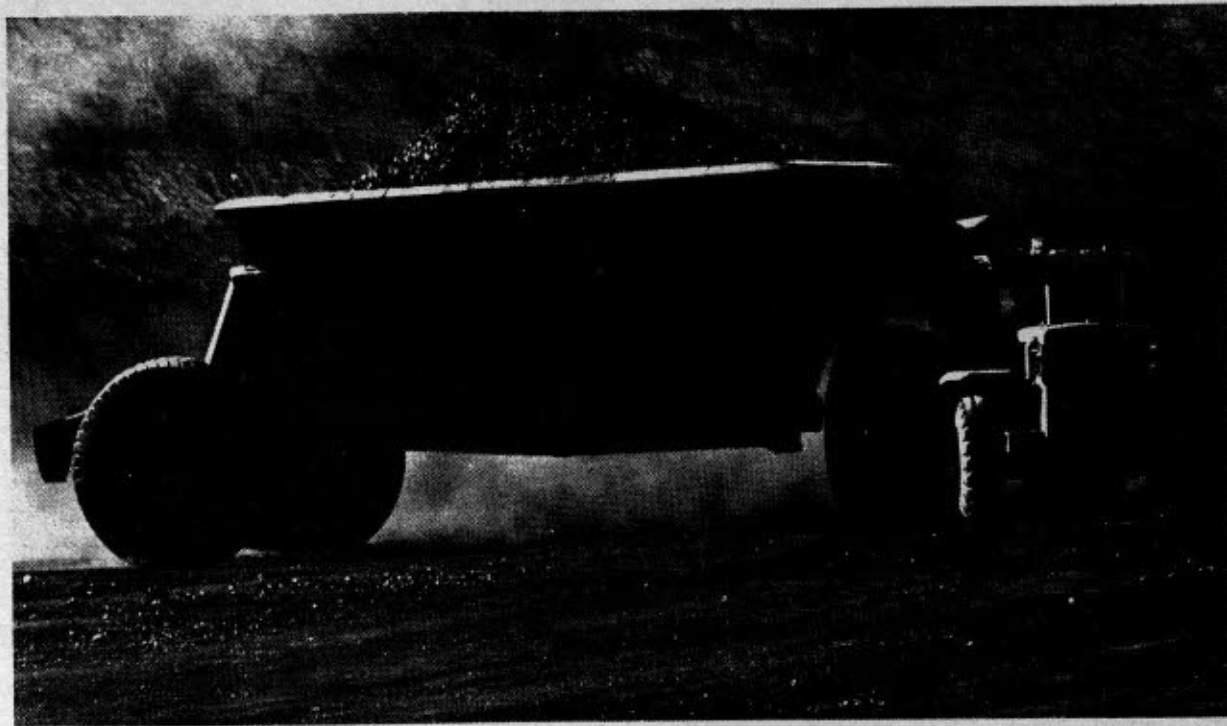
Also, it considers "significant disruption" of wildlife — elk, herons, waterfowl, hawks and eagles — "a possibility with increased noise levels overhead, and may be underway even at present noise levels."

Importantly, the statement notes "possibilities that technology will produce quieter engines" for future 737s. The Nixon Administration cut more than \$21 million from the current budget for the program to develop that technology. Sen. John Tunney (D-Calif.) last week introduced legislation to restore that money. His action could greatly affect the future of the Jackson Hole Airport.

The Park Service will deliver its statement, along with evidence gained from letters sent to Teton Park Supervisor Charles T. Coston and from a hearing in Jackson next month, to the Council on Environmental Quality for its recommendation.

A Park Service spokesman noted the council's recommendation "is not binding in any way. The Secretary (of Interior) will decide whether or not to live up to the congressional mandate. The statement could say it would be a complete disaster environmentally and the Secretary could decide to go ahead with it anyway."

Despite science, the issue remains in the political arena.



A mammoth coal truck at the Decker Strip Mine in Montana. Most coal diggings in the region have been on private holdings and have not been preceded by an environmental impact statement (EIS). Now the companies are turning to public coal on federal lands and EIS's will be required.

Photo by Terry Moore

Coal Controversy Continues

The first environmental impact statement (EIS) for any project in the massive program to develop the coal resources of the Northern Plains is being prepared. The EIS will analyze Peabody Coal Company's plans to mine federal coal near their Big Sky Mine south of Colstrip, Mont. A multi-agency federal task force will prepare the document.

Peabody has mining rights from the Burlington Northern Railroad on 180 acres of land that is interspersed with federal lands.

Tour Slated

Wild horses, oil shale, one of the nation's largest deer herds, and how they all fit together in a land management framework will be the subject of study and discussion by members of the Colorado Multiple-Use Advisory Board for the Bureau of Land Management (BLM) at its annual meeting August 22-24 in Glenwood Springs.

The meeting is open to the public and will convene at 10 a.m. August 22 at the Holiday Inn, Glenwood Springs. A tour of Piceance Basin will take up much of August 23, and then Advisory Board members will form work group committees to develop recommendations for BLM.

Colorado BLM State Director Dale Andrus said that several speakers had been named to outline facets of Piceance Basin resource uses. Pat Halligan, Rifle, representing the Area Council of Government, will outline "Social and Community Land Use Planning" at 1:30 p.m. the opening day. He is followed by "Public Interest in Piceance Basin," discussed by Carolyn Johnson, Colorado Open Space Council, Denver.

A variety of resource topics will be covered by speakers during the tour on August 23. Tom Beard, Shell Oil Company geologist, will outline geology of the basin, and a representative of the Colorado Division of Wildlife will discuss wildlife matters. Reuben Oldlands, Meeker rancher, will tell the livestock grazing story, and Minford Beard, pioneer rancher, will discuss wild horses which roam the area.

H.H. Aronson, vice president, CER Geonuclear, Las Vegas, Nevada, speaks on the Rio Blanco project at 3:15 p.m.

The tour of Piceance Basin is open to the public, but those desiring to attend must provide their own transportation, Andrus said. The meeting will close at 12 noon on Friday, August 24. The Friday morning session will cover work group committee reports, resolutions and general business.

In order to mine the 640 acres of federally-owned coal in the area, an EIS must be prepared.

Meanwhile, the suit filed by the Sierra Club and other conservation groups to halt coal development in the Northern Plains until a comprehensive EIS is prepared has not been heard. The suit challenges the kind of piecemeal planning that the EIS on Peabody illustrates.

In Wyoming, Attorney General Clarence Brimmer has written an affidavit stating that Wyoming would intervene in the coal development suit if it is transferred from Washington, D.C. to Montana or Wyoming. In the affidavit he has emphasized Wyoming's interest in seeing coal development progress.

No Controls

The administration's new energy policy will lead to a heating fuel shortage this winter according to two Democratic senators. The policy, announced by the nation's energy czar John Love, involves retaining the present system of voluntary fuel allocation, increasing oil imports, attempting to reduce domestic demand, and encouraging greater use of coal.

"If former Gov. Love can't see the inequity in his policy, if he can't understand the real need for a mandatory program, then he's not fit to be the energy czar of this country," said Sen. Thomas McIntyre of New Hampshire.

Sen. Henry Jackson of Washington blasted Love's speech saying, "every time the administration takes one of these half-hearted steps, the American public loses out."

While Love ruled out mandatory controls in the foreseeable future, he made public a draft proposal for mandatory controls to be used only in the event of severe oil shortages. He emphasized, however, that he strongly opposed them as doing more harm than good.

"The energy crisis continues to produce some local problems in the excavation and transportation of raw materials. In the Douglas-Gillette area Burlington Northern Railroad is full steam ahead on construction of new tracks under 1888 laws and, apparently, management and public relations from the same era. It would seem that a little application of public relations by BN would have avoided a situation that may very well cause friction and bitterness for a generation or more."

Walt Reynolds, President
Wyoming Stock Growers Association

High Country News-11
Friday, Aug. 17, 1973



The Hot Line

About 115,000 gallons of radioactive liquid leaked from a storage tank near Richland, Washington. The leakage was discovered in a 100-ft. deep monitoring well below the tank. Plutonium is manufactured at the Hanford, Washington, plant.

The Atomic Energy Commission has been ordered to show why it shouldn't be enjoined from re-starting the Purex fuel reprocessing plant at its Hanford facility near Richland, Wash., at least until it files an environmental impact statement (EIS). The U.S. District Court order is the result of a preliminary injunction requested by four environmental groups and a Richland resident. The suit asks that the AEC be required to file an EIS on its radioactive waste management program at Hanford and seeks a permanent injunction against pouring low-level radioactive wastes into the soil. The Hanford plant has been plagued by the largest radioactive leaks in its history this year.

Two Union-Pacific railroad cars with 140 drums of radioactive waste derailed en route to a disposal site near Idaho Falls, Idaho. The specially built car did not overturn, and there was no leak of radioactivity, according to the Atomic Energy Commission. The drums contained articles contaminated by plutonium from the Rocky Flats, Colo. plant north of Denver.

Alaska's Attorney General, John Havelock, is a solid supporter of the Alaska Pipeline. But he has expressed serious reservations about drilling offshore in the Gulf of Alaska. He thinks storm conditions and other factors are too much of an environmental risk. Oil deposits in the Gulf may be several times greater than those of the North Slope. The Department of Interior is now doing a study on the area before issuing leases.

The Kaiparowits power project in the Four Corners region is not dead, it is only resting. Secretary of Interior Rogers C.B. Morton met with Utah Gov. Calvin Rampton, Senator Frank Moss, and Congressmen Owens and McKay to discuss the future of the project after it had been nixed. Under pressure, Morton promised to re-examine the project and look at a new environmental impact statement prepared by the electric utility companies.

The Kerr-McGee Corporation has entered into a long-term coal supply contract with Central Louisiana Electric Company Inc. (CLC). Kerr-McGee plans to supply Wyoming coal for 30 years to a 550 megawatt power plant to be built in the CLC service area. This is the second major coal supply contract announced by Kerr-McGee in recent weeks to ship Wyoming Powder River Basin coal out of the state. The earlier agreement was with Arkansas Power and Light.

The Sierra Club filed a motion Aug. 7 in the Denver U.S. District Court asking that the Jim Bridger Power Plant's easements in southwest Wyoming be revoked. The motion claims the federal government shouldn't allow water line and power transmission line rights-of-way because the 1,500 megawatt power plant would degrade Wyoming air quality.

A Wyoming ranchers' organization studying the proposed Burlington Northern Gillette to Douglas railroad says they don't want the area severed again. According to their chairman, Earl Scott, the present route being studied by the railroad to haul coal gives no consideration to the ranchers' grazing areas. The group prefers a route paralleling Wyoming Highway 59.

12-High Country News
Friday, Aug. 17, 1973

Commissioner Raps Development

Reprinted from THE VAIL TRAIL, Colorado,
June 22, 1973.

by Celia Roberts

In a "down home" talk made to planners, developers and geologists attending the Second Governor's Conference on Environmental Geology, Routt County Commissioner Dr. J.A. Utterback of Steamboat Springs, dealt with crucial problems which Vail, Eagle County, and many other resort areas face today, essentially overdevelopment with lack of planning and forethought. "You local authorities have the ammunition and I hope we have the genius to take care of this situation. If not we're not going to perform the job we're designated to do. We have the destiny of the community in our hands."

In his opening comments Dr. Utterback addressed a strong warning to all planners. "We can't take this attitude that we gotta hurry up and accept everything because if we don't the developers will leave and the economy of the county will go down and we'll starve to death."

"If a developer comes in saying he bought so many acres and wants to put up a condominium or whatever then he's zoning the county (or town) for us. You as planners are to zone, not the developers. As I told one the other day, 'Sir, I think you bought a cattle ranch. You didn't buy a development. . . . For three generations it's raised fat calves, fast horses and good people. Why should you cover it up with blacktop and put 4,000 people in 10 acres. Where the hell you going to park the damn cars, plow the snow? I think sometimes you local officials and developers forget this."

Utterback continued by pointing out how zoning and planning is nothing new. "Romans had it in 41 B.C., the English had it in 1200 and Massachusetts in 1800. What I hope to do now is just make the local people and the good people who come here to our state, and there are some, aware of the limitation element we are faced with. When we fail to realize this, you lead to bad development, bad sewers, water and so on. Talking to one not long ago I said, 'This river wasn't a sewer when you got here and I'll be damned if I'm going to let you make it one!'"

As to water, Dr. Utterback went on to say, "You'd think we were in the middle of the Atlantic Ocean. We're on top of the world and creation made this architecture up here so

we don't have the Atlantic Ocean. . . We have a limited amount of water."

In voicing his opinions about the inequity of higher taxes, the Steamboat Commissioner declared that, "The little fellow can't compete. That's what we are up against now. Over here a million dollar development's going up. Land sells for \$3,000.00 an acre. Over here is the little guy who's got the same type of land. He's not developing it. But his land and taxes go up anyway because it's adaptable to that kind of development. Maybe he don't want to build a damned condominium. Maybe he just wants to put his own house there. I think we need some revision in tax schedules."

Continuing with a discussion of employee housing, Utterback again addressed the developer. "They haven't got any place for these people to stay. They expect the county

or town nearby to furnish some squalid habitat that they can go to at night and come back in the morning. You developers don't have any land too expensive to put up housing for your service people. If you have then you're in the wrong business."

"You've gotta take care of your own people, because if all you chiefs get up there in one big plaza with no Indians you're going to be in a helluva fix."

"I'd like to say something to you all, to local authorities and I hope the good developers will chime in with them 'cause we'll help them. I hope the local authorities will not be lulled into a dreamless sleep of complacency that may become fatal, because we'll get hell kicked out of us if we do!"

Vail, please take note!!

Utah Fights EPA Proposals

Utah Gov. Calvin Rampton called it unconstitutional and vowed a fight in the courts. Rep. Wayne Owens was amazed at the "utter disregard for Utah needs." He charged that, "Tyranny by agency is not tolerable."

The Environmental Protection Agency's proposal to clean up the air in the Wasatch Front (Salt Lake City region) met a storm of opposition from all sides. At the public hearing, a standing-room-only crowd of 1,200 "broke into frequent applause during attacks."

Under attack were the EPA proposals to implement the Clean Air Act of 1970. They included gasoline rationing in Davis, Salt Lake, Weber and Utah counties; a ban on on-street parking during rush hours; conversion of certain highway lanes for bus or car-pool use; installation and maintenance of emission control devices and EPA permits for parking lot construction. Suggested sanctions against mayors and governors for non-compliance are fines of up to \$25,000 per day and a year in jail.

Atty. Gen. Vernon B. Romney was furious about the sanction. "No one has the right to subvert the state's sovereignty," he said.

Marga Raskin of the Sierra Club was one of the few to support the EPA plans. She said, "We must begin to recognize that mass transit can no longer be regarded as a supplement to the private automobile."

"If any accusations are to be made, they should be directed to the Utah Air Conservation Committee and to Salt Lake City's

mayor who, in refusing to recognize a serious public health problem, serve the interests of the few who wish to continue to reap profits at the expense of the public's health."

Another showdown may occur over the similar EPA proposals for Denver. Already Rep. Don Brotzman of Colorado has labeled the proposals as a "harsh means" which threatens the area economy. Public hearings are scheduled for Sept. 5 and 6 in the Post Office Auditorium.

ORVs Increase

According to government statistics, in 1971 there were 2.5 million mini- and trail bikes, 1.5 million snowmobiles and around 2 million other vehicles — such as dune buggies and all-terrain vehicles — that ordinarily operate away from the country's roads.

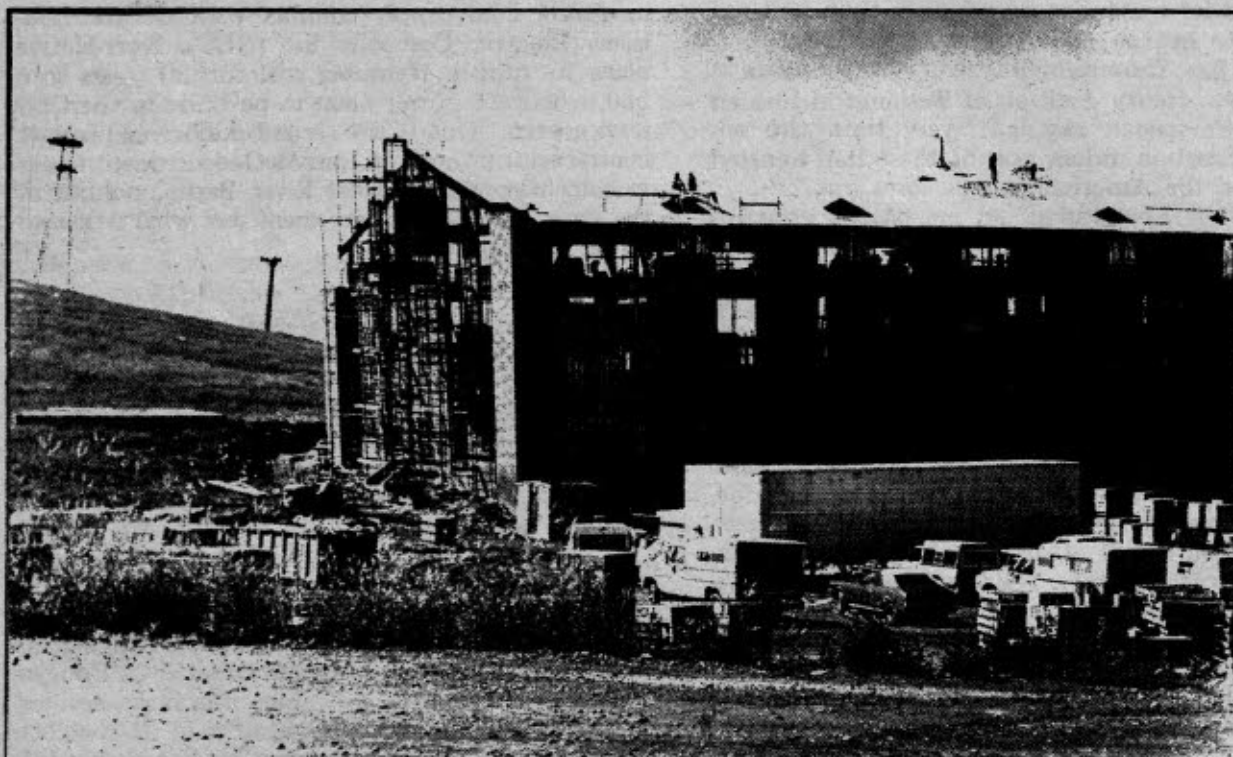
Since then, the number of off-road vehicles — or O-R-V's, as they're called — has risen and many of the nation's conservation groups — like the Sierra Club and the National Audubon Society — express growing concern about the damage that ORV's are inflicting on America's undeveloped lands.

For example, the Interior Department's Bureau of Land Management recently closed off a 33,000 acre section of California because pick-up trucks and dune buggies were causing massive erosion problems and chasing sheep for sport.

As another, in the Back Bay National Wildlife Refuge, near Virginia Beach, dune buggies and four-wheeled vehicles reportedly have caused the disappearance of loggerhead turtles that once laid their eggs along the beach. Some Interior Department officials believe that the sand has become too compact for the turtles to dig in.

Conservationists fear that ORV damage to the environment will increase if more public land is opened up to the growing numbers of ORV's. Doctor R.K. Davis of the National Audubon Society and other conservationists have charged that a new group — called Outdoor Nation — has been formed to lobby for that very purpose. Outdoor Nation — which claims to have broad representation among a variety of outdoor groups — is funded by the Ford Motor Company and Ford last year sold 700,000 vehicles that were related to off-road use. Even so, organizers of Outdoor Nation deny that the group will become an ORV industry lobby.

Ford isn't the only maker of ORV's to draw criticism from conservationists. The American Honda Motor Company recently gave 10,000 minibikes to the YMCA for use primarily by inner-city youths. While the gift was billed as an anti-delinquency program, conservationists complained it was a promotion gimmick aimed at increasing the pressure for bike access to public land.



Construction of condominiums continues at Steamboat Springs. About 428 new units are expected to be ready at the beginning of the season, bringing the total number in and around the base area to 1127.

Western.....Roundup

FLASH!

Environmentalists Win Appeal

In less than 24 hours, the three-member panel of the 10th Circuit Court of Appeals in Denver reversed Judge Kerr's decision on the Moccasin Basin timber sale suit. Kerr had ruled against conservationists when he said that an environmental impact statement was not required to cut timber in the roadless Moccasin Basin area of the Bridger-Teton National Forest.

The Wyoming Outdoor Coordinating Council, the Wyoming Wildlife Federation, the Wyoming Division of the Izaak Walton League, and two Wyoming outfitters appealed Kerr's decision. Oral arguments were heard on Tues. Aug. 14. On Wednesday the court issued a one-page order reversing the judgement of the district court, thereby requiring the preparation of an impact statement. The court's opinion was not available at press time.

This decision is a major victory for environmentalists. If Kerr's decision had been upheld, a dangerous precedent would have been set. The wilderness character of a roadless area could have been changed without an impact statement.

Werner Killed in Crash

Herman Werner, the 80-year-old Wyoming rancher who was scheduled to be tried in connection with the deaths of 366 eagles, died August 6. Werner had been hospitalized since July 31 when he suffered chest injuries in a two-car collision.

Werner and his Bolton Ranch, Inc., were both named in a 374-count indictment handed down in May 1972. Werner had pleaded innocent to charges of being responsible for the deaths of 363 golden eagles, three bald eagles and seven Canada geese. The Justice Department claimed the birds were shot from helicopters over the Bolton Ranch during the winter of 1971-72.

CUP Given Go-Ahead

On July 30th Congress approved an additional \$8.3 million for the Bonneville Unit of the Central Utah Reclamation Project (CUP). During the same week the Department of the Interior released the environmental impact statement on the project.

Lynn Ludlow, manager of the unit's sponsoring agency, the Central Utah Water Conservancy District, was quick to react. In praising the Secretary of the Interior, Ludlow said, "By his action in filing the environmental statement, approving it, plus the fact that the Congress of the United States recently increased our appropriations for the Bonneville Unit over and above the President's budget request — this sure supports the conclusion that this project should be constructed, and that the benefits, both environmental and otherwise, far exceed any environmental losses."

A glance at the impact statement showed that the picture was not quite that clear cut. The EIS revealed that 52 streams extending 247 miles would be inundated or reduced in flow. A total of 6,100 acres of marsh lands would be lost.

CUP would eliminate 28,000 acres of open space, 14,900 acres of big game habitat and 19,100 acres of upland game habitat. It would reduce lake fishing by a net amount of 9,500 acres.

The Bonneville Unit would provide enough water to supply an additional 445,000 people. This would guarantee more growth in the already overcrowded and polluted Wasatch Front. The most conservative estimate in the EIS says the explosive 1950-70 population trend will continue through the year 2020 when two million people will live in the area.

Returning water now owed to the Ute Indians remains a problem. The tribe agreed to let the Bureau of Reclamation divert Indian water to the Bonneville Basin on the condition that replacement water be supplied by the year 2005. The question is whether the bureau has the authority to promise replacement water from a project which has not yet been authorized by Congress or evaluated for economic or environmental merits.

Colorado Considers Injection

Colorado will decide next month whether or not to allow Project Rio Blanco to inject radioactive water into a mile-deep disposal site southwest of Meeker. The nuclear gas stimulation project may produce as much as one million gallons of contaminated water. Subsurface dumping would be safe and would reduce the amount of radioactive material to be released into the atmosphere according to the project's industrial sponsors. John Taylor of the Colorado Clean Water Action Project calls subsurface disposal plan "the lesser of two evils." The less desirable alternative would be to revaporize the waste water and send it out when gas is burned or "flared" in the atmosphere.



Wyoming Travel Commission photo.



The final environmental impact statement for proposed wilderness areas in Yellowstone National Park has been made public by the National Park Service.

The statement considers establishment of 10 units of wilderness totaling 2,016,181 acres in Yellowstone. Also recommended are 6,040 acres of potential wilderness when they qualify for consideration.

Jack K. Anderson, Yellowstone Superintendent, said that lands designated as wilderness would encompass about 90 percent of the park's 3,400 square miles, with the principal exclusions being corridors along the roadways and part of Yellowstone Lake.

"These corridors and sites are reserved for access routes, visitor installations, circulation facilities, utility lines, and other structures," said Anderson.

Among the adverse impacts identified by the environmental statement are possible rationed use, restrictions on back-country facility development, shifting mass recreational needs to other areas, increased costs of trail maintenance, and restricted resource management practices.

Public hearings were conducted at Jackson, Wyo., on March 11, 1972, at Idaho Falls, Ida., on March 13, 1972, and at Livingston, Mont., on March 15, 1972.

Of the agencies, private organizations, and individuals testifying or submitting written views, the majority supported the preliminary wilderness proposal, and more than one-half advocated an enlargement of the National Park Service wilderness proposal.

Copies of the statement are available from, or can be inspected at, the Midwest Regional Office, National Park Service, 1709 Jackson St., Omaha, Nebr. 68102, or the office of the Superintendent, Yellowstone National Park, Yellowstone National Park, Wyo. 82190.

Dam's Future in Limbo

China Meadows Dam and Reservoir in Utah's Uinta Mountains has been placed further back in limbo. The House Appropriations Committee took no action to provide any funding even for studies, on the Bureau of Reclamation project. The irrigation project would have provided water for extremely marginal agricultural land in southwestern Wyoming.

Rep. Teno Roncalio urged construction of the dam at an alternate, "more environmentally acceptable," site near the Utah-Wyoming border.

After a tour of the area he said that the alternate site, "removes every objection there is to the China Meadows site. It can also be built for \$600,000 less and can handle a comparative storage volume."

Utah environmentalists raised strong protests to the original China Meadows site because of damage to the meadows, campgrounds and wildlife in the area. Brushing aside similar problems at other sites Roncalio said, "I'm determined we should move full speed with the state-line alternate for the China Meadows Dam."

Let the Forest Burn

A new policy of letting lightning-caused forest fires burn is being tested in the Selway-Bitterroot Wilderness of Montana and Idaho. Two fires burning early this week were allowed to go unchecked. The policy is to let the fires burn if they do not threaten human safety and they stay within certain boundaries of designated areas. Man-caused fires will be controlled.

14-High Country News
Friday, Aug. 17, 1973



Give her such beauty of body and mind
As the leaves of an aspen tree
When they vary from silver to green in the wind,
And who shall be lovely as she?

WITTER BYNNER: A Prayer for Beauty

Nebraska Parks Sell Art

The Nebraska Game and Parks Commission is selling collections of wildlife art by Nebraskaland Magazine's well-known artist, C. G. "Bud" Pritchard.

Two portfolios of his realistic wildlife portraits are available. Each includes six reproductions of his original art, suitable for framing, at a cost of \$5 per portfolio, plus sales tax.

Portfolio No. 1 is a collection of winter

Food from Fungi

Certain fungi can turn discarded paper into a protein-rich food supplement, according to a Denver University microbiologist.

Dr. Brooks D. Church says that certain strains of fungus developed in laboratory test tubes can digest the wastes they are implanted on and reproduce themselves very quickly. The mold produced contains as much as 50 per cent protein. It is used in animal feed and eventually, if approved by federal health agencies, could supplement human food, Church said.

Fungus has been grown successfully on the leftovers of pulp and paper factories, by-products of grain mills, liquids from breweries and even cattle wastes and manure from feedlots.

An Iowa milling company has opened a full-scale plant to produce fungus from wastes. Pilot plants have been operated at the Green Giant Co.'s Minnesota corn and pea cannery.

songbirds. No. 2 is a collection of six of Pritchard's favorite faunas.

A native Nebraskan, Bud is an artist/outdoorsman who won national renown when his hooded merganser was chosen for use on the 1968-69 Migratory Waterfowl Stamp. He first learned about wildlife by watching shore and marsh birds, muskrats, and waterfowl on two lagoons within a half-mile of his boyhood home near Kenesaw. He joined the Game and Parks Commission as staff artist in 1948, after returning from the service following World War II. Soon thereafter, a black-and-white watercolor illustration of a mule deer launched a series of monthly features which are still being published in Nebraskaland Magazine.

Portfolios are available by writing the Game and Parks Commission, P.O. Box 30370, Lincoln, Nebr., 68503. Each portfolio sells for \$5 plus tax. Requests must specify portfolio No. 1, the songbirds, or portfolio No. 2, wildlife potpourri.



Thoughts from the Distaff Corner

by Marge Higley

"Mrs. Steve," whom I met just a month ago, is one of those rare people — a new friend who feels like an old friend. Her column, "Mountain Paths," appears weekly in the Steamboat Pilot, and I think that you'll enjoy this one. M.H.

* * *

by Mrs. Steve

"The best of our lives
is a blissable blend"
Pogo

Not infrequently I find myself in a company debating the issue, "to sell or not to sell my Routt County land." With poorly concealed discouragement some practical fellow concludes, "If we sell, we can live off the interest."

To ponder this problem on a bright summer day I pulled up a rocking chair in front of my windows on the hill. At that very moment, our Traveling Man squirrel raced onto the porch, perked his ears, flashed his tail into a question mark which clearly asked, "Peanuts?"

I ignored him. On my mind was the heavy problem of interest.

On the one hand is CASH. To sell means X number of dollars in the bank; effortless living. Dollars spell no fences to fix, no wood to haul, no ashes to empty, no grass to cut. So?

The pine squirrel pressed his nose against the window, beseeched with wide, whitering eyes, "Peanuts?"

I lifted my gaze to our encircling mountain ranges. To the southwest, Sand Mt. with its rushing streams, dark canyons, Ute arrowheads and sandhill crane marshes. Meaden Peak hand-holding with neighboring summits to guard mystery which only annual excursion can fathom. To the north, Hahns Peak's hoary head protecting secrets of hidden gold, its broad hips producing wild flowers and fruited shrubs, its trees sheltering deer, elk, blue grouse and bears. . . .

Before my eyes birds were winging to the yard feeders; hummingbirds, towhees, chickadees, woodpeckers, finches and robins.

Memory added excitement of unexpected pleasures: shy Townsend's solitaires and glittering Bullock's orioles in springtime; two Red Crossbills on a hot afternoon feeding an only child as he sloshed in the birdbath.

Interest suddenly compounded. It was a marmot sunning on the flagstone walk which I built with my own hands. It was two young skunks lapping chocolate pudding as it cooled on our icy porch, it was three deer at twilight coming down the driveway for water.

Pine squirrel was nagging. In a "no peanuts" sulk he leaped off the porch into the thorny wild rosebush and began eating rose petals.

We, too, had our bittersweets. Long hours of back breaking work. Days, weeks and whole seasons when we never let go of a hammer nor took our eyes off a nail. . . . sickness. . . and money problems always. . . .

Hardship has been compensated for by wealth of campfires, wild rivers and rare flowers. Acres of golden glacier lilies and pink spring beauties. Trillium blossoms in a snowbank. Gentian blue on a frosty morning.

My mind saw cabin doors with growth measurements of grandchildren, heard echoing laughter of family and friends. I smelled clean, crisp air; tasted pure water from a new well after 20 years with a rain barrel. I felt pine knot heat from a thousand hearth fires.

Traveling Man had decided to gamble. Like a housecat he scaled the screen door, bounced gently to get a knocking attention. I pushed back my rocker, scraped up a handful of peanuts, went outside to scratch a squirrel's ears.

Webster Unabridged lists 10 definitions of "interest." Only one mentions bank money.

Arizona Subdivides

Arizona's desert lands are being butchered by subdividers who are peddling marginal or worthless building lots to suckers, charges an article in the July issue of *Audubon*, magazine of the 260,000-member National Audubon Society.

By promoting a myth of scarcity, according to *Audubon* environmental writer Gary Soucie, these real estate speculators have been able to "hustle lots on the remotest, wretchedest lands imaginable," at "outrageously inflated prices," often far from any water supply and other services. And inept preliminary development that is undertaken to give the sites the semblance of liveability, he says, is scarring the desert and its plant communities.

"Well over a million acres of private land in Arizona has been subdivided for sale on the installment plan like so many refrigerators and washing machines," Soucie writes. The land sales are aimed at "naive, often greedy people who think they are making a smart, safe investment in a booming area." But most who buy "are making the mistake of their lives," for they, "will be exceptionally lucky if they manage to recoup their 'investment' during their lifetimes, let alone make a profit."

Only a very few of the remote subdivisions in Arizona will become fully developed in the foreseeable future, says Soucie. "Many more will never see development of any kind."

Heading the list of speculative subdivisions that haven't a ghost of a chance of developing are those in areas that have no water, the *Audubon* article notes. Thousands of lots have been sold or are being promoted in large subdivisions in the northern part of the state where there isn't any ground water at all. In some places there isn't a source of water within a hundred miles, according to Philip Briggs, the state's chief hydrologist. The article points out that Arizona law does not require that there be water on or near a subdivision. And apparently "the counties are willing to approve any subdivision application on the off chance that maybe, just maybe, the developers will find water somewhere and the county's tax ratables will increase," says Soucie.

Soucie also criticizes the inflated prices sought by some subdividers. They are "utterly artificial and are not related to intrinsic value, supply and demand, or comparative prices for land outside the subdivisions," he says.

The population growth claims of some subdividers are also unrelated to reality, Soucie adds. He notes that there are 182 subdivisions in Arizona that are at least 640 acres in size, at least three miles outside incorporated areas, and beyond the logical extensions of urban areas. They contain more than one million acres of land and have a population capacity of more than 3.5 million people, according to state officials.

However, that is almost one million more people than are expected to be added to Arizona's population by the year 2000, according to a state report.

Soucie observes that Mohave County in the northwest corner of the state has a shortage of water, is remote from growing metropolitan areas, and its population is expected to grow by only 23,881 by the year 2000. Yet Mohave County "has 46 subdivisions with 226,742 acres and population capacity of 544,800, or 22 times the expected population increase," the *Audubon* article reports.

Expressing pity for the "suckers" who buy lots in developments that will never be, Soucie declares: "But pity even more the land that is the ultimate victim." He explains that many subdividers, to "prove" the legitimacy of their developments, have taken to bulldozing roads, sometimes even paving them, far in advance of need. The results are predictable.

"Desert land broken for roads and streets does not heal quickly. Fragile desert plant

communities will be uprooted forever. Dust storms will blight neighboring areas. Desert winds and flash floods will erode the primitive streets into permanent gullies."

Even legitimate developments have their environmental problems, Soucie adds. One development boasts the world's highest fountain, capable of sending a plume of water 560 feet into the air — five feet higher than the Washington Monument. "At 7,000 gallons per minute, the fountain's flow can keep more than eight tons of water suspended in the air." And despite the fountain's use of recirculated water, on a dry day as much as one-fourth of the water sent up into the air evaporates. That, says Soucie, is a "conspicuous symbol of water waste and extravagance in a state that has precious little water to spare."

The *Audubon* article points out that mail-order huckstering of development lots is not limited to Arizona. It's a national problem. According to federal statistics, 2,800 developers are engaged in interstate land sales in nearly 5,000 subdivisions in 49 states. North Dakota is the only exception.

"Until now," Soucie concludes, "virtually nothing has been done to curb this blitzkrieg of the American landscape. Few states have even rudimentary systems for handling, let alone regulating, subdivision applications. County governments, which typically have zoning control, appear to have neither the will nor the skill to deal effectively with the problem." And Congress has not yet come to grips with the problem in an effective way.

"There is still no real evidence," says Soucie, "that we have achieved the intellectual humility, the philosophical awareness, and the simple decency we need to live in harmony with the land."

Mini-cars Shared

A City Councilman in Amsterdam has developed a tiny, two-seat battery-driven car which the city is expected to finance for an experimental program. The program will enable motorists in Amsterdam to leave their two-ton pollution machines in the garage when they go to work in the city — or across town to visit friends.

As the program is designed, people would become members of the experimental program by paying a modest entrance fee, plus \$7 for a key. That key would entitle them to the use of one of the two-seater electric cars for short drives within the city.

The cars are capable of driving at up to 28-miles per hour, with a 30-mile range. Garages would be located throughout the city where the cars could be parked and recharged while not in use. Each user of the system would be billed monthly by a computer at the rate of about five-cents a minute of use. But all maintenance and fuel — in this case electricity — would be provided by the city, with financial support coming from the large stores and companies in the downtown city center.

Interest in the electric car scheme has also been shown in other large European cities, but they will probably wait to see how well the system operates in Amsterdam before making their decisions. : : EARTH NEWS

Childbearing Fee

The population problem in Singapore — which is one of the most crowded cities in the world — is being attacked by a new law which will make it ten-times as expensive to have a fourth child-as to have the first.

The law sets up a sliding scale for hospital maternity costs, and provides that all costs will be waived if either parent agrees to sterilization following the birth of a child.

According to the law (quote) "for the Singapore of the 1970s, the third child is a luxury, and the fourth and fifth are anti-social acts." : : EARTH NEWS

High Country News-15
Friday, Aug. 17, 1973

Eavesdropper

LOONEY LIMERICKS

by Zane E. Cology

"Why are some people so UNenthused?"
The Developer muttered, bemused.
"When we leave land alone
Then no profit is shown,
So that land is just not being used!"

* * *

The Green River at the base of Flaming Gorge Dam is too cold for trout, the Bureau of Reclamation reports. The bureau may install special inlet regulators to adjust the water temperature.

* * *

A black box that turns off a car's engine when it stops at an intersection and restarts the car when the driver is ready to go will be sold by the Toyota Motor Company. The device, which should offer a major savings in fuel consumption for stop and go driving, will sell for \$75.50 in Japan.

* * *

The Department of Housing and Urban Development reports that one-third of the nation's one-family dwellings are mobile homes. The mobile homes now account for about one-fifth of new housing inventories.

* * *

A marine biologist says automatic spearguns are endangering certain fish species in coastal waters. Dr. Hans Hass says some island countries have already banned spearfishing. He says hunting by hand spear could continue since it requires considerable skill.

* * *

"Mass tourism and the second-home movement are threatening to create a huge alpine slum from Munich to Milan," a Swiss official reports. "Rich people from Zurich, Paris, Frankfurt and the big cities in northern Italy want to have their three rooms with a bathroom and terrace and all household appliances right at the edge of some glacier. They are destroying the unique Alpine world."

ANY old Holiday is a great day
to give a gift subscription!

Summer's a-waning

Enclosed is \$10.00. Please send

High Country News

Name _____

Street _____

City _____ State _____ Zip _____

If a gift, please indicate how to sign the gift card:

High Country News
Box K Lander, Wyo. 82520



Sketches of Day by Edd Bowler.

A Conservation Portrait: Ernie Day

The following article appeared in the Boise, Idaho Statesman, April 23, 1972. Ernie Day, the subject of the article, is an outstanding example of the citizen conservationist. He is a director of the Idaho Environmental Council and a national director of the National Wildlife Federation for Idaho, Montana and Wyoming. He is one of the three founders of the River of No Return Council and a director of the Hells Canyon Preservation Council. Four days a week he works as a partner in Day Realty Co. in Boise.

Since the article was written, the White Clouds area has been recommended for study as part of the National Wilderness Preservation System. The region is also being considered for National Park status. Meanwhile, ASRCO retains a valid mining claim. "We haven't put the White Clouds to bed yet," Day says.

The editor.

Ernie Day fell in love with the White Clouds high mountain country of Central Idaho about 10 years ago but at that time he never dreamed his love affair would square him off against the second largest mining company in the United States, or put him in the thick of an Idaho gubernatorial election.

Day and his family have backpacked into the White Clouds many times over the past decade and he was certainly concerned when he first learned that the American Smelting and Refining Co. (ASRCO) had claims in the area and wanted to mine molybdenum.

ASRCO wanted to build a seven-mile long road into the area and it was not until about a year later at a Forest Service hearing on the road that Day really entered the picture.

Day attended the hearing as the representative of a conservation organization, but he also happened to be the chairman of the Idaho Park Board.

Day figured that the official State of Idaho position would be to have the Forest Service deny ASRCO a permit to build the road into the White Clouds — this making it impossible for the firm to mine in the area.

But suddenly there was Gov. Don Samuelson in front of the hearing taking the mining firm's side and asking that the road permit be granted.

As chairman of the park board, Day was part of Samuelson's administration and, as he puts it, "I felt I couldn't be part of an administration that was unsympathetic with my feelings on the White Clouds."

So when it came Day's turn to speak, he took the opportunity to announce his resignation, in a most dramatic way, from the park board.

Day now feels his sudden resignation had much to do with gaining the White Clouds national publicity and a fortunate stroke of luck also helped.

It happened that just after the hearing the Sierra Club, a national and very powerful conservation organization, was holding its bi-annual wilderness convention in San Francisco.

So off went Day, armed with facts and some

slides of photographs, to the Sierra Club meeting and his work there brought the White Clouds to the attention of wilderness and conservation groups across the land.

The result of both the dramatic resignation and Day's presentation to the Sierra Club, was overwhelming. Almost every conservation publication in the country did stories on the White Clouds and Life Magazine followed suit.

The White Clouds became a national issue—Idaho's congressional delegation got into the act, and all of this resulted in the study now being done—a study that means a moratorium on mining and road building in the area until it is completed.

Day likes to share credit for the White Clouds with others, including The Idaho Statesman and the Sawtooth Preservation Council — an Idaho Falls based organization.

But in Ernie Day, the White Clouds could not have had a more prepared warrior.

His avocation is mountain photography, one of the things that keeps drawing him back to the White Clouds. It was his own pictures that were presented to the Sierra Club meeting and when he got back he put together a picture program and toured the state talking to anyone who would listen.

It was an election year, and Day, a life-long and active Republican, joined forces with Democratic gubernatorial nominee Cecil Andrus as the White Clouds became a major campaign issue.

In fact many say it was Samuelson's stand on the White Clouds that cost him the election. There was even a move by some Republicans to get Day to run against Samuelson in the primary.

Day admits the temptation was there and he even had the promise of financial backing but one day his son Dan helped make up his mind.

"Dad," said Dan, "What if you get it?"

Well the Day family likes to spend its time together in the mountains on weekends — something the governor of the state has no time for — so because he might get elected, Day decided against running.

Day became an arch enemy of the mining industry—everywhere he went during the campaign, someone from the Idaho mining faction was sure to be there, tape recording everything Day said.

But to this day, he insists he is not against mining but would like to see things kept in perspective.

"We have to establish priorities," he says. "Sure we need mining but we also need to make some value judgments."

"Here we have a metal (molybdenum) that is not in short supply and they (the miners) want to dig an open pit mine in one of the last true wilderness areas left in the whole country.

"If the metal was needed for national defense or even if they wanted to mine it somewhere out on the Mountain Home desert, I would say fine, but we have to have some value judgments."

Day likes to recall an incident that helps clarify some of the mining industry's attitudes toward the White Clouds.

It seems a Denver-based mining firm was doing some testing near one of the many small mountain lakes in the White Clouds and as a result, was actually polluting the lake.

An official of the Idaho Health Department found out about it and ordered the firm to stop polluting the lake to which came the reply, "Why bug us about polluting the lake, when we start mining up here this lake will disappear."

To Ernie Day the battle to save the White Clouds is not just a battle over a few acres of wild real estate. It is a battle to save something that can never be brought back and it is a battle to save a way of life.

As Day says, "You have got to have somewhere to escape to. Without wilderness, the world is a cage."



In The NEWS

Mountain Resorts, 1 & 2

two parts of a series on local land use planning in the West. This issue: Steamboat Springs, Colorado and Ketchum, Idaho.

1

Lobbying for Land

the Colorado legislature tried to do something about land use this session. Jim Monaghan, an environmental lobbyist, explains why they failed.

6

Thousand Springs

a look at treasures in Idaho

8

and the legislation which may protect them.

10

Conservation Portrait

Ernie Day and the White Clouds.

16