The Environmental Bi-Weekly

High Country News

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Oil Shale Cost Immense

by Bruce Hamilton

The Department of Interior is on the eve of releasing the shackles on oil shale development in Colorado, Utah and Wyoming. As a final exercise before this monumental decision, Interior has released the final environmental impact statement (EIS) for the proposed prototype leasing program. The EIS reveals what Interior calls "significant environmental consequences" that would transform this rural semi-wilderness into a polluted urban-industrial region.

Conservation organizations are worried that the environmental price tag of development will be overlooked. After a summer of driving up to service stations with no gas and the prospect of another cold winter with low heating oil reserves, the future potential of 600 billion barrels of shale oil looks too good to refuse. Only when the total costs are examined does this fair-haired industry reveal its menacing side.

The Denver Research Institute, in a study for the Oil Shale Regional Planning Commission, forecast unprecedented and uncontrolled population growth that is mind boggling. The report predicted for Colorado's tri-county oil shale region a population by 1989 of 290,000 where 78,200 now live. This would mean as many as 9,000 new homes and 4,165 new mobile-homes in a single year. A single year's growth would also necessitate as many as 239 new school classrooms at a cost of $16.7 million. Interior's EIS says the major environmental factor would be the deluge of people into the area to operate the industry which in a mature stage would produce one million barrels of oil a day.

Likewise, the impact on the natural environment has no small cost. The expected environmental impact includes deterioration of water quality and air quality, disturbance of land and destruction of its vegetation. The local ecology will be further disrupted by the depletion or dispersion of many animal species, reported the EIS.

A major problem is the disposal of spent shale, waste which is left after the shale oil is extracted. Current plans call for spreading some or all of it over the landscape and then attempting to revegetate these infertile spoil piles. The EIS said that surface disposal from a single oil shale tract (5,120 acres) would fill six canyons to a depth of 250 feet, each covering some 700 acres.

At maturity, the oil shale industry would use between 121,000 and 189,000 acre-feet of water per year. This would increase the salt content of the Colorado River about 1.5 per cent at Hoover Dam. The Colorado is already too saline for use in its lower stretches.

Most wildlife species will suffer. The famous mule deer herd of Colorado's Piceance Basin, one of the largest in the world, would be severely affected with at least a 10 per cent reduction in some areas. Fisheries would also suffer, primarily because of more people in the area according to the EIS.

The EIS admits that there will be a reduction in air quality in the region. Interior states that, "Potential inversions of about 20 days per year for the region could create some effects on vegetation and wildlife in the area, but would be of short duration." This projection is in direct defiance of the Clean Air Act which prohibits "significant deterioration" of clean air. The "significant deterioration" provision has been upheld by the courts,and Interior has declared that this requirement "could limit the size or prevent development."

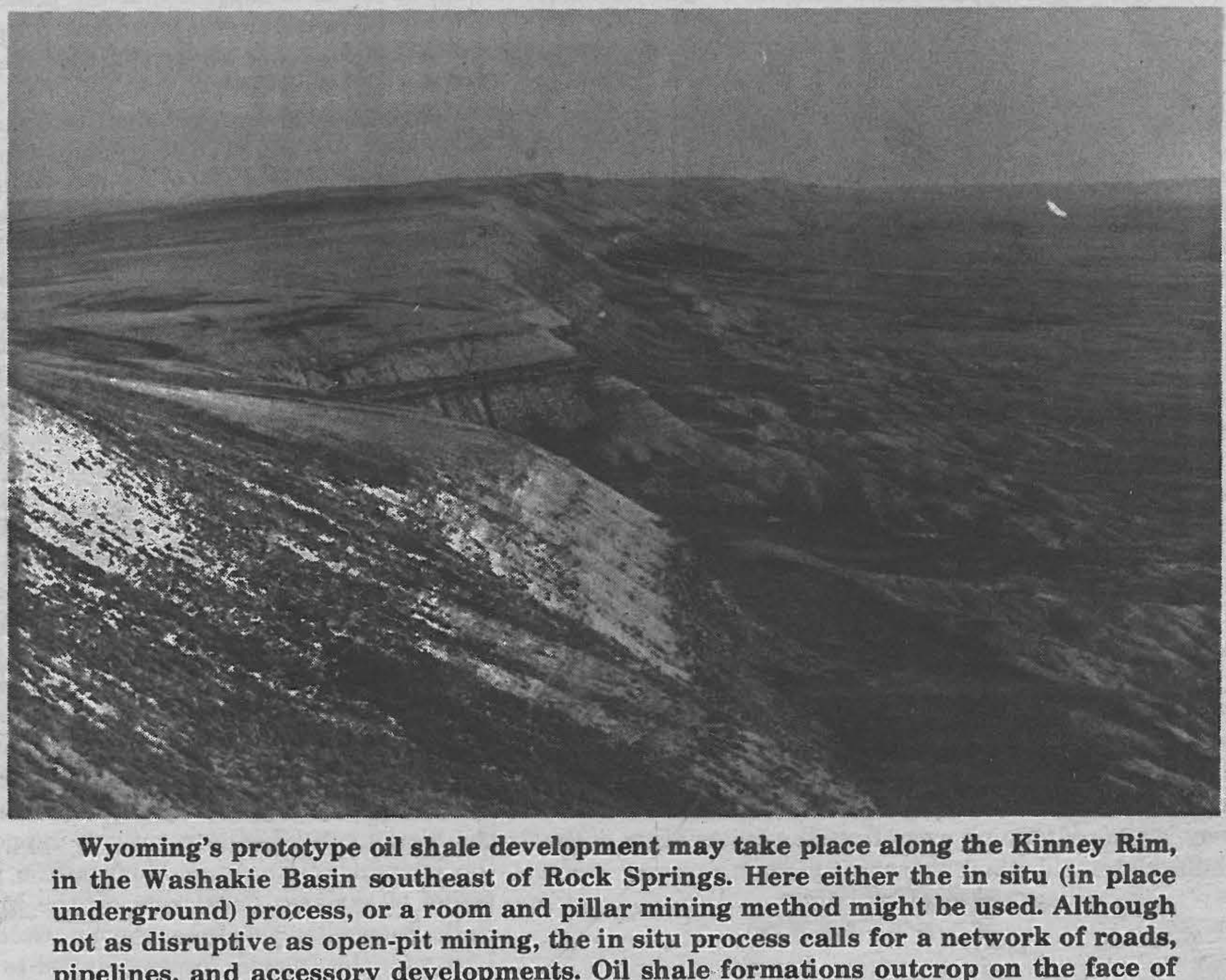
With such substantial environmental costs anticipated, one would be forced to ask if the benefits make development worthwhile. For some reason, Interior did not feel this was a valid question and so they did not include a cost-benefit analysis in the EIS. Interior writes, "To engage in formal economic cost-benefit analyses in the environmental statement itself, would tend to obscure environmental analysis by transforming the statement into an overall decision-making document centered around economic considerations and having a program justification focus."

We seem to have made a 180-degree turn in decision making. Before passage of the National Environmental Policy Act (NEPA) decisions were made solely on economic criteria. NEPA was a "full disclosure law" that would force environmental costs and benefits to be quantified and integrated into a "case-by-case balancing judgement." Conservation Foundation publication, **NEPA and the Courts,** says, "The **Calvert Cliffs** decision has introduced still another substantive requirement for NEPA statements. This is the requirement that the environmental statement include an analysis in which, in each case, the economic and technical benefits of the proposed action must be assessed and then weighed against the environmental costs." If this is so, it appears that Interior's EIS on oil shale is not in compliance with the law and therefore subject to suit.

ALTERNATIVES OVERLOOKED

The Rocky Mountain Center on Environment (ROMCOE) noted that the six tracts Interior plans to lease as a prototype program were not picked in an attempt to minimize environmental impacts. The Wyoming tracts are on the

(Continued on page 4)



Wyoming's prototype oil shale development may take place along the Kinney Rim, in the Washakie Basin southeast of Rock Springs. Here either the in situ (in place underground) process, or a room and pillar mining method might be used. Although not as disruptive as open-pit mining, the in situ process calls for a network of roads, pipelines, and accessory developments. Oil shale formations outcrop on the face of the Rim. Photo by U. S. Geological Survey

HIGH COUNTRY

By Tom Bell

Much of the land that sustains us, and the water thereon, seems to be slipping away from us. Demographers tell us that with the increasing population and continued affluence, we must plan on even larger megalopolises and more growth in nearly every hamlet across the country. The growth is equivalent to the placement of a new, small city of 20,000 every week somewhere on our landscape.

And yet the shortages, now, warn us that we may be bumping up against the limits of our country's resources. Take water as an example. Early in my career as a fishery biologist, I learned that the limiting factor for fish in a stream or lake was that imposed by the lowest water level, the minimum. Strangely humans do not apply that rule to their lives.

The Northwest is suffering from the worst drought on record. It should have been anticipated because other bad droughts were of record. But aluminum reduction plants, and electrically heated homes, and all other man-made devices of an economy based on cheap hydroelectric power were encouraged and based on an average water flow, not the minimum which might be expected.

Now, the Northwest, which seemingly had an abundance of water, is looking to the coal fields of Montana and Wyoming for a continuation of cheap, abundant power. We don't have now and never have had an abundance of water.

The recently released National Academy of Sciences report on strip mining warns that the disruption of the water supplies may be as critical as the mining itself. In the words of the report, "direct and indirect consequences may be far more important than the ability to reclaim the actual site of the mining." And it is significant that the report added, "There is little evidence that adequate mechanisms for planning exist at any governmental level. . ." to cope with the burgeoning water problems.

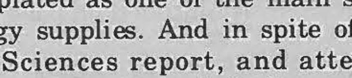
Maybe it is time to look more closely at land and water resources together. Those of us who have espoused the cause of wilderness have pointed out that wilderness designation is a form of land planning and a viable means of protecting critical watersheds. By preventing any of the mechanical inroads of man, both land and water resources are protected.

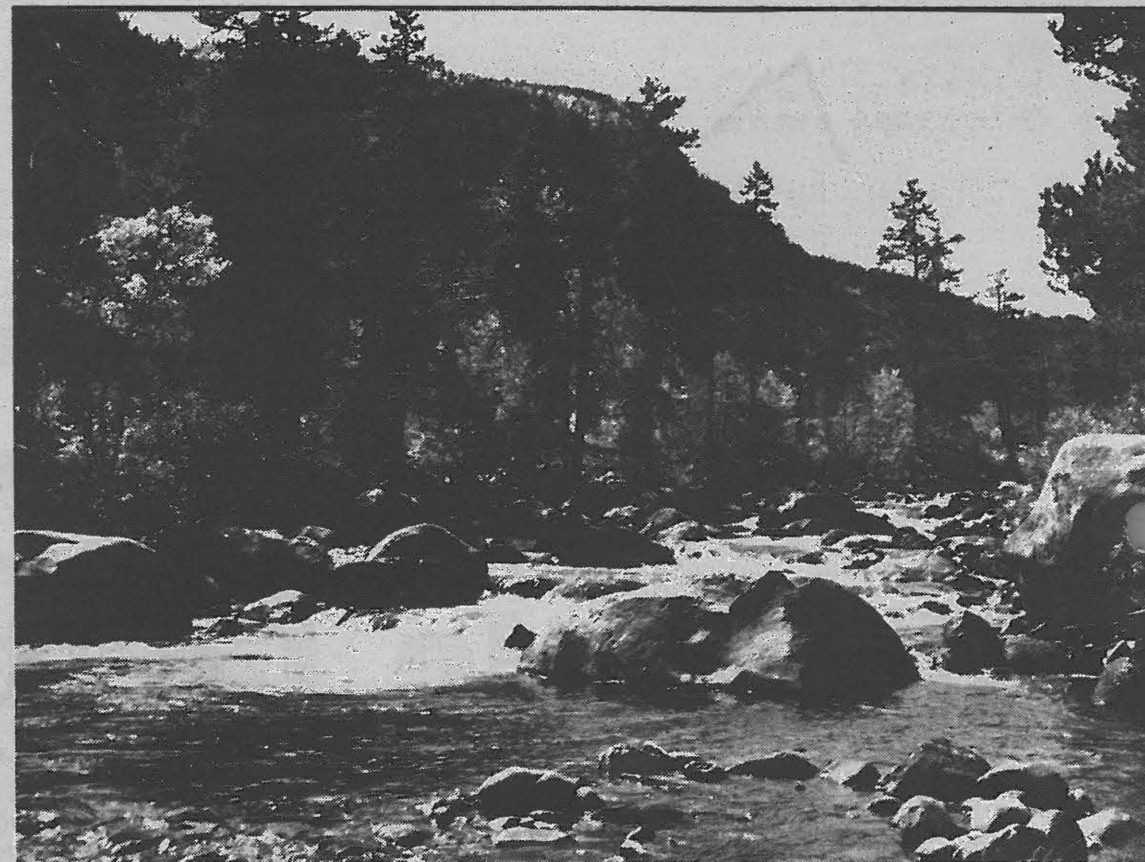
Northeastern Wyoming and southeastern Montana are being contemplated as one of the main sources for the nation's energy supplies. And in spite of the National Academy of Sciences report, and attempts to curb wholesale strip mining by such devices as the Mansfield Amendment to the Senate strip mining bill, large scale development is almost a foregone conclusion.

It seems, then, that every attempt should be made to keep as much of our natural landscape within the region exempt from the inroads of that development. Two wilderness areas that may be key areas in the search for more water for more development are coming up for early consideration. The Beartooth-Absaroka is mostly in Montana with a small area extending into Wyoming. The Cloud Peak Primitive Area is entirely in Wyoming, a bastion of wild peaks, lakes, streams and forests at the highest elevations of the Big Horn Mountains.

These two areas could become symbolic for those who would take a "last stand" against the "progress" which threatens to destroy our way of life. Wilderness stands for all that is free and wild and unconfined. What better way for citizens to express their love of the land and its integrity than to speak out loudly and clearly for the land ethic that is called wilderness?

The U.S. Forest Service has announced that a public hearing will be held November 8 in Sheridan, Wyoming, on the Cloud Peak Primitive Area. That should be the time for people from all over Wyoming and from eastern Montana to turn out in droves. It could be a time of decision, a time of turning away from the materialism of the industrial world which threatens to engulf us.





Water is the lifeblood of the West. In the largely arid region, flowing streams provide not only most of the water for towns and cities but also water for irrigation of crops. Without irrigation the lands will return to desert — a prospect not unlikely in the face of a growing energy crisis.

Letters

Editor:

Your editorial, "Wilderness — How Pure," in the Aug. 31 HCN mentions that Don Biddison from the Regional Forest Service office in Denver has made a strong case against the inclusion of old logged-over areas in the Wilderness system.

The purity concept of Wilderness has been developed within the Forest Service. Richard Costley, writing for the Forest Service in 1971, stated this concept in no uncertain terms. He went so far as to suggest that the presence of even one sawed stump in a candidate area was sufficient grounds for dismissing that area from further consideration!

Both Mr. Biddison and Mr. Costley apparently have overlooked the language of the Wilderness Act of 1964 which defines wilderness as an area where "the imprint of man's work is substantially unnoticeable." Senator Church (Idaho) who helped to draft the Wilderness Act and introduced the Act on the floor of the Senate, has been openly critical of the purity concept saying, "It was **not** the intent of Congress that the Section 4 management provisions be applied as criteria and standards for **adding** an area to the National Wilderness Preservation System."

Additionally, Senator Jackson (Wash.) criticized this "fundamental misinterpretation" and Congressman Saylor (Pa.) observed that the purity concept "has no basis in the Wilderness Act." Both men contended that it is the prerogative of Congress, not the Forest Service, to determine wilderness eligibility.

Most of the controversy has centered around the eligibility of lands in the East and South, but the purity concept has found a home in the West too. I have been actively supporting the addition of Haystack Mountain, a prime target of ski area developers, to the Maroon Bells-Snowmass area near Aspen, Colorado. Last year the District Ranger mailed to me a copy of the Costley memorandum. Shortly thereafter he invited me to ride the mountain with him. During the course of the ride we passed through an area where there was evidence of very limited logging occurring probably 50 to 75 years earlier. A coincidence? I choose to believe not. I fear that the Forest Service will apply their own purity concept to this area.

Others who have been working for the expansion of the Wilderness system are advised to be wary lest the local Forest Service misapply their own interpretation of the Wilderness Act. I have even had it suggested by Forest Service personnel that Haystack Mountain did not qualify for Wilderness designation because there is visible from the mountain evidence of man's presence in the form of cultivated fields, irrigation ditches, stock fences, etc! Using this standard there is probably very little land in all of America which meets the Wilderness definition.

The Wilderness Act of 1964 was written for the people, present and future, of America. It is up to us to defend it from unjustifiable attacks from any quarter.

Best regards,
Bob Child
Snowmass, Colo.

Governor Thomas Judge
Capitol Street
Helena, Montana 59601

Dear Governor Judge:

Although I am not a resident of Montana, I have been in the past, having lived in Billings, Great Falls and Helena, at various times.

I want to take this opportunity to commend you for the firm stand you took in your letter to Mr. Don Hodel of the Bonneville Power Administration in the State of Washington,

Editorials

Paradox From Wyoming

by Tom Bell

Wyoming Senator Clifford P. Hansen is an incredible man. He is the more so because of the heritage he ignores so often in his U.S. Senate votes.

He of all people would seem to have the world by the tail with a downhill pull. He is not answerable to anyone but the folks back home, and his own man in every right. But his votes in the Senate indicate exactly the contrary.

His beautiful ranch beneath the towering Tetons would be a pot of gold at the end of anyone's rainbow. What more could anyone ask than that?

His background as a true man of the soil, close to the land he professes to love, should give him a respect and humility he could extend to any land anywhere. And most of his most partisan constituents also have a similar background, so that he could be safe in always voting for safeguards for the land.

But, alas, it is not so. He sold his soul to the energy companies. And one is moved to ask, for what shall it profiteth him?

Consider for a moment his positions, his statements, and his votes on strip mining. By all accounts, strip mining is one of the most devastating and destructive practices ever to be visited on God's green earth. But how does Sen. Hansen look upon the practice?

Let's look first at strip mining in Pennsylvania, West Virginia, and Kentucky. Pennsylvania probably has the most stringent mining act on the books. It absolutely forbids any highwall — the steep, cliff-like face remaining when mining is finished. It strictly regulates every step of the mining operation — and the state has one of the nation's toughest enforcers at the present time. The law is working well.

On the other hand, West Virginia and Kentucky have laws not quite so strict but nevertheless much better than any western state except Montana. But those laws are still so ineffective — because the states can't or won't enforce the laws — that strip mining is still a desecration to wide areas of both states. The people of West Virginia are so desperately looking to federal legislation for relief that they voted in a man who vows to ban all strip mining — Rep. Ken Hechler. He decisively beat an incumbent who openly espoused the industry line, just as Sen. Hansen does.

Only recently, Kentucky's **Louisville Courier-Journal,** said the state's mining law was being systematically prostituted — through industry pay-offs to state inspectors.

And so how does this square with Sen. Hansen? In 1972, he told his constituents that they should look to the "appropriate (state) legislative committees (for) the expertise and knowledge necessary to secure the desired result." In Wyoming's 1973 Legislature, the House Mines and Minerals Committee was chaired by a mineral industry man, Rep. Warren Morton. As late as Oct. 6, Sen. Hansen said specifics of strip mining legislation should be left to the states.

What are some of the specifics? Federal legislation seeks to prohibit leaving the highwall. Sen. Hansen has consistently espoused the industry line that such action was unnecessary — too expensive. In the Senate Interior Committee, he voted against the Nelson Amendment which inserted the prohibition of highwalls. On Monday of this week he voted for the Allen Amendment which would have struck the prohibition out of the bill.

Another specific: federal legislation seeks to protect those areas from strip mining which are of considered environmental importance — a small, critical watershed, a critical deer wintering area, or even a rancher's bottomland which may be the heart of his operation. Senator Hansen adamantly fought the provision.

Federal legislation, like much state legislation, seeks to protect the surface owners of land which is going to be strip mined. Sen. Hansen has consistently taken the industry line that such protection should be weak and impossible to enforce. He voted against the Mansfield Amendment which is the first real attempt to ban strip mining from those areas where surface owners do not want mining.

Sen. Hansen has been a consistent mineral industry advocate for higher depletion allowances and other incentives that would make more money for the industry at the expense of the consumer. Earlier this year, he plugged for an increase on coal depletion allowances from 10 to 25 percent. Sen. Hansen also introduced legislation which would permit five year amortization, for tax purposes, of the cost of coal gasification plants and other such installations.

I have said before that Sen. Hansen is the Charlie McCarthy of the mineral industry. Every time he speaks to the American Association of Oilwell Servicing Contractors (March, 1972), or the American Petroleum Institute (Nov., 1970), or the American Association of Petroleum Geologists (Sept., 1971), my contention is reinforced. And it remains for the oil industry to give him the ultimate accolades. **World Oil** (Nov., 1970) called him "Oil's Champion." And in Nov., 1971, former Wyoming Congressman John Wold told the Wyoming Geological Association that Senator Cliff Hansen is regarded as the champion of the oil industry in the U.S. Senate. (Wold is himself a coal and oil lease broker.)

It is a strange paradox for a man who was raised as an authentic Wyoming cowboy.

100th Anniversary of Mail Order

asking to get additional power supplies from the State of Montana.

Hopefully, your stand will also help the State of Wyoming which is in much the same predicament. Unfortunately, our State Administration does not share your views because they are literally laying out the red carpet for the power industries, including strip miners, power generating plants, etc.

Thank you again for your firm stand and I hope you will continue to make the power industries prove up before they tear up.

Sincerely yours,
Roger A. McKenzie
Dayton, Wyoming

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Shale Won't Solve Crisis

Oil shale development in Colorado, Utah and Wyoming will not help solve our nation's energy crisis. It will only aggravate it. By developing oil shale in the name of the energy crisis we will only perpetuate the crisis by ignoring the real solutions.

The energy crisis is not as bad as the energy producers would lead you to believe — it's worse! Government and industry graphs show an exponential growth in energy demand that outstrips energy supply leaving an "energy gap." They see oil shale as one means of closing the gap. It won't work. Given our government's dedication to an energy policy of providing cheap plentiful energy for every demand, the "energy gap" is unbridgeable.

The earth does not have an unlimited resource base. Energy demand in our society seems insatiable and continues to expand. Rather than leveling off, the Bureau of Mines predicts that per capita consumption of energy will more than double between 1970 (337 million BTU) and 2000 (688 million BTU). Energy supplied by fossil fuels (like coal and oil shale) and fissionable uranium is finite since it comes from non-renewable resources. Our only choice with these energy sources is whether we use them all up now or stretch their usefulness out.

There is a way to get out of the energy crisis, and oil shale might play a vital role. But it is not being actively pursued by the Department of the Interior. To bridge the "energy gap" we must level off the skyrocketing energy demand curve. Our demands do not reflect our true needs. This can and must be done by institutionalizing energy conservation measures. Secondly, we must support research to increase efficiency of energy production, transmission and use. Thirdly, we must get off the dead horse technology of energy production based on finite non-renewable resources and embrace alternatives that are renewable.

There should be some long term energy objectives spelled out — and some short term ones. Once we have moved in this direction, in an effort to avert a continuing energy crisis, we can then fit oil shale into the picture. To sacrifice our oil shale reserves, and the other natural resources which will be destroyed in its development, in a stop gap effort to provide more cheap energy is madness.

BH

Oil Shale . . .

(Continued from page 1)

scarp and dip slopes of the Kinney Rim which stands out as a key aesthetic feature in the Washakie Basin. The two Utah tracts are "within a mile or so of the White River" where "important eagle (bald and golden) nesting and roosting sites are present along the drainage escarpments." The two Colorado tracts are right in the middle of the Piceance Creek Basin mule deer winter range.

The main criteria for chosing sites was engineering feasibility and quantity of shale oil present. This is spelled out clearly in the section of the EIS on tract selection. Industrial profit looms first and foremost.

By far the most attractive lease site is Colorado tract C-a. This tract was chosen for its surface mineable oil shale without regard for the surface owner, the Colorado Division of Wildlife. The Division had identified this area as key deer winter range and had invested money in the area for wildlife restoration. It proposed an adjacent tract that would be less detrimental to wildlife. The 1,857,000,000 tons of 30 or more gallon per ton oil shale beneath tract C-a was too enticing though. The Division was given a deaf ear.

While nominating tracts with a severe impact potential, Interior has ignored at least two technologies for producing shale oil that have the potential for minimizing environmental damage. One of these, put forth by Superior Oil Company, is especially attractive. Superior proposes extracting two sodium minerals, dawsonite and nahcolite, at the same time they extract the shale oil. By doing this they remove 48 per cent by volume, of the original oil shale. When the shale swells due to processing, it increases in volume from 52 per cent to about 95 per cent of the original rock. This allows for the return of 100 per cent of the spent shale back into the mine. Other operations extracting just shale oil find the spent shale volume larger than the original rock. This necessitates surface disposal.

The sodium minerals may prove to be valuable anti-pollutants. "Bench-level testing has shown that nahcolite. . . will absorb nearly 100 per cent of the SO2 (in smokestacks) under controlled laboratory conditions." It has also absorbed NO2 "moderately well." Dawsonite may be used in treating domestic sewage. One study reported "as much as 95 per cent removal of phosphorus from waste water" using dawsonite. Aluminum can also be extracted from dawsonite, perhaps "in sufficient quantities to have a significant impact on this country's trade deficit."

Superior hopes to minimize water pollution and in fact enhance the quality of the White River. "Water accumulating in the mine. . . can be pumped into the processing system and consumed without exposure to surface waters." Furthermore, "sour water produced from retorting the shale will be mixed with spent shale to be returned underground." Besides using sour water which would otherwise contaminate surface supplies, Superior hopes to convert sour water to fresh water in "significant quantities" for domestic or other high-quality water uses.

John Van Derwalker, Environmental Coordinator with the U.S. Fish and Wildlife Service in Denver, is enthusiastic about Superior's approach. "The Superior program would take place on the edge of the basin which would have less impact on fish and wildlife resources because there would not be the human intrusion into the heart of the area. Also the reduction of salt water entering the Colorado River system would be an environmental benefit," he said.

Ben Weichman, spokesman for Superior, writes, "One of the very desirable features of the process is that the operation can be non-effluent, except for outflow of commerical products. The major energy and environmental impact of oil shale and minerals development would be the resulting availability of domestic, adequate, clean and cheap energy, which can be consumed without degradation to the environment."

But Interior has not been receptive to Superior's plans. Superior has a small private holding that is the wrong size and shape for production. Interior has refused to trade lands with them. When Superior nominated a tract for competitive bid leasing, it was not chosen. Interior acknowledges, "None of the proposed prototype tracts is believed to contain sufficient concentrations of the minerals (nahcolite and dawsonite) to warrent commercial extraction operations."

A second disregarded technology that appears to be more environmentally sound is in-situ mining. This process involves extracting the shale oil in place (underground) and then pumping it to the surface with oil wells. The oil shale is fractured and heated underground by means of explosives. Hot natural gas or superheated steam is then introduced to retort the oil shale. This method promises no surface disruption from spent shale storage and conventional mining operations. It can also be carried out on a smaller tract of land (40 to 80 acres instead of 5,120 acres). However, if nuclear explosives were chosen for underground blasting, radiation effects would be a definite drawback.

Once again, Interior has ignored a promising oil shale technology. In the EIS, in-situ is dismissed as a remote, impractical technology. Yet major oil companies, notably Shell Oil, seemed interested and willing to invest in just such a "remote" technology. Like Superior, Shell's tract was not selected for leasing.

The EIS claims that the two tracts in Wyoming are suitable for in-situ mining. If so, they are marginal, for there has been little if any interest shown by industry in the area. When Interior called for nominated tracts from industry 18 were put forth in Colorado, four in Utah and only one in Wyoming. The single nomination in Wyoming so upset the development-oriented Governor, Stan Hathaway, that he supplemented it with the personal addition of two more tracts. (One is moved to wonder if he will be the sole bidder on the tracts as well.)

ALTERNATE SOURCES

Even if the government did recognize and support Superior's multiple mineral extraction plan or in-situ experiments, tremendous social impacts would still occur. Doubling the population of this sparsely populated region will have a far greater environmental impact than any mining operations. And then when the mines close, as in all boom and bust economies, there will be even greater social problems.

What is needed is a renewable energy resource that supports a stable economy. For this we cannot rely on fossil fuels. Instead we must turn to the sun and solar-related energy sources. The only drawback is that this approach removes the big 17 oil companies' monopoly on selling convenience to captive customers.

Solar energy is only given cursory attention in the EIS alternatives volume. The EIS dwells on the inefficiency or undesirability of large solar collectors covering the Arizona desert to produce electrical power. It does not even mention the effectiveness, low-impact, and desirability of individual building solar heating and cooling systems that could cut our dependence on fossil fuel energy substantially.

One of the greatest paradoxes in the EIS is their discussion of "biological energy" or methane from organic waste. They discount this source because it only yields "1.25 barrels of oil per ton of waste." This figure is equivalent to 52.5 gallons of oil per ton of waste. "High grade" oil shale contains only 30 gallons of oil per ton and leaves a greatly expanded volume of waste.

Producing biological energy would help solve our solid waste, land fill, air pollution and water pollution problems. Energy from oil shale would only aggravate all these problem areas. The EIS says of biological energy, "It is doubtful if production of significant magnitude could be achieved by 1985, so, pending further research

(Continued on page 12)

After oil is removed from oil shale, piles of infertile saline material remain. Massive amounts of fertilizer and irrigation water are required to revegetate these waste piles. Surface disposal plans call for filling canyons and valleys with the waste. One prototype operation could fill six or seven canyons to a depth of 250 feet. The revegetation experiment pictured above was conducted by Colony Development Corporation in a canyon on the south end of the Piceance Basin in Colorado. The canyon is excellent deer winter range.

Whither The Train...

Reclamation For Rusty Rails

Editor's note: Due to space limitations we were unable to run all of D. A. Long's article on the railroads. This second part discusses branch lines, the impact of abandonment, and some possible solutions.

by D. A. Long

WHERE RAILS END

Lander, Wyoming, used to be "where rails end and trails begin." Alas, Lander saw its last passenger train over 25 years ago, and the trails start at Riverton now that the Chicago & North Western has left town altogether.

Lander was served by a branch line. Most of the 200,000-odd miles of railroad in this country belong to branch lines. Many if not most of them share the plight of the passenger train: insufficient traffic. The CNW alone claims that 36 per cent of its mileage no longer generates enough business to justify continued operation. In the East, whole main lines of smaller railroads have degenerated to branch-line status, and large chunks of the infamous Penn Central face liquidation. The loss of all these lines would add a large enough number of trucks to the highways to give one pause.

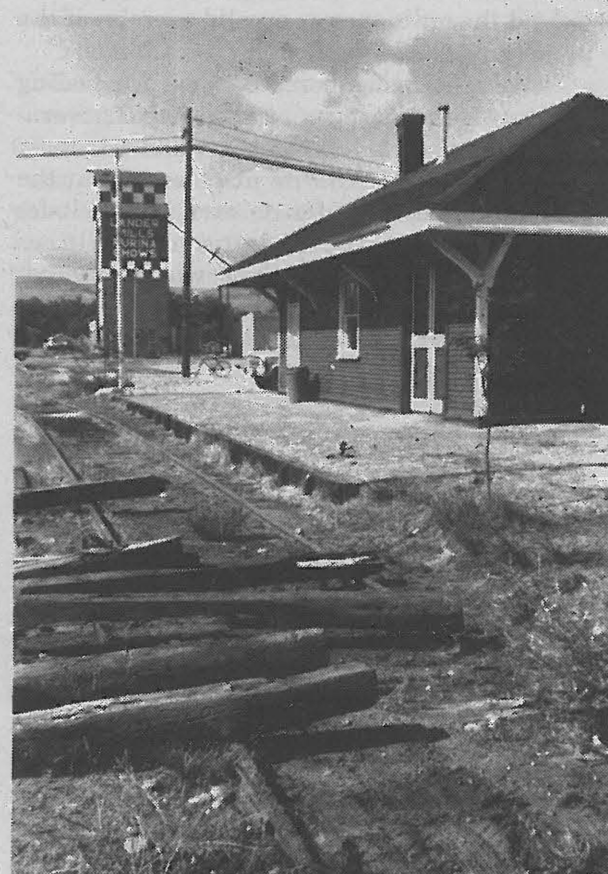
The Interstate Commerce Commission must approve all railway abandonments. All current cases before th ICC have been suspended pending the outcome of a New York court case brought by the Harlem Valley Transporation Association, the National Resources Defense Council, and others seeking to require the ICC, in each abandonment case, to find whether the abandonment would "significantly affect the quality of the human environment," and if so, to prepare an environmental impact statement to comply with the 1969 National Environmental Policy Act. The ICC lost the first round.

In its appeal, the ICC complains that it does not have sufficient personnel to conduct impact studies, and that even if it did, each case would take a year longer to process. One does wonder about the competence of the ICC upon reading of a decision allowing a commuter railroad to discontinue a few trains from Chicago to western Indiana. The Commission conceded that replacement autos would add to pollution, but said, on the other hand, that the ended trains would mean "reduced emissions." The trains were electric.

The unanswered question is, suppose the proposed abandonment **would** significantly disfigure the environment, what then? Remedies to date have required local initiative. Each year several more branch lines that lost money for big companies persevere as "short lines" in the hands of local businessmen who devise appropriate work rules and look after their property at first hand. In a Pennsylvania case, the industries served by a branch put up money for improvements that enable the original railroad to carry on. Similarly, Governor King of New Mexico has hinted that some method may be found to entice the Santa Fe into continuing its branch between Willard and Calvert in the center of the state. The incentive is usually lower freight rates, not concern for the environment, but we needn't complain.

LOCAL ANSWERS

Occasionally communities help by reducing railway property taxes or by buying the railway themselves. Ten years ago Vermont set state precedent by taking title to the remains of the bankrupt Rutland Railroad and leasing portions of them back to independent operators. New York State bought the Long Island Railroad and turned it over to an area transit authority. More recently, Colorado and New Mexico woke up and purchased the more scenic half of the Rio Grande's last narrow-gauge main line; a lessee now runs excursion trains between Antonito and Chama to complement the Rio Grande's own famous service on the Silverton branch. (What better way for the masses to visit the high country with minimum disruption thereto? Unfortunately Colorado let highways supplant the bulk of its narrow-gauge network years ago. The major complaint of on-line towns was loss of tax revenue.)



Summer, 1973. The tracks are torn out of Lander, Wyoming, which used to be "where rails end and trails begin." Just as mass transit funds are being made available, the options are foreclosed.

In a slightly different context, the province of British Columbia demonstrates the local answer by pushing its own railroad north toward Alaska. Premier David Barrett suggests completing the job as an alternative to that ol' debil pipeline: Ottawa and Washington turn deaf ears. Barrett's railroad, incidentally, carries no passengers on its northern extension. Canada in general subsidizes specific passenger trains of various railroads instead of running a national network.

As Wyoming is aware, sometimes a railroad supplies its own initiative. Last fall the Burlington announced that it would extend its Amax Coal branch, south of Gillette, another 126 miles to Douglas. Our longest new track in 42 years will start low-sulphur coal on its way to smoggy cities from new strip mines in the Powder River Basin.

Back here in highway country, Congress could reduce the burden of preserving branch lines by easing the ICC-imposed complexity of starting and running a railroad, by causing heavy truckers to pay their share of road and pollution costs, and by extending loans or grants for purchase of the lines. Kansas Sen. James B. Pearson goes so far as to propose operating subsidies.

Yet we ought not to blindly provide formaldehyde for every piece of track laid down in the wagon era. Last year, for example, the Sante Fe got around to junking half of a 100-mile branch from Holly to Swink in southeastern Colorado. The branch never strayed more than six miles from the parallel main line and the portion abandoned generated no more than two carloads of business per mile per year. The ICC has declared, with court support, that a business of 34 cars or less constitutes a prima facie case for abandonment (which doesn't make the action automatic, but shifts the burden to the opposition). While the number 34 is arbitrary, it is a lot bigger than two. Plainly we have many rail lines that could be ripped up with minimal harm, and if there is no hope of increasing traffic, it could be argued that better use could be found for the land. Compromise cases warrant retention of the right-of-way, if not the tracks, for future development.

THE EUROPEAN EXAMPLE

Some observers don't consider or are not satisfied with local initiative and instead plump for a government-run monopoly. Usually their views stem from riding or reading about Europe's fine passenger trains, which are a product of high population density (Germany's is 10 times that of the United States). Naturally our railroad companies oppose nationalization, and your friendly Union Pacific dealer can supply statistics to show that European railways lose billions of dollars annually while charging customers two or three times as much as do our railroads, which as a group pay high wages, property taxes, income taxes, and even dividends. The significant fact, however, is the horror with which freight shippers greet the idea. The ill-conceived merger of the Pennsylvania Railroad and the New York Central became the bane of the traffic manager's decorum; to propose expanding the merger to a colossus greater than all of Europe's railways put together would be less than tactful.

A more imaginative step up from local initiative, or a variation thereof, would be for a government body to buy the railway in question and neither run it itself nor lease it to a particular party. Instead, the railway would be open to any qualified operator, much as our highways are now. Ford Motor and Detroit Edison would run their own trains. Conventional railroad and trucking companies would blend together to serve the majority of shippers. A shipper dissatisfied with one carrier could switch to another without resorting to the highway. And who knows, Greyhound might find a railbus profitable.

Endangered Ones

Don't look now, but someone wants to put us humans on the endangered species list. And this bearer of bad tidings is no crank — he's the Executive Director of the United Nations Environment Program.

The Director — a Canadian named Morris Strong — told a group of students at the University of Alberta last week that "Mankind may soon become an endangered species, threatened by gross imbalances in the use of technology and by a false concept of progress."

Strong went on, "The lopsided use of science and technology may prove more dangerous than the nuclear bomb. Man has exploited and plundered his planet and is a victim of his own actions."

The U.N. Environment Director said that the only ways to save humanity from itself are a new lifestyle, a new distribution of power, and a changed view of what constitutes progress. : : EARTH NEWS

Private Property vs. Public Good

by Richard D. Lamm

The central issue in land use planning is determining when restriction of allowable uses constitutes "taking" land from private owners, entitling the owners to "just compensation" under the constitution.

Time and time again during Colorado's debate on land use, someone will raise the anguished cry "you are interfering with my right to do what I please with my property."

Often the only right they would mention would be their right to sell the property at windfall prices to a subdivider.

Nevertheless, the complaint is an honest question, and deserves honest examination.

Society has been imposing restrictions on property for many, many years. In 1285 an ordinance of Winchester, England commanded, in face of property owner opposition, that highways leading from one market town to another be enlarged to eliminate bushes, woods or dikes behind "which a man may lurk to do hurt."

In 1581, the cutting of trees for coal and iron foundries was prohibited by law, since the use of wood to manufacture iron was depriving urban people of household fuel. The statute also prohibited the erection of new iron works within twelve miles of the City of London.

SAFETY, WELFARE

Since those early beginnings, legislators have increasingly felt the necessity to regulate property for the "health, safety and general welfare," and as our society gets more crowded, it would seem clear that these regulations will increase.

Hawaii, concerned with the loss of agriculture, has already zoned all its remaining agricultural lands, and forbids transfer out of agricultural use without a vote of six out of seven state commissioners.

California voters last November in California adopted by initiative a law to control development within 1,000 yards of the entire coastal shoreline, a move which has prompted shoreline owners to file a $529 billion dollar lawsuit alleging that the state is "taking" their property.

The owners of New York City's Grand Central Station, are raising the same issue against the New York City Landmarks Preservation Committee which designated that facility a "landmark," and forbade the owners the right to construct a 59-story building which would demolish all but the main concourse of the station.

The Lake Tahoe Regional Planning Agency, set up jointly by the Nevada and California legislatures to protect Lake Tahoe from over development, has denied many Lake Tahoe owners the "right" to sell their land to large impact developers like casinos, apartment houses and hotels.

The law has never, contrary to some popular opinion, allowed a man to do entirely as he pleases with his property, but the scope of that regulation is unquestionably increasing as we crowd more people into a finite space. Landowners have always complained about the regulations and tested them in court.

VALUED BRICKYARDS

In 1915, the US Supreme Court upheld a Los Angeles zoning ordinance which forbade brickyards in certain parts of the city, and a property owner challenged the ordinance, claiming that the ordinance reduced the value of his land from $800,000 to $60,000. The high court upheld the ordinance as a valid exercise of the police power, stating:

"It is to be remembered that we are dealing with one of the most essential powers of government, one that is the least limitable. It may, indeed, seem harsh in its exercise. . . but the imperative necessity for its exercise precludes any limitation upon it because of conditions once obtaining. . . to so hold would preclude development and fix a city forever in its primitive condition. There must be progress, and if, in its march, private interests are in the way, they must yield to the good of the community."

In 1926, the Supreme Court upheld at Euclid, Ohio comprehensive zoning ordinance which restricted some property owners to single-family residential use of their land, which reduced the value of their land from $10,000 to $3,500 per acre.

While the 1915 decision could be analogized to the common law of nuisance, the 1926 decision was clearly forging new ground and allowing restrictions on land based on a considerably broader standard "the public health, safety, morals or general welfare."

BALANCING INTERESTS

Clearly, not all regulation of land passes constitutional muster, Regulation of land must not be arbitrary or unequally applied, and it must be founded on an actual "public purpose." The Supreme Court has also found that regulation which goes too far can amount to a taking of property and many lower court decisions talk about the "balancing" of the importance of the public interest served by the regulation against the economic loss it entails for an affected property owner. Clearly, however, the scales which "balance" those interests require an increasing amount of diminution of value before a "taking" is found to have occurred.

The California Supreme Court recently upheld a stringent ordinance prohibiting gravel removal which essentially rendered some land (which had no other practical use), useless. The court stated that the "essence of police power. . . is that the deprivation of rights and property cannot prevent its operation, once it is shown that its exercise is. . . . reasonably within the meaning of due process of law."

(Colorado, in the last session of the legislature, passed similar legislation on gravel, but it has not yet been tested by the courts.)

The Wisconsin Supreme Court last year upheld the Wisconsin wetlands legislation which limited uses of shorelines to those consistent with its natural character.

The court noted:

"An owner of land has no absolute and unlimited right to change the essential natural character of his land so as to use it for a purpose for which it was unsuited in its natural state and which injures the rights of others. . . (we) think it is not an unreasonable exercise of the police power to prevent harm to public rights by limiting the use of private property to its natural uses."

VALID POLICE POWER

The Maryland Court of Appeals upheld similar legislation stating that it was a valid use of the police power for the state to "preserve its exhaustible natural resources." Similarly, a state should be able to preserve its other "natural resources" whether they be shorelines, agricultural lands, gravel deposits, or other community natural resources.

A state should also be able to develop new institutions under the police power to help achieve on a statewide level what zoning achieves on the local level. For instance, a comprehensive zoning ordinance can allocate industry to certain limited areas of a city.

Analogously, the Supreme Court of Maine upheld Maine's industrial site location law which gave Maine control over the location of large, impact industry. Some considered the Maine law, similar to one introduced but not passed in Colorado, to be quite unprecedented: the state involving itself in the location of an industry.

(Continued on page 7)

Across the West, what was once farm or ranchland is falling to the developers. (See letter page 12.) A dilemma for land planners is how to preserve valuable open lands and agricultural lands without having to purchase "development rights." The problem is particularly vexing in such restricted land areas as Wyoming's Jackson Hole, above.

However, the police power was clearly broad enough to uphold the law against constitutional attack.

REASONABLE RESTRICTIONS

Thus, it is also clear that the police power is evolving and growing in its ability to impose reasonable restrictions on land. The California Supreme Court, in its first ruling upholding comprehensive land regulation in 1925 stated prophetically:

"In short, the police power, as such is not confined within the narrow circumspection of precedents, resting upon past condition obviously calling for revised regulations to promote the health, safety, morals, or general welfare of the public. That is to say, as a commonwealth develops politically, economically, and socially, the police power likewise develops, within reason, to meet the changed and changing conditions. What was at one time regarded as an improper exercise of the police power may now, because of changed living conditions, be recognized as a legitimate exercise of that power."

A recent citizen task force on land use and urban growth headed by Laurence S. Rockefeller made the same point in urging legislators to make aggressive use of their police powers:

"Since the courts have always adapted constitutional principles to meet the needs of the times, they no doubt will continue to do so, adapting the principles to our increasing awareness of the need for environmental protection. State and local governments should not refrain from exercising their police power because of fear of adverse court decisions. Nor should legislative bodies fall victim to arguments that land use regulation is impossible without massive payments to all affected landowners -- payments that are obviously unavailable in tight governmental budgets. It is important that state and local legislative bodies continue to adopt planning and regulatory legislation aimed at carrying out land use objectives and that legislative bodies make clear that police powers are regarded as valid authority to achieve more orderly development and to protect natural, cultural and aesthetic values."

A SANE FUTURE

Colorado must heed the advice. One study recently showed that we have almost 2,000 square miles of irrigated land in the front range alone, plus almost that much dry farm land. To purchase the "development rights" on that land, which is so often mentioned, would cost at a minimum 20 times a complete Colorado yearly budget. We must find other tools to do the job.

Public understanding of these concepts is very important, in my opinion, if Colorado is to have a sane future.

If we commence immediately to impose reasonable land use controls to halt sprawl, preserve agricultural land and balance economic opportunity throughout Colorado, we have a good chance of saving a livable Colorado.

If we delay – the future is much darker.

Save The Cedar-Bassett!

The Cedar-Bassett area of the Upper Yellowstone is the year-round home of one of the finest resident elk herds in Montana. It is perhaps the only known spawning site for pure native cutthroat trout in this area.

It is de facto wilderness, and as such adjoins both the Absaroka and Beartooth Primitive Areas. It has been on the Forest Service timber cutting program, and the F.S. has steadfastly refused to include it in adjacent wilderness study area even though it in no way differs from the rest of the country being studied.

So Cedar-Bassett has been "multiple-use planned," and the draft environmental impact statement is open to public comment.

The plan calls for roading and logging to within two miles of the head of the main drainage, but states that "80% of the area is to remain in a roadless and undeveloped state." (I guess it depends on how you define "undeveloped.") The logging is to take place in the heart of the only impenetrable elk refuge and the principal watershed "sponge," but the F.S. claims logging will have little impact on the elk and "water quality will be maintained."

The entire area is notorious for its geological instability, being highly susceptible to mass failure. (One of the drainages is called "Slip and Slide.") But the F.S. says they can log very carefully and avoid such hazard. . . . even though logging roads in nearby drainages are slumping into the creeks.

The impact statement muddies the overwhelming public sentiment voiced during the public involvement phase. In an editorial in the last **Montana Outdoors** (official Montana State Fish and Game Department publication), Kerry Constan, a member of the "interdisciplinary team" on the Cedar Creek study, states that the decision to road and log "came after four meetings at which 90% of those testifying **opposed any logging** activity in the area." In contrast, the F.S. report says that 37% opposed logging and 14% favored logging, implying that 49% **didn't care**! As far as I could see, there wasn't a **single soul** at those meetings who didn't feel strongly one way or the other.....and the very few who favored logging were paid representatives of the timber industry, **to a man.** (None of whom were acquainted with the marginal timber in the area, or would commit himself to even being interested in the timber in this specific sale.)

The many local folk with strong feelings on this issue have banded together into an organization called C-BAG (Cedar-Bassett Action Group). We have retained counsel and are preparing administrative appeal and court action, if needed. We are encouraged by the East Meadow Creek decision in a very similar situation.

But at this time we need strong documentary support for our position. Letters objecting to this decision must be published and answered by the F.S. in their final EIS, which will likely be a carbon copy of the current draft. But we **need that documentation** to support our subsequent appeals.

PLEASE write a letter expressing **your own** feelings on this issue to Mr. Lewis E. Hawkes, Forest Supervisor, Gallatin National Forest, Bozeman, Montana 59715. State that it is in response to the draft EIS on Cedar-Bassett Creek.

Our children (and yours) will thank you.

Hank Rate
President, C-BAG
Box 873
Corwin Springs, Montana

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Editor's note: The letters called for by Hank Rate, above, were supposed to be received by Oct. 13. We were not able to get his plea in the last issue so the deadline will have passed for most readers. However, we have found that letters which even come in late have to be taken into consideration, especially if the letter writer sends a copy to Mr. John R. McGuire, Chief of the Forest Service, Washington, D.C. 20250.

It may be of interest to our readers that Hank Rate is an ex-Forest Ranger who served for six of the eight years he spent with the Forest Service in the very area he writes about here. He is conversant, he is knowledgeable, and he is sincere.

Additional information from the **Montana Outdoors** editorial mentioned above says, "The region supports a healthy resident elk herd of about 300. During winter months, many more elk migrate from Yellowstone National Park and depend on this range. Department biologists consider this region irreplaceable to elk because it (1) is a traditional calving ground, (2) serves as a prime winter range, and (3) during the hunting season, provides essential escape cover. Logging activity would impair all three."

Spread The NEWS

We need to expand our circulation to become financially stable. So we've concocted the Sell-The-High-Country-News-For-Christmas Plan.

It might mean a little money for your group and for us. Most importantly, it could mean better communications between environmentalists in the West.

Our regular yearly subscription price is $10. We offer your club a 15 per cent commission on each subscription sold by your members. When you've completed sales, send us $10 per subscription sold (minimum of 5) and we'll send you back a commission check. We've chosen Christmastime, hoping that your members will want to send HCN to some of their friends as gifts. If you need sample copies for your selling campaign, we'll be happy to supply them.

If you don't feel ready to embark on a club selling campaign, would you mention High Country News in your newsletter or at a meeting? We'd appreciate whatever you can do to help. We need your support to continue to provide information for activists in the Rocky Mountain region.

OCTO

Photos

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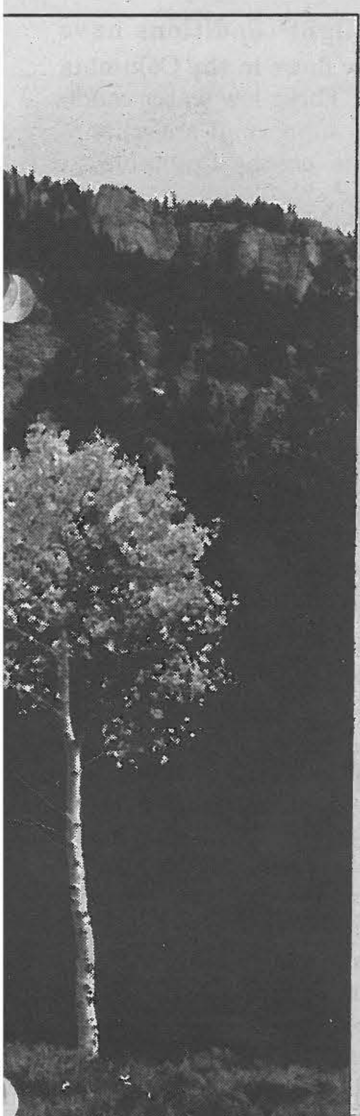

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Reckoning from Washington

by Lee Catterall

Copying machines in Washington may have been busier last week than anytime since the Pentagon Papers, duplicating a study on strip-mining of the West that wasn't intended for publication until next January.

The Daniel Ellsburg of the day is Thadis Box, dean of Utah State University's college of natural resources, who headed up the study, the only extensive one of its kind. Box recently sent duplicates of the 200-page document to the House and Senate Interior Committees, and the quickness of further copying since then would make McGraw-Hill envious.

The study was sponsored by the National Academy of Sciences under a $50,000 grant from the Ford Foundation. The study's staff director told this column in June it would be completed and released about July 1. But it still hasn't been made public because of what a Ford Foundation spokesman explained as routine review procedures.

Nor had its contents been made available to Congressmen and Senators working on strip-mining legislation. (The Senate was scheduled to act on it this week.)

"It was obvious the report wasn't going to get out in time to influence decision-makers," Box told this column. "If someone hadn't made this available to members of Congress, they would have enacted legislation without any input from the scientific community."

So, on his own, Box sent duplicates to those decision-makers, with cover letters written on Utah State stationery. He also asked that it not be shown to just anybody. But abuse of that flimsy caution doesn't even rank as a "news leak" in porous Washington.

Did the Academy, which has been accused of being pro-industry, decide to sit on the study, which is very critical of strip-mining? Box said no, that the review simply took much longer than expected.

Among other things, the study concludes that stripped land can be restored to grow plants and blend with its surroundings when it receives less than ten inches of rainfall yearly, but only with great difficulty and "with major, sustained inputs of water, fertilizer and management." Wyoming's Powder River Basin, with its vast acreage of strippable coal, receives slightly more than that, which puts it in the marginal, somewhat troublesome, category.

Howard Arnett, Washington representative of Pacific Power & Light, questioned that assessment, saying PP&L has been successfully reclaiming land near the Dave Johnson Plant east of Casper, which he said receives "about ten inches of rain."

The study also concludes that "although. . . water is available for mining and rehabilitation at most sites, not enough water exists for large scale conversion of coal to other energy forms."

However, Arnett noted the existence of an air-cooled, rather than water-cooled, power plant near Gillette, its proposed expansion and plans to treat Gillette's sewage for the water demands that remain at the plant. The study recommends that "alternate locations" be considered for future power plants, and does not discuss the idea of air cooling.

Those may be the most controversial elements of the study, much of which recommends reclamation methods, estimates coal reserves (Wyoming has as much strippable reserves as the other eight Western states combined, double Montana's) and details the water problem.

The study may have come too late to have had any impact on the specifics of the Senate bill, but already has been used in the House Interior Committee, so Box can be assured his disclosure has borne fruit.

Who Does The Planning?

by Robin Tawney

Montana's Lt. Gov. Bill Christiansen recently applauded the state AFL-CIO for its stand on coal development and said he hoped the labor group would "stand by our decision makers should mining be prohibited in areas that cannot possibly be satisfactorily reclaimed."

Speaking at the annual Montana State AFL-CIO convention in Missoula, Christiansen said labor lobbyists were instrumental in getting a strong coal strip mine reclamation bill passed during the 1973 Montana legislative session.

Prior to the session, the state AFL-CIO executive board adopted a statement regarding coal development which requested that the "highest priority. . . be given to the immediate drafting of 'ground rules' governing the restoration of coal strip mined lands and the preservation of present air and water qualities." The board also said that a good reclamation law was the only alternative to legal action or a moratorium on all development until "environmental safeguards are enacted and enforced."

Christiansen is the chairman of the Montana Energy Advisory Council (MEAC), an extension and continuation of the governor's Coal Task Force which has studied coal development during the last year and has identified specific questions concerning the impact of that development. MEAC is charged with:

- Assuring that state government at all levels is informed of what other state departments are doing with respect to energy policies or regulatory authorities.
- Checking to see that state, federal and university research programs are coordinated to avoid duplication of effort and to assure that the governor, agency heads and citizens have all possible available data as a basis for wise resource decisions.
- Assisting the governor, Montana Environmental Quality Council and citizens in formulating a state energy policy.

Christiansen told the labor group that the most important problem concerning coal development is the massive economic and social changes that will take place if rural Montana society is industrialized. "What will it do to lifestyles as we now know them?" he asked.

He said that although much of his time is occupied with matters of energy development, recently the question of energy supply has been highlighted.

"We note that drought conditions have created near-record low flows in the Columbia River Basin," he said. "These low water conditions strongly indicate subnormal amounts of hydroelectric generation on the Columbia in the very near future.

"Within a month," he continued, "you can expect a report from your Montana state government on project supplies of electrical energy and the most important job stability questions that relate to availability of industrial electricity."

He said the government also would recommend ways in which government, labor, industry and citizens may adjust use patterns to diminish the impact of any unavoidable power shortage.

"Energy supply questions relate to our ability to control orderly coal development on Montana's terms in more ways than you might think," Christiansen asserted.

He said the Bonneville Power Administration tried to pressure Gov. Thomas L. Judge into "short circuiting" the Montana utility siting act last spring by citing cutoffs of interruptable power at Columbia Falls and the temporary layoff of aluminum plant workers.

"At the time Bonneville applied this pressure in the name of Montana job security, to our knowledge they were making absolutely no effort to urge energy conservation measures for the millions of consumers in Washington and Oregon. Their apparent concern for your jobs seems somewhat shallow."

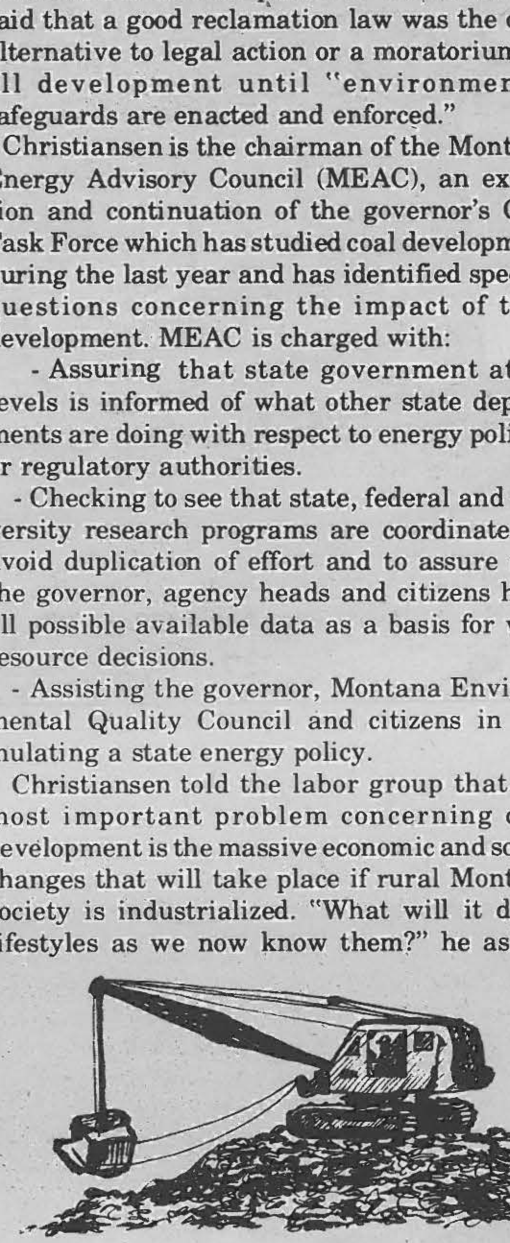
Another example of disregard for Montanans, Christiansen said, was the recent decision of the Army Corps of Engineers to release large volumes of water stored behind certain dams so that plenty of water would be available for the Gold Cup Speedboat Races near Pasco, Wash.

"Opening spillways and wasting our water's potential to generate electricity doesn't show much consideration for the families of working men either," he said.

The lieutenant governor said he is apprehensive that many pressures from the BPA, Corps of Engineers and other federal agencies will be directed to weakening Montana's resolve to control her own destiny.

He asked for the support of labor as well as that of all Montanans.

"The question really is whether we as a state can successfully plan for the interests of our people and their environment or whether a divided citizenry will allow huge corporations to do our planning for us," Christiansen said.



Cuts Ordered

Montana Governor Thomas Judge has followed the lead of Washington and Oregon, and ordered all state agencies to cut their energy consumption by ten percent this year.

The energy situation in the Pacific Northwest is the most serious in the nation, due to an extremely dry year. Most electric power in the Northwest is produced by hydro-electric power plants, but without lots of water there can't be lots of electricity — and there's been very little water this year.

Special appeals have also gone out to private consumers and businesses in the area to cut their energy consumption, but so far the campaign has met with little success. Government leaders in all three states agree that if the situation doesn't somehow improve, it could be a cold, dark winter in the Northwest. : : EARTH NEWS

As a result of our failure to develop a national grid, we move millions of tons of coal in long trainloads which run daily from Wyoming and Montana across North Dakota to plants in Minnesota, Illinois and other Great Lakes states. This is a wasteful use of resources. Out of every 100 ton rail car of coal about 35 tons are moisture and ashes. So we haul 35 tons of moisture and ashes hundreds of miles to get 65 tons of combustible fuel to a power plant. This plant then converts only about 22 tons to electricity and the other 43 tons are wasted in the environment.

Lloyd Ernst
Assistant to the General Manager
Basin Electric Power Cooperative
Bismarck, ND

Highwalls are one of the results of most open-pit and strip mining operations. These shown above were left from uranium mining operations in Wyoming. The mining industry strenuously objects to reducing the highwalls and restoring the open-pit or strip to a rolling contour. And yet to adequately reclaim the land from mining operations, the highwall must ultimately be reduced to a slope. Carl E. Bagge, president of the National Coal Association, says such provisions as prohibiting the highwall could "quickly turn the nation's energy crisis into catastrophe."

Emphasis ENERGY

Reynolds Metals Co., apparently frustrated in an attempt to gain government approval for a $2.2 billion uranium enrichment plant in northeastern Wyoming, has sold coal reserves to Texaco. The reserves are estimated to be in excess of two billion tons of low sulfur coal. A tentative agreement also calls for certain water rights to be assigned to Texaco for use in developing the coal. Under terms of the announced agreement, Texaco is to pay Reynolds $25 million within 90 days of a contractual agreement. Texaco will then pay minimum advance royalty of $12 million per year for the first ten years. The Reynolds property is located near Lake DeSmet, between Buffalo and Sheridan, Wyoming.

Reynolds had announced in March, 1972, that it had requested permission to build the huge uranium enrichment plant. It now says it is retaining enough of its coal reserves to supply an aluminum manufacturing operation, should it decide to do so. Reynolds holds not only huge amounts of coal but all of the appropriated water in Lake DeSmet, a body of water some three miles long and up to 300 feet deep.

* * *

Panhandle Eastern Pipe Line Co. has announced it will build a $400 million coal gasification plant in Wyoming. That announcement followed on the heels of one by Carter Oil Co. (a subsidiary of Exxon) that it was studying the possibility of a $400-$500 million gasification plant in Wyoming's Powder River Basin. Carter said its plant would employ 1,000 men and use 10,000 acre feet of water from the Big Horn River (tributary to the Yellowstone). Panhandle wants to buy 37 cubic feet of water per second from a ranch along the North Platte River to supply its needs. That plan has already drawn fire from other irrigation water users in both Nebraska and Wyoming, as well as the Sierra Club.

* * *

Wyoming water officials released a new report on projected industrial water needs. The report forecast industrial water consumption would increase from 78,700 acre-feet per year now to over 845,000 acre-feet per year in 2020. The report says there will be a need for extensive water development if Wyoming is to realize the full potential of its coal resources.

The report says, "In some areas, notably northeastern Wyoming, water is not available in amounts which will enable the projected coal developments to occur under present technology."

The report said the largest amount of surplus water is in the Yellowstone River tributaries in Wyoming — the Wind River-Bighorn River, the Shoshone, and the Clarks Fork. But because of the Yellowstone River Compact this water would not be as easy to obtain as water from the Upper Colorado River. Because Wyoming has no restrictions in the use of that water, ". . . Green River water can be the most flexibly used of Wyoming's presently available surface water resources." Use of Green River water would entail transbasin diversion from the Colorado River Basin to the Upper Missouri.

* * *

A Bureau of Indian Affairs draft environmental impact statement on the large, Westmoreland Resources coal strip mine near Sarpy Creek in Montana says it will greatly benefit the Crow Indians. The mine is expected to produce some 77 million tons of coal over a 20 year period. It will be used by four utilities in the Midwest. The impact statement says the Crows should receive about $14 million over the life of the mine.

The Hot Line

Gov. Ronald Reagan has vetoed the energy conservation bill which was passed by both houses of the California legislature last month. The bill would have created a commission with broad powers to prepare emergency plans, forecast supply and demand, and engage in research and development of solar and geothermal energy sources. Sen. Alfred E. Alquist, a co-author of the bill, says that Reagan is "fiddling while the state's energy burns." An environmental group called the Planning and Conservation League may put the bill on the next California ballot.

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The Atomic Energy Commission has decided to comply with the federal court ruling by preparing an environmental impact statement on the liquid fast breeder reactor program. Previously the AEC had argued that a total program evaluation was not possible. The could only develop the technical data necessary by building an experimental breeder, they said. Now rather than appealing the federal court decision to the Supreme Court, they plan to have an EIS ready within nine months.

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Russell Cameron, president of a Denver-based engineering firm, told a five-state legislative conference that the energy crisis was going to get worse over the next five to ten years. But he said the country cannot think of the use of solar energy, wind energy, or tidal energy — there isn't time. His solution — quick development of coal and oil shale. Cameron Engineers does studies for such development.

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A top Interior Department official, W. G. Dupree, Jr., says the U.S. will nearly triple its consumption of energy by the year 2000. Beyond 1980, Dupree says we will be greatly dependent upon oil shale, coal liquefaction and tar sands for petroleum products.

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Late in September, Deputy Treasury Secretary William E. Simon announced that the U.S. is now importing nearly one and a quarter million barrels of oil per day from the 12 Middle East countries. Altogether, the U.S. is importing six million barrels per day, approximately one-third more than one year ago. Simon said Canada supplies about 1.4 million barrels a day but has announced it will cut back from that amount. The other large supplier, Venezuela, is running out of oil. The Middle East now supplies about 18 percent of U.S. imports.

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Idaho Governor Cecil Andrus says Idaho may play a key role in development of new power sources when present fuels begin to run out. He told a meeting of electrical cooperatives, "Idaho is ready for development of its geothermal potential."

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Wyoming Rep. Teno Roncalio has charged the Nixon Administration with dragging its feet on needed energy research. Roncalio says impounded research funds include $2 million for molten salt, $4.7 million for geothermal, $600,000 for solar, $800,000 for hydro fracturing, and $4.5 million for fusion. Roncalio says, "Nowhere is the misguided sense of priorities more evident than in holding up money on two most promising areas: geothermal research and research on nuclear fusion."

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Albert Carlsen, president of Idaho Power Co., told the Idaho Mining Association, "In my judgement, the basic energy resources for Idaho for the next 20 years will be Wyoming and Montana coal."

"It Can Happen Anywhere"

Dear Sir,

I am writing regarding a situation in the Middle Park (Grand County, Hot Sulphur Springs, County seat) area of Colorado. You probably think, why should this be of any concern to most of us? Because, if this can happen here it can happen anywhere else, too. Also, anyone who comes to this valley, hunting or fishing, or just looking, has a stake in what is planned for this area.

The Middle Park Valley of Colorado is a beautiful spot. Since pioneer days it was ranching country. They call it the "Valley of Champions" since so many quality show cattle come from this area. Later, this county was a logging area, truck farming, a tourist mecca, and a summer home to people from all over the United States. All of this is in danger of being destroyed.

In all forms of pollution and destruction of this earth, none is so completely destructive, even including strip mining, as the wholesale practice of land development. What is planned for the Middle Park area is a complete takeover.

In the course of the ordinary growth of the country and they are used to ordinary land developers up there, they no doubt would have an increase of some size in subdivisions and so on. This is not ordinary, however, in any way.

A few years ago, an Austrian doctor by the name of Fred Sinkovitz (now of Lisle, Illinois) and a supposedly investment group of Chicago Physicians, decided that the country of Middle Park was very marketable and they might make a few million out of it. Someone may say that the owners of the land involved did not have to sell, but it only takes one or two and then the others feel themselves surrounded by proposed subdivision and feel they have no choice. There is more than one way to put people in the position where they have to sell.

This Investment group announced plans for a development of $100 million with 25,000 people just for a starter, right next to the little town of Granby. Granby's population is right around 500 and there is bitter feelings against this development. Oh, they even had a hearing, but it was just a very small notice and kept very quiet. They are aware of the opposition but do not count it as a threat in any way.

This land development scheme is called "Val Moritz village." In 1972, this Austrian doctor and his associates sold part interest to the Del Webb Corp. of Phoenix. The Webb Corp. is the developer and manager with the World Service Life Ins. Co. of Fort Worth as the financial partner. It is indeed ironic that these wealthy men must be made more wealthy by literally destroying not only a way of life for a whole valley of people but the very land itself.

Also, this country must have granted Dr. Sinkovitz sanctuary and he repays it this way. As for any insurance company that uses its profits and stockholders money for something like this -- that speaks for itself.

At this time Dr. Sinkovitz and his associates have five ranches bought out, with several other parcels. Course these ranches are out of production. You wondered why meat was so high? This is a factor all over the country. This is just the beginning. What is so terrible is that they are literally trying to buy up the whole east end of the county. There are very few parcels of land they have not already bought, in the process of buying, or trying to buy. They seem to have unlimited funds available. They literally plan to own and control the whole valley.It is almost unbelieveable the way it is being done.

They are forcing the sale of the land to them in different ways. You can't raise calves with a subdivision all around you, you can't truck farm, you can't even raise hay. I wonder how many will want their mountain cabins or even the lots they buy in these people sub-divisions when this pack of developers are through. It is even bound eventually to turn the tourist back. Mountain meadows covered with houses is not a pleasing sight. The state and government forest land they will use as a kind of back yard of their developments.

The really amazing, unbelievable thing is -- that these developers can come in and without a vote or mandate of any kind from the landowners and the people with a prior right to this land, can buy out, take over, destroy the land and the whole life of this valley. It is unbelieveable but it is being done. I know that all over the West there are unrestricted land developers at work, but this is the most completely unbelieveable take over of anywhere.

Here is another amazing thing. Even with their endless money to abide by state and local regulations, our informants, quite reliable, say they seemingly think they should have special considerations if any law or regulation is unhandy for them.

By all accounts, not just rumors, their intent is not only to appropriate any of the little town facilities that they can use, but also other facilities by declaring them public property and by sheer number confiscating them. This way, of course, they don't have to build them, just take them.

The people that buy in these subdivisions will probably find little welcome in the valley of Middle Park. Maybe, they will realize it's not these buyer's fault, but probably that will be hard to do. These developers cheat not only the people that this valley belonged to but anybody that buys into their subdivisions, only the developers end up the winner.

We are asking for help from all of you, everywhere. Any of you that loves nice country and wants to stop a terrible injustice. If enough people object strongly enough about anything it can be stopped.

Please write protest letters to the Del Webb Corp of Phoenix, Arizona; the Val Moritz Development Co. -- address Granby, Colo. and especially the World Service Life Ins., 307 West 7th, Fort Worth, Texas. Also, letters to lawmakers, county commissioners, anyone that can add weight and develop some laws to protect this land from this thoughtless, stupid, greedy slaughter. Write to your own state officials as well if you are not from Colorado, you may be next.

Thank you,
Committee Chairman
Harvey S. Rowe
"Protect Colorado Committee"

Editor's note: This unsolicited plea for help is indicative of the strong feelings of people caught in the middle of the current wave of rural subdivision developments. It is as strong an indictment of the ruthless speculators as can be made.

Nukes Challenged

Ralph Nader predicts that "the biggest environmental, legal, legislative, executive branch, citizen, consumer battle in the history of the country will be waged over nuclear fission power."

"I don't think there will be another plant built in this country with nuclear fission after five years," Nader said in a speech at the 1973 Western Governors' Conference. Thirty-six such plants are now in operation.

Nader quoted one estimate he has heard that the chance of a major nuclear disaster from a fisson power plant was only one in 10,000 years. "By the year 2000, " Nader said "there will be 1,000 reactors — that's the projection — so that would mean one accident every 10 years."

"Can we as a society, rely on a technology — to which there are alternatives — that has to be perfect forever, or face massive social disaster? I think the answer to that is no," Nader said.

An Atomic Energy Commission official, William Doub, challenged Nader when he charged the commission with "secrecy."

"Let me make this offer to you," Doub said. "I, Mr. Nader, will give you any paper on any subject, any background information within the AEC that you may request that does not affect the weapons program. If that doesn't answer your charge, I don't know how to answer it."

Denver Congresswoman Pat Schroeder has written to Doub about his offer. "I assume your offer would extend to other members of the public," she said. "I would, therefore, appreciate your forwarding to me at my Denver district office a list of all the AEC non-military documents which you intend to make public."

Oil Shale . . .

(Continued from page 4)

and development, it cannot be considered a viable alternative at this time." It is interesting to note that the most optimistic projections for oil shale development show that it would not be a "mature industry" producing a "significant" amount before 1985 either.

The attitude displayed by Interior in the EIS toward energy conservation is equally dismaying. Although such studies as **The Limits to Growth, Blueprint for Survival,** and the Office of Emergency Preparedness' document **The Potential for Energy Conservation** are recognized, Interior refuses to take any positive action to establish a steady state energy economy. The contribution of energy conservation is dismissed by stating that "physical limitations do exist and that simple solutions to a particular problem may have far-reaching effects. These changes are not free, but, indeed, may be very costly." That's government jargon for "damn the environment, anchors away on oil shale development."

When it comes right down to it, no matter how you dig it up, oil shale development is an unneccessary, unwarranted proposition. It's contribution to the national energy picture is insignificant, its economic success is doubtful, its social and environmental impact is overwhelming, its alternatives are far more attractive. Minimizing impacts of development does not solve the problem. Development should not occur.

Interior Secretary Rogers C.B. Morton has not committed the public lands to oil shale development yet, although he has gone a long way in this direction. He has stated he will not make a final decision on leasing tracts for a prototype program before October 30th. It is possible, in light of the profound adverse impacts outlined in the EIS, the lack of a cost-benefit analysis and the potential violation of the Clean Air Act that he will delay or disapprove of the program. The oil companies will encourage him to ignore the impacts. Citizen pressure is needed to avert this fiasco. Write Sec. Rogers C.B. Morton, Department of the Interior, C St. between 18th and 19th, N.W., Washington, D.C., 20240.

Western.....Roundup

Army To Detoxify Gas

The Army has announced it will destroy its entire stockpile of nerve gas stored at Rocky Mountain Arsenal outside Denver, Colorado. The announcement was made in the wake of mounting congressional and public uproar. Concern was expressed that the lethal gas, which is stored at a hazardous site beneath an approach to Stapleton International Airport, endangered the entire Denver metropolitan area. Plans now call for on-site detoxification.

Colorado's congressional delegation plans to hold the Army to its word. Rep. Don Brotzman remembers a similar pledge made to him in 1970 that was never carried out.

Sen. Floyd Haskell said, "I think it's a very positive move." He was quick to add, "I intend to watch very carefully to see that they don't study it too long."

Denver Congresswoman Pat Schroeder sits on the House Armed Services Committee which is presently reviewing legislation on nerve gas transportation. She said she would continue backing proposals that call for a nation-wide disposal of the entire stockpile of nerve gas and other chemical weapons.

Colorado Dams For Development

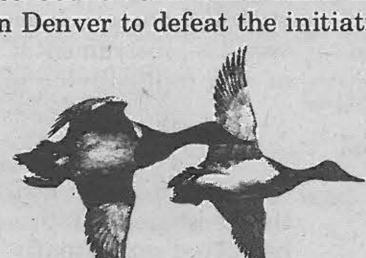
The federal oil shale leasing program has not been approved, but already environmentally disastrous projects associated with the anticipated industry are surfacing. Most recent is the revival of the plans for the construction of Iron Mountain Reservoir. The dam would be placed on the upper stretches of the Eagle River near Red Cliff, Colo.

According to Roger Brown, President of the Colorado Rivers Council, release flows would be "geared to the needs of the downstream oil shale industry rather than to the fishery in the river." Brown reports, "The Iron Mountain Dam will inundate several heavily used campgrounds, elk winter grounds, and some very fine stream fishing."

The sponsor of the project, The Colorado Water Conservation Dist. (CWCD), has been busy switching hats back and forth to portray their development orientation and their environmental conscience at the same time. While lobbying for the Iron Mountain Dam on the west side on the Continental Divide, they have denounced the Two Forks Dam on the east side of the Divide. CWCD sees the Two Forks Dam, which would be filled with western slope water from their conservancy district by a trans-basin diversion, as a threat to western slope trout streams. Their spokesman, Rolly Fischer writes, "Right now nobody seems to care about the environmental effects of taking increased massive amounts of high quality water of Colorado's fragile high country streams to the front range octopolis."

Fischer says, "But then maybe an east slope trout is better than a west slope trout." A more objective view might show the trout losing out on either side of the divide.

The Two Forks Dam would be part of a Denver Water Board plan to take water from in and around the proposed Gore-Eagles Nest Wilderness to supply the expanding suburbs of the Denver metropolitan area. Their plan is being put to a vote in a Nov. 6th water bond issue. The Colorado Open Space Council and other state conservation groups are going door to door in Denver to defeat the initiative.



Tritium Leaks At Rocky Flats

Colorado health officials have traced radioactive tritium in the Broomfield water supply to a leak at the Rocky Flats nuclear weapons plant. But the state has no theories about how the tritium got into the water around the plant.

According to federal standards, the level of radiation in the water supply is not enough to be harmful to human beings.

Normal background radiation from tritium is 1,200 picocuries per liter. Tritium levels in the Broomfield water supply have been measured at 23,000 picocuries per liter. Water samples taken from two sites on the Rocky Flats plant property showed 102,440 picocuries and 33,000 picocuries per liter.

State officials plan to either divert the tritiated water coming into the Broomfield reservoir or to reduce the contamination in the reservoir itself. They will also increase their surveillance of the Rocky Flats plant. Colorado Congressman Don Brotzman, whose district includes the Rocky Flats plant, has asked the Atomic Energy Commission to tighten up procedures at the plant to bar future outside release of radioactive materials.

Photo by Mike Sample, Montana Fish & Game Dept.

Controversy over Yellowstone Park grizzly bears has flared anew. Last week the Fund for Animals, Inc. accused the National Park Service of refusing to heed the advice of Drs. Frank and John Craighead in managing the endangered animals. The Craigheads say, "The present NPS management program, if continued, will very probably exterminate, or nearly exterminate, the Yellowstone grizzly population." But Assistant Secretary of the Interior Nathaniel Reed has predicted that a National Academy of Sciences research team will support the NPS policy. Reed says there is evidence that the bears are increasing rather than decreasing.

Briefly noted. . .

Wyoming Sen. Gale McGee has suggested that there might be a link between President Nixon's immediate and hearty endorsement of a special timbering panel's recommendation and his re-election contributions.

McGee said, "Those concerned with the fate of our national forests can well remember the unfair advantage which the White House gave to timbering interests, allowing them to squelch the Council on Environmental Quality's clearcutting guidelines. Coincidentally, handsome contributions to the President's campaign were made by the same parties some months later. I don't think we can discount, therefore, the immense pressure and influence which the timber companies might have exercised upon the panel."

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Agriculture Secretary Earl Butz told a Portland, Ore., audience, "We should meet the challenge of doubling our timber cutting in all our forests, including the national forests, regardless of what the environmentalists shout about."

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Colorado's newly named **Gov. John Vanderhoof** (replacing Energy Czar John Love) has appointed a 24-member Science Advisory Council. Purpose of the Council is to consider scientific and technological matters for the governor, and assess questions that affect the state.

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Idaho Sen. Frank Church has urged the EPA to relax the ban on use of DDT against the tussock moth. The moth is now threatening forests in northern Idaho as well as eastern Oregon and Washington.

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An Interior Department internal memo has caused a flap amongst Utah officials. The memo recommended that construction be delayed on parts of the **Central Utah Project** until some agreement had been reached on water flows to be maintained in streams on the national forests. The recommendation would affect about 35,000 acre-feet of water slated for use in the Salt Lake Valley.

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The **Oregon Environmental Council** says Oregon's Bottle Bill has not only reduced litter about 90 percent along Oregon highways but saves energy. The switch to returnable containers has resulted in the estimated saving of enough energy to heat a city of 46,000 for one year.

Thoughts from the Distaff Corner

by Marge Higley

The early morning sun was warm on our backs as we sat at the foot of Devils Tower studying the road map. A sister and I were on a combined business and pleasure trip and had come to one of those "where to, now?" stages. Our ultimate destination was southeast Montana, but we were close to the South Dakota border, and the Black Hills were tempting. Our dilemma was compounded by the 50-50 chance that Lou might have to go back to Denver the next morning, in which case she could fly from Billings — or from Rapid City. She had arranged to call at 2:00 that afternoon, so our itinerary had to include someplace from which to call at that particular hour.

Looking closer at the map, I said, impulsively, "Let's go to Oshoto!"

"Oshoto?" asked Lou. "What's at Oshoto?"

"We have a subscriber there who breeds Spanish Mustangs. From right here, it looks like about 12 or 15 miles on this shortcut," I pointed to the map. "We can go see the horses, then take this other road back to Moorcroft for lunch and you can make your phone call."

The decision made, we headed west, where we almost missed the turnoff to our "shortcut." It was un-numbered, unmarked, ungraveled, and very unsmooth. But the day was bright, the scenery beautiful, and we had no commitment until two o'clock. We continued at a snail's pace, avoiding rocks and deep ruts which had been left during the previous week's heavy rainstorms.

I knew that Oshoto was a post office, but had no idea how far from it, or in which direction, we would find the Cayuse Ranch, so we inquired at the first ranch we saw.

"Emmett Brislawn's? Turn right at Oshoto and keep going till you see a big sign on the gate. You can't miss it," he added, optimistically.

We followed the ruts and eventually came to Oshoto, where one road turned left and one went straight ahead. Since there was no one around to ask, we opted for the straight-ahead one. At least this road was smooth — we increased our speed from 10 to 20 mph, and suddenly came to a graveled road running at right angles to the one we were on. Now we could make that right turn! Just one problem — time. We had spent most of the morning getting this far. (However far "this" was!) Should we consider it a wasted morning, turn left and go (we knew not how far) to Moorcroft for that important phone call? Or should we turn right and go (we knew not how far) to see the Spanish Mustangs? With practically no hesitation, we turned right — "at least to the top of the hill, to see what we can see."

Four longish hills later, when we had just about concluded that we had indeed wasted our morning, we found an occupied country school house. Here we learned that our destination was "the next road to the right, and just over the hill."

At the house we introduced ourselves to Mrs. Brislawn, who took us down to the corral where Emmett was working. They seemed pleased, but not surprised, that we had driven out just to look at the horses.

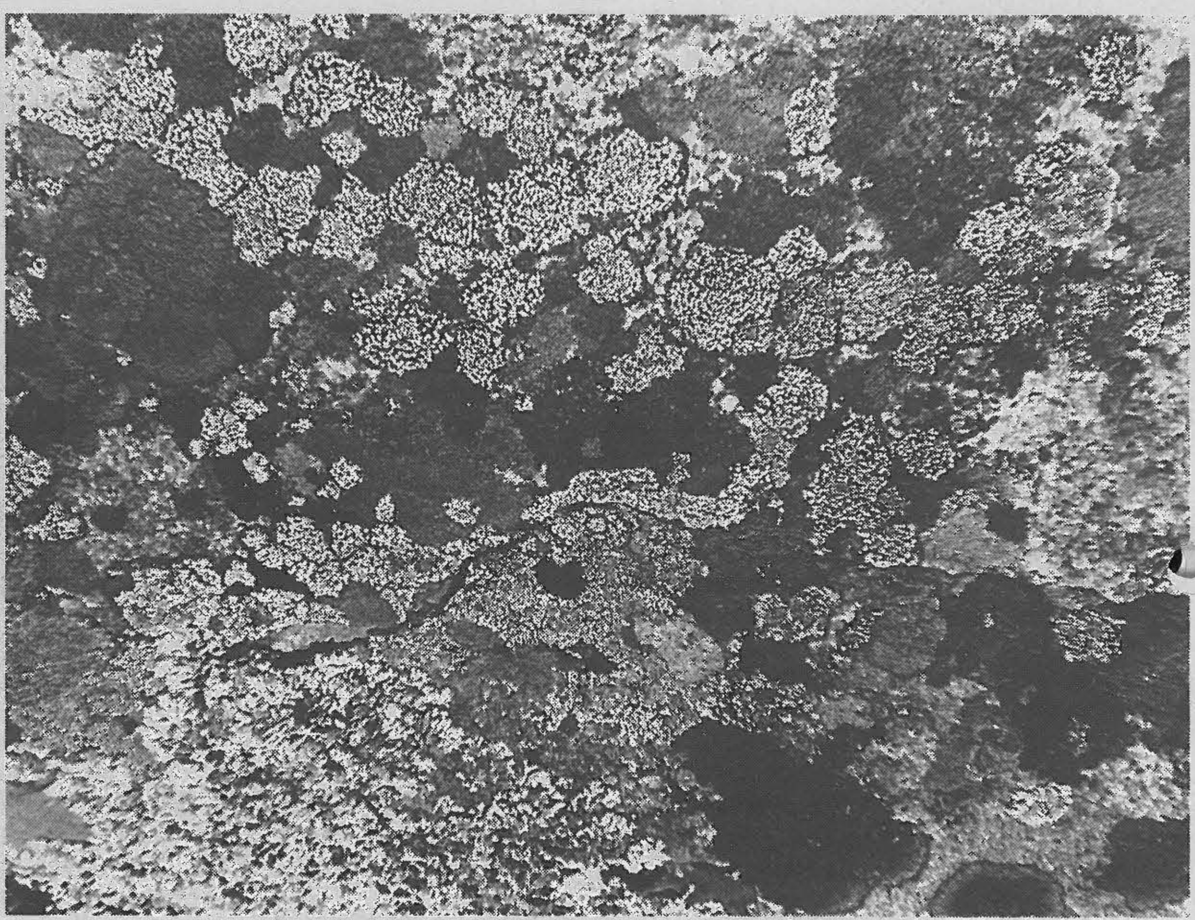
"They're probably 'way up behind that ridge about now," he explained, looking off over the large expanse of rolling grassland. "Hop in my pickup and we'll take up a bucket of oats so you can get a good look at them."

As we rode along, he told us about the Spanish Mustangs. They're not wild horses, but are the direct descendants of the horses brought to this continent by the Spanish Conquistadores. They were to become the first Indian horse, and the mount used by the Pony Express and the Texas Rangers. Small, (average height, 14 hands; average weight, 800 lbs.) intelligent, and amazingly hardy, the little horse played an important part in the building of this country. By 1920, the true Spanish Mustang was almost extinct because of slaughter, and cross-breeding with other horses. More than 40 years ago Emmett Brislawn's father, Robert, determined to keep the strain alive. He searched the west for Spanish Mustangs, and in 1957 founded the Spanish Mustang Registry so that owners could keep the rare breed pure. Emmett has continued with the work — "just because I like them, I guess."

Distaff . . .

We could understand why. As the pickup came to a stop we saw the horses standing against the skyline, manes and long tails blowing in the wind. As he coaxed them closer with the bucket of oats we saw the beautiful coloring and markings. Palomino, buckskin, blue, dun, paint, appaloosa, and undescribable mixtures. Some were marked with a cross at the shoulder, some had dark lines down the back, and some had zebra stripes on the legs. Even their bearing seemed unique — gentle, but certainly not docile; independent and aloof, but not afraid.

Back at the ranch house we regretfully turned down the invitation to stay for pot-luck, because we still had that phone call to make. As we headed south on a nice smooth graveled road, I reflected that the morning had not been wasted at all. It's good to know that the Brislawns and others like them are preserving the heritage of that beautiful creature, the Spanish Mustang, "just because they like them!"



Fascinating patterns of colorful lichen are prized by builders for fireplaces, rock veneer, and other decorative uses. Photo by Judy Sumner

Lichen Is A Mineral ??!!

Would you believe? Lichen, that fascinating and often colorful symbiosis of fungi and algae, has been recognized as a **mineral** (??!!!) and is now being mined in Colorado. If this fails to make any sense, read on.

Whipple Mountain is a relatively inconspicuous, 11,922-foot peak in the Uncompahgre National Forest six or so miles northwest of the town of Telluride. The latter was once entirely a mining center, but is now veering toward self-immolation as a ski resort that no one in power really wants to control. As a result, the place is the scene of a wing-ding passle of building, renovation and assorted, related, frenetic activity.

Re-enter Whipple Mountain. Its south slope is covered with talus; the exposed sides of these rock fragments are black-brown and covered with green lichen. In the builder's vernacular, this talus is known as "moss rock," and it is in increasing demand for fireplaces, rumpus rooms, bars, kitchens, exterior facing and Lord knows what else. It's a natural material, you know. Native stone. Blends with the environment. Will make your otherwise sterile condominium harmonize with. . .

Yeah Mac but where did you get that moss rock?

In June 1972, Moss Rock Nos. 1-6 placer claims were located on the Whipple Mountain talus slope under the provisions of the antique legal monstrosity known as the Mining Law of 1872. The claims cover 120 acres. Some moss rock (of value only because it is covered with lichen) has already been mined.

Three items of note (all relevant):

1) Moss Rock Nos. 1-6 placer claims are located partially within an area which both conservationists and the Forest Service are considering for inclusion in the proposed Uncompahgre Wilderness.

2) The US Geological Survey and US Bureau of Mines both consider the Whipple Mountain talus "a significant mineral resource."

3) Lichens are a group of plants which secrete an acid that dissolves rock; they send out tiny filaments which begin fissures and cracks which are then enlarged by the freeze-thaw cycle; when they die, they add organic material to that of the rock they help break down. As such lichens are basic pioneers of the plant world — instrumental in the vital conversion of rock to life-giving soil.

Objective Research?

A Ralph Nader researcher has charged that the prestigious National Academy of Science has acted consistently in the interests of industry rather than consumers in its evaluations of food additives.

After a two-year study of the Academy, Phillip Bothel revealed part of his findings in a recent address to the annual meeting of the American Physical Society.

While he said that there are no cases of outright conflict of interest among members of Academy committees and the drugs they study, Bothel said that Academy members are tied too closely to industry to make objective judgments.

He pointed out that the chairman of the group studying the effects of the chemical MSG (monosodium glutamate) in baby foods was the recipient of several research grants from the very companies which make MSG. Not surprisingly, the committee reported that the chemical was safe for infants.

: : EARTH NEWS

Book Review

Only A Little Planet

by Martin Schweitzer and Lawrence Collins

Friends of the Earth, Celebration of the Earth Series, Ballantine Books, 101 Fifth Ave., New York, N.Y. 1973, $4.95 in paperback.

Review by Joan Nice

We have become housewives of the land who redecorate with bulldozers, according to a new picture-poem book by Friends of the Earth.

The book emphasizes the savory side of the earth, rather than human failures. Both the text by Martin Schweitzer and the photos by Lawrence Collins urge a gentle human response to the splendor.

Our planet, Schweitzer says, is "the mildest and softest of the nine."

"If you can feel the earth
under your feet

know that never
in your life
have you not been touching something

wearing it down a little
being worn down a little."

Photos range from a Pacific cove to a street off Park Avenue. Poetry leads the reader from a man closed in his living room to man in a world of "stars behind stars behind stars."

A simple, well-written text makes **Only A Little Planet** a splendid children's book. For adults, however, its similarity to other books of this type may make it seem like another volume to stack on the coffee table. Nevertheless, it is of high quality and moderately priced.

Seen on Oregon Bumper Stickers:

People in Oregon don't tan in the summertime - they rust!
(For your summer suntan, visit southern California this year.)

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Last year in Oregon 677 people fell off their bicycles - and drowned.
(To find out more about horseback riding in Wyoming this year call 307-733-2097.)

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Tom Lawson McCall, Governor, on behalf of the citizens of Oregon, cordially invites you to. . . Visit Washington, or California, or Idaho, or Nevada, or Afghanistan.

From Sierra Club Newsletter

Eavesdropper

LOONEY LIMERICKS

by Zane E. Cology

When the oil is taken, the shale is "spent" —
(What's left is 160 per cent)
Now where can they hide it?
If profits decide it,
You'll be wondering where all the canyons went!

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The First National Forum on Growth drew some 600 people from 41 states to Tulsa, Okla., during the last week of September. There a near consensus was that environmentalism was here to stay, and that now a main job was to get people to face reality and make difficult choices. A "re-ordering of priorities" was a theme throughout. It was decided that a fundamental question must be answered — how do we want to live in the days and years ahead?

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The Corps of Engineers is digging a 22-mile ditch through the Cache River Basin in Arkansas. The Basin happens to be one of the primary wintering grounds for waterfowl in the Mississippi Flyway. The Corps project would drain 2,000 square miles of land and destroy 30,000 acres of wetlands. The Cache River Project is reported to cost $55 million and require annual maintenance charges of $2.7 million. The project is temporarily stopped through court injunction by most of the national conservation organizations and a number of sportsmen's groups throughout a 17-state area. But the Corps says it will have an environmental impact statement ready by March, 1974, and expects to continue.

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Eight of the nation's 100 largest cities lost population in the period 1970-1972. New York City led the list of largest cities with a decline of 0.3 percent. Los Angeles dropped 0.6 percent. Others losing population were St. Louis, San Francisco, Washington, D.C., Wichita, Kans., and Norfolk, Va.

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A landmark case involving values for plant and animal life and other environmental resources is scheduled for a court hearing in Indio, Calif., Oct. 29. The case involves illegal filling of a back water area containing many forms of life. The State of California is prosecuting a Colorado River landowner for filling in state-owned land and destroying plants and animals belonging to the state. The state wants restoration of the area and damages paid for all plants and animals destroyed.

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Hormones which cause mosquito larvae to grow abnormally have been developed for use in controlling mosquitoes. University of California entomologists say the hormones appear to be successful, without causing any adverse side effects on the environment.

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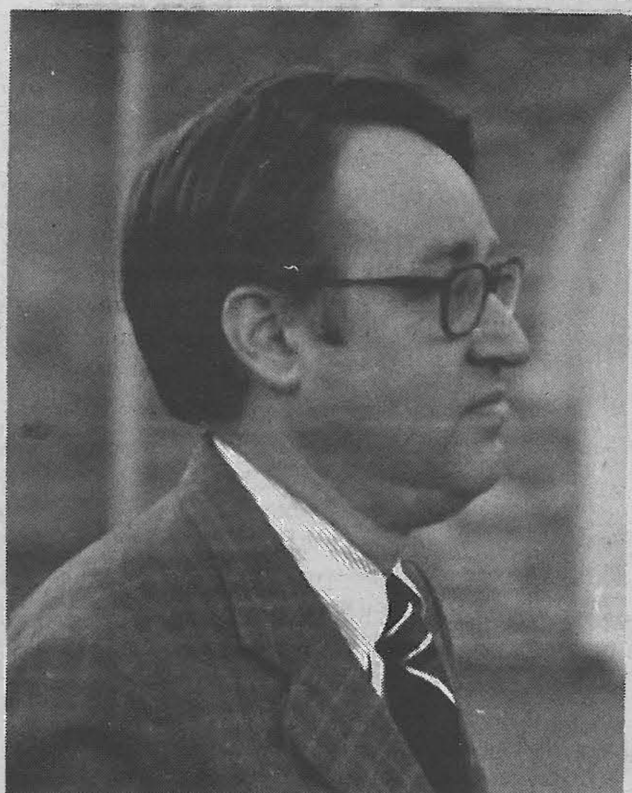
The Environmental Protection Agency is going to allow the application of Mirex on some 12.6 million acres in six southeastern states this fall. Mirex is a poisonous, persistent pesticide used to control fire ants. Public hearings on the impact of Mirex on the environment were held in mid-September in Washington, D.C., with other hearings to be held around the country later.

A CONSERVATION PORTRAIT:

Michael McCloskey, Sierra Club Leader



Michael McCloskey is the Sierra Club's highest staff member. He succeeded David Brower as executive director.

He grew up in Eugene, Ore., went to college at Harvard, came back to earn a law degree at the University of Oregon. Twelve years ago, "The Sierra Club decided that I ought to finish up some of the fights that I had started in law school," so McCloskey joined the Sierra Club staff.

In an interview for **High Country News,** McCloskey admitted that in his line of work, "it's hard to see where it's all leading." And with the emergence of the land use and energy issues, life for environmentalists may become even more frustrating, McCloskey says.

* * *

McCloskey — The thing that bothers me and bothers many Sierra Club members is that we have taken on so many environmental issues on every front that everything has become equally compelling and demanding. It's hard to see whether we are forging new ground rules and changing the nature of society or whether we're merely being gobbled up in endless so-called brush fires.

Now I happen to think that we aren't being gobbled up. I think that a lot of basic changes have been made in the ground rules through the National Environmental Policy Act, the Clean Air Act, the Federal Water Pollution Control Act, and new acts to control pesticides, noise and toxic substances. So I think things are changing. But there have been so many fights in such a brief time. And there has been an overwhelming number of new programs with all their complexities. The result is a lack of vision about where we stand and where we're going.

I have hopes that we're going to find the way to a clearer picture in the next few years. I believe that the first phase of environmental reform programs will soon — by the end of the next Congress — be behind us.We have many of the basic statutes we need.

But while we've been concentrating on pollution control, there's quite a backlog of land preservation and protection work that's been piling up over the last four or five years. We've got to pick up some of this sliding work.

HCN — How did you get into the environmental protection field?

McCloskey — As a boy I was a member of a local hiking and outdoor club in Oregon. All through the fifties, I read about fights to protect wilderness, primitive areas and rivers. When I started law school in 1958 I moved into the battles myself. It became quite evident to me that I was more interested in conservation than I was in practicing law.

I never conceived of the work as a job. But I got myself into so many conservation fights that it just turned into one. I met David Brower at a Federation of Western Outdoor Clubs Convention and he asked me to look at a piece of land that Justice William O. Douglas was interested in. I made a report on it. He gave me a little money. And then they made me their first field representative — $400 a month for salary and all expenses. In 1965 I was brought down to San Francisco and made assistant to the president of the Sierra Club. A year later, I was made his conservation director. In 1969, I became his executive director.

HCN — Has the spirit of Sierra Club left the mountains to wage more effective political battles?

McCloskey — No, I think we are the national outdoors club today. We have 200 local units across the country and every one of them has an outing program of some sort. While the program we emphasize is the environmental issues of the day, our people are still going to the mountains, the hills, floating the rivers — every weekend. I lose too many of my weekends — roughly two-thirds of them. But every day I get off, I go to the nearest trail I can find. Just to restore some sanity. . .

HCN — How do the national environmental organizations divide up the tasks that need to be done?

McCloskey — Sometimes there is a natural division of labor. But sometimes it's tough. Nowadays I almost have an axiom that there are bound to be at least two national groups competing for leadership positions on any national issue. Partly, leadership is a matter of who moves first and fastest — and who has a better command of the subject and the resources to exert leadership. But we usually achieve co-operation. We work in tandem.

HCN — Can you explain why none of the national environmental groups have taken the lead on the issue of oil shale development in Colorado, Wyoming and Utah?

McCloskey — It's been a potential issue for 15 years. On the one hand Colorado and other state politicians and promoters beat the drums to get it developed but the nation lacked interest. And on the other hand certain liberal groups saw federally owned oil shale reserves as a potential source of tremendous revenues for good causes and the environmentalists discouraged them. But this has all changed in the last year or so.

And I can't explain why it hasn't attracted that much attention except that it is still a limited program and other developments, especially in the field of coal and strip mining, appear to be so vast. But of course the final factor is that the movement, even as a whole, can handle only a limited amount at one time. We're going to be taking a closer look at it. The energy issue is the most complex and by far the most vast subject matter we've ever faced.

HCN — What problems are environmentalists facing in the future?

McCloskey — The energy and land use areas offer great opportunities. But I don't think the energy issue is going to fall into place with one big reform act. It's a seamless web of many things that are going to be with us for many years. If we have some success, we'll gradually start changing direction and turning a corner. But it's a different kind of campaign than the ones we've been involved in before.

I think the land use one will be, too. We may get a comprehensive land use act out of Congress soon. But it will be a beginning one and we'll have to come back a number of times to strengthen it probably, over the course of the next decade or two, and we'll be engaged in countless local land use battles and zoning a planning encounters. Just a never-ending fl of action and interaction. And that will be different framework.

So I think against the pattern of these longer term, less conclusive types of campaigns that we face in energy and land use, I see some of the land protection work that we've laid aside as an area where very clear and definite accomplishments can be nailed down over the next decade. I see that as a counterpoint to the frustrations of these other very long-term and diffuse campaigns.

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Michael McCloskey made an aerial tour of the Powder River Basin in Wyoming and Montana early this month. After the flight, he told a CASPER TRIBUNE reporter that it would be "just tragic to rush into exploiting the rich surface coal seams here when so much is unknown and it's all so unnecessary."

The national staff of the Sierra Club is working on the problem of coal development because "we have a couple of hundred years supply of low sulphur coa that can be deep-mined and we should con centrate on that until some of these other questions are answered," McCloskey said. We lack information about reclamation, water quality and wildlife, he noted.

Bill Budd, secretary of the Wyoming Mining Association, said that McCloskey's remarks after the tour reflected the Sierra Club's "closed mind" about strip mining.

In The NEWS