

The Environmental Bi-Weekly

High Country News

Vol. 7 No. 9 35¢

Lander, Wyoming

Friday, April 25, 1975

Bargain basement resource sales

Who profits from our coal?

by Russell Boulding

During the past 20 years federal incompetence has allowed billions of tons of public coal to fall into the hands of the corporate giants of the energy industry. Mismanagement of public coal by the U.S. Department of Interior has already resulted in a loss of hundreds of millions of dollars to the U.S. Treasury. Inadequate control over the coal's mining is likely to result in even greater losses, amounting to billions of dollars.

This mismanagement affects the whole western United States, but has been most dramatic in the rolling plains of northeastern Wyoming, eastern Montana, and western North Dakota. Under these plains lie the thickest coal deposits in the world. The 60-million-year-old Fort Union Formation covers an area of about 75,000 square miles and contains 40% of all mapped U.S. coal resources.

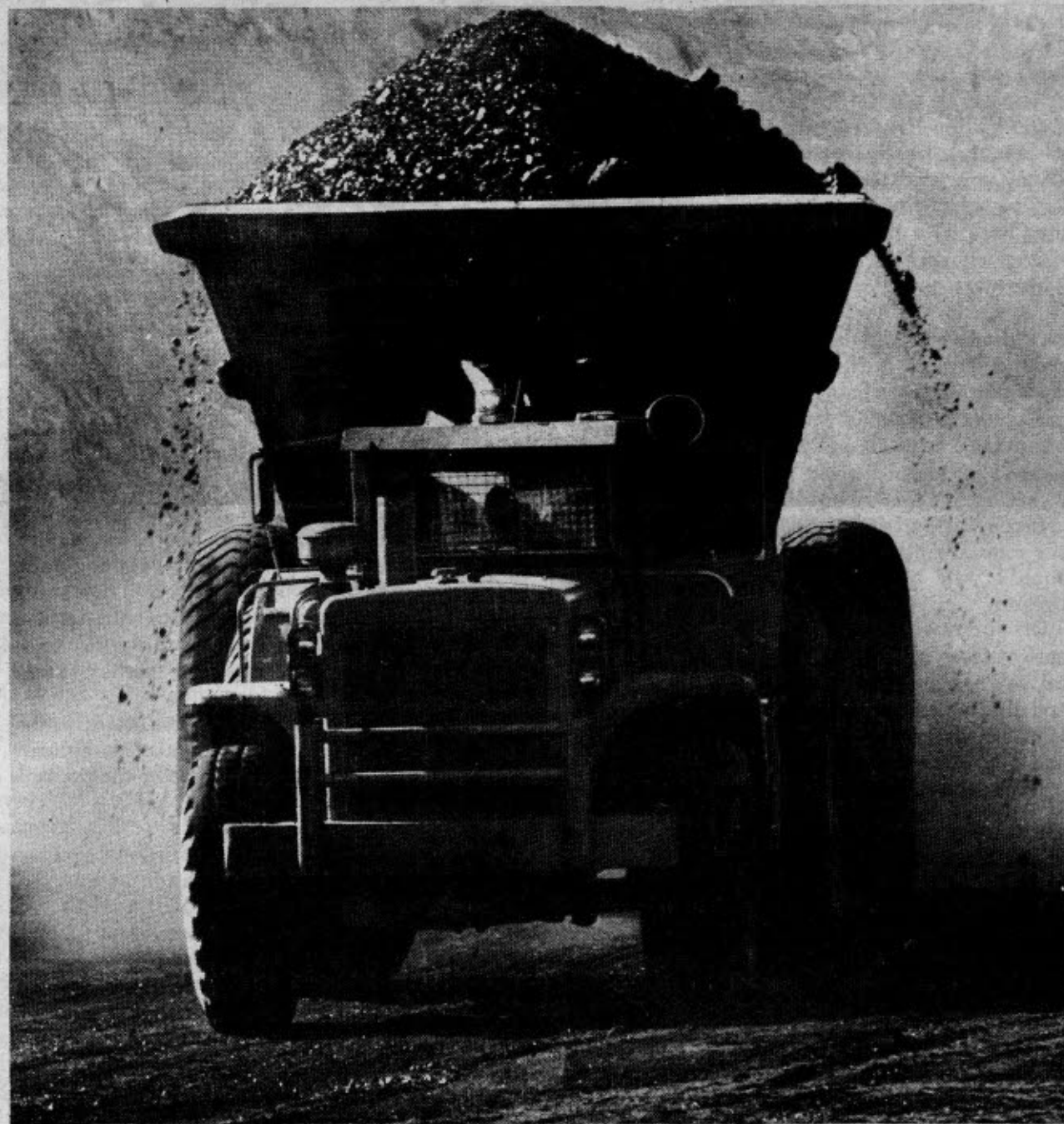
The ownership of these vast coal deposits is complicated by the fact that surface and coal ownership in this region are frequently separated. More than 25 different combinations of federal, state, Indian, railroad, and private coal-surface rights form a crazyquilt pattern over the region, making rational control of coal development extremely difficult. The fact remains, however, that federal coal ownership is concentrated where the coal beds are thickest and most valuable, so the disposition of public coal is the single most important factor in determining the course and impact of coal development in the West.

Unfortunately, the Department of Interior has never adequately inventoried the extent of federal coal reserves or their relationship to non-federal coal. This did not matter greatly in the pre-energy-crisis days because there was little demand for federal coal. But in the 1960s the petroleum industry saw the handwriting on the wall: U.S. petroleum and gas reserves were beginning to run out; coal was the fossil fuel of the future. In the Northern Plains, the Bureau of Land Management began leasing on a massive scale.

By late 1971, more than 180,000 acres of federal coal and more than 90,000 acres of Indian coal were placed in the hands of some of the largest industrial corporations in the United States. Exxon, Shell, Amoco, and Richfield, and Texaco — four of the top 10 leaseholders of federal and Indian coal — are also among the top 25 industrial corporations in the United States.

LEASED AND LOST

The magnitude of the incompetence with which the Department of Interior has administered federal and Indian coal is documented in **Leased and Lost**, a report by the Council on Economic Priorities (CEP) published in May 1974. The report analyzes 463 public land leases granted by the Department of Interior in eight western states and 11 Indian



"The American public is getting ripped-off twice — its taxes have been subsidizing private coal, and inflated coal prices are pushing skyrocketing electricity bills even higher. . . . Revenues from federal coal leasing during the past 50 years have not even covered the cost of administering procedures."

Photo by Terry Moore.

leases. The leases cover an area of over 1,400 square miles. CEP found that there is a great concentration of leaseholding among corporations (the top 15 of 144 leaseholders control 70% of the land under lease) and that speculative holding of public coal until the price goes up is a common practice.

CEP concludes that: "No pretense may be made that the public has ever received fair market value for its coal. . . . The present leasing system has operated without any overall long range planning and

has locked the country into long term commitments that (are not) in the public interest."

There are four ways the federal government receives revenue from public coal — fees for filing prospecting permits, annual rental payments on acreage covered by leases and permits, bonus bids in competitive lease sales, and royalties from coal mined from the leases. CEP concludes that filing fees, rental revenues, and bonus bids were so

(Continued on page 4)

HIGH COUNTRY

By Jane Bell

Spring has finally come to the valleys of eastern Oregon. And none too soon either. Our family was beginning to get cabin fever in the cramped quarters of a trailer home. Then, too, the old-timers tell us it was a long winter even for them.

But the harbingers of spring are all about. Even when the snow flurries were blowing through last week, great wedges of whistling swans were on the move. The wild geese and ducks are already nesting here.

It seemed as if our deep snow would never go off. But last week, we looked out one day and the ground was bare. There are still good hunks of ice and snow on the north side of the steep-roofed sheds and barns, but green is showing on the fields.

Like Wyoming, eastern Oregon has its microclimates. Just 17 miles to the east lies the Snake River Canyon. Before the advent of great hydroelectric dams, the river bottoms were a renowned peach growing area. To the south, over a high ridge, lies Eagle Valley. It is 12 miles from Halfway, which lies about in the middle of Pine Valley. Yet, Eagle Valley gets practically no snow during the winter and has a growing season some 30 or 40 days longer than here. The grass has been green in spots there since early in March.

The snow came to Pine Valley here on December 10. It continued to pile up to a total depth of about 36-40 inches in March. Frankly, it was a most dismaying feature of this beautiful valley. Now we know why it has so many trees and why it is so lush and green in the summer.

But long winters and deep snow were what we wanted to leave behind in our native, beloved Wyoming. And so we are already changing climes, to Eagle Valley, before we have had a chance to sink our roots deeply here. Our mailing address after June 1 will be Richland rather than Halfway, Oregon.

On our new land high above Eagle Creek, the apricot trees are just now bursting into bloom. Our calves are grazing on grass already 3-4 inches high and alfalfa in the fields below us is at least as high. Most of last week I spent planting additional fruit and nut trees in our existing orchard.

It would be easy to fall in love with this beautiful valley here for the setting is far more spectacular than in Eagle Valley. Yet, Eagle Valley is as picturesque as most mountain valleys of the West. So we will still feel quite at home in our new location.

As the energy crunch becomes more severe in the years ahead, deep snows may become a crippling disadvantage. For the solar equipment which I someday want to install, Pine Valley has long periods of fog and clouds as well as those storms which dump all the snow.

All in all, we made a mistake in choosing the beautiful valley over the one not so beautiful. But the mistake is not so far gone that it can be easily rectified. Our situation is somewhat analogous to that of our country. As a country, we have made some mistakes in the directions we took, especially in regard to the use of energy. But it is not too late to change our collective ways if we want to recognize our mistakes and move to correct them.



Scaled quail with chicks.

Photo courtesy of Colorado Division of Wildlife.

Letters

LESSON FROM CALIFORNIA

Dear HCN:

Your front page article of March 28 on the allocation of irrigation water for agriculture v. domestic water for Thornton, Colo. missed an alternative which must have been considered but not reported. That is the re-use of treated sewage for agricultural and landscape irrigation.

Here, in Santa Rosa, Calif. we, too, are faced with water problems despite an average rainfall of 36 inches. Our problem is slightly different in that the discharge of sewage effluent into our natural waterways has damaged water quality for downstream users and now violates state discharge standards.

Santa Rosa and adjacent cities are attacking the problem by using secondary treatment effluent water to irrigate agricultural lands on the city borders.

This solves several problems:

- A. It minimizes demand for new water supplies.
- B. It preserves agricultural lands as an open space buffer around our cities.
- C. It provides a nutrient rich source of food for forage crops.
- D. It avoids costly chemical, maintenance, operating and by-product disposal costs involved in tertiary sewage treatment.

There is a possible problem with salt build-up in agricultural lands from use of treated sewage. However, our relatively heavy winter rainfall will probably leach away the accumulated salts from dry weather irrigation. The Colorado problem arising from such salt build-up might be minimized by alternately irrigating with processed sewage and fresh water.

Very truly yours,
Ben H. Cummings
Santa Rosa, Calif.

AGAINST HATHAWAY

Dear HCN:

As an easterner, who has spent almost every summer of his 50-odd years touring the West, and especially the Wyoming area, Colorado, New Mexico, and Dakota Territory, I wish to thank you, and those responsible, for sending me a petition in the action against Stanley K. Hathaway. I received it

yesterday, April 8th, and had it filled-in completely by four o'clock this evening, much to my surprise and delight, that he is so justifiably disliked, in this section of Ohio!

As an Ohio resident, I know what the strip mining, and the additional oil drillings can do to an area. Ohio was at one time reasonably free of pollutants, but that cannot be expected to hold true, in this day and age, since the advent of those who worship the almighty-dollar more than they do their own health.

Sincerely,
Jay Clark
Cuyahoga Falls, Ohio

SCRATCH BOARD PRAISE

Dear friends,

Again, we enjoyed having a copy of your **High Country News**. As I am a retired art teacher, I especially enjoyed the scratch board sketches by Holly Merrifield. They're beautiful!

Also happy to read of our son's activities (Bart Koehler).

Good luck to your staff. We are mountaineers (in the Adirondacks, N.Y.).

Sincerely,
Mrs. Paul Koehler
Mayfield, N.Y.

INNUMERABLE ASSAULTS

Dear HCN,

As an avid reader of HCN for over 18 months, it's high time that I wrote and expressed my **total** appreciation for the job you're doing. Although a native easterner, I've visited the Rockies a number of times, am in love with your country, and find that HCN is the ideal way to keep in touch with the land and with the issues most important to me.

To paraphrase a letter appearing in the Jan-Feb 1975 **Montana Outdoors**, I would rather **know** of the existence of a pristine and natural high country where I can visit and refresh myself occasionally (and where there are good shepherds like you all to monitor activities therein) than to be one of the masses who seek a "piece of wilderness" and end up

Editorial

Water rights Watergate

Colorado's Saturday-night massacre

Colorado has had its own mini Saturday-night massacre — but the dispute centered around water rights, not Watergate. In the case, a court-appointed "water master" has been fired and his ruling overturned, apparently because he ruled against the all-powerful Denver Water Board.

The water master, Steve M. Hannon, was appointed by District Judge Donald A. Carpenter to preside over a hearing on whether the Denver Water Board was exercising "due diligence" toward the construction of the controversial Two Forks Reservoir on the South Platte River. Hannon studied the case and ruled that Denver didn't have a right to the water in the first place. Hannon said that Denver is barred by the Colorado constitution and its own city charter from appropriating water for use beyond Denver's boundaries. He went on to con-

clude, on the basis of recent water board studies, that the water board now has sufficient water to serve the city's needs for 125 years.

Two Forks is designed to supply water for future Denver growth and for surrounding suburban needs.

Upon receiving Hannon's report, Judge Carpenter rejected it and fired Hannon. The judge then contacted Denver, set up a new hearing, and entered his own decision in Denver's favor, according to the **Denver Post**.

Some Colorado water lawyers, reluctant to let the **Post** disclose their names, have expressed shock at the firing saying that "Watergate-like tactics" were being used to suppress the decision and calling Hannon's report "a brilliant piece of lawyer's work... something he should be applauded for, not fired for."

The **Post** claims that Glenn Saunders, a longtime water board attorney, convinced Judge Carpenter to throw out Hannon's ruling. When the **Post** asked Saunders if he'd recommended that the

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judge fire Hannon, Saunders replied, "You're damn right I did. I told him that Hannon didn't have a judicial temperament."

Judge Carpenter denies that that conversation with Saunders ever took place. He told the **Post**, "He did not," when asked if Saunders recommended Hannon's firing.

Saunders told the **Post** he is convinced that Hannon was serving as some kind of agent for the national Sierra Club which "wants to prevent all West Slope diversion projects." As evidence, Saunders said Hannon "was seen nodding at an attorney in a case last fall in which the Colorado Open Space Council and Trout Unlimited attacked the water board's right to appropriate water for suburban use."

Saunders also sought to block Hannon's investigation, according to the **Post**. During a November 1974 hearing on the case, Saunders refused to permit his witness to respond to some of Hannon's questions. And when Hannon requested further information in the form of interrogatories, Saunders filed a motion seeking his removal from the case.

We are astounded that this sort of shenanigan has permeated the Colorado court system. We hope that when Hannon's appeal of his dismissal is heard, the court will look not only at the question of whether Hannon exceeded his legal authority — but also at whether the Denver Water Board has usurped authority from the Colorado legal system making it, in this case, inoperative. —BH



californicating what should be paradise.

Hence, you help me enjoy the land vicariously, and also keep me informed of the innumerable assaults upon it.

Sincerely,
Martin J. Kux
Fairfax, Va.

DON'T FORGET CONSERVATION

Dear Friends,

Nowhere in Bruce Hamilton's article on the water problems of the eastern slope do I find a discussion of conservation. Conservation of water is no less important than conservation of any of our natural resources and I would guess that it might even top the list for wastefulness. I would like to venture that the wasted water would take care of both the farmers and the population growth. It is the old story of using to excess and forming bad habits until bankruptcy hits. Then we get hysterical and go search far afield for help, not stopping to look within ourselves for the answers.

I do not agree with Bob Weaver that it is a choice between transmountain diversion or condemnation of agricultural waters. That will lead to more excesses. It is first a matter of correcting the wastefulness. About a year ago at a water meeting in Aspen I asked a representative of the Denver Water Board what Denver had done about conservation and recycling. He replied that nothing had been done about conservation and they had considered recycling. And the eastern slope is crying for more water! How ridiculous can we human beings become? Grow away what we have and cry for more! That is what a child does. I think it is past time that we grow up.

Why don't the eastern slope cities install meters, charge people dearly for excesses, and establish educational and inducements programs to save water?

What good will it do the people if agricultural waters dry up? What good is the water without the food? It is not a matter of one against the other. It is a matter of working together to save and put to the best essential use for all what is available.

Isabel P. Mace
Aspen, Colo.

Guest Editorial

Montana wins tax battle

Reprinted from **THE MISSOULIAN**, Thursday, April 17, 1975.

At last Montana seems to be winning that age-old battle about taxes and exploitation. It seems to be one of the hardest lessons in the world to learn, for some reason.

A Montana House-Senate conference committee agreed this week on coal tax bills that will make Montana's coal taxes the highest of any state's in the nation.

It marks a realization of a crucial point: That the coal resource is here; that to get the coal the diggers must meet the state's terms; that the threat to go elsewhere is hot air — sure, the diggers can dig it faster in another state to avoid Montana's high taxes, but eventually they must come back and dig it here because here is where it is.

What the new high tax will do is help slow down the growth of strip coal mining. It will give the state a chance to plan for coal development — and the enormous environmental and social problems it brings — and finance the efforts that must be made to cope with those problems.

The conferees' action recognizes the fallacy of the old argument that if a state taxes something too much, the taxed enterprise will pull stakes and

laugh all the way to the bank in another state. Jobs will be lost, and all that rot.

The argument is valid for many business enterprises, but not for a mineral resource like Montana's coal. Demand for that coal is high and will get higher. Many contracts for some of that coal already are in force.

Most of all, the diggers can push the digging elsewhere faster — they can take their business elsewhere, in a sense — but they cannot take the coal elsewhere. It stays here, waiting for them whenever they are willing to return and dig it. And given the nation's energy picture, they will be more than willing to return and dig it sometime.

A 30% tax was slapped on the selling price of subbituminous coal. Lignite coal, which has a lower heat-producing value, will be taxed at 20%.

The conferees propose to slice up the revenue the taxes will raise in the following manner. The state will get 40%, 27½% will go to education and local impact, 10% will improve roads in coal mining areas, 4% will go to the coal mining counties, 2½% will be used for alternative energy research, the same per cent for renewable resource development, 1% for county land planning, 10% will go to the state school equalization fund, and 2½% for parks. —Sam Reynolds

HIGH COUNTRY NEWS

Published biweekly at 140 N. Seventh St., Lander, Wyo. 82520. Telephone 307 332-4877. Second class postage paid at Lander.

Publisher Thomas A. Bell
Managing Editor Joan Nice
News Editor Bruce Hamilton
Associate Editor Marjane Ambler
Office Manager Mary Margaret Davis
Advertising Manager August Dailer
Circulation Manager Georgia Nations

Subscription rate \$10.00

Single copy rate 35¢

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Our coal. . .

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ridiculously low that revenues from federal coal leasing during the past 50 years have not even covered the cost of administering leasing procedures.

BONUS BIDS

Bonus bids in competitive lease sales have been one of the major sources of revenue from public coal. Even so, between 1950 and 1964 bonus bids exceeded \$2.00 per acre only twice. One of these "high" bids was made in 1957 when two companies competed for a lease near Lake DeSmet in Wyoming. With the winning bid of \$5.00 per acre, Reynolds Metals received a lease that contained a 220-foot-thick coal seam. Leasing began increasing rapidly in the early '60s, but even in 1964 the highest bid was only \$1.55 per acre.

In 1965 enough companies recognized the tremendous value of the Northern Plains coal fields that bidding became more and more competitive, and the highest winning bonus bid jumped to \$26.50 per acre. Other leases were still being obtained for \$1.00 per acre. In 1971 the highest winning bonus bid skyrocketed to \$505.00 per acre.

The most shocking mismanagement of federal coal has occurred in Campbell and Converse Counties in northeastern Wyoming. Beneath these two counties lies the most valuable coal seam in the world. The strippable portion of the Wyodak coal bed averages 70 feet thick over a distance of 70 miles. More than 100 square miles can be strip mined, and it is dirt cheap to do so. In 1972 Black Hills Power and Light paid \$1.70 a ton for coal from their Wyodak mine while most strip mined coal sold for more than \$5.00 a ton.

Ninety percent of the Wyodak bed is public coal, and in 1961 federal coal leases adjacent to the open pit of the Wyodak mine (east of Gillette in Campbell County) could be acquired at the minimum rate of \$1.00 per acre. Even as late as July 1965, Kerr-



RICHEST COAL MISMANAGED. The most valuable coal seam in the world lies beneath Campbell and Converse Counties in Wyoming. Here, the Wyodak coal bed averages 70 feet thick over a distance of 70 miles. Here, where the resource is richest, the most shocking mismanagement of federal coal has occurred, according to Russell Boulding. The photo shows the pit at the Wyodak mine, owned by Black Hills Power and Light Company.

McGee Corporation acquired federal leases for bonus bids of \$1.08, \$3.08, and \$15.00 per acre on the strippable portion of the Wyodak seam. On October 1, 1965, in order to preserve its position in the coal field, Wyodak Resource Development Corporation (a subsidiary of Black Hills Power and Light) bid \$25.55 per acre for a 2,200-acre lease just north of their mine. A month before Meadowlark Farms (a subsidiary of Amax) had bid \$26.50 for a 3,520-acre lease in the same area north of Gillette. These bids were 17 times larger than the previous year's highest winning bid, but Wyodak Resources and Amax found they were overcautious — they were the only ones to bid for their respective leases.

FIERCE COMPETITION

Soon, however, competition began to get fierce. In 1967 Carter Oil (a subsidiary of Exxon) bid a record \$165.86 per acre for a lease north of Gillette against five other bidders. That same year Richard Bass, a lease speculator, bid \$10.56 per acre for a 20,700 acre lease in unexplored parts of Sheridan and Campbell counties. This one lease made him the ninth largest leaseholder of federal coal in the country. On March 1, 1971, Sun Oil Company bid \$505.00 per acre against an unprecedented eight competitors for a 6,560-acre lease on the Wyodak seam 16 miles south of Gillette. At this point BLM stopped further leasing in order to reassess its coal leasing policy. It was a bit like locking the safe after half the money had been stolen.

In 1973 the BLM received four applications for permission to open strip mines on the Wyodak coal seam. With remarkable speed, the Department of Interior released the **Final Environmental Impact Statement, Eastern Powder River Coal Basin** in October 1974. The information revealed in this document has staggering implications. Annual production from the Wyodak seam could reach 121.5 million tons by the 1980s, as much energy as was produced from all fossil fuels in Montana, Wyoming, and North Dakota combined in 1971, and equal to more than one sixth of the total coal production of the United States in 1972. The smallest of the Wyodak mines would have a capacity of six million tons per year, and the largest could produce 23 million tons annually. By comparison, in 1972 the largest strip mine in the country produced 6.9 million tons.

The impact statement's detailed information on recoverable reserves in five leases held by Wyodak Resources, Atlantic Richfield, Carter Oil (Exxon) and Kerr-McGee Corporation make it possible for the first time to examine some economic implications of past federal leasing practices. The 16,469 acres leased by these four companies contain more than 1.7 billion tons of recoverable coal. In 1972 the U.S. Bureau of Mines estimated that the average selling price of coal from the Wyodak seam should be \$1.83 per ton, so the five leases are worth almost \$3,200 million at the mine mouth. The four companies paid a total of \$1.3 million in bonus bids for the leases, only .0004% of the mine-mouth value of the coal.

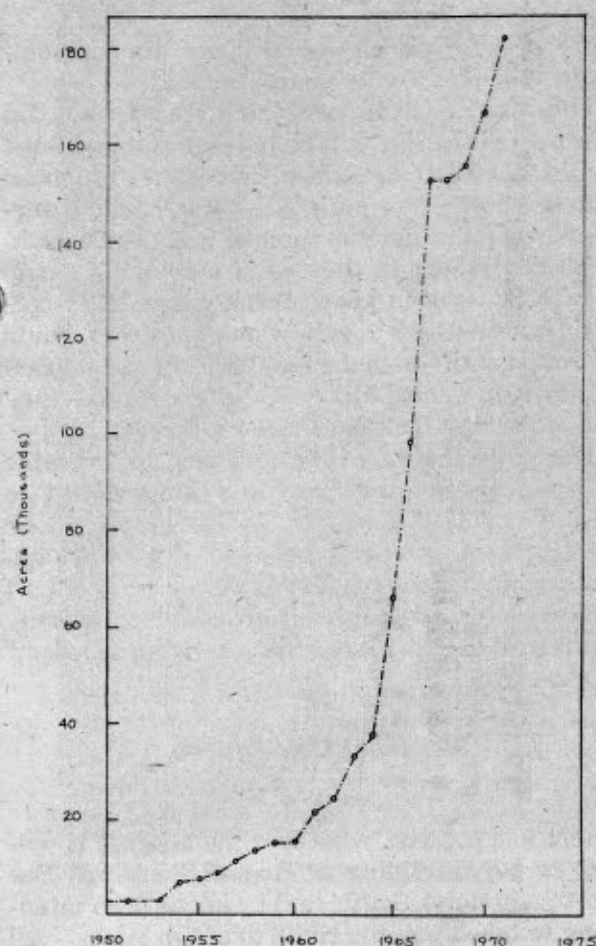
Bonus bids are, in effect, the amount a company is willing to pay for each ton of coal in addition to the

Leaseholdings of federal and Indian Northern Plains coal by industry

Industry	Company	Acres Leased	% total
Petroleum	Shell	30,247	32
	Exxon	15,489	
	Atlantic Richfield	11,684	
	Texaco	9,417	
	Concho Petroleum	7,234	
	Sun Oil	6,560	
	Mobil	4,000	
	Belco	4,551	
	Continental Oil	360	
		89,542	
Coal	Peabody	37,617	27
	Westmoreland Resources	30,876	
	North American Coal Co.	2,842	
	Baukol Noonan	2,485	
		73,810	
Electric Utilities	Pacific Power and Light	18,186	13
	Montana-Dakota Utilities	8,752	
	Montana Power Co.	7,173	
	Black Hills Power and Light	1,920	
		36,031	
Metals and Construction	Amax	20,196	12
	Peter Kiewit and Sons	8,082	
	U.S. Steel	5,096	
		33,374	
Lease Speculators		43,800	16

(Source: Council on Economic Priorities)

When BLM stopped further leasing in order to reassess its coal policy, it was a bit like locking the safe after half the money had been stolen.



Cumulative area under federal coal lease in the Northern Plains

royalty provisions of the lease. In a private transaction, in 1973 Reynolds Metal's federal leases near Lake DeSmet were assigned to Texaco for a cash equivalent of two cents per ton. At this market rate the federal government would have received an average of \$2,120 per acre in bonus bids for the five Wyodak leases, more than four times the highest bid ever actually paid for a federal lease. The U.S. Treasury would have received at least \$34.9 million rather than the paltry \$1.3 million that actually came in. The loss to the treasury is more than the total revenue (\$32.6 million) received by the federal government from 1957 to 1972 from bonuses, rent, and royalties for all leases and permits in all states.

ROYALTY PROVISIONS

An even greater loss to the U.S. Treasury will result from the royalty provisions that have been written into the leases. The Arco, Carter, and Kerr-McGee leases have provision for payment of 17.5 cents per ton for the first 10 years of production and 20 cents per ton for the next 10 years, at which time the royalties can be adjusted again. Wyodak Resources' 1959 lease, on the other hand, began at 10 cents per ton for the first year, increased to 12.5 cents per ton for the next five years, and then to 15 cents per ton for the next five. In 1975 Wyodak will be paying a royalty of 15 cents per ton while Atlantic Richfield, Carter, and Kerr-McGee will be paying 17.5 cents per ton for the same quality coal.

If these leases had been negotiated on the open market today, royalty provision probably would be much higher. In 1973 Indian leases were being negotiated in the Southwest with royalties of 40 cents per ton. If the five leases were mined at this royalty rate, the return to the public would be \$699 million. Actual royalties will average about 20 cents per ton, or a loss to the U.S. Treasury of almost \$350 million. Extrapolating from the figures for these five leases, the loss to the treasury from all 681,000 acres of federal coal under lease must be reckoned in billions of dollars.

The low cost of leasing and mining Wyodak coal will result in tremendous windfall profits for the

leaseholders unless the federal government regulates the price of federal coal. Using a U.S. Bureau of Mines cost and selling price estimate for coal mined from the Wyodak seam and information on the thickness of overburden in the Carter Lease in the Powder River Basin impact statement, it is possible to estimate the profits that should be received from the coal. The cost of mining the coal would be \$1,073 million and the fair sale price \$1,242 million giving gross profits of \$168 million (1972 dollars). Assuming Carter Oil doesn't increase its price of \$3 per ton, it will receive \$2,032 million for its whole lease, \$790 million more than the fair market value of the coal. Ironically, one of the main reasons for industry opposition to last year's federal strip mine bill that was recently vetoed by President Gerald R. Ford was that it would make surface mining uneconomic.

Part of these windfall profits will be taxed by the federal government. But at the other end, \$790 million will be passed directly on to consumers of electricity in the form of rate increases.

NO CONTROLS ON SPECULATION

Perhaps the most senseless aspect of federal coal leasing practice has been the complete failure to control lease speculation. Any leaseholder can assign his lease to another party and pocket whatever the assignee is willing to pay. Reynolds Metals (which leased the thickest coal bed in the world for \$5.00 per acre) paid a total of \$85,454 between 1955 and 1973 for bonus bids and rental for leaseholdings containing an estimated 2.1 billion tons of coal. In 1973 it assigned its holdings to Texaco for a cool \$40 million. Lease assignments usually include an

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overriding royalty of 5 cents per ton (above the federal royalty), in this case worth \$105 million. Reynolds is pocketing \$145 million for its speculative investment in public coal, which works out to a tidy return of \$1,698.00 for each dollar it invested in bonus bids and rental payments.

So it goes. The American public is getting ripped-off twice — its taxes have been subsidizing private profits from uncontrolled speculation in public coal, and inflated coal prices are pushing skyrocketing electricity bills even higher.

What is to be done? The failures of past leasing practices can be attributed partly to weaknesses in the Mineral Leasing Act of 1920, but have primarily resulted from the mismanagement of the Bureau of Land Management (which administers the coal before and after it is mined) and the Conservation Division of the U.S. Geological Survey (which administers the mining itself). Both agencies have failed to use their authority to manage coal in the public interest. The main reason the Conservation Division has not done so is that its staff is drawn almost exclusively from the industries it regulates. Conflicts of interest in relation to coal are less common in the BLM, and it is to the credit of a few courageous administrators in BLM field offices that coal leasing stopped in 1971.

It wasn't until February 1973 that Secretary of Interior Rogers C.B. Morton finally upheld their judgment by formally announcing a moratorium on federal leasing until a planning system for further disposition of federal coal could be established. In May 1973 a draft Environmental Impact Statement for a proposed federal coal leasing program was released.

It was perhaps the worst impact statement ever released by the Department of Interior. Thomas Judge, governor of Montana; Russell Train, administrator of the Environmental Protection

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PUBLIC COAL FOR PENNIES. In 1957 Reynolds Metals won a lease for \$5 per acre near Lake DeSmet, Wyo. The land overlies a 220-foot coal seam, the thickest in the world. Sixteen years later, Reynolds assigned part of the leases to Texaco for an amount equivalent to \$2,120 per acre. The photo is looking west to the Bighorn Mountains over Lake DeSmet.

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Interior regulations would change leasing policies

"From 1920 to 1972, the department (Interior Department) leased over 16 billion tons of coal. There were no environmental analyses, no economic analyses, no thoughts to land use planning," Assistant Interior Secretary Jack Horton said at a press conference at the Western Governors Conference on Agriculture in Billings this month. "It is now very clear that some of that shouldn't have been leased for environmental reasons. It was also erroneous to allow so much of that coal to be leased without any requirements for development — to allow someone else to sit on it and wait for the price to go up," he admitted.

SPECULATION

Changes have been proposed by the Interior Department for solving some of these problems as well as problems with getting adequate compensation for leases of federal coal. Murray Smith is staff assistant for mining in the Central Region of the

Conservation Division of the U.S. Geological Survey. In a HCN interview, Smith explained some of the changes being considered.

In December of 1974, the Interior Department published proposed requirements for "diligent development" in order to encourage development of coal leases. Horton, who is Assistant Interior Secretary in charge of Land and Water Resources, said the regulations will go into effect next month. Leaseholders, under these regulations, must commit the lease to a logical mining unit within two years and report every two years what is being done to diligently develop the lease. The regulations will apply to existing and to new leases. As published in the Federal Register, however, the regulations give no specific deadlines for starting mining. They say only "at a rate consistent with a Mining Plan approved by the Mining Supervisor." Murry Smith, of the Denver USGS office, said that more specific guidelines will have to be added. "If there aren't any

more specific guidelines, 'diligent development' could take place for 50 years," he said.

The Interior Department can't predict what the effect of new policies will be in terms of the amount of coal that will be developed. "We believe that those who are now sitting on leases for speculative purposes will either develop them or turn them back in voluntarily because they can't meet the requirements. So we don't know, frankly, how much coal will be turned back in or how much new coal should be leased until we see the results on the coal market of the strip mining bill and the new regulations," Horton said at the Governors' Conference.

Presently, there are 16 billion tons of recoverable reserves under lease, according to Horton. "Two billion tons of this coal is considered to have no development potential because of extreme environmental problems. Thus, we are left with 14 billion tons, and roughly half of this is already committed to future use. Almost none is developed," Horton said.

ASSIGNING LEASES

Speculators in the past have assigned leases to others and pocketed whatever the assignee is willing to pay, according to Russell Boulding. (See front page story). Smith said he knows of no intentions to take away the right to assign leases. "All the regulations I've seen allow assigning," he said.

However, Smith believes that this problem would be largely solved if the Interior Department decides to offer only competitive leasing. He said this was proposed to the President by the Interior Department in its last recommendation for a Mineral Leasing Act.

Presently, the Mineral Leasing Act provides two methods of leasing, competitive and noncompetitive. The competitive procedure is applied to known coal leasing areas. Noncompetitive leasing now oc-

(Continued on page 10)

Our coal. . .

(continued from page 5)

Agency; and an interdisciplinary group of scientists and lawyers who critiqued the impact statement for The Institute of Ecology all judged the document to be so poor that a totally new draft was required.

The statement was vague about the nature of the planning system that was proposed. It revealed an appalling lack of knowledge about the extent, location, and value of the leased and unleased federal coal reserves. It concluded, incredibly, that further leasing of federal coal was necessary in the near future. This last conclusion was in direct contradiction to data in the EIS that showed clearly that more coal is presently under lease than can possibly be mined before the turn of the century.

Any further leasing of public coal to private interests can do nothing but benefit the energy industry at the expense of the American public. The governors of Colorado, Montana, and North Dakota all sense this and have requested that the present moratorium on federal leasing continue.

RADICAL ACTIONS

Some fairly radical actions are necessary to recoup some of the losses from past leasing practices and prevent future abuses:

1. The Mineral Leasing Act of 1920 needs to be extensively revised and should include provisions for nullifying existing leases which are being held speculatively, prohibiting the assignment of leases, and allowing modification of royalty provisions on existing leases.

2. The administrative and regulatory responsibilities for federal coal need to be completely restructured, including elimination of the regulatory responsibilities of the Conservation Division of the U.S. Geological Survey.

3. The price of coal from federal leases should be regulated to prevent windfall profits because of the low cost of strip mining thick coal seams in the West.

Unfortunately, the energy industry has managed to convince President Ford that rapid large-scale exploitation of western coal is necessary, regardless of the high environmental and social costs, so indications are that leasing of public coal will be resumed in the near future. Senator Lee Metcalf (D-Mont.), chairman of the Subcommittee on Minerals, Materials, and Fuels of the Interior and Insular Affairs Committee, provided much needed congressional scrutiny of the question by holding oversight hearings on future coal leasing programs last

year during March and April. Senator Cliff Hansen (R-Wyo.) also participated in the hearings. Congress attempted to exert some control over federal leasing policy by providing for an extension of the moratorium on federal coal leasing in the strip mine bill passed in December 1974, but this was thwarted when President Ford vetoed the bill.

It is not quite clear what Interior's next move is going to be, but if old-style leasing is commenced in the near future, it will be a clear victory of private interests over the public welfare.

Russell Boulding did research for this article while working for the Environmental Defense Fund.

Sports sales assist environmental efforts

Environmental organizations in Montana may soon benefit from an unusual attempt at "public interest capitalism," if all goes as planned. A group of Helena, Mont., people have formed a corporation known as The Rucksack to sell outdoor equipment and turn profits — when there are some — over to environmental causes.

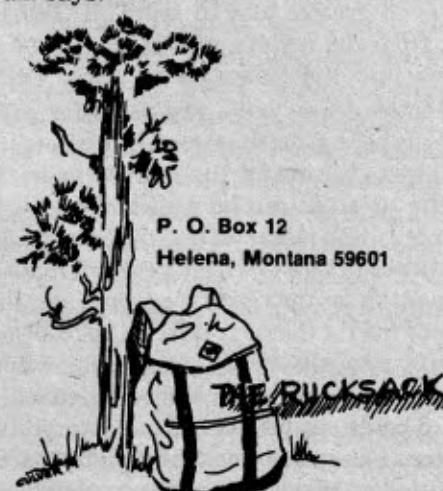
Frank Culver and Bill Cunningham, two members of the board of directors, say that all of their equipment is for self-propelled recreation such as backpacking or cross country skiing. Even downhill ski equipment will be excluded because it's too energy intensive and because of the land development usually associated with the sport.

So far, the results have been encouraging, the directors say, because they have been "instantly turning over" all equipment as they receive it since The Rucksack opened in January. However, lack of operating capital has prevented acquiring the inventory desirable. Money will be needed on the short term from grants, interest-free loans, or low interest loans to keep it going. "On the long term, we won't need handouts," according to Cunningham.

In fact, by the third year of operation, the directors hope to be in a position to begin disbursing unretained profits to help fund environmental projects.

By the third year, the directors also hope to be operating The Rucksack full-time and to possibly be accepting mail orders. This will mean the business will be fulfilling its goal of "public interest

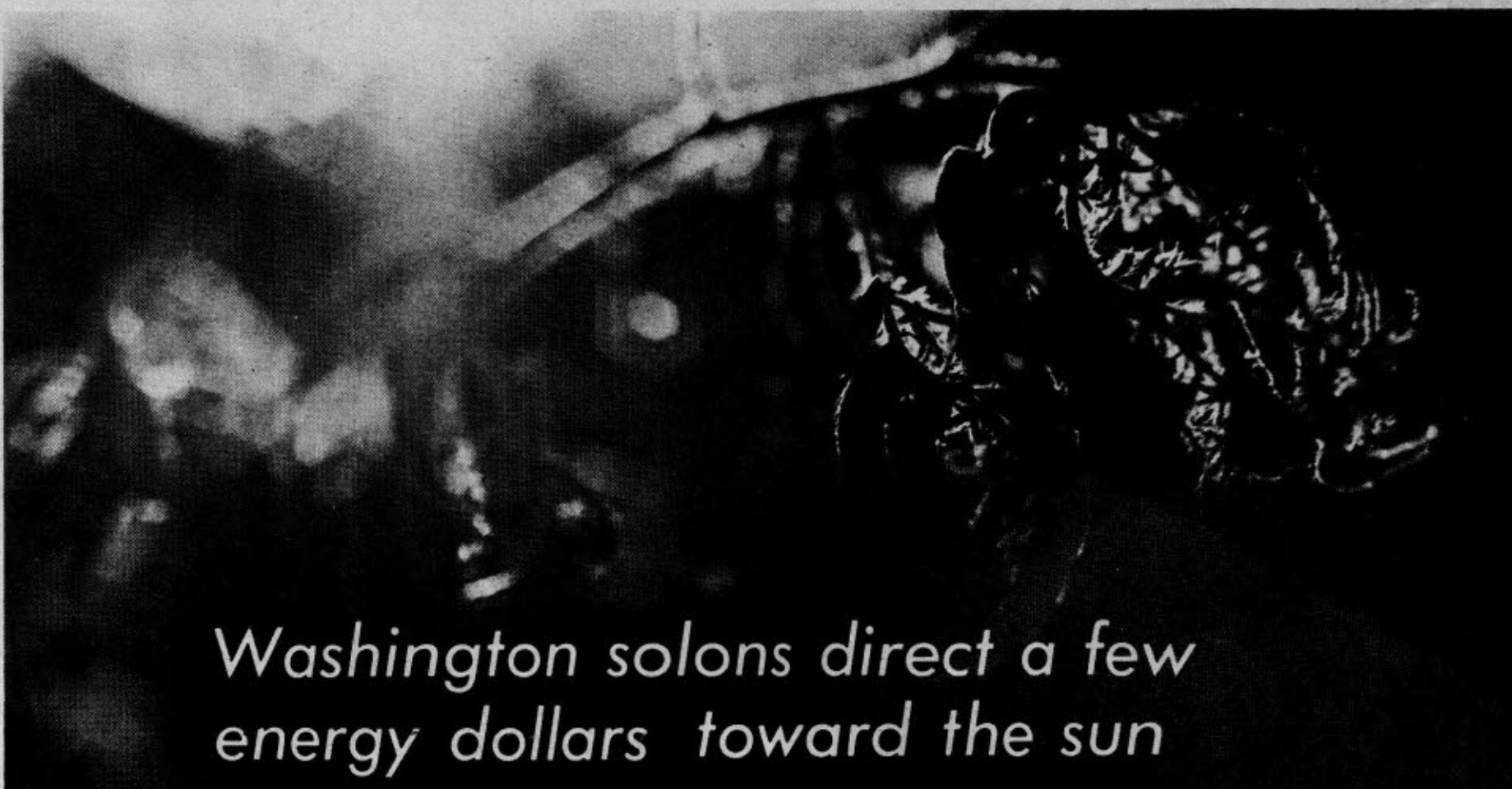
capitalism" through alternative sources of employment, too. "Instead of being a lineman for Montana Power, a person can mount skis or fix bicycles," Cunningham says.



The Rucksack will be located in a small one room shop in downtown Helena about June 1. The street address will be 324 Fuller Ave., which will also be the new home of the Environmental Information Center. The Rucksack plans to work closely with the EIC.

Anyone who is interested in more information or in helping The Rucksack financially should write to Box 12, Helena, Mont. 59601. The directors say they are also interested in more suppliers and will consider handling on a consignment basis handmade materials such as sleeping bags, down clothing, or other backpacking equipment.

High Country News-7
Friday, Apr. 25, 1975



Washington solons direct a few energy dollars toward the sun

Reprinted from THE SALT LAKE TRIBUNE, April 7, 1975.

Photo by Lynne Bama

by Ernest H. Linford

Don't hold your breath until you can hook up with the system, but the Energy Research and Development Administration (ERDA) has taken the first preliminary step toward solar-powered electricity.

The agency has invited private industry to submit designs for a small pilot plant to be built by 1980 in Southwestern U.S.

The plant, expected to generate about 100 million watts by bouncing sunlight off thousands of mirrors to a heat receiver atop a 300-foot tower, will be located in Utah, Arizona, Texas, Colorado, New Mexico or southern California. The exact site will be designated later.

The receiver of concentrated sunlight from 2,000 mirrors would heat water circulating in pipes through the tower and make steam to drive an electric turbine.

The electricity generated would be used only to supplement power produced by conventional plants and not as a replacement for existing plants, according to Dr. Lloyd O. Herwig, solar energy task force director for ERDA.

Dr. Herwig said \$3 million has been allocated for the design of the solar-powered generating plant and it would be completed about five years from the starting date, which has not been announced. The plant would cost \$50 million.

If the pilot solar plant shows promise, ERDA would build a larger one, "probably in the 100-million-watt range which would array 20,000 mirrors on 300 to 400 acres to direct the sun's rays on receivers on several 1,000-foot towers.

My 12-month-old notes say there is sufficient sunshine in the United States to supply twice the energy needed to heat and cool all our buildings.

Admittedly, supplemental heating would be required in most areas to keep comfortable during sunless periods.

SAVE \$2 BILLION A YEAR

Even so, Rep. Mike McCormack, D-Wash., declared, if only five per cent of the nation's houses were solar heated and cooled for only 80% of the time, Americans could save \$2 billion a year in oil costs at current prices.

Mr. McCormack, a former nuclear research scientist, helped ramrod through Congress a bill to make

\$50 million available for a national demonstration on the feasibility of solar energy.

This was one of five laws dealing wholly or partly with solar energy research which Congress put on the books. Unfortunately all five aren't coordinated and up to now haven't had real administration support.

A succession of energy czars and the lack of science advisers in the White House, together with what a Senate spokesman says has been "a lot of unnecessary wheel-spinning on the Hill" has given solar energy a poor start. In fact, it may take all the push of the re-elected Congressman McCormack and his allies, plus more administration enthusiasm, to get solar energy on the high road.

SOLAR HEATING SIMPLE

Technically, solar heating is simple. Any handy man can put the necessary collector and water pipes on his roof. By now almost every college community has one or several buildings heated all or in part with such hand-made devices. Solar cooling is more complicated, but surely can be mastered.

The average homeowner can't harness sunshine for either heating or cooling until the necessary hardware is readily available, and such hardware won't be produced until a market is assured for it. That, plus ironing out a variety of legal technicalities, is where the federal government can give industry and private ingenuity a big boost.

The National Science Foundation which put \$17 million into the solar energy research program the last fiscal year and \$5 million the previous year, is preparing to ask Congress for \$75 million for the fiscal year beginning next July 1.

The foundation has a variety of studies under way. The sun can heat up special household plumbing that warms in the winter and cools in the summer. Mirror-like collectors can concentrate solar heat to make steam that makes electricity — and silicon cells can convert sunlight directly to electricity, though the cost is prohibitive at the moment. Hence much work remains to be done in that area.

30% OF NEEDS?

Alfred Eggers, a science foundation researcher,

told Congress recently that the various solar schemes could produce up to 30% of the nation's energy needs by early in the next century. Simple solar heating of homes and public buildings could become common within five years. A prime obstacle is deciding which agency will handle the cash and get the show on the road.

The McCormack bill (and the Humphrey bill in the Senate) provided that the National Aeronautics and Space Administration would be mainly in charge of solar demonstrations.

Ironically about the time that the McCormack bill was becoming law, an administrative shuffle muddled the outlook for making the law really effective.

4,000-HOME TEST

NASA, with the cooperation of the Department of Housing and Urban Development, was to put solar equipment in some 4,000 homes, public housing and mobile units throughout the country in the next five years. HUD would keep track of how the units worked.

Meantime, however, the new Energy Research and Development Administration was created to take over the duties of the Atomic Energy Commission and other agencies and it inherited the National Science Foundation's \$50 million solar bank-roll.

Added to the bureaucratic tangle, various congressional committees, some headed by exceedingly ambitious politicians, have been jockeying for power over energy from the sun.

Apparently ERDA will have jurisdiction over solar energy, but it may take some strong executive action or another session of Congress to definitely and finally establish priorities.



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Friday, Apr. 25, 1975



TRAGOPOGON — Indians used salsify as a potherb and as a cure for indigestion.

Salsify or oyster-plant — *Tragopogon dubius*

T. dubius is the most common of the **Tragopogons** and may be found anywhere, especially in open, grassy meadows and in vacant, unmowed lots in towns. Salsify is a tall plant with smooth, grasslike leaves and yellow, waist-high flowers. Its most obvious characteristic is its fruiting head, which looks like a giant, fluffy dandelion head and usually protrudes above the tops of the grasses in the area.

When young, a foot or less high, salsify may be used as a potherb. The Indians used to chew its coagulated milky juice as a cure for indigestion. The fleshy root of the mature plant may also be eaten. Its taste is very agreeable, resembling that of parsnips or oysters (hence the common name of oyster-plant). We recommend boiling this root before eating, as it is a tough and fibrous vegetable when raw.

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Guide to the

By David S.

Sumac — *Rhus glabra*

This common, well-known plant grows in gulches or on slopes and plains, wherever there is sufficient moisture. It can be identified by its compound, alter-



RHUS — sumac can be used to make a delicious "lemonade," a pie filling and a Rocky Mountain Red Russian.

Wild Rose — *Rosa* sp.

Because roses hybridize easily and are biologically very complex, they are difficult to classify beyond genus. This is of little importance to the hungry herbalist, however, as all roses are easily identified by their prickly, shrubby appearance. Their alternate leaves are pinnate (in other words, having one main axis with lateral offshoots). Fruit size varies within each species according to the individual plant's environment.

The edible fruits of this plant are usually called rose hips, and whether candied, stewed, eaten raw with sugar, or made into wine or preserves, rose hips taste good and are good for you. They contain large quantities of vitamins A and C and were collected in England and the Scandinavian countries during World War II as a food source. Sweden still exports processed hips and Japan uses them as food for children.

Rose hips should be harvested when red and ripe; we advise waiting until after the first frost to pick them. If the fruits are large enough, this is best accomplished by a longitudinal cut. The blossom end is usually removed, too.

Rose hips can be prepared for eating in several ways. They may be dried and preserved for long periods of time, and the dried fruits can be powdered. If the hips are small, the seedlike structures may be left in. Rose hip powder may be used to flavor many different foods and drinks or used to make a healthful beverage. The taste is mild and very pleasant, but it is easily masked by a stronger flavor in case you are interested in the nutritional benefits of the fruit but not its taste.

Rose hips can provide wayside food for travelers in the early winter, as the dried fruit stays on the twigs, protruding above the snow to furnish readily available food at this time of year. Either raw or cooked rose hips are an excellent emergency food.

Even the rose petals are delicious and have several traditional uses. They can be eaten raw, in salads, candied, or dried to be steeped into tea. The petals have also been used to give a pleasant odor and flavor to butter.

The roots were also used by some Indian tribes to make tea, but we would discourage this use except in genuine emergencies, as digging up the roots will damage or kill the plant.



WILD ROSE HIPPS — are an nutritious food in the fall or

nate leaves which a site leaflets. Sumac which develop into with straight hairs. ter. The woody stem this size. Sumac ra half feet high.

Lemonade berry sumac, should give berries may be eaten in water to produce makes this a very r served on the rocks.

Another enticing them into a homoge for lemon in a lemon quite an extraordin

Sumac berries may cooking curly dock greens. See the section

Another favorite verage (made extra a slice of orange, a vodka. We call it a

High Country News-9
Friday, Apr. 25, 1975

Guide to the wild edibles

By David Slade and Bob Mount

Sumac leaves which are formed by nine or more opposite leaflets. Sumac grows spikes of clustered flowers which develop into reddish, sticky berries covered with straight hairs. The fruit grows in a conical cluster. The woody stems are amazingly thick for a plant this size. Sumac rarely grows more than six and a half feet high.

Lemonade berry, another common name for sumac, should give a good clue as to its use. The red berries may be eaten straight off the plant or soaked in water to produce a lemony tasting beverage. Sugar makes this a very refreshing drink, especially when served on the rocks.

Another enticing recipe is to take the berries, pulp them into a homogeneous mass, and substitute them for lemon in a lemon pie recipe. Sumac berry pie is quite an extraordinary Rocky Mountain dessert.

Sumac berries may also be added to the water when cooking curly dock to give a lemon flavor to the greens. See the section on curly dock for more details.

Another favorite recipe is to take sumac berry beverage (made extra tart by using a lot of berries), add a slice of orange, a teaspoon of sugar, and a shot of vodka. We call it a Rocky Mountain Red Russian.



ROSE HIPS — are an easily accessible and nutritious food in the fall or early winter.



MILKWEED — throughout the growing season, some part of the milkweed is edible.

Milkweed — *Asclepias speciosa*

Milkweed, a common and easily recognizable plant found all throughout the plains and foothills, is a useful and versatile addition to your wild pantry, offering both excellent taste and nutrition.

Early in the season, look for young milkweed shoots less than nine inches tall. To prepare for eating, simply boil the shoots for 20 minutes, with a change of water at the 10-minute mark. (Changing water is a good idea when cooking any part of the

plant to wash out the bitter taste of its white "milk." Sometimes more than one change of water is needed.) Then drain and serve hot with butter, salt, and pepper. Prepared this way, the young shoots have a flavor that some people compare to asparagus, although we think the plant has a delicious taste all its own.

Later in the season, when the shoots have matured above the nine inch level, harvest the younger leaves found near the apex of the plant. These can also be boiled with at least one change of water, but because the leaves are more fibrous than the young shoots, crush them while they are boiling to aid the softening process. Serve the boiled leaves as a side dish, similar to spinach but again with their own unique flavor. The apex leaves can be picked throughout the season.

Throughout June, and sometimes later, milkweed produces buds which form clusters at the apex of the plant. Don't pass these up or you will miss a great treat from nature's garden. Just snip them off, either when they are green or when they are turning reddish, and pop them into boiling water. Again, allow about ten minutes to each change of water. Drain and serve hot as you would the young shoots. In fact, you may often find both buds and shoots in a large stand of milkweed, and they may be prepared and served together for a most wholesome treat.

If you miss the bud stage, you can still pick the immature pods when they are an inch and a half or less long. Prepare in the same way you would the shoots or buds. Diced milkweed pods are an excellent addition to a hot salad.

The greatest merit of this plant is still to come, however. The milkweed juice contains a tenderizing agent, and cooking parts of the milkweed plant along with even a tough, stringy cut of meat can result in a tender, flavorful meal. Take an ordinary beef chuck steak, baste the cold meat with butter, and then sprinkle with salt, pepper, thyme and oregano. Now wrap the entire cut of meat with milkweed leaves straight from the plant (after a thorough washing, of course). Make sure you cover the entire surface on both sides so that no meat is visible. Cover the meat in the pan with tinfoil and broil for ten or twelve minutes. Strip the leaves from the meat and discard. Serve the tender steak with milkweed buds, shoots, and leaves for a wholesome and tasty meal.



Buckbrush or wild lilac — *Ceanothus fendleri*

Buckbrush can be found in dry, sunny areas and is common all throughout the pine forests and chaparrals of the foothills. It is a low-growing shrub with stiff branches and spined leaf stems. The leaves are deep green and the flowers white to light purple in color.

The leaves and flowers of this shrub make an excellent tea. We suggest adding them to already boiling water, turning the heat down to stop the boiling, and letting the leaves and flowers steep for a short time. Be careful not to brew the tea too long or it will taste bitter.

A mild lather soap can be made by crushing the flowers in water while rubbing them on the hands. The soap produced is not very potent but it does aid in cleansing, as well as leaving the skin with a slight fragrance.



WILD LILAC — one of the many indigenous teas of the Rockies.

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Friday, Apr. 25, 1975

Reckoning from Washington

by Lee Catterall

About 1,200 people from 46 states gathered in Washington last week to scoff at something they called "metropollyanna."

"Metropollyanna," explained organizers of the National Conference on Rural America, "is the belief, usually tacit, that sooner or later all of the people will move to the big city and live happily ever after."

Sen. James Abourezk (D-S.D.) and others complained the federal government apparently subscribes to that belief when it comes budget-writing time.

"If there is no conscious policy of metropolitan bias on the part of the federal government," Abourezk said, "there certainly is convincing evidence of an unconscious one."

Abourezk provided figures showing the government spends 15% less money, per person, in rural areas than in cities.

Even in the Agriculture Department, he said, the government has "contributed to metropollyanna rather than countered it."

"Despite general recognition that nonmetropolitan areas have a disproportionate share of the nation's problems, despite equivalent recognition that this is both a cause and an effect of rural-urban migration and metropolitan compaction, and despite substantial official rhetoric in favor of 'rural-urban balance,' of giving priority to 'the revitalization and development of rural areas,' of fostering 'the continued economic strength of all parts of the United States,' and the like," he said, "virtually all the evidence we have points to inequity for rural areas and small towns."

Despite all that, people are moving from big cities to the country, according to Calvin L. Beale, an Agriculture Department researcher.

Beale submitted a paper to the conference saying the trend for decades of people migrating to cities has reversed dramatically. "The new trend," the Beale paper says, "will have a permanent impact on U.S. population distribution, at least for the lifetime of most adults now living."

"From 1940 to 1960, a net average of more than one million people left the farms annually and a majority of nonmetro counties declined in population despite high birth rates," according to Beale.

That trend continued in the sixties. Census figures show rural counties that aren't next to cities slipped in population by 4.5% in that decade. But from 1970 to 1973, those same counties actually increased in population by three per cent.

Beale provides several reasons for the new trend — "the environmental-ecological movement, the youth revolution with its somewhat anti-materialistic and anti-suburban component, and the narrowing of traditional urban-rural gaps in conditions of life."

Is this population shift bad or good? Beale concludes it is "both feasible and desirable . . . under conditions of general affluence, low total population growth, easy transportation and communication, modernization of rural life, and urban population massings so large that the advantages of urban life are diminished."

Interior leasing...

(continued from page 6)

curs in areas where the government has not identified workable coal deposits. Here the government will issue a prospecting permit. If the prospector establishes the existence and workability of deposits, he is entitled, under the law, to a preference right lease. He pays nothing for the lease, Horton said.

"We estimate that 85% of all outstanding coal leases were acquired through the noncompetitive procedure or for nominal payments of \$3 an acre per year," Horton said at the Governors' Conference.

Smith said that there is a much broader knowledge of the location of large coal deposits, than of oil or gas or other minerals. Various government agencies research the locations, and their information is available to industry. For the "fringe areas," where extent of the deposits is unknown, Smith said the Interior Department might consider opening land for exploration which, he says, has been done successfully with oil shale. For oil shale, the government opened up tracts of land for exploration by several different companies who later nominated tracts they thought suitable for development. The Interior Department narrowed down the nominees and offered several for competitive leasing bids.

ROYALTY PAYMENTS

The proposed rules for Coal Mining Operating Regulations substitute "value basis" for "sale basis" in determining coal royalties. The new rules specify that the amount of royalty shall not be less than the best obtainable market price. Smith said that to determine this price, the government will probably study all available records on coal sales. All of the industries' records on contracts are open, and the Federal Power Commission keeps up-to-date information on every coal contract. Although the procedures for determining this price have not yet been "manualized," Smith said he expects all of these methods to be used when leasing resumes.

Already in effect is a requirement for percentage royalties instead of flat fees which were previously charged and which did not fluctuate with changing values of coal. However, since this requirement went into effect, there have been very few leases, due to the coal leasing moratorium. "Less than five of the big leaseholders are paying percentage royalties," Smith said.

Smith said that lawyers have advised the government that existing contracts cannot be changed to require percentage royalties until they come up for renewal at the end of the 20 year lease period. As they come up for renewal, the government is requiring percentage royalties.

BONUS BIDS AND FILING FEES

Smith said that provisions for bonus bids will likely be changed so that more than one method will be used for evaluating bids. He said that comparable sales would likely be one criteria — "it's the most reliable."

However, there are no indications that filing fees will be changed, Smith said. Now the filing fee is \$10. "It's absolutely true that that doesn't cover the cost of handling it. . . . Ten dollars barely covers the costs of mailing it from one agency to another," he said.

STAFFING

The USGS will be increasing its staff as the moratorium lifts and leasing resumes, according to Smith. More district offices will be opened close to the mining. Presently, there are district offices in Billings, Salt Lake, and Denver. This will presumably mean that leases can be supervised more closely.

There has been criticism of the USGS Conservation Division as being the proper agency to administer federal coal mining regulations since many of the staff members are drawn from the mining industry. (See front page story) Smith said this is still true. "I can't think of anyone in this mining office who is not from the mining industry," he said. In addition, he said most of them are graduates of mining schools, except for those who graduated from geology schools.

RECLAMATION

Most of the proposed Coal Mining Operating Regulations deal with reclamation. They were published in the Federal Register on January 30, 1975, shortly after the President vetoed the strip mining bill passed by the 93rd Congress. The new Coal Mining Operating Regulations are not yet in effect, pending action on the new federal strip mining bill.

Asked about the feasibility of reclamation at the Governors' Conference, Horton said there are some areas where it is "very tough." However, he said, "It is very clear that stripped land can be satisfactorily reclaimed with enough water, enough fertilizer, and enough attention."

PUBLIC COMMENT

The official deadline for accepting comments on the proposed regulations was March 18. Comments were received from 48 organizations or individuals. However, since the regulations have not yet gone into effect, comments can still be sent in to: Director, U.S. Geological Survey, Reston, Va. 22092.



NO CONTROL OVER OIL EXPLORATION.

The director of the Wyoming Department of Environmental Quality says his department has no control over land surface disturbances caused by oil fields or exploration by drilling. The director, Robert Sundin, says that most of the disturbed acreage in the state is the result of activity other than coal mining. Oil interests have prevented the department from gaining legislative authority according to Sundin in a *Casper Star-Tribune* article.

TRANSMISSION LINE EXEMPT. An electric transmission line does not fall under regulation by Montana's 1973 Utility Siting Act, the State Supreme Court has ruled. The state Department of Natural Resources had contended to the contrary that a proposed Billings-to-Great Falls line should be subject to the law. The line was proposed by Montana Power Co.

CONSUMERS LOOK TO SUN. The Mid-West Consumers Association sees solar power as an alternative to high electric energy costs and has organized a task force to bring research programs to the Missouri Basin. The organization's executive director, Fred Simonton, has called for a rejuvenation of a section of the Rural Electrification Act which would provide for loans at two per cent interest for installation of solar heating and cooling systems.



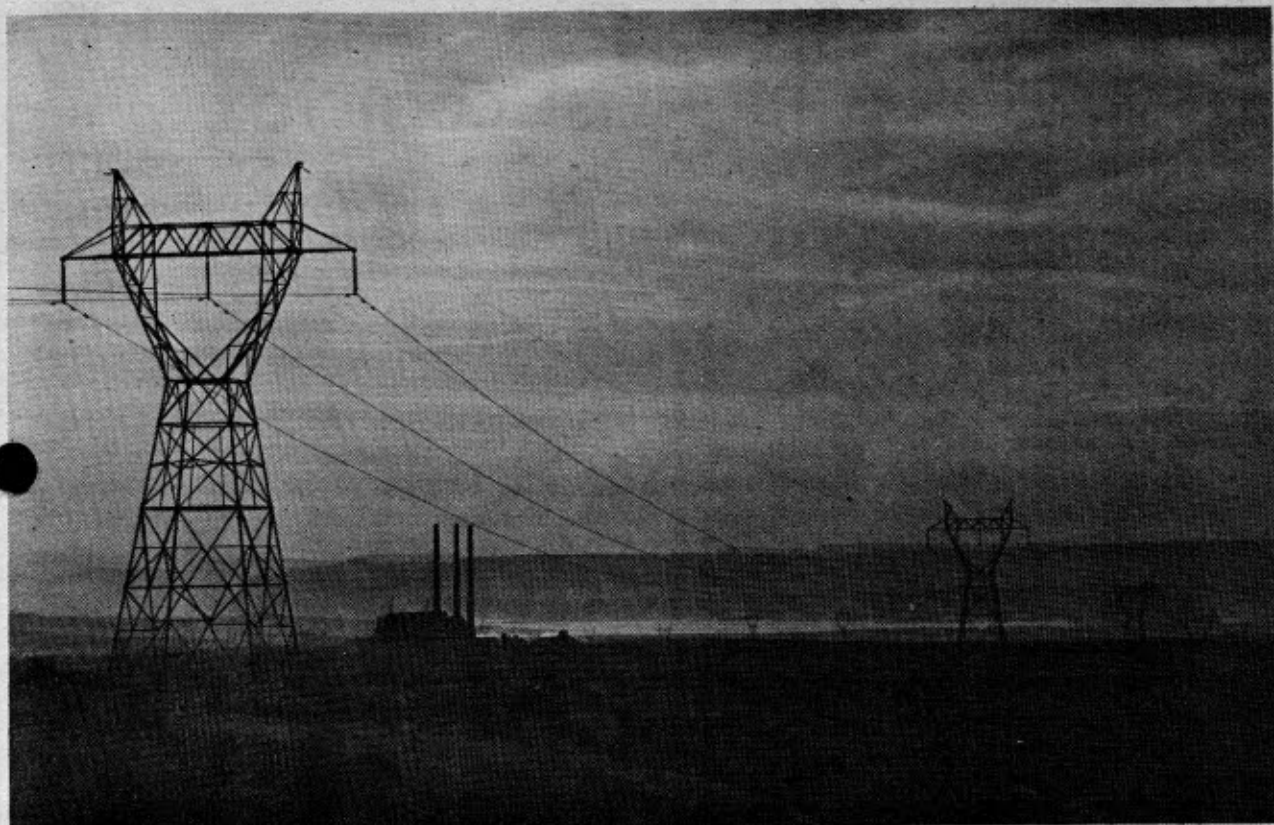
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HIGH COUNTRY NEWS

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Kaiparowits project delayed again

Utah's Congressional delegation and Gov. Calvin Rampton are disappointed to learn that the proposed Kaiparowits power plant will not start construction for another year. Indian demands for high right-of-way fees, resulting in revisions of environmental impact statements, will prevent construction from starting until at least December and probably until spring, Interior Department officials say. Prior to the Indians' request, the project could have gotten a go-ahead this month, according to the officials. The Indians are demanding \$60,000 a mile for a power line right-of-way across Navajo and Hopi reservations. Alternate power line routes north of the reservation are being considered which will require full environmental impact studies.

Gov. Rampton blasted the bureaucratic delays and red tape that have slowed the Kaiparowits plans since 1965 when water was first allocated for the coal-fired generating plant, according to the DESERET NEWS. Both of the proposed Kaiparowits power plant sites are on Bureau of Land Management land and a proposed limestone quarry, which is part of the project, is on National Forest land. Kaiparowits would burn Utah coal to produce power for Arizona and Southern California.

Pictured is the Navajo power plant and transmission lines with Lake Powell in the distance. The two Kaiparowits site alternatives are on the opposite shore of Lake Powell.

Photo by Jack McLellan

Emphasis ENERGY

in the Northern Rockies and Great Plains



HOT CITY. Boise, Id., may become the only major city in North America heated and lit by geothermal energy, according to a Boise State University geologist. He said the geology department is investigating the potential for expansion of the city's underground hot water system, which already heats about 160 houses. Meanwhile in Idaho, the State Land Board gave geothermal development a boost by approving leases for two firms on 6,400 acres of state land in the Raft River Valley. The leases went to the Raft River Rural Electric Cooperative and to the Sun Oil Co.

FURTHER DELAY ON COLSTRIP. There's now a new angle in the administrative tangle over whether or not Colstrip units 3 and 4 should be built in Montana. The state's department of health has announced that the two 700 megawatt coal-fired generating plants, as presently planned, would not meet federal and state clean air standards. A district court judge subsequently called a halt to a hearing before another state agency, the Board of Natural Resources and Conservation. That hearing has been delayed for over a month and had been scheduled to resume April 21. Health department certification is necessary before the units can be built, and under the 1973 Utility Siting Act, there are no provisions for a review of the health department's ruling. The decision on Colstrip was already expected to set a precedent for the state and,

perhaps, the region since the recommendation that the Department of Natural Resources and Conservation made to the board against the units was based on the premise that the energy was not needed in Montana. Now, the controversy may end in a court test of the Utility Siting Act itself, according to attorney Carl Davis, who is to be the hearing officer for the Colstrip hearings.

CAN DECKER RECLAIM? A proposed expansion of the Decker Coal Company mine is being measured up against the requirements of Montana's reclamation act — a law that some say is the "toughest in the nation." Revegetation is difficult at Decker because of the high sodium content in the overburden. The Tri-County Ranchers Association has asked the State Lands Commissioner and the governor to make "a professional and defensible decision as to whether or not Decker Coal Co. can meet reclamation requirements." "We and a lot of other people are depending on the proper enforcement of the strip mine reclamation law," says Irv Alderson, a member of the ranchers group.

BAD BREATHING IN BOISE. A Boise surgeon says that a proposed coal-fired power plant might cause "real difficulty" and perhaps deaths for people in his city with breathing problems. The surgeon, Dr. Robert Holdren, specializes in chest and heart surgery. He has been investigating the coal plant's possible health effects on behalf of the Ada County Medical Society.

High Country News-11

Friday, Apr. 25, 1975

The Hot Line

energy news from across the country

SEATTLE WASTE PLANT. Seattle is planning to convert municipal solid waste to either methanol or anhydrous ammonia. City officials anticipate output at either 30 million gallons of methanol per year or 120,000 tons of ammonia per year by 1979.

NATIONAL NUCLEAR DEBATE. Twenty-seven of the nation's leading nuclear advocates and critics will present a "national nuclear energy debate" before Rep. Morris K. Udall's (D-Ariz.) House Interior Subcommittee on Energy and Environment. The debate will take place at hearings April 28-29 and May 1-2 and cover regulation, safety, the breeder reactor, waste disposal, and other controversial topics. Among those scheduled to testify are: Nuclear Regulatory Commission chairman William Anders, Ralph Nader, Nobel laureate Dr. Hans Bethe, and executive director of the Union of Concerned Scientists Dan Ford.

IN SITU URANIUM MINING. Atlantic Richfield Co. has begun testing a new uranium extraction process that doesn't involve conventional mining. At a plant in George West, Tex., ARCO is using a new in situ leaching process that could yield up to 250,000 pounds of yellowcake a year. Uranium oxide is extracted by injecting chemically treated water through wells drilled into uranium deposits. The dissolved uranium is carried back in the water solution to the plant for processing and recovery. ARCO claims this in situ process will minimize surface disturbance.

EFFICIENT POWER PLANT. A new type of boiler developed by Holifield National Laboratory, Oak Ridge, Tenn., holds promise of cutting fuel consumption by 25%. The boiler is aimed at increasing power plant efficiency to more than 50% through use of a "potassium vapor topping cycle." By using potassium, HNL hopes to increase turbine temperatures to 1,500 degrees F without losing piping strength or reliability. Current plants are limited to 1,000 degrees F. which keeps their efficiencies low and wastes fuel.

CALIFORNIA'S NUKE PETITION. In June 1976 California voters will decide whether to prohibit construction of any additional nuclear power plants in the state until all existing dollar ceilings on nuclear accident liability insurance are lifted. The initiative that will go to the voters would also require both chambers of the state legislature to approve additional nuclear power plants in the state by a two-thirds majority. The California Committee for Nuclear Safeguards, the group circulating the petition, needed 300,000 signatures to put it on the ballot and received 500,000.

HAMMOND ENDORSES ALASKA GAS ROUTE. Alaska Gov. Jay Hammond has endorsed El Paso Gas Company's proposed project to pipe natural gas from Prudhoe Bay to Point Barrow, near Valdez. The El Paso route would parallel the trans Alaska oil pipeline now under construction. A rival plan offered by Alaskan Arctic Gas is planned to cross Canada to Midwest U.S. markets. Federal Power Commission hearings on the two routes will begin May 5.

GERMANS TO REUSE WASTE HEAT. West Germany plans to harness excess hot water from power plant turbines to heat houses in winter. By piping 12 billion gallons of water to individual households, the Ministry of Development and Technology envisions saving the equivalent of 115 million tons of oil a year.

12-High Country News
Friday, Apr. 25, 1975

Montana levies nation's highest coal tax

This month the Montana legislature passed what is probably the highest tax on coal in the nation. The tax is set at 30% on the sale price of subbituminous coal and 20% on the sale price of lignite.

The \$66 million which the tax hike is expected to generate will be divided among the state, public schools, highways, counties, towns, and energy research.

Advocates of a higher coal tax asked for less than they received — an occurrence almost unheard of in the world of legislative compromise. A bill with a 20% tax was introduced in the House, and a 25% tax was introduced in the Senate. A need to balance the state's budget caused the conference committee to raise those figures to 30%.

Montana Gov. Tom Judge is pleased with the new law. "We will have the best supported school system in the continental United States," he is reported to have said.

SCARING OFF INDUSTRY

What about scaring off prospective industry in the state? Judge doesn't seem to be worried.

In a conversation with Govs. Ed Herschler of Wyoming and Arthur Link of North Dakota, Judge said, "I recently received a call from Pemberton Hutchinson of Westmoreland Resources. He said his firm had been outbid on a West Coast coal contract that went to a Wyoming firm," according to a story in the *Billings Gazette*.

"He said two million tons of coal would roll through Montana on the way to the coast." Judge added that he was told that Wyoming's low coal tax enabled the other firm to win the bid.

"The legislature and I will wave as the coal comes through," Judge is reported to have said with a smile.

At the meeting Gov. Link of North Dakota said that his effort to increase coal taxes was squashed by power company lobbyists. His legislature enacted a tax of 50 cents per ton, which is about half of the Montana levy.

Wyoming's coal levy is even less — a four per cent severance tax, plus varying property taxes. Wyoming Gov. Ed Herschler said that his state will take in about \$12 million next year from coal, uranium, and oil production combined. That will be about \$54 million less than Montana's expected revenues for coal alone in the next year. (Wyoming produces 18-19 million tons of coal per year, while Montana produced 17 million tons in 1974.)

Colorado

Policy act lacks policy

A Colorado Environmental Policy Act (HB 1568) has made its way out of a House committee in a form that sets no policy. Part one of the bill, declaring environmental policy and goals for the state, was deleted because committee members felt that it did not reflect current needs or administrative direction.

What is left of HB 1568 is part two, which sets out the procedure for environmental impact statements to be completed by public or private proponents of major actions "which may have significant impact."

The bill spells out certain activities that would need to be accompanied by an impact statement. On the list are transbasin diversions of water, oil shale development, strip mining, ski area locations, and nuclear detonations.

Either the Land Use Commission or citizens, by petition, may request a hearing on any proposed major action. The LUC would oversee compliance with the law.

The Open Mining Reclamation Act (HB 1033) died in committee. "The committee felt that since

THE COAL BUBBLE

Not everyone is overjoyed about Montana's new riches, however. "Don't think for a minute that this coal tax is going to provide a tax break for the

citizens," said Rep. Thomas R. Conroy (D-Hardin) during debate on the bill. "On the contrary, if this (coal) bubble breaks, you, Mr. Taxpayer, are going to be asked to pick up the pieces."

Conroy said the tax was made necessary by a 700% increase in the state budget in recent years. He called it "more money needed to support an expanding bureaucracy that is accelerating at an astonishing rate."

Even Wyoming's relatively modest levy has its strong opponents. One is Bill Budd, executive director of the Wyoming Mining Association. Budd called Wyoming's increase in severance tax "punitive" because the state really hadn't shown a need for the money. He said "there seemed to be almost a paranoia to find ways to spend enough to justify increasing severance taxes on the minerals industry."

Budd also says that "it's dangerous to rely so heavily on one industry for tax revenues."

regional legislative review

No reason for regionalism

Interior Secretary review

by Ernest H. Linford

Several commentators on the nomination of former Wyoming Gov. Stan Hathaway for Secretary of Interior have referred to the position as being traditionally held by a westerner.

Actually few westerners have held the post and several of them were a disgrace to the office. Some of the most dedicated conservationists to hold the top Interior job were residents of the Middle West — notably Carl Schurz during the Rutherford B. Hayes administration and Harold Ickes in the Franklin D. Roosevelt administration.

Schurz was previously a crusading senator from Wisconsin and an emigrant refugee from Germany. Ickes was a Chicago lawyer-politician, a former Republican, and a newspaperman.

The most notoriously bad Secretary of Interior was Harding's Albert B. Fall of Arizona, the only cabinet member up to that time to go to prison for misdeeds in office. He made Teapot Dome synonymous with corrupt misuse of natural resources. Oilmen Harry F. Sinclair and Edward L. Doheny "loaned" Fall \$300,000 and \$100,000, respectively, for oil leases.

The second worst Secretary of Interior was probably Richard A. Ballinger, former mayor of Seattle, who while in Interior tried to give rich mining claims in Alaska to Guggenheim interests. This was during the Taft administration, and the bitter fight and scandal ensuing from Ballinger's dereliction of duty no doubt helped defeat Taft's bid for re-election in 1912.

Ballinger was a native of Illinois and grew up in Kansas but was a long-time resident of the Pacific Northwest. He was invited to go to Washington from Seattle during the Teddy Roosevelt administration. Because he was credited with cleaning Seattle, T.R. thought he would be a good man to clean up the Public Lands Bureau. Ballinger's devotion to private enterprise as opposed to the public good resulted in his early resignation, however, from both the land commissioner's office and from the top Interior post.

Douglas McKay, former governor of Oregon, was Interior Secretary under Eisenhower. He was involved in a timber giveaway scandal but resigned to run against the late Senator Morse before he could do any more damage to conservation. His successor, Fred Seaton of Nebraska, was also not one of our best Interior secretaries.

Stewart Udall, Secretary of Interior in the Kennedy and Johnson administrations, had a generally good record and became a solid crusader for the environment after he left office. The Santa Barbara Channel oil leak and some other administrative slips blemished his otherwise good record.

Walter Hickel's record of favoring big oil and other interests as governor of Alaska caused environmentalists to fight his nomination as Interior Secretary in 1969 by Richard Nixon. He also made enemies among conservation leaders by remarks he made before taking office. During the 22 months he held the office, however, he took a tough stand against special interests, including the oil companies. Some observers believe this record, more than his "faithfully yours, Wally" letter, urging Nixon to heed the nation's youth regarding the Vietnam war and other pre-Watergate issues, resulted in his being fired.

Hickel's successor, Rogers C.B. Morton, is neither a conservationist nor a westerner. In fact, many observers believe the former Maryland congressman is now officially assuming the title for the job he had worked at unofficially — Secretary of Commerce.

Western Roundup

High Country News-13
Friday, Apr. 25, 1975

Environmental act ruled inoperative

The four-year old Montana Environmental Policy Act (MEPA) has been rendered "inoperative" by a Lewis and Clark County district court judge, according to an Associated Press report. Judge Gordon R. Bennett, ruling against several environmental groups seeking to block construction of a proposed highway in Bighorn Canyon National Recreation Area, said MEPA gives "no apparent authority to require anybody to do anything." The conservationists had maintained that the Montana Board of Land Commissioners and the Department of State Lands had violated Environmental Quality Council (EQC) guidelines on submission of environmental impact statements on the project.

Bennett ruled that MEPA was powerless and impact statements were not required because neither the executive nor the legislative branch of state government had taken charge of enforcement of the act. The problem stems from the fact that the EQC (which administers the act) is an arm of the legislature and not under the executive branch which ordinarily handles enforcement. For the EQC to require the adoption of its regulations might be a violation of separation of powers. "There's a fair chance this case may set a precedent and state agencies won't be preparing draft and final environmental impact statements anymore," said Rick Applegate of the Center for the Public Interest in Bozeman, Mont. "All that the law requires is a 'detailed statement,'" he said. Since the judge's ruling, Gov. Thomas Judge has set up a division of environmental quality in the executive branch composed of five agency heads, according to Applegate.

Rocky Flats nuclear critics heard

Hearings were held recently by a special task force studying problems at the Rocky Flats nuclear weapons plant northwest of Denver. Appearing at the hearings was Dwight Filley, vice president of the Colorado Open Space Council, who said having the dangerous plant upwind from Denver was the worst possible location in Colorado. "We feel there are only two possible futures for Rocky Flats that merit consideration — to shut it down or to move it to a location far from human habitation," he said.

John P. Elliot, the mayor of Broomfield, expressed concern over past releases of plutonium, tritium, and nitrate from the facility which found their way into the city's water supply — the Great Western system reservoir. He testified that the concentrations of these dangerous elements didn't exceed permissible drinking water levels, but called for a federally funded new city reservoir nonetheless. "Plutonium concentrations in the sediment of Great Western have increased significantly from 1970 to 1973," he said. Plutonium is the most toxic substance known to man. A local resident living five miles from the plant brought a deformed piglet to the hearings to dramatize his concern over possible effects of radioactivity from Rocky Flats on surrounding life. The man, Lloyd Mixon, said that since 1973 he's had turkeys, pheasants, cows, and pigs all born with unexplained deformities. "Obviously something is wrong which is causing the reproductive problems in the livestock and fowl. Whether it is caused by radioactivity, bacteria, or something else, I don't know," he said. Robert Siek, task force chairman, told Mixon that the Colorado Health Department would investigate the cause of the deformities.

Utah's greatest problem is growth

How Utah will contend with growth in the next 10 years "is the greatest problem we face," Dr. R. Thayne Robson, research professor of economics at the University of Utah, told the Salt Lake Better Business Bureau. Robson predicted a massive infusion of people into the state to develop Utah's energy resources. To date, Utah has not been very successful in handling growth, he said. Over the past decade Utah has grown at about three per cent per year, he said, but now "we are looking at a growth rate of between five and six per cent." He told the BBB that Utah is in urgent need of a state planner of the magnitude of Brigham Young.

Stockman sees oil-agriculture split

"One of the most evident realignments in Wyoming politics is the drift between industry and agriculture, and in particular the oil industry and agriculture," observed state Rep. Dean T. Prosser Jr. (D-Laramie), who is executive vice-president of the Wyoming Stock Growers Association. Writing in *Cow Country* Prosser said, "I would predict that the 1977 legislature will be totally dominated by the liberal thinking element and that the oil and mining industries ain't seen nothing yet when it comes to increased severance, gross product, and other taxes; mainly because these industries have done everything within their power to drive agriculture onto the side of the environmentalists."



Three rivers in Montana and Wyoming have been chosen for extensive study by the National Commission on Water Quality. The Tongue, Clarks Fork, and sections of the Yellowstone rivers will be studied with the impacts of energy development, irrigation practices, and municipal pollution in mind. The Tongue River study will focus on future energy development water demands. The Clarks Fork study will concentrate on irrigation and natural sediment runoff pollution. Industrial and municipal discharges will be the focus of the Yellowstone River study. In addition, the studies will examine growth patterns in Buffalo and Sheridan, Wyo. and Livingston, Mont. Buffalo and Sheridan were chosen because of substantial anticipated growth related to energy development. Pictured above is the Clarks Fork Canyon in northwest Wyoming.

Boulder considers new growth plan

Boulder, Colo., a city renowned for its attempts to limit growth, is considering a new Growth Management System (GMS). "Implementation of this policy would distinguish the Boulder Valley as one of the few — if only — places on the continent which accommodates new growth without urban sprawl," say the city's planners. In the past, Boulder has grown like other cities — through expanding suburbs. Now the city hopes to concentrate growth in the downtown section by increasing height and density there and restricting sprawl at the fringes of the city. City manager Archie Twitchell says the GMS proposal is a "revolutionary document."

Controversial NM highway stopped

New Mexico conservationists are celebrating a major victory following Gov. Jerry Apodaca's refusal to finance a controversial highway through the rugged Sangre de Cristo Mountains, according to the Wildlife Management Institute. The governor said he could not justify spending any more of the taxpayers' money on such a dubious project. The road, he said, "would seriously damage the wilderness quality of a relatively unspoiled area as well as cut into the breeding grounds of the elk herd inhabiting the mountains."

Sewage to fertilize rancher's fields

A Worden, Mont., rancher has made arrangements to use sewage to fertilize his hay field. The Worden Water Users' Association says Robert Broderson can have all the fertilizer he wants. All he has to do is maintain the lagoon's barbed wire fences and keep lagoon water levels down, previously a problem for the association. Broderson had sample wastes tested and found they had a high phosphorous content, fair level of nitrates, and low salts, which is favorable.





The nation's Bicentennial celebration has officially begun. For the next couple of years, people across the country will visit the battlefields and shrines which commemorate the birth of our nation, and many will observe or take part in re-acting some of the better-known pages of history.

For some, this pageantry will be merely that — a super-king-sized Fourth of July picnic, to be enjoyed momentarily and then forgotten. For others, it can be a thought-provoking reminder of our heritage.

Quite a few years ago I accompanied my husband on a quick business trip to Philadelphia. A kind relative took us in tow and dutifully offered to show us that city's historic sights. We were tired from the long trip, but time was short, so, just as dutifully (but somewhat reluctantly) we accepted her offer.

Both the reluctance and the weariness vanished almost immediately. I was completely charmed by the Betsy Ross house, with its three tiny rooms built one on top of another and connected by a narrow circular stairway in one corner. I remember wondering why, with practically the whole continent at that time almost undeveloped, was it built so tall and narrow, and literally touching its neighbors on either side!

By the time we reached Independence Hall I was experiencing a sense of belonging, somehow, to the past. But I wasn't really prepared for the strange emotion I felt at the sight of the Liberty Bell, or the knowledge that I was standing in the very room where the Declaration of Independence was signed. Was it awe? Pride? Patriotism?

I really don't know, but I felt an emotion very akin to it the other evening as I watched, on my TV screen, a re-enactment of the Minutemen crossing the North Bridge at Concord, Mass. Sure, it was just a pageant — modern-day man dressed in costume, acting out a scene from history — which I watched from the comfort of my living room. But it caused me to stop and think a bit about that small handful of men (just 180, all told) who marched into battle 200 years ago across that bridge.

They weren't soldiers. They were farmers, blacksmiths, teachers, ministers, stable boys, store clerks, and others like them. Had they been able to look ahead 200 years, I'm sure they would have been surprised to know that they were marching into the history books as heroes. They were, after all, just everyday people who had banded together because they wanted to make their portion of the world a better place in which to live. Perhaps it's that very quality of everydayness about them that makes them seem so real and important today. They weren't leaders or statesmen — but they were believers.

Considering the population of that time, the country was fortunate in having, also, the leadership of many true statesmen. Patrick Henry, Thomas Jefferson, John Hancock, and all those other greats who had foresight enough to conceive the Constitution, which is today basically the same as when it was written almost two centuries ago.

One wonders — would those statesmen have achieved greatness without the help of those other patriots — the nameless clerks and teachers and stable-boys who were willing to fight for their belief in a better world?

Unfortunately, it sometimes takes many years for history to point out the fine distinction between a politician and a true statesman. Well, today's everyday citizens can be patriots, too, and fight for a better place in which to live. You needn't carry a musket. You can join a group... or make a speech... or a phone call... or sit down and write to your Congressman and let him know how you feel.

It's very unlikely that you'll flash across a TV screen 200 years from now. But, who knows? If that Congressman listens to enough everyday people, he just might go down in history as a real statesman!

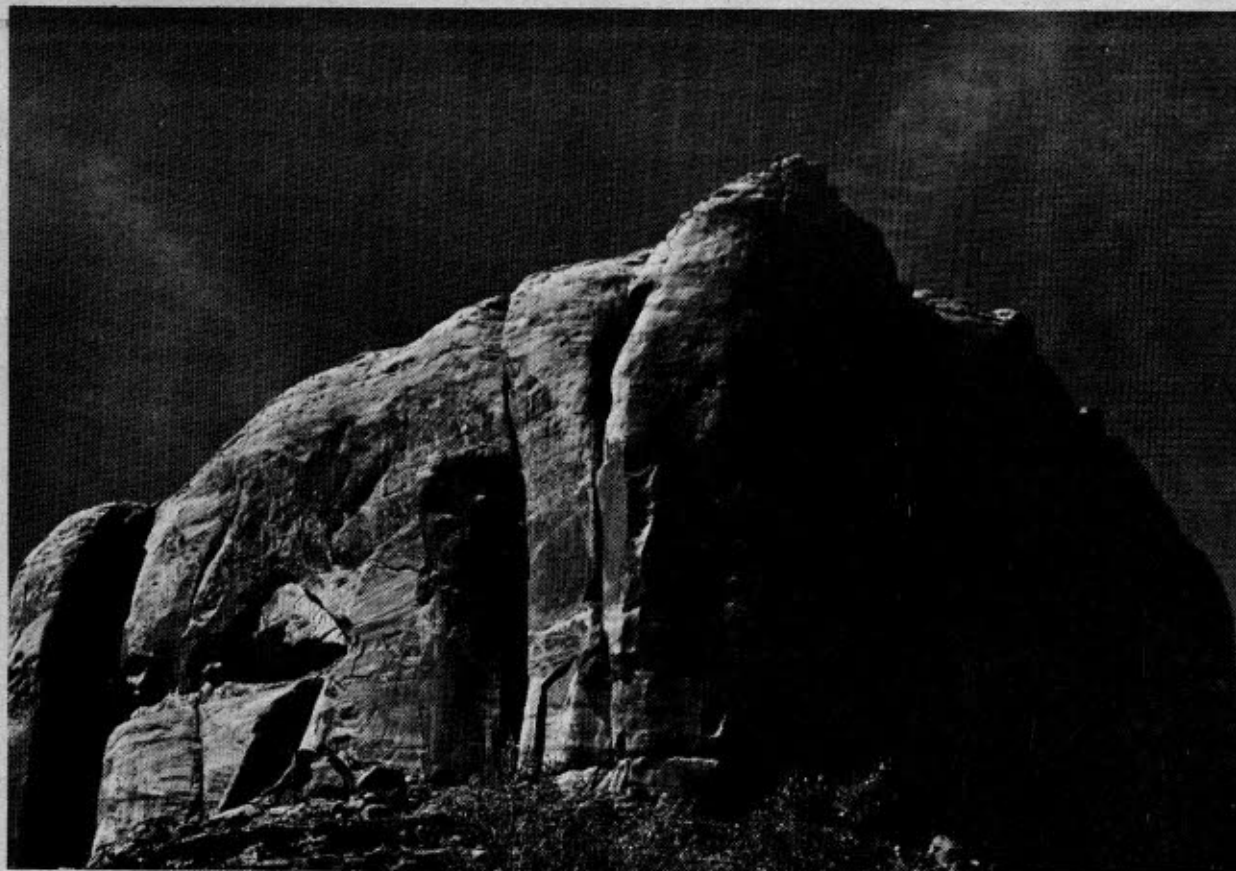


Photo of Escalante country by Jack McLellan.

Glen Canyon hearings

What the Wilderness Society calls "some of the most important hearings anywhere in the United States" will be held in Arizona and Utah next month. "At stake is one million acres of some of the nation's finest canyon wilderness," the society says.

The National Park Service hearings will consider the wilderness potential of the Glen Canyon National Recreation Area, which includes much of the Escalante River region. Wilderness proposals will conflict with proposed oil and gas development and highway construction.

To receive a "Wilderness Hearing Alert" contact the Canyon Country Coalition, 4260 East Evans St., Denver, Colo. 80222. The coalition includes Friends of the Earth, the Sierra Club, the Wilderness Soci-

ety, and the Escalante Wilderness Committee.

Hearing dates have been set for May 14 in Page, Ariz., May 15 in Kanab, Utah, May 17 in Salt Lake City, Utah, and May 19 in Phoenix, Ariz.

Informational programs on the Glen Canyon Recreation Area and proposed wilderness will be held around the region. Each program will feature writer-of-the-canyons Edward Abbey, folksinger Sally Ranney, and a slide presentation by Gordon Anderson and Doug Martin. Programs will be in Sante Fe, N.M., April 28; in Albuquerque, N.M., April 29; Cedar City, Utah May 5; Provo, Utah, May 6; Salt Lake City, Utah, May 7 and 8; Boulder, Colo., May 12; Denver, Colo., May 13; and Colorado Springs May 15th.

Eavesdropper

environmental news from around the world

LOONEY LIMERICKS

by Zane E. Cology

"You may think I'm awful mean,"
Said the coal exec who stripped them clean.
"With pennies we buy
U.S. coal supply,
But I assure you folks, it's all routine."

FOSTER PARENTS FLEDGE FALCONS.

While placing "orphan" prairie falcon chicks into "foster parent" nests in Colorado and New Mexico, researchers with Cornell University found by accident an unsuccessful nest of the rare and endangered peregrine falcon. The pair of peregrines had just lost their second set of eggs due to shell thinning. (Heavy concentrations of pesticides are believed to interfere with reproduction in this way.) To keep the peregrines occupied, a prairie falcon chick was placed in the nest while two "orphan" peregrine chicks from a captive breeding program were flown from Cornell in Ithaca, N.Y. The peregrine chicks replaced the prairie chick which was successfully adopted by parents of its own species. By summer's end, all 14 chicks of the two species were successfully fledged. This experiment paves the way for an expanded program of breeding endangered birds in captivity and releasing them to the wild "under these most natural of conditions," say the researchers.

COUNTY MUST SUIT REGION. A regional planning commission may block the grant of federal funds for community development from a county in New Jersey, claiming that the county is not meeting regional planning policies. The commission has established a need for low and moderate income housing. Large lot zoning and apartment bans in Burlington County cannot accommodate those needs. The court held that localities must bear a fair share of regional housing needs. The case was South Burlington County N.A.A.C.P. et al v. the Township of Mount Laurel.

"FRIENDS" WATCH PLANNING. A group called 1000 Friends of Oregon has assembled to watchdog land use planning in their state. The group's office is at 3709 S.E. Belmont, Portland, Ore. 97216.

CREATIVE CONSUME LEAST. "In any kind of society, the healthiest, happiest, and most creative persons are likely to be found among those who consume the least," writes Rene Dubos in *The New York Times*. "As a consequence of the overuse of energy there are fewer and fewer occasions for the body and the mind to make creative responses to environmental challenges; architecture and planning have become duller because there is less need for ingenuity in coping with climatic and topographic constraints; the biological forces that used to contribute to soil fertility have no chance to operate," Dubos said.

Book reviews

Small Is Beautiful

by E. F. Schumacher, Harper & Row, New York, 1973. \$8.00, hard cover, 290 pages.

Review by Peter Wild

Societies, as well as individuals, function according to certain assumptions. Because the assumptions appear to have worked in the past, they are clung to as true for all times. In this lie the social and environmental dilemmas of the present. Despite the fact that the world has changed more radically in the last 100 years than in any other century, the West continues to operate with nineteenth-century notions. That they appear to work, that the water continues to pour from the faucet when it is turned on, that the lights glow immediately at the

The essential thing, the how of it, is left up to those concerned.

flick of a switch, and the milk cartons stand humbly before us in seemingly endless rows at the supermarket, is proof enough to reinforce societies' myths about material success.

One by one, the author explores the self-delusions which underlie present concepts of progress, shows how they are beginning to fail us, and offers long-term alternatives to them.

Central to the book, as one might expect from the title, is the false but persistent idea that worth increases with quantity. As Schumacher says, "In places like London, or Tokyo, or New York, the millions do not add to the city's real value but merely create enormous problems and produce human degradation." Yet from the President of the nation right on down to most small businessmen, there is greeted with cheers of better. There are great signs of accomplishment and relief if the Gross National Product increases at the appropriate rate for the year, as though more empty foods, more throw-away beer cans, and more than enough atom bombs to wipe all life from the planet many times over were sane measurements of the human condition. In fact, such an approach, based on evaluating life in terms of numbers alone, is counter to society, is inhuman. Furthermore, it is madness. Our non-renewable resources are treated as inexhaustible; we are living on capital instead of on income.

Mr. Schumacher's analysis will not be revelatory to anyone who has been connected with the environmental movement for any time. Sensibly, he devotes most of *Small Is Beautiful* to outlining what can take the place of outmoded ideas. His discussions range from foreign aid to the proper size and aims of factories. The suggestions might be criticized as too broad and Utopian. Yet the changes necessary in current attitudes need to extend to all aspects of our way of doing things, from the international down to the individual, level. If they are Utopian, well they might be: the present order of exploitation has resulted in little but riches for a few, misery for the many of the planet, and an outlook of scarcity for all coming generations.

However, he skims over the intermediate step. If nations are locked into a monster system that already is showing signs of feeding on its vital organs, and if the majority of the political and business leaders — those who control the money, the governments, the media, and the armies — continue to applaud the system because it is to their immediate gain to do so, how can it be transformed in the little time left? Schumacher presents the problems and tells us what in his view needs to be done. The essential thing, the how of it, is left up to those concerned.

BULLETIN BOARD

High Country News-15
Friday, Apr. 25, 1975

MAY FEST

State Sen. Les Fowler, Rep. David Gaon, and Rep. Nancy Dick have invited citizens to a "May Fest" beer and pretzel party to raise money for the Colorado Open Space Council's legislative efforts. Other members of the Colorado legislature will be honored guests at the occasion. The fest will be held on May 8 at the International House, 1600 Logan St., Denver from 5:00-7:30 p.m. A \$4 donation per person is requested. If you are interested in attending contact COSC, 1325 Delaware St., Denver, Colo. 80204, 573-9241.

AMAX IMPACT STATEMENT

A draft environmental impact statement on proposed expansion of Amax Coal Company's Belle Ayr mine near Gillette, Wyo., is available for public comment. Under the proposal, coal production would jump from its present level of 3.3 million tons per year to 15 million tons by 1977. Copies of the statement are available from USGS Public Inquiries Office, Room 1012 Federal Building, Denver, Colo. 80202. Written comments will be accepted through May 12.

WYOMING ENERGY PUBLICATIONS

The Wyoming Geological Survey has a number of publications on Wyoming's energy resources available. *Review of Wyoming Coalfields, 1975* by Gary B. Glass discusses coal deposits, geology, markets, mining, and chemical analyses. It is available for \$1. *Campbell County, Wyoming: Geologic Map Atlas and Summary of Land, Water, and Mineral Resources* is part of a series that illustrates the resources of the state. Campbell County is important because of its wealth of coal, petroleum, and natural gas. Its cost is \$3. Publications are available from the Wyoming Geological Survey, Box 3008 University Station, Laramie, Wyo. 82071. A publication list is free upon request.

LAND REFORM BIBLIOGRAPHY

A bibliography on land reform in America has been released by the Center for Rural Studies. It includes 1,400 citations of books, articles, and reports dating back to the early 1800s. Copies of the bibliography, as well as the tabloid newspaper *People and Land*, may be received by sending \$1.25 to Center for Rural Studies, 1095 Market St., Room 418, San Francisco, Calif. 94103.

CITIZENS' ENERGY PLATFORM

The failure of the administration and Congress to produce a national energy program has prompted the development of the Citizens' Energy Platform. The platform was prepared by several groups including Friends of the Earth, the Environmental Policy Center, the National Urban League, and the Center for Science in the Public Interest. The platform includes nine chapters, each of which considers the past history of the subject, the administration's (and in some cases Congress') response, proposed alternatives, and sources of further information. "The Platform seeks to avoid the 'knee-jerk' approach of the administration to energy policy-making and is being offered as an alternative to be considered by the public and by the members of Congress." Copies are available for \$1 from the National Consumers Congress at 1346 Connecticut Ave. NW, Washington, D.C. 20036

RAILS TO TRAILS

From Rails to Trails is a report prepared by the Citizens Advisory Committee on Environmental Quality to inform the public about the availability of some 200,000 miles of abandoned rail tracks across the country that could inexpensively be converted to trails for hiking, biking, and skiing. Copies are \$1.50 from the Government Printing Office, Washington, D.C. 20402.

American Indian Food and Lore

100 authentic recipes

by Carolyn Niethammer. Collier Books, New York. \$4.95, paper.

Review by Gary Nabhan

With all the Euell Gibbons jokes these days, many people have overlooked the practical (and inspirational) rewards of wild food-gathering. In a true sense, you may come to know the world around you, your own skills and tastes. That "picturesque landscape out there" becomes something with which you are intricately involved. You're alert to what plant resources are about you, when flowers are in bloom and for how long. Your timing is set to the moving of sap or ripening of fruits.

Carri Niethammer's book provokes such involvement. Though not recognized in the catch-all "American Indian" phrase of the publisher's title, Niethammer has judiciously come to focus her efforts in the plants and plant-gatherers of a particular region — the more arid lands of southwestern North America.

Niethammer has contributed to our knowledge of the ethnographic present, noting when more modern kitchenware is used in preparation, or when store-bought ingredients are mixed in for better taste. Having personally been troubled by the crude descriptions of food preparation in most books, I've been happy to follow the clear instructions which Niethammer gives, sometimes verbatim from women of the desert country. Because the author has been a professional cook and food writer, she has emphasized attractive, palatable recipes throughout the book.

As an aged Papago woman said to her quietly,

"The Indians ate good food. They never sickened and they got real old."

If my own trial course with the book's recipes indicates anything, the foods described here (yucca flower soup, for instance) are delicious. It once and for all blows holes in the old cliché that "them injuns

was eatin' bugs and gravel before we brought our beeves to 'em."

In my mind, this book has value in the ethnographic future, too. Many of the plants described are readily available, nutritious, and in some ways ideal for development as potential crop plants for arid lands. A few have been semi-cultivated together on the same plot of land, providing a possible alternative to vulnerable monoculture farming.

For instance, the tepary beans native to the Southwest are smaller, but contain more protein than kidneys or limas. When grown side by side in desert climes, teparies produce beans before kidneys have even flowered. When Arizona and New Mexico realize that they no longer have the energy or groundwater for growing crops which aren't adapted to their climates, food plants such as the tepary will once again assume significance.

Niethammer's book should become a companion to Kirk's *Wild Edible Plants of the Western U.S.* (Naturegraph) or to Harrington and Matsamura's *Edible Native Plants of the Rocky Mountains* (University of New Mexico Press). Though these latter two guides illustrate many more plants of the West, the new book has cultural depth. Its descriptions of plants, their habits and habitats, and harvests are generally relevant to the western part of this continent.

Such good reading and eating should not be restricted to residents of the Southwest!

Millie Ehrman steers Council on Utah Resources

by Jack McLellan

The idea of forming an environmental coordinating council in Utah is not a new one. The need was recognized clear back in the early '60s, and several attempts were made to lay the groundwork. Pages of by-laws came and went, as did the people and organizations interested. Apathy and internal squabbles usually produced the tabling of effort until "some future date."

That date has arrived. Late '74 and early '75 provided the necessary ingredients, and Millie Ehrman appeared to put them in order. Although many people worked to get the wheels rolling, Ehrman was the one who did the steering. When Ehrman gave you that cool-eyed, straight-from-the-shoulder look, and said through firmly-set lips, "We will have a functioning council by March," excuses faded. "Right, Millie — Let's go!"

By-laws were approved at a meeting on February 27, 1975, and the name "Council on Utah Resources" was adopted. Copies are being sent to the more than 20 environmentally-oriented groups involved in the council's formation, with instructions to appoint an official representative from their organization to the council. Election of officers will take place at the next meeting.

The Council on Utah Resources is patterned closely after the Colorado Open Space Council, its big sister organization in Colorado. It is designed to be an activist group, as stated in the by-laws: "Purpose — To provide an effective and continuing coordinating structure in working for the conservation (preservation and wise use) and appreciation of scenic, historic, open space, wilderness, wildlife, and outdoor recreational resources, as related to the total environment, through a program of coordinated action, for the cultural, educational, physical, health, spiritual, and economic benefit of our citizens and our visitors."

Even as the by-law committee was wrestling with words in January, the informal members of the group gave support and direction to Janet Gordon, chairperson of the legislative committee, who was the one most responsible for giving environmen-

talists a voice on Utah's capitol hill.

"The very first day of the Utah Legislature, our calls for help filled a committee room to overflowing, resulting in events which led to the withdrawal of a predator bill calling for eradication of predators, and the eventual rewriting of another predator bill," said Gordon.

In another early-session action, a resolution calling for increased use of motors on float trips and no wilderness classification for rivers in Utah was intercepted. A spontaneous Whitewater Committee was formed under the Council of Utah Resources name, which filled another committee meeting to overflowing and offered such expert comments that representatives from the council's committee were invited to help rewrite the resolution. Eventually, enough support was raised in the Senate that the resolution was never acted upon.

At the end of the session, Ehrman looked tired, as did everyone involved in the sleepless, hectic last few days and nights — but she still had her little thin smile that indicated satisfaction. According to Ehrman, things were OK: "Although we're not able to report as our Wyoming cohorts have that we lost little ones but won the big ones, environmentalists have been able to make their weight felt for the first time on Utah's capitol hill, and it is a little intoxicating."

"We lost the one we cared most about," said Ehrman. "The council's predator management bill died in committee, and the woolgrower's bill passed the last day. But the presence of our bill and our continual pressure forced the woolgrowers to rewrite their bill twice. It's still a bad bill, but not so grim as it was."

When asked what stood out most in her mind about the session, Ehrman responded, "The best thing that happened was that we learned how remarkably well the environmental community can work together. When any segment yelled for help, the others responded. The result was that the council was able to force hearings, and to make a Senate committee hold a meeting over again since they didn't have a quorum the first time, and we didn't



Millie Ehrman Photo by Jack McLellan

like the business they had transacted. We established enough credibility that we were allowed to have a witness on the Senate floor when the only other people heard were the Kaiparowits (power plant) consortium people. We found allies we didn't know existed. We learned who to trust and who not to trust. We learned a lot about acceptable and effective efforts to use."

The Council on Utah Resources appears to have established itself as a viable, credible organization. If events of the past couple months are any indication, the council will continue to be a driving, coordinating force in solving environmental problems now facing Utah.

Dear Friends,

If there's a garden plot to till, one last ski trip to fit in, or a map for spring runoff river running to study, it's hard to also consider coal leasing policy, Stanley Hathaway, and land use planning. We know. We've slowed, mellowing with meadowlarks, mooring, and thoughts of old friends and new spring songs.

However, events of these few weeks will dictate more than this year's tomato crop, especially for those of us who live in what was referred to recently as the "Persian Gulf of low sulfur coal."

So our eyes focus eastward where in Washington, D.C., a new Secretary of Interior is being chosen, a strip mining bill is being polished up, and a federal land use planning bill may be passed.

The Senate Interior Committee heard former governor Stanley K. Hathaway explain his environmental record and heard several witnesses including western government officials, Indians, farm leaders, and conservationists. The hearings, begun Monday and Tuesday of this week, will continue next Wednesday, April 30.

At press time, the strip mining bill was still in conference committee where members were working out final details. They have abandoned the House-approved ban on mining valley floors in favor of less restrictive language. The committee is expected to reach agreement soon and to send the compromise bill, basically unchanged from the 1974 bill, back to the Senate and the House.

The strip mining bill is expected to pass. When it

does, we can anticipate that our federal leasing lull will soon end. The moratorium on coal leasing will be lifted and new regulations put into effect, under the direction of the new Secretary of Interior. No one can predict how many coal shovels will be put into motion, but it is bound to be affected by decisions now being made in Washington.

One of those decisions will be on the federal land use bill. The House bill contains no provisions for energy siting. That is included in a separate Energy Facilities Siting bill (HR 2650 and S 619). As a consequence, the administration is expected to oppose the House bill because it falls within the President's prohibition against new spending programs except those directly related to energy or the economy.

The Senate bill, on the other hand, includes an energy planning title — but without the federal override power over state and local decisions which was previously feared. Sen. Henry M. Jackson (D-Wash.), chairman of the Senate Interior Committee, has firmly stated his intention to oppose any single-purpose siting legislation unless it is accompanied by land use legislation as well.

Luckily for those of us who are having a bout with spring fever out West, there are some devoted souls who are following the action in Washington and speaking in our behalf. Our thanks to them and may they find time to fit spring in, too, between hearings.

—the editors

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