

The Environmental Bi-Weekly

High Country News

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Lander, Wyoming

Friday, May 9, 1974

Southwestern cultures collide

by Steve Auslander

Two religions

The Navajo Reservation is another country, a nation within a nation, rarely understood by the tourists who pass through it.

A story is told by an Anglo mechanic, an oldtimer who's lived on the edge of the reservation for 25 years: Two middle-aged women, both teachers, were stranded with car trouble on the interstate. Summoned by a passer-by, the mechanic found the ladies trembling with fear, certain they were about to be attacked by heathen Indians. The mechanic laughs, shrugs his shoulders and commenting on the nature of educated people, he asks, "What does the outside world know about the Navajos?"

The isolation of the reservation makes it difficult to know the Navajos. The tribe is the biggest and allegedly most prosperous among American Indians. It seems easy for Anglos to get inside the reservation; at the same time, it also appears very difficult for



Photo by Terry Moore

Anglo progress has intruded into their land. It is protean and extensive.



the Indians to get out.

Cultural collision inevitably seems to result. In November, 1972, Tom Shirley, a Navajo, won public office in a local election in Apache County, Ariz. It was nearly a year and a half before he was allowed to assume office.

Shirley, an oldtimer in Navajo tribal politics, was elected to the county Board of Supervisors, an office historically dominated by a small, Anglo minority. Shirley's political opponent filed a court suit, alleging that because Shirley lived on the reservation, he was exempt from payment of property taxes, exempt from civil process while on the reservation, and therefore would levy taxes without being liable for those taxes. The Arizona Supreme Court, a year and a half later, ordered that Shirley be given the oath of office.

After the U.S. Supreme Court refused to review the case, the Anglos then turned to the Arizona Legislature and lobbied for a law that would have

(Continued on page 4)

Steve Auslander is an editorial writer for the Arizona Daily Star in Tucson.



Photo by Terry Moore

Hopi Indian at the Black Mesa mine.

2-High Country News

Letters

EXTREMIST VIEWS

Dear Editors:

Today I received a free copy of your paper together with a solicitation seeking my subscription. Sorry about that! No way can I agree with your extremist views.

I believe that we must have strict laws concerning the manner in which the corporate giants are allowed to set up shop here, and accordingly I can't go along with the slurry pipeline. I also agree that the worst kind of pollution is people pollution, but how can you people be so naive as to suggest that we leave our oil, our coal and our uranium in the ground? And who says coyotes don't have an economic impact on the sheep business? In case your readers, who I suspect are largely unacquainted with the livestock business, don't know it, they kill calves too. I have an acquaintance (name and address on request) who lost five in one day. As to the extinction of the species, the Indian correctly predicted that the coyote would still be here when the white man was gone.

People pollution can result from too many parks and wilderness areas as easily as from industry. And tourists contribute nothing to Wyoming except the dollars they leave behind. I'll take an honest, hard working, tax paying, miner or oiler every time in preference to a tourist.

You try to make much of the need for food deserving precedence over fuel to keep the wheels of industry turning. I submit that BOTH should have top priority. Further, if there is such a crying need for food at the present time, why are many of us going broke trying to produce it? Could it be that persons such as those who publish the HCN have influenced too many people to the view that the farmer and rancher is not entitled to a profit, that he should be content with the esthetic values such as watching eagle, hearing the coyote, and oh yes, the privilege of running hundreds of state owned big game animals on private land without compensation?

It would seem that, by tying up industry, you are trying to knock our nation's economy flatter than a flitter, or is this, perhaps what you intended all along?

Sincerely,
Wayne Moore
Gillette, Wyo.

REPORT MISLEADING

Dear HCN:

Your news story reporting a recent court decision dealing with portions of the Montana Environmental Policy Act (**High Country News**, April 25, 1975) was inaccurate and misleading.

Contrary to the story's headline ("Environmental act ruled inoperative"), this was not the crux of the decision. Plaintiffs in the case (Montana Wilderness Association) alleged that the state Board of Land Commissioners had failed, when it considered granting an easement across state lands, to comply with guidelines for preparing environmental impact statements issued by the Montana Environmental Quality Council. The court, in this case, ruled that the Montana Environmental Policy Act does not specifically grant the Environmental Quality Council authority to issue EIS guidelines binding on state agencies preparing impact statements.

The court did not say, as reported in your article, that MEPA is powerless, or that agencies have no obligation to comply with the law. The court merely noted that "there is no apparent authority to require anybody to do anything. Their (the EQC's) recommendations must therefore be implemented

and enforced by either legislative enactment or executive order."

It must be remembered that the Montana Environmental Quality Council is a research-advisory arm of the state legislature. This makes the EQC different from its federal counterpart, the CEQ; nonetheless, the language establishing EQC is similar in that, among other things, it establishes a state policy for the environment and directs state agencies to prepare a detailed statement on "every recommendation or report on proposals for projects, programs, legislation and other major actions of state government significantly affecting the quality of the human environment. . . ." In this connection and as a service to state agencies, EQC has issued EIS guidelines, patterned after CEQ's. These are advisory and lack the force of law.

Judge Bennett's opinion does not relieve agencies of the duty to prepare impact statements. It deals only with the need for an impact statement in this particular case. The crux of his decision was a warning to Montana state agencies that they had failed to implement the EIS requirement in the Montana Environmental Policy Act. The court said: "Inasmuch as any rule to implement the requirements of Sec. 69-6504, R.C.M. 1947 (The EIS requirement), should, under that statute, be uniformly applicable to all agencies of the government, it would seem appropriate, if not mandatory, that the attorney general, in consultation with the EQC, should promulgate and cause to be adopted a model rule for environmental impact statements. . . ."

While the attorney general has not yet taken action, Gov. Tom Judge has taken the initiative by issuing an executive order to create a cabinet-level Commission on Environmental Quality charged with drawing up EIS guidelines with the assistance of the EQC, which in turn will be adopted by state

agencies as rules in accordance with the Montana Administrative Procedure Act.

This court decision cannot be used by state agencies to evade the EIS requirements of the Montana Environmental Policy Act. The EQC is not interested in administering the state EIS process and believes that the intent of the act will be served as agencies adopt the EIS guidelines that will emerge from the Governor's commission.

Sincerely yours,
John W. Reuss
Executive Director
Environmental Quality Council

INTEREST HIGH IN SCRATCHBOARD

Dear HCN,

Thank you again for your interest in my works. The beautiful spread which you did has brought much to me personally and also to the Colorado Wildlife Federation. I believe they sold several prints from your article. Thank you.

As for me personally — I got a call from the superintendent of the National Historical Park on the San Juan Islands in the Puget Sound of the coast of Seattle, Wash. He saw the article in your paper and asked me to do four heads of birds of prey native to those islands for the plaque to the entry of the park. I'm very pleased. Thank you for this opportunity.

Sincerely,
Holly Merrifield
Thornton, Colo.

"YOU CAN'T STOP IT, YOU KNOW.
IT'S ALMIGHTY."



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HIGH COUNTRY
NEWS • 1975



High Country News-3
Friday, May 9, 1975

RECYCLED NEWS

Dear people,

Rest assured that any copies sent to me will not be thrown as garbage. The copies Ed Dobson left me have already been passed around among my friends in Pierre, S.D., and I am taking them over to Brookings, my home town, to start them circulating there. I let people read my good magazines under one condition — that when they are done, they pass them onto someone who will appreciate them.

Darcy Klinkel
Pierre, S.D.

UNJUST CANCELLATION

Dear HCN:

The letter from a disgruntled reader accusing **High Country News** of misjudging Stan Hathaway and aiding and abetting misleading statements

and half-truths about him was read with interest. Since the former subscriber, unjustifiably in my opinion, cancelled his subscription to **High Country News**, kindly find enclosed my check for \$40.00 for subscriptions to off-set this loss by four-fold.

This subscriber takes several conservation magazines and papers and feels that **HCN** is equal to any and better than some of these periodicals. Please keep plugging and telling the people the **truth** about our current environmental matters.

Your sincerely,
Harold C. Miles
Nampa, Idaho

P.S. It is hoped you can persuade Rep. Teno Roncalio (D-Wyo.) to support the Hells Canyon National Recreation Area bill now before the subcommittee on Parks and Recreation. It is being assailed by all the self-serving business groups in Idaho and needs additional outside support.

MULTI-GIGAWATT MONSTERS

Hello Friends,

I am sure glad to see you pushing both wind and solar power.

In spite of everything, it looks like the government is locked in to developing more petroleum resources rather than conserving those already developed, and the power companies are blinded by the "economies of scale" and are equally locked in on multi-gigawatt monsters instead of building smaller plants where the "waste heat" could be used for heating, air conditioning, and other things that would raise the overall efficiency to over 60%, instead of 35% tops and a 20-25% transmission loss. (One gigawatt equals one billion watts.) I see that Kapairowits has been scaled back from 6 to 3 units. Now if they would just reduce it by 3 again, they would be on the right track.

Bill and Aleta Fry
Riverside, Calif.

Guest Editorials



Interstate 470: heart of Denver at stake

(Editors' note: On April 24, Gov. Dick Lamm vetoed I-470. This editorial was written prior to the veto but is reprinted here because it has significance for transportation consideration throughout the nation. See additional coverage on page 13.)

Reprinted from the **ROCKY MOUNTAIN NEWS**, April 17, 1975.

Gov. Dick Lamm is expected soon to turn thumbs up or down on Interstate 470, a proposed six-lane

Conferees crumble, agriculture loses

by Sarah Ignatius
Northern Plains Resource Council

The Montana legislative debate on coal strip mining in valley floors this year underlined the reason ranchers in southeastern Montana originally formed the Northern Plains Resource Council — to protect the state's agricultural economy from energy development. In facing a conflict between agriculture and energy, the Senate conferees crumbled. As we see it, they refused to provide adequate protection for some of the most productive agricultural areas in the state, because some coal companies and speculators stood to lose by it.

The question on mining in valley floors is not whether or not the coal is needed, since coal under Montana's valley floors comprise only 5-10% of Montana's strippable reserves. Rather, the question is whether or not companies can make good their investments and mine the most accessible coal regardless of the damage to surface productivity, to water quality and quantity, and to downstream users. (Editors' note: For more on the Montana legislative session, see the Northern Plains Resource Council story on page 12.)

route skirting metropolitan Denver's outer perimeter from west to southeast.

Lamm already has made clear he personally opposes building a beltway on the suburban fringe, for a variety of reasons. But he has officially reserved judgment pending further investigation of the plan and possible alternatives to it.

We believe the construction of I-470 and similar superhighways as the future mode of urban transit would be a mistake from the standpoint of economics, environment, and metropolitan welfare. And we hope the governor will notify the U.S. Department of Transportation that Colorado won't spend state funds on I-470.

That would mark the end of the project, to be sure. But such a move also could enable Lamm and affected local governments — if they were willing — to seek a consensus on using the \$200 million now earmarked for I-470 for the development of an urban mass transit mode better suited to a resource-conscious era.

Such a consensus and reallocation of funds — a real possibility, in our judgment — could mark an important turning point for a metropolis which

until now has seemed determined to honor past methods and ignore present realities.

In this regard Denver is no different than most American cities. For more than a generation the federal government's massive urban highway construction program has fostered dependence on the automobile, by literally paving the way between downtowns and ever-more-distant bedroom communities of low-density housing. Any peripheral beltway proposed to include 17 interchanges in 26 miles bears no resemblance to the bypass it was originally designed to be. Instead, it's the proposed backbone for a Los Angeles-style strip development which would only further dissipate the commercial and cultural vitality of the center city.

This is no parochial concern. One has only to visit any number of eastern and midwestern cities to realize that when the heart of a city is allowed to die, the loser is the entire metropolitan area.

We therefore hope Gov. Lamm will disapprove I-470 as an idea whose time has passed, and will seek instead to develop a consensus among all local communities that we as a metropolis should pursue alternative transit concepts which will serve our common interest.

HIGH COUNTRY NEWS

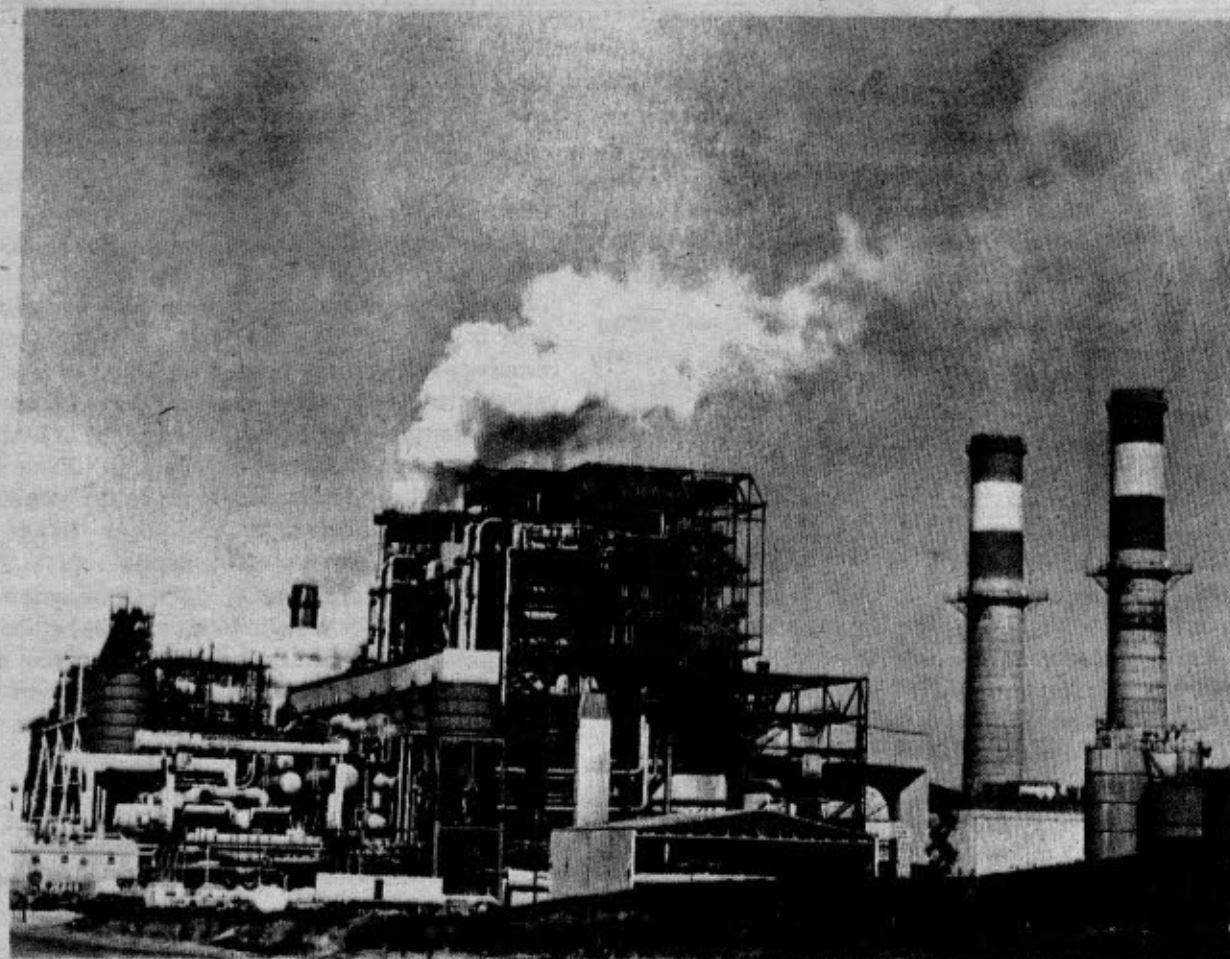
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4 Cultures collide . . .



MONUMENT? The Four Corners power plant southwest of Farmington, N.M. was one of the first monuments in Navajoland erected in honor of Anglo worship, says author Steve Auslander.

(Continued from page 1)

split Apache County, dividing the Indians' votes from the non-Indians' votes. The bill passed easily in the Arizona House of Representatives, but bogged down in the Senate where it was watered down, setting out certain procedures for an area to secede from a county. It was not unlike white Rhodesia's treatment of its black majority.

There is reason for such cultural collision. The Navajos see their land as hallowed. Traditional Navajos believe that their mesas are sacred, that their sand paintings heal the sick, and that a Great Spirit dwells within the peyote cactus — a gift of God. The Hopi Indians who share this land — not always harmoniously — with the Navajos, dance their snake dance to bring rain and believe in myriad Katchinas, spirits who range from the beautiful to the terrible. Hopis teach their children to know the spirits by making doll replicas. Both Navajos and Hopis believe they emerged from the underworld, from the earth, which is life-giving.

But Navajo and Hopi cultures are changing. Anglo progress has intruded into their land. It is protean and extensive.

As a colony the reservation provides useful resources, raw materials, for the urban Southwest. In return the Navajos and Hopis gain the same benefits that might be given any other colony, but in the process the land, the base of the Navajo and Hopi religion, is being altered.

There is not just one religion at work here. The Anglos have their religion, too. It is one of abundance, over-abundance, and the sacred, if mindless, call to technology to produce more coal, more electricity, more water, and to feed the whims of growth. Corporate executives, bureaucrats, and engineers are the shamans of this dogma. They sit in their offices in Los Angeles and Washington and find the easiest solution: more. There is no room for the heresy of infidels in the process. No one successfully speaks for the rivers or the mountains or the trees. There is no regard for what Aldo Leopold called the man-land community. It is the religion of extraction and acquisition.

Idols to Anglos in Navajoland

The Four Corners power plant just southwest of Farmington, N.M., was one of the first monuments in Navajoland erected in honor of Anglo worship. Built in 1964, it is about six stories high, a jumble of concrete and pipe boilers and long plumes of white smoke. This plant was the first of a series of coal-burning, smoke-spewing generators planned or built in and around the reservation to provide power to every major metropolis in the Southwest.

The Four Corners plant is jointly owned by five utilities, but the agent-operator here is a private corporation called Arizona Public Service. The company gives tours of its plant. They are conducted by an engineer who affably tries to explain the structure of scrubbers and boilers, steam-driven turbines and low sulfur coal. Climbing the catwalks, a visitor's hands are blackened by a fine coal dust that imperceptibly rains and coats everything and everybody. The tourist wipes his blackened hands and the engineer says he likes to have his visitors walk ahead of him to wipe the handrails clean.

At the top of the catwalk the wind is brisk, and no place for the acrophobic tourist. The din of the boilers is louder up here. The impressive sight from this vantage is the acres of coal down below heaped in tidy mounds piled high and waiting to be consumed by the boilers at a rate of 22,000 tons a day.

Cut a swath hundreds of miles wide between here and the Canadian border and in it a mining engineer would find oil gas, oil shale, bituminous sandstone, gilsonite, elaterite, wurtzillite, ozocerite, carbonaceous materials, gold, silver, lead, zinc, molybdenum, magnesium, vanadium and uranium. Before coal, the only mineral that attracted much attention on the reservation was uranium. It was heavily mined, and the Navajos who worked in those mines about 20 years ago are now dying of cancer.

Now coal seems to be emerging as king. Over 21,000 megawatts of coal-fired generating capacity

are planned for the southwestern states of Arizona, New Mexico, Utah, and Nevada. About 11,000 megawatts generated from six new major power plants are on the drawing boards for Utah alone.

On the road back to Farmington, N.M., the tourist passes what seems to be a large garbage dump. Several pickups are parked in the middle of it and about a dozen Navajos are stooped over. One of the public relations men from Arizona Public Service explains that the company which strip mines Navajo coal for the Four Corners plant is contractually obligated to dump coal here for the Indians. The coal here doesn't just fire boilers and drive turbines to provide electricity to El Paso, Albuquerque, Tucson, Phoenix, and Los Angeles. There is coal for the Navajos to warm their hogans. This is progress on the reservation.

BLACK MESA

Fly over this country in a small plane and any tourist will be struck by its vast horizons. The land stretches forever. There are no big cities here, and so there aren't many people to complain about the smoke or the scarred land. In this country a tourist doesn't have to strain his imagination to believe he is perhaps in colonial West Africa, a land ripe for development.

Just north of the Four Corners plant, engineers are building another power plant. This one, The San Juan plant, is supplied with Navajo coal mined by Utah Mining and Construction Company, the same firm that supplies the Four Corners operation.

The plane flies west toward Black Mesa, a plateau 250 miles in circumference, partly on the Navajo Reservation and partly on the Hopi. This is where Mr. Peabody's coal company, which did so much for West Virginia and black lung disease, strip mines more Indian coal to feed more power plants. There is a long, shallow seam of coal on Black Mesa and the Peabody Coal Company has found it — enough to fuel two power plants for 30 to 40 years.

The Black Mesa operation challenged the engineers, posing the problem of how to get the coal from here to two plants miles away. The Navajo power plant is 72 miles north near Page, Ariz. The Mojave power plant is 270 miles west at the southern tip of Nevada on the Colorado River. To move coal to the Navajo plant, engineers planned and built a noiseless electric railroad. To deliver coal to the Mojave plant, engineers built a slurry pipeline 270 miles through the desert and mountains.

PAGE, BUREAUCRATICALLY MIRED

It was only logical to put a coal-fired plant at Page, which grew as a by-product of Glen Canyon Dam. Page is a town too bureaucratically mired to die. Putting the plant here boosts the economy and provides a handy source of water.

Page, then, represents the confluence of a set of resources; water, hydroelectric power, coal-fired electric power, coal mining, and electric railroading. It is a kind of colonial outpost in the middle of nowhere, supplying power to the cities of the Southwest. Of those cities, Los Angeles and its environs are really what make it all possible. Whether it is through Southern California Edison, Inc. or the Los Angeles Department of Water and Power, most of the electricity generated in this region ends up in Southern California.

Southern California is a glutton for the natural resources of the Southwest. Besides electricity, it consumes enormous amounts of water. The demand for water in Los Angeles began early in the 1900s and the city built a 233-mile aqueduct to import water of the southern Sierra Nevada Mountain Range. This, the Owens Valley Project, left the southern Sierra a desert wasteland and created protest, but it allowed Los Angeles to grow.

In the 1930s Los Angeles saw it would need more water. The solution this time was the Colorado River Aqueduct, 250 miles, through mountains and across the Mohave Desert. Arizona looked suspiciously at this project. The Colorado River spends a lot of miles winding its way through Arizona, more than it spends meandering through California. The

Politics defeated Powell just as it has sucked the river dry.

Citizens of Arizona did not need the water California was siphoning out of the Colorado, but they foresaw a time when they might need that water.

In 1947 Arizona began planning its Central Arizona Project, an aqueduct that would also tap the Colorado, bringing the water east to Phoenix, Tucson, and the farmers and ranchers who live between. Arizona believed it should have access to Colorado River water, but was strongly opposed by California. Arizona went to court to settle the question of how the Colorado should be carved up. In the meantime California started thinking about an alternate plan. In the 1960s it started planning a 450-mile aqueduct from Northern California to Southern California.

Despite the graphic lessons provided by neighboring California, it has not yet occurred to many in Arizona that too much growth too quickly is not necessarily a good thing. Those who question the wisdom of growth do not have influence. The Arizona Legislature will not consider coping with questions of growth. The bureaucracy is accustomed to dealing intimately with the state's big businesses.

RIVER IS THE VICTIM

Amid this bickering over growth, the real victim is the river. In the short 105 years since it was first explored by John Wesley Powell, the Colorado River has been diverted, manipulated, and dammed beyond any 19th century engineer's wildest dreams. Powell gave most of the names to the bends and turns in the river. He was a geologist as well as a futurist. Today, he would find the river's condition staggering.

Beginning with Flaming Gorge in Wyoming, just south of the city of Green River where Powell began his first trip, and ending at Yuma, Ariz., the Colorado River is used and reused. At Rocky Mountain National Park in north central Colorado, considered the headwaters of the river, the salt content is about 50 parts per million. Below Imperial Dam, a diversion project for the farmers of Imperial Valley, Calif., the salt content is 1,200 ppm. Below Imperial Dam, the Colorado flows into Mexico, which by international law and treaty is entitled to a share of the river's water, which it gets. Not surprisingly, however, Mexico is not happy about using salty water to irrigate its crops. Under pressure from the Mexican government the United States was persuaded to build a de-salting plant by 1978 costing \$94 million. The agreement was negotiated by Secretary of State Henry Kissinger.

The demand for the river's water shows no sign of letting up. There are, after all, many competitors. The Colorado has two sources: the Wind River Range of Wyoming contains a network of small streams which eventually form the Green River, and the mountain streams of north central Colorado which spill into what is now called the Colorado River. The two rivers merge in southeastern Utah.

The competition for the water thus includes the states that geographically contribute in some way to the river's supply. These are Wyoming, Colorado, Utah, New Mexico, Nevada, Arizona, and California and in hydrology circles are collectively called the Colorado River Basin states. These states gathered in 1922 to form the Colorado River Compact. Based on questionable calculations of the river's annual flow, half the water was given to the Upper Basin states, Wyoming, Colorado, New Mexico and Utah, and half was given to the Lower Basin states. (Arizona is the only state which is technically both in the Upper and Lower Basins, but it is generally considered a Lower Basin state.)

Large amounts of water are measured in terms of acre-feet. An acre-foot, logically enough, will fill an acre of land a foot deep with water; this works out to about 326,000 gallons. When the Colorado River Compact was formed, it was determined that the average annual flow of the river was 17 million acre-feet a year. At the time no thought was given to

Mexico; it got its share in 1944. The Upper Basin states were allotted seven and a half million acre-feet and the Lower Basin states were given the same. The two million acre-feet left over supposedly allowed for seasonal variations. The dividing line, separating the two basins, was established at Lee's Ferry, Ariz., just south of Page. This is where the annual flow of the river is also measured. Only recently, however, the study of tree rings has shown that the original yearly average of the Colorado River's flow was off. The study indicates that the average is closer to 14 million acre-feet a year, not the 17 million determined in the 1920s.

DEMAND PUSHED BEYOND SUPPLY

But the average is not the only factor that pushes the river's demand beyond supply. The tree rings say the shortage is about two and a half million

acre-feet. But there is the porous Navajo sandstone that soaks up water like a sponge. And there is the problem of evaporation from reservoirs. In addition to all of this, the construction of dams on the Colorado has stabilized the banks so there is no longer seasonal flooding. This allowed trees to grow along those banks. The combination of seepage, evaporation, and water use by bordering trees is estimated to consume anywhere from one to two million acre-feet a year.

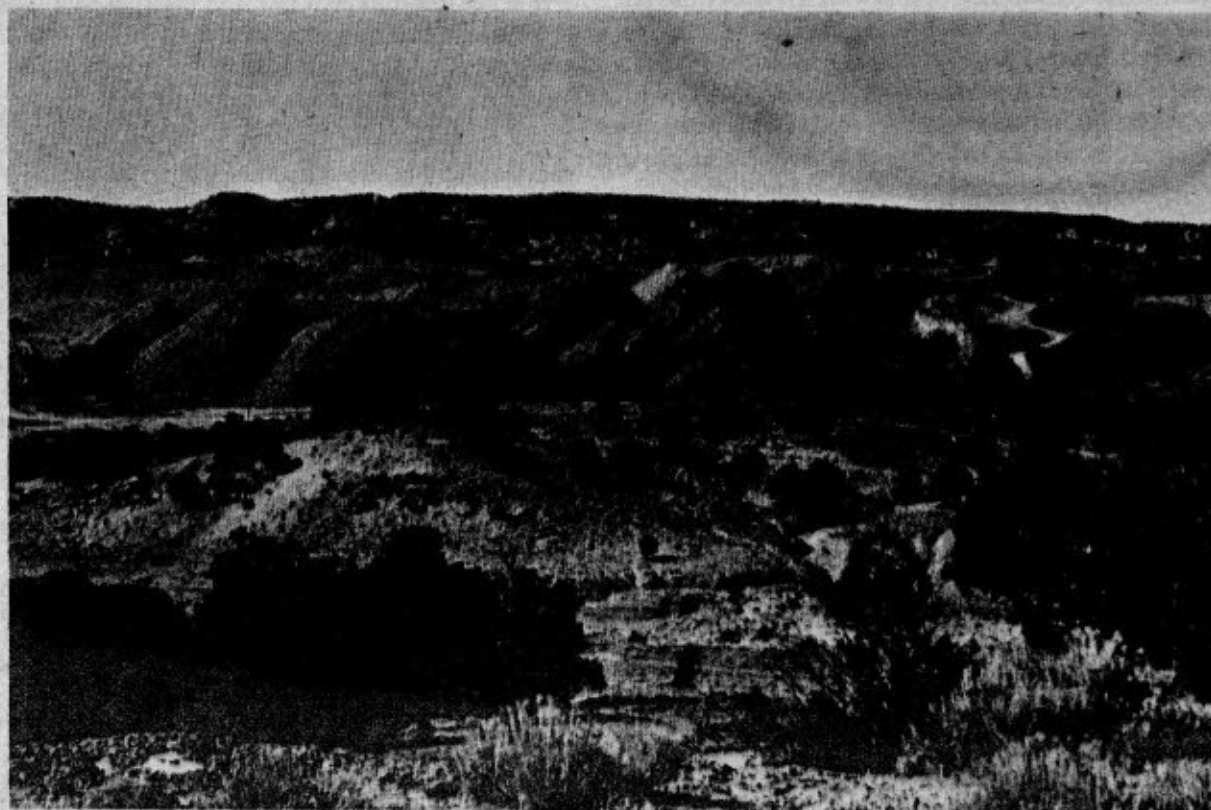
Add to this the Central Arizona Project, which will divert more than a million acre-feet from the Colorado River. Engineers have planned the Granite Reef Aqueduct which will transport water 200 miles to Phoenix, and the Tucson aqueduct which will carry more water another 125 miles south to Tucson.

More than 30 years after the first plans for the project, no one is quite sure that it is necessary. There are three principal users of the project's

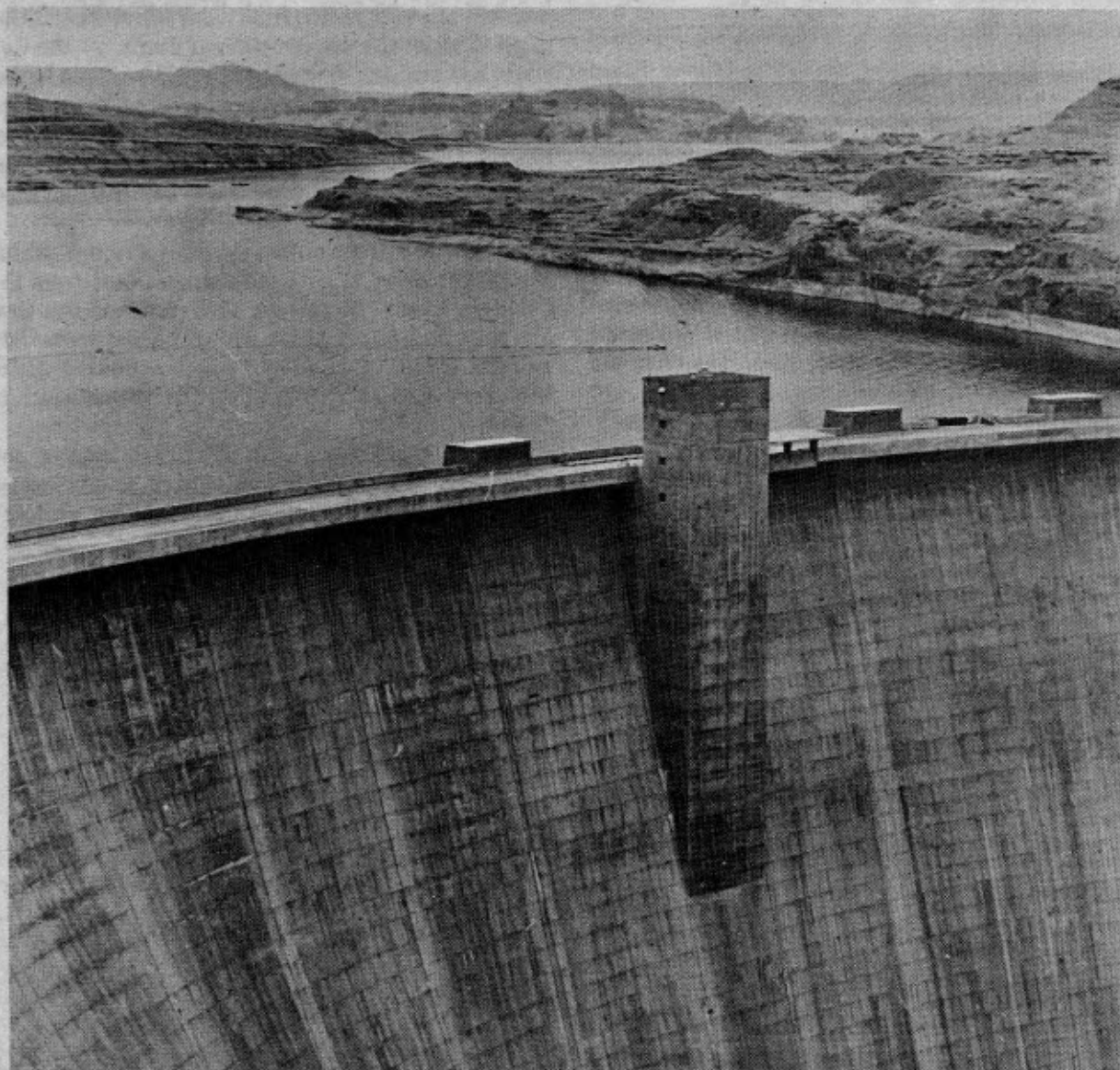
(continued on page 6)



PEABODY UPSETS NAVAJOS. Black Mesa Navajos took a stand against the Peabody Coal Co. operation this fall. At the request of local residents, six members of the American Indian Movement (AIM) stood in front of a 10-story dragline and shut down Peabody's strip mining operations at the Kayenta mine for nine days in October. Navajos on the mesa said that they were being inadequately compensated for their land and their hogans. The halt cost Peabody an estimated \$90,000 a day. The coal company quickly agreed to hike payments to the Black Mesa residents and resumed stripping. Above, a meeting during the dispute on the mesa where a tribal lawyer told Black Mesans, "We are small boats on a rather large lake," discouraging what the lawyers thought might be unreasonable demands from residents. Below the Black Mesa spoil piles.



6-High Country News
Friday, May 9, 1975



GLEN CANYON DAM MAKES LAKE POWELL AND POWER. One of the Bureau of Reclamation's booklets on Lake Powell depicts still blue waters between sandstone cliffs and the words: "To have a deep blue lake where no lake was before seems to bring man a little closer to God." The Sierra Club, in a series of full-page ads in the *NEW YORK TIMES* responded with: "Should we also flood the Sistine Chapel so tourists can get nearer to the ceiling?" After seven years of construction, water began to back up behind the dam. The facility now provides hydroelectric power for Arizona, Nevada, Utah, and Southern California.

Cultures . . .

(continued from page 5)

water, the cities of Tucson and Phoenix and the farmers in between. Phoenix has determined that it only wants about 8,500 acre-feet a year. Tucson is not sure how much it wants or that it even wants to participate in the project. The farmers, while they will be entitled to a water price lower than that paid by the cities, may still find it cheaper to pump groundwater from their wells. As if all this were not enough, the project requires that most of the Ft. McDowell Indian Reservation just outside Phoenix be used for a storage reservoir, flooding out about 300 Ft. McDowell Indians from their land. For some inexplicable reason, Arizona badly wants to grow, to repeat the California experience. And despite the petty details of water supply and the economics of it all, most Arizonans are determined that the Central Arizona Project will be built — no matter who doesn't need it.

Lately the Bureau of Reclamation has received a promotional boon. The energy shortage gives new importance to the bureau. So does the food shortage. BuRec is also in the business of providing irrigation for farms.

Concern for more energy has revived plans for construction of Bridge Canyon Dam, a project once successfully killed by the Sierra Club. The Arizona Power Authority and the Los Angeles Department of Water and Power are lobbying in Washington to build Bridge Canyon, now called Hualapai Dam. This dam would back up water for 50 miles along the Colorado River and in the process it could inundate part of the Grand Canyon National Monument.

The two utility groups are not alone in support of the project. Rep. Sam Steiger, an Arizona Republican congressman, is also supporting it — in the best tradition of a pork barrel legislator. The Hualapai Indians stand to get about \$1 million if the dam is built, so they too advocate its construction.

If the dam is built, one hydrologist estimates that more than 200,000 acre-feet would be lost through evaporation. The stretch of river between Glen Canyon Dam and Hoover Dam contains some of the best environment for scientific study all along the Colorado. Hualapai Dam would put at least 50 miles of this stretch under water and bring perhaps more unforeseen changes.

The engineers who have worked this river, worked it to near death, have long known that in some manner it would have to be augmented. This realization produced another plan, the zenith of engineering achievements: augment the Colorado with water from the Columbia River. Even with its plethora of dams, the Columbia still spills more water into the Pacific than the Colorado produces. It would be an engineering triumph, pumping water over and through the Rocky Mountains. Sen. Henry Jackson, a Washington Democrat and chairman of the Senate Interior Committee, has never liked talk of using Columbia River water to supplement the Colorado. It makes him nervous to think that the Columbia should provide water for Los Angeles. So when the Central Arizona Project was finally approved by Congress in 1968, Jackson demanded that there be a 10-year moratorium placed on studies for augmenting the Colorado with water from the Pacific Northwest.

The Bureau of Reclamation, meanwhile, has found another possible method of augmenting the Colorado, something to keep them occupied until

1979. This is an extensive cloud-seeding project designed to increase the high mountain snowpack and therefore increase the snow-melt into the Colorado.

Religions v. Realities

At Bullhead City, Arizona, just below Davis Dam, the tourist takes a small boat across the Colorado River to the Nevada side. The boat provides free trips across the river to a gambling casino. The boatman dodges a few rocks and notes that the river is low. Davis Dam is the dam that was built to correct the irregular flow created by Hoover Dam.

"They got plans to build a bunch more casinos and some condominiums," the boatman says, as his craft bumps the dock. Inside the casino lights blaze and blink. Business is slow — only a few players at the blackjack table and one or two at the slots. Things should pick up in about an hour when everybody gets off work.

Bullhead City is a real estate town. This is a town where the land hustle is a way of life. The roads are strewn with real estate signs exhorting everyone to buy, buy now before it's too late, at places called Rainbow Acres, Lagoon Estates, Playa Del Rio. Bullhead City is in Mojave County, which by all calculations has about 200,000 subdivided lots. If those lots were occupied tomorrow, Mojave County would have to deal with the needs of about 600,000 people. Mojave County now services 30,000 people. It would never be able to cope.

The visitor leaves the casino and drives south, through Bullhead City past Wild Willie's trailer sales and a septic tank installment company, to Ft. Mojave. The Ft. Mojave Indians own a good chunk of land that borders the Colorado River. That land lies at the tip of Nevada and also borders on Arizona and California.

The tourist takes three turns off State 95 before he finds the old fort. Only the foundations are left along with the abutments that may have been used for cannon support. The fort was built by the United States Army in 1869 to control the Mojaves who were once a marauding branch of the Yuma Indians.

Today the Ft. Mojave Indians, like most American Indians, are poverty-ridden and essentially have only one resource, their land. The tribe has leased 15,000 acres to a real estate developer who has planned Lake Mojave Keys. The developer proposes to build a series of channeled inlets on the Colorado — golf courses, homes, condominiums, — and preserve the fort as an historic site. The Nevada side would have a series of gambling casinos and restaurants.

John Wesley Powell never would have understood all of this, not the gambling, the land hustle, the dams, the power plants — none of it. Ten years after he explored the Colorado River he submitted to Congress his plan for development of the West. He wanted to scientifically appraise the resources of the West. The settlement of the land would have been geared to the resources. Politics defeated Powell just as it has sucked the river dry.

Consider the fact that almost all the development of the Southwest has occurred in the last 70 years, that this is a relatively short span of time in the grand scheme of natural things. And then consider the prospects for the next 70 years. Whether optimist or cynic, experience portends doom unless there is some re-thinking of prevailing assumptions underlying this mindless religion of growth.

Standing atop a high cliff overlooking the Colorado, the tourist tries to visualize thousands of people here, riding their motorboats to the casinos, the market, and the golf courses. Like the Navajos who have signed coal contracts, the Ft. Mojaves are a poor tribe. They look forward to development that will bring jobs and income for the tribe.

The visitor climbs back into his car and leaves. Perhaps there are two religions here, but the Indian religion is no match for the power of the Anglo dogma, just as frugality is no match for greed.

Stan on stand

Senate weighs Hathaway balance, bias

High Country News-7
Friday, May 9, 1975



Hathaway photo by Mountain States News Service.

by Bruce Hamilton

Since April 21, Interior Secretary nominee Stanley K. Hathaway has been back in Washington, D.C., before the Senate Interior Committee confirmation committee. Parrying tough questioning and evading some inquiry, the former Wyoming governor has been the focus of some of the most heated, prolonged sessions in the history of Presidential appointments. The committee now stands adjourned, subject to call of the chairman, and has yet to vote on the confirmation and send that recommendation to the full Senate.

The opening days of the hearings were filled with prepared testimony. Former colleagues praised Hathaway's ability to balance environmental needs and developmental demands, while numerous representatives from conservation groups brought out examples of his pro-development bias and opposed the nomination. Citizens for a Good Secretary of Interior presented petitions with about 20,000 signatures protesting the selection of Hathaway.

Hathaway responded saying that it was hard, and will be hard in the future, finding compromise to satisfy both industrial and environmental critics. (No representatives of industry have appeared before the committee protesting the former governor's pro-environment decisions, however, to this paper's knowledge.)

"I realize my own bias," he told the committee. "But I don't subscribe to the theory that I didn't help protect the environment. I did more to protect the environment than any other governor in the state's history."

To counter attacks on Hathaway's record, former Hathaway staffers Hugh Duncan and Vince Horn

SOUTHWEST HEARINGS

Hearings on some of the Southwest's most scenic country will be held this month at various locations in Utah and Arizona. The National Park Service Hearings will consider both a proposed master plan for the Glen Canyon Recreation Area and the wilderness potential of the region, which includes the Escalante River. Hearing dates are May 14 in Page, Ariz., May 15 in Kanab, Utah, May 17 in Salt Lake City, Utah, and May 19 in Phoenix, Ariz.

put together a "fact sheet" on the man's accomplishments entitled "The Hathaway Administration and the Environment — 1967-1974." The publication, which was "distributed by the White House to members of the Senate Interior Committee," according to the Associated Press, gives Hathaway credit for practically every major or minor bill passed during his tenure in office which touches on environmental protection — from the Wyoming Air Quality Act and the 1969 Severance Tax to a Junk Yard Control Act, a Litter Law, and an Abandoned Vehicles Act.

FACT SHEET FUROR

At the request of the committee, the Environmental Defense Fund was asked to present the critique it had prepared of the Hathaway fact sheet. The EDF analysis called the sheet "very deceptive" saying "no reference is made in the Hathaway document to the multitude of environmental depredations which the governor inflicted or attempted to inflict on the state." EDF listed 23 pieces of legislation also attributable to Hathaway which "do not have an environmental balance." EDF also criticized the quality and the timing of some of Hathaway's bills, saying many were weak or passed to avoid federal regulation or the cut-off of federal funds.

Hathaway disassociated himself from the drafting of the document and said that the fact sheet lacked "balance." Hathaway said the document was "prepared for him," but he "didn't see it before it was released."

Another controversy centered around Utah Gov. Calvin Rampton's claim that of the 50 governors in office last year, all but one "indicated their desire to support Governor Hathaway" for the Interior post. When several governors denied that Rampton spoke for them, it was brought out that Rampton assumed no response to his telegram inquiries constituted endorsement. Individual governors have since come out for, against, or neutral on the Hathaway nomination with 35 supporting the choice. (For more on this issue, see "Reckoning" on page 10.)

LEASING POLICY

State and federal coal leasing has also been a major focus of the hearings. Hathaway denied charges by his critics that all of the state's coal-bearing land had been leased. Sen. Paul Fannin (R-Ariz.) attempted to support Hathaway's claim by introducing into the record an official letter from the state saying that of the 4.1 million acres of state lands, 1.8 million had been leased for coal by the time Hathaway left office, but 2.3 million acres remained available for coal leasing. Katherine Fletcher of the EDF Denver office didn't dispute the figures, but pointed out that the 2.3 million acres not under lease were not considered commercial coal lands on state geological maps. These lands were available for lease, but held little if any coal worth extracting, according to the state. Prior to the hearings state land commissioner Bert King had told the Wyoming Outdoor Council that by January 1975 virtually all state lands with a potential for coal development were under lease.

Sens. Lee Metcalf (D-Mont.) and James Abourezk (D-S.D.) quizzed Hathaway on his attitude toward lifting the present moratorium and leasing more federal coal before federal strip mine regulations were implemented. Hathaway told the committee it would be inappropriate to commit himself prior to his confirmation. After being accused of "evasive"

NONCOMMITTAL

answering by Metcalf, Hathaway finally admitted, no, he could not promise to hold up further leasing.

Bill Shobe, a Friends of the Earth staff member who has been following the confirmation hearings, told High Country News that Hathaway's apparent strategy has been to evade tough questioning rather than meet it head on. "It's always, 'I'll have to study the matter. After I become Secretary of Interior I'll let you know,' with Hathaway," he said.

This line of answering seemed to have irritated Sens. Abourezk, Metcalf, Floyd Haskell (D-Colo.), Richard Stone (D-Fla.), and Frank Church (D-Idaho), according to Shobe.

Of great importance to the West is the question of whether Hathaway would urge Ford to sign the strip mine bill passed by the Congress. Hathaway tried to dodge the question saying he was unfamiliar with the legislation.

Hathaway did say that he felt the strip mine legislation was "a good bill, but I'm not sure about the economics and productivity." Hathaway said he liked the bill administratively — not a surprising stand since it gives regulatory power to the Secretary of the Interior and the states.

CHANGE OF HEART?

Hathaway has made some concessions to environmentalist pressure. In a surprise move he asked Assistant Secretary of the Interior Nathaniel Reed to stay on and oversee wildlife and parks administration. Reed is a strong conservation spokesman and there was some fear that he would be asked to resign.

Hathaway has also modified several of his objectionable environmental stands — including his prior opposition in Wyoming to further wilderness expansion. Hathaway now says he has "no mental hangups" about supporting the inclusion of additional areas in the wilderness system. When asked about his reaction to greatly expanded wilderness in Alaska as proposed by former Secretary Rogers C.B. Morton, Hathaway said he saw no reason why he couldn't support the proposal. Asked how he would change his attitude toward wilderness as Secretary of Interior he replied, "I have to take into account more than just the Wyoming picture now."

Whether Hathaway has changed his heart, is revealing his true colors, or just wants the job badly is hard to say. The confirmation process, at the least, has required some major soul searching.

Correction

In our April 11, 1975 issue of High Country News on the nomination of Stanley Hathaway for Secretary of Interior we wrote (page 5): "In 1972 the federal Environmental Protection Agency took over the protection of clean air in Wyoming because the state standards did not meet the minimum federal standards set forth in the Clean Air Act of 1970. (Billings Gazette, 9-27-72)" It now appears that our source, an Associated Press release printed in 1972, was misleading.

The 1972 AP story, "State forfeits right to regulate pollution," was distorted, according to Dean Norris, director of Congressional Affairs and Intergovernmental Relations for EPA Region 8. "Wyoming standards have always been at least as stringent as federal standards," Norris told HCN. What actually happened in 1972, according to Norris was that the states, as a result of a lawsuit, were required to take over new source review of power plants and industrial siting. Wyoming did not have the legal authority to effectively take over new source review in 1972, so EPA assumed that responsibility until the legislature could meet in January 1973, at which time the situation was corrected. Other air regulatory functions were left in state hands, said Norris.

8-High Country News



Reprinted from **WATER, WOODS, AND WILDLIFE**, May 1975, Williams, Minn.

by Les Rice

"Oo-loo-woo, oo-loo-woo." Thus begins the courtship ritual of the male prairie chicken. The low, hollow "booming" begins in March of each year as males attempt to lure a mate. The sound is quite similar to that made by blowing across the opening of a pop bottle. It is as much a herald of spring as the "honking" of high-flying geese and can be heard from as far as two miles away on calm mornings.

Males initiate the courtship ritual on selected "booming grounds" which are used year after year. The booming ground is usually on a flat area on top of a ridge or on the edge of old lake beds. Birds frequent the grounds during early morning and late afternoon. Midday is reserved for feeding and loafing.

Each male establishes an area on the booming ground for his own, called a territory. He will defend his territory against all other males. Usually, the older, more dominant male territories are in the center of the booming ground, with younger, less dominant males on the fringes.

Females fly to the grounds and walk toward the center to choose a mate. Often, hens are observed on the grounds, but do not choose a mate for several days. Some females are present early in the morning even though they are already incubating eggs.

It is this breeding behavior of prairie chickens that is used to determine the range of the bird in South Dakota and to determine population trends.

A research study was begun during 1974 to determine the range, spring and summer habitat performances, and population dynamics of the prairie chicken in South Dakota.

More than 150 booming grounds were censused in the spring of 1974. These grounds ranged from Faulk and Potter counties on the north, to Gregory and Charles Mix counties on the south. The number of males averaged 6.57 per ground. The greatest number of prairie chickens were found in those counties along the Missouri River.

In addition to censusing booming grounds, studies of nesting and brooding prairie chickens have been initiated. At the request of the U.S. Forest Service, comparisons have begun between

rest and deferred-rotation grazing systems on the Ft. Pierre National Grasslands, south of Ft. Pierre, S.D.

Four study areas of 16 sections each have been established. Two contain rest-rotation and two deferred-rotation. Comparisons between numbers of nesting and brooding birds between pastures have been started. As a control, another 16-section study area has been established on private land northwest of Reliance, S.D.

Nesting and brooding prairie chickens are located by means of a cable and chain drag. The drag consists of an 115-foot cable with three 30-foot loops of chain attached to it. The drag is pulled over the pastures between two 4-wheel drive pickups. Birds are flushed by the drag and nests or broods located. The device rides high enough that neither birds nor nests are harmed. Females will also be radio-equipped to determine nest and brood-site preferences.

A device called a density pole is used to measure vegetation height and density in all pastures and at nest and brood sites. Differences in species of vegetation is also determined.

A comprehensive banding program is conducted during the winter months. From these banded birds, population dynamics, such as mortality and longevity, will be determined. Birds will be trapped with walk-in traps, drop nets, and rocket nets. Each bird will be banded with a colored and aluminum band.

While the prairie chicken is native to South Dakota, their numbers were small before the white man brought the plow. Under a mixture of grassland and agricultural crops, the prairie chicken population exploded to record highs in the late 1800s.

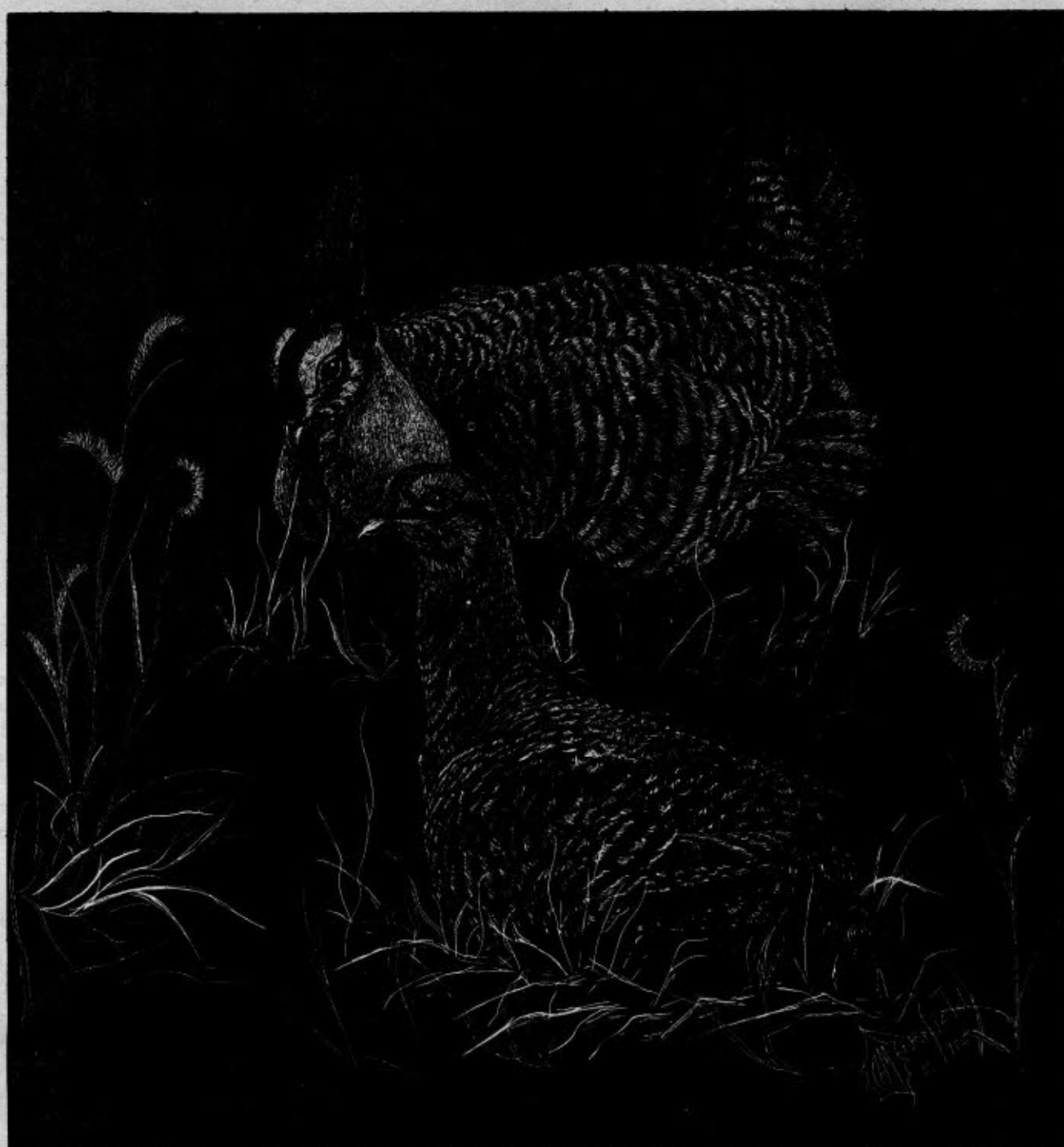
Unfortunately, their numbers have been steadily declining since the turn of the century because of intensified agricultural and grazing practices. It is hoped current research will enable the Department of Game, Fish and Parks to better manage the species to maintain and increase prairie chicken numbers.

Les Rice is a biologist with the South Dakota Department of Game, Fish, and Parks.

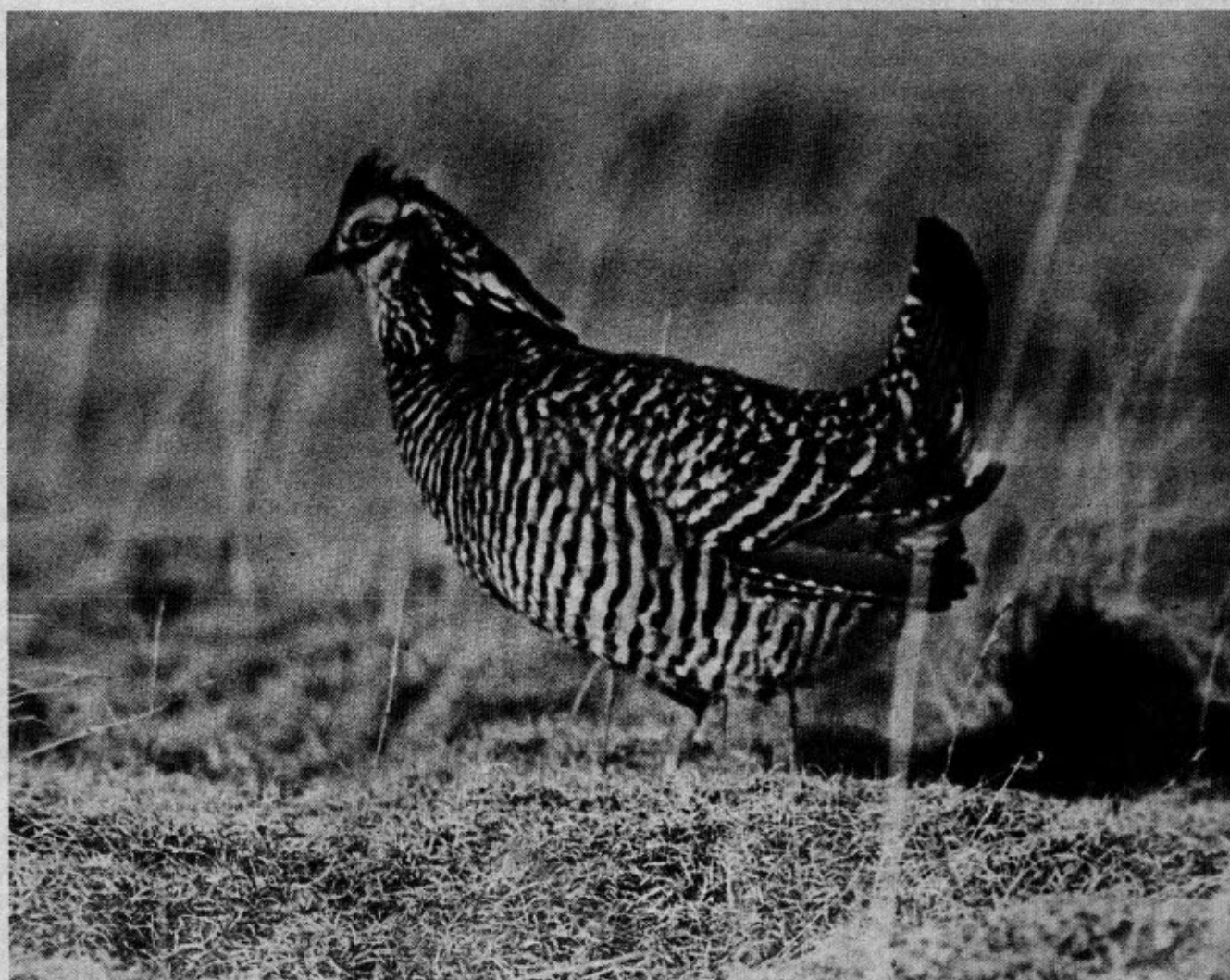
PRAIRIE CH



HICKENS



Scratchboard of prairie chickens by Holly Merrifield.



Photos by George Andrews and courtesy of Colorado Division of Wildlife.

10-High Country News

Reckoning from Washington

by Lee Catterall

Former Gov. Stan Hathaway's opponents slumped deeply in their chairs as they heard the report from Utah's governor that Hathaway's peers from last year were nearly unanimous in their support of his confirmation as Secretary of the Interior.

One environmentalist scheduled to testify later in the day turned crimson, and sputtered to this column he didn't know how he would regain his composure to face the committee. "I'm mad as hell," he groaned.

That was before it became known that Gov. Calvin Rampton's "poll" of the governors and former governors was nothing more than an astonishing distortion, to put it mildly.

Rampton, chairman of the National Governors Conference, said he had taken the "poll among all the men who were governors last year when Hathaway was chairman of the conference's Natural Resources Committee."

"All of them have indicated a desire to endorse Governor Hathaway, with one exception, and that was a minor reservation that was held by former Governor Curtis of Maine," Rampton gleefully told members of the Senate Interior Committee. "He (Curtis) wanted to hear Governor Hathaway's statement on offshore oil drilling first."

Later, Sen. Dick Stone (D-Fla.) asked further about the poll.

"You make the statement that all fifty governors were contacted and all but one agreed, including my Governor (Reuben) Askew?" Stone asked.

"Yes, sir," Rampton answered.

Not true. Askew's office let it be known later in the week that he had not taken a position on Hathaway. Likewise, twenty other governors had not answered the Rampton poll.

Rampton had sent telegrams to the governors saying he would "assume" their support of Hathaway unless he got "adverse reactions" from them, a rather startling assumption. If Rampton were to use the same assumption to sell merchandise through the mail, he would soon find himself in jail.

But, for that day before the Interior Committee, his poll turned the trick.

Hathaway's supporters spoke proudly of the poll throughout the day. Sen. Clifford Hansen (R-Wyo.) said the governors "apparently, by their position in office, seem to reflect the views of a majority of the Americans, all 213 million of us."

Ironically, Hansen had just questioned the authority of Bart Koehler of the Wyoming Outdoor Council to speak for a variety of groups he claimed to represent. However, unlike Rampton, Koehler acknowledged defections.

All agreed the Rampton poll was "impressive." The environmentalists fought defensively from the shadow cast by the Rampton display, not knowing it was only a mirage. They begged the committee not to take so seriously an endorsement from the "fraternity" of governors.

Joe Browder of the Environmental Policy Center asked the committee not to judge Hathaway on his "decency as a human being or his popularity with his fellow governors. We don't think those are the issues. No one that I've heard has raised any questions about his personal integrity or his character or his congeniality or skill as a political leader."

Perhaps those questions now can be raised, not about Stan Hathaway, but about Calvin Rampton.



The Montana Department of Highways captions this photo, "The rangeland landscape, the vast sky, cowboys and horses remain unchanged through the generations in Montana cattle country." Will they? The conflict between the traditional agricultural economy and coal development were considered in debate over the federal strip mining bill. The bill includes provisions for protecting water supplies, for requiring revegetation, and for prohibiting mining of some river valleys. But some conservationists question whether the controls will be strong enough.

Strip mining bill heads toward uncertain future at Ford's desk

The federal strip mining bill is again on President Gerald R. Ford's desk, and at press time no one is sure whether he will veto it. This year the new members of Congress passed the bill by a wide enough margin to possibly override a veto, 84 to 13 in the Senate and 336 to 86 in the House. Last year a similar bill was killed by pocket veto.

President Ford detailed his objections in a letter from Frank Zarb, head of the Federal Energy Administration, to the chairman of the conference committee. Sen. Henry Jackson (D-Wash.), Senate sponsor of the bill, had his staff people call Zarb's office to find out where they got their information for the letter. Zarb's staff had no idea, according to Lee Catterall in his syndicated column, "Reckoning."

"If details in the letter didn't come from FEA, suspicions are invited that perhaps the figures came from the energy industry," Catterall suggests. The figures in the Zarb letter show a reduction in coal production and a loss of jobs, but the bill's sponsors disagree sharply with the numbers used.

The Senate Interior Committee says its study indicates there will be no overall coal loss. Despite the vote margins and despite the coal figures, the conference committee made several concessions to administration objections.

Environmentalists are not happy with some of the concessions made to Ford. Louise Dunlap of the Environmental Policy Center said, "It's nothing to be proud of. The House side fought for good amendments and then gave them away," according to a Rocky Mountain News story.

Rep. Teno Roncalio (D-Wyo.) is pleased with the bill although he told the HCN there are some areas he would have liked strengthened. He says further debate on these areas would have delayed the bill too long. "We've got to have something," he says. If some of these areas prove too weak, Roncalio says the Congress can amend them later.

The biggest concession made by the committee to administration demands was a weakening of protection for alluvial valley floors. The House bill had stronger protection. The new bill prohibits mining of valley floors that are significant to present or potential farming or ranching operations, if such operations are significant or economically feasible.

It includes irrigated, flood-irrigated, or naturally sub-irrigated hay meadows or other crop lands. It excludes undeveloped range lands and does not specify who will determine whether the agricultural operations are "significant or economically feasible."

An added provision of the section may prove to be the best safeguard for the valleys, according to some observers. The bill includes several requirements for minimizing the hydrologic impact, including preserving the "essential hydrologic functions" of the valley floors. It also requires that the mine operator replace the water supply of a property owner if the supply from an underground or surface source is disturbed by mining. In addition, the operator must restore the recharge capacity.

LIMIT CITIZEN SUITS

There were seven other areas in which the administration sought modifications, and Rep. Morris Udall (D-Ariz.), chairman of the conference committee, said the committee addressed all but two of them. They did agree to limit, because of possible delays, the kind of citizen suits that could be filed to halt strip mine operations; to drop a proposed unemployment fund for out-of-work strip miners; and to change the amount of the proposed tax. The tax will be used for reclaiming orphan mines and for helping with social impact resulting from mining.

Ford wanted the tax dropped to 10 cents per ton. The conferees kept the tax on strip mined coal at 35 cents per ton and lowered the tax on deep mined coal to 15 cents, or 10% of the value of the coal, whichever is less. This difference serves as an incentive to underground mining. The tax on lignite

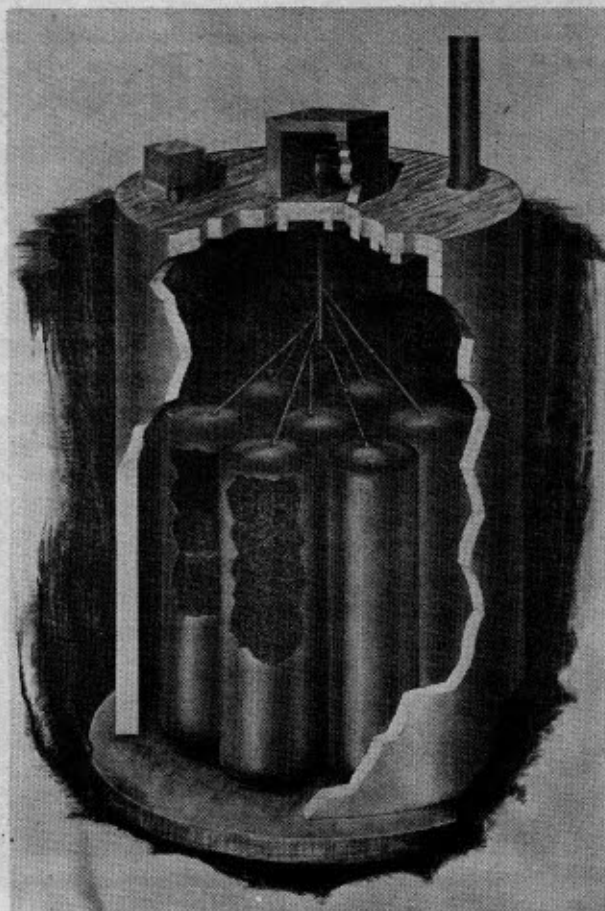
(Continued on page 15)



NO DELAY ON BREEDERS

The Energy Research and Development Administration (ERDA) has rejected the suggestion that nuclear breeder power plant development be delayed four to twelve years. The Environmental Protection Agency (EPA) suggested the delay, based on apparent overstatements of future electrical demand and upon the need for further study of the problems of safety and of radioactive waste disposal. ERDA Director Dr. Robert C. Seamans, Jr. said construction of the first breeder will begin as scheduled later this year. The ERDA impact statement on the overall federal strategy for disposition of spent fuel, including the steps from fuel reprocessing through permanent disposal, has not yet been issued, however.

The Idaho National Engineering Laboratory (INEL) now contains most of the nation's low level atomic waste. Idaho has voiced some chagrin at having the site permanently in Idaho, and has been recently notified that it can veto the storage if the governor so desires. ERDA is looking for temporary storage sites until a permanent federal repository can be located. The cutaway drawing shows the storage bins and vault currently used for storing highly radioactive solids in Idaho. (See HCN Jan. 3, 1975 for discussion of waste problems.)



INEL Photo

High-Country News-11
Friday, May 9, 1975

The Hot Line

energy news from across the country

OUT OF STACKS, ONTO FIELDS. A new stack clean-up device could turn air pollutants into high-grade fertilizer, the Illinois Institute of Technology claims. The pilot system, which has operated successfully for five months at IIT, is called a poly-pure impinger. The new system has achieved a 95% removal of sulfur gases and will probably cost about \$25 per kilowatt of generating capacity. The system may allow utilities to save money by buying the less expensive coals with high sulfur content and by selling the fertilizer generated, the systems inventors say. They estimate that the system could be ready for utilities within three to five years.

PEAK-LOAD PRICING TOUTED. Peak-load pricing could save 500,000 barrels of oil daily and \$120 billion in capacity expansion, says the Federal Energy Administration (FEA). The new pricing would encourage full utilization of existing generating capacity by charging less for energy during times of low demand. The measure could put utilities on a solid financial footing, FEA says. The administration made the suggestion in a brief filed with the California Public Utilities Commission concerning Pacific Gas and Electric Co.'s application for a \$233-million rate increase.

NEW YORK HALTS NUCLEAR EXPANSION. New York's Gov. Hugh L. Carey has promised a moratorium on the construction of nuclear power plants in his state. At a February legislative forum Carey said, "Until I'm satisfied . . . that all elemental hazards in the siting of nuclear plants have been met . . . there is not going to be any plant siting in this state."

NUCLEAR INITIATIVES. A petition drive to place questions about nuclear power on the ballot has been successful in California. A similar drive has begun in Oregon and will soon begin in each of these states: Washington, Utah, Nevada, Arizona, and Colorado, according to *Not Man Apart*, a Friends of the Earth publication.

OCEAN THERMAL POWER. "Six-sevenths of the total sun energy received by planet earth is absorbed in the upper layer of the ocean," says Dr. William Avery of the Johns Hopkins Applied Physics Laboratory. To utilize this power, Avery proposes off-shore power plants, which he believes could be tested and ready to produce by 1980. The temperature difference between the sun-heated surface water and the cold depths would be used to evaporate and condense a fluid with a low boiling point, which drives a turbine to generate electricity.

WEST VIRGINIA WONDERS. An investigation by the West Virginia legislature aimed at finding the reason for a two-year decline in coal production in that state, came up with some puzzling facts. They found that Utah coal costing \$1.16 per million Btu and Montana coal costing 85 cents per million Btu was being burned at a power plant in nearby Pennsylvania while low-sulfur West Virginia coal was going for 33 cents per million Btu. The study demolished the myth that low sulfur coal from western reserves was needed to meet air regulations. Forty-six per cent of West Virginia's abundant reserves are low sulfur coal, the report states. Why go West then? State Sen. William T. Brotherton Jr. says, "special interests (oil companies) have heavy investments in western coal and are doing everything they can to realize a profit on those investments."



Emphasis ENERGY

in the Northern Rockies and Great Plains



COLSTRIP HEARINGS SET. Hearings officer Carl Davis ruled this week that the Montana Board of Natural Resources would begin hearings on May 20 on an application by Montana Power and four Pacific Northwest utility partners to install two 700-megawatt coal-fired power plants at Colstrip, Mont. The hearings had been delayed after the state Department of Health ruled that the two plants would not meet minimum state and federal air standards. Davis said the Health Board hearings would be held jointly with the Natural Resources Board hearings beginning June 5. Representatives of the Northern Plains Resource Council and of the Northern Cheyenne Indian tribe, whose reservation is downwind from the plants, objected to holding joint hearings, and the question will likely end up in court again.

SECOND DECKER MINE PLANNED. The Decker Coal Co. has applied for state permission to open a second strip mine in Big Horn County, Mont. Decker has also informed state officials that it plans to expand its existing mine. That application has not yet been accepted, and the reclamation potential has been questioned. Decker has contracts to provide coal from the proposed new mine to Texas and to Chicago. Decker is owned jointly by Pacific Power and Light Co. and Peter Kiewit Construction Co.

WYOMING AIR REGS ARGUED. The state of Wyoming is trying to reach an out of court settlement with power utilities which have challenged new sulfur dioxide emission standards, according to an Associated Press story. Atty. Gen. Frank Mendicino said state and industry lawyers are attempting to find a "common ground." Idaho Power Co., Pacific Power and Light, Utah Power and Light, and Tri-State Generation and Transmission Association have all challenged the air regulations. In February, the utilities tried but failed to get the legislature to impose a 10 year moratorium on state sulfur dioxide regulations. The new regulations were passed by the Environmental Quality Council in January.

ALTERNATIVE ENERGY TO MINE COAL. A lignite coal stripping operation bordering Denver, Colo., may be energy self-sufficient, if it proceeds as planned by the Mintech Corp., a subsidiary of Cameron Engineers Inc. of Denver. The corporation plans to burn trash and sewage sludge to supply energy to mine the coal, convert it into gas, and restore the land. The \$483 million strip mining operation and coal gasification plant would be on 7,400 acres in Adams County. The earliest plant completion date would be 1981, according to the story in the *Rocky Mountain News*.

WESTERN COAL NOT WHOLE ANSWER. Western coal and oil shale are not sufficient to alleviate all energy supply problems. According to the government's Northern Great Plains Resource Program, coal development in the region would produce only 1.7% of the nation's energy consumption by 1980, increasing to 2.8% by the year 2000. The Department of Interior concludes that if Western coal production were pushed to much higher levels, the easily removable reserves of the West would be depleted by 1996.

SUN TO HEAT CMC BUILDING. A solar heated and cooled Learning Center has been designed for the Glenwood Springs campus of Colorado Mountain College. It will be the first educational solar building in western Colorado, according to the architect, Sam Caudill, and all future buildings on the campus will be designed for solar heating.

BLM LOOSENS UTAH LEASING. The Bureau of Land Management is planning to loosen environmental restrictions on oil and gas leasing on public lands in Utah. Over a year ago, the BLM placed new restrictions on about half of its vast Utah holdings to protect scenic, recreational, environmental, and archeological values. An agency official says the proposed relaxation is the result of pressure from the oil and gas industry.

12-High Country News
Friday, May 9, 1975

Montana laws please agriculture

by Sarah Ignatius
Northern Plains Resource Council

The 1975 Montana Legislative Session, proved good for agriculture.

EXPORT POLICY

In a bold step, legislators approved a bill implementing a modified export-only policy for coal development. The bill, sponsored by Rep. Gail Stoltz (D-Valley), asserts Montana's desire to provide its fair share of the nation's energy needs through mining the coal and shipping it out-of-state, rather than converting the coal to power in Montana. Under this bill, companies can build only those energy facilities meeting Montana's energy needs plus a limited number of other plants. With this modified "Strip and Ship" policy in effect, the governor must draw up an energy facility siting plan to submit to the next legislature.

UTILITY SITING

The legislature also expanded the coverage of the Utility Siting Act to include any plant that converts at least 500,000 tons of coal per year. That would put Burlington Northern's proposed fertilizer plant at Circle under the act. The bill makes necessary technical clarifications in the existing law. It also allows citizens to participate in the application process of any major facility utilizing coal for energy or non-energy products and to prepare for the local impacts of development.

LANDOWNER CONSENT

A successful bill by Rep. Ed Lien (D-Wolf Point) requires written consent of surface owners over state and private coal and uranium before an operator can mine those minerals. Surprisingly, the only opposition to the bill came not from the companies, but from Gov. Tom Judge and Land Commissioner Ted Schwinden, who wanted to dispose of state lands without recognizing surface owners' rights. However, the legislature overrode their objections.

HIGHEST SEVERANCE TAX

The Montana Legislature also passed the highest coal severance tax in the nation — 30% of the sale price of the coal at the mine for coal over 7,000 Btu, and 20% for any coal under 7,000 Btu. The final bill was a compromise of two bills introduced in different houses, one by Rep. Ora Halvorson (D-Kalispell) and the other by Sen. Tom Towe (D-Billings). The revenue goes for a variety of uses: 27½% to areas impacted by coal development, 10% for roads, 4% to the counties, and 2½% for alternate energy research. The bulk of the rest goes to balance the budget.

Wary of squandering approximately \$67 million in coal tax revenues every two years to balance the budget, Sen. Miles Romney (D-Ravalli) offered a bill to create a trust fund for 50% of the coal tax money. Of this amount, the state can spend only the interest, keeping a fund for future projects of general public benefit to Montana. This bill now goes on the next ballot for approval as a constitutional amendment.

WATER

Measures to protect water quality and water-users' rights also fared well. Rep. Willie Day (D-Glendive) sponsored a number of successful water bills: one that forbids the transfer of agricultural water rights to any other use and another to require an applicant for a large appropriation to show that his appropriation will not adversely af-

fect any existing water users. His bill to study the effects of strip mining on groundwater was also passed.

Sen. Dick Colberg (D-Missoula) sponsored a water bill that protects water users from groundwater damages resulting from coal strip mining. His bill, which passed both houses, shifts the burden of proof on groundwater damages from the water user

regional legislative review

to the mining company. The bill sets up a procedure for immediate replacement of any water diminished in either quantity or quality.

CITIZEN WATCHDOGS

Citizens rights won a major victory in a bill that allows citizens to watchdog agencies in their enforcement of environmental degradation standards. Any citizen may complain to the appropriate regulatory agency if a person or non-agricultural busi-

ness is polluting or is about to pollute. If the regulatory agency does not respond to a citizen complaint with a hearing within 30 days, that person may take the agency and the polluting company to court.

SOME SETBACKS

In addition to the victories, agricultural interests suffered a few setbacks. The eminent domain revision sponsored by Rep. John Driscoll (D-Hamilton) would have taken the power of eminent domain away from hard-rock mining companies by only allowing publicly regulated corporations, such as utilities, railroads, and telephone companies, to exercise eminent domain. It also would have prohibited condemnation for industrial reservoirs, a protection for ranchers on the Yellowstone and other areas threatened with industrial reservoirs for coal development. The Senate killed the bill.

A bill to protect valley floors and stream channels from strip mining sponsored by Rep. Willie Day ran into trouble in the Senate. There, legislators refused to accept anything but the weakest language possible. The House, which had passed its own prohibition on mining in valley floors and altering stream channels, rejected the Senate offer. The bill died in conference committee.

90-DAY BIENNIAL SESSIONS

The Montana session closed April 19, just four days before the 90-day limit was up. Barring a special session, the legislators won't meet again until 1977.

Subdivision law has "drastic effect"

Amendments to the Montana subdivision law passed at this year's legislative session could have a drastic effect on subdividers, according to an article in *The Missoulian*.

The article describes a revelatory meeting of the Missoula Planning Board, in which Planning Director John Crowley explained that future subdivisions must be based on a written board finding that the development is in the public interest.

The amended subdivision law will "require" that developments be "in harmony with the natural environment." It calls for government bodies to weigh the following criteria in terms of public interest:

- Need for the subdivision
- Expressed public opinion
- Effects on agriculture
- Effects on local services
- Effects on taxation
- Effects on the natural environment
- Effects on wildlife and wildlife habitat
- Effects on the public health and safety.

Crowley predicts that the amendments will be

New Mexico passes tax on electricity

New Mexico recently passed a bill which may discourage energy exporters. The bill places a tax on electricity generated in the state. The new law was immediately challenged by Arizona's three largest utilities and the state of Arizona.

The tax is .4 mill per kilowatt-hour. The law allows a state gross receipts tax credit against the generation tax for sales within New Mexico. This means in-state utilities will pay no added tax or only a small increase.

The Arizona utilities which filed suit say the tax is unconstitutional because it discriminates against interstate commerce sales. The utilities are Arizona Public Service Co., Salt River Project, and Tucson Gas and Electric Co. — all principals in the Four Corners Power Plant near Farmington, N.M.

difficult to interpret and implement. He pointed out at the meeting that new subdivisions usually do not pay their own way through property taxes, that their impacts on agriculture and wildlife will be unlikely to be favorable, and that public opinion almost always opposes development at formal public hearings.

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HIGH COUNTRY NEWS

Western Roundup

Lamm favors mass transit over I-470

Amid a storm of protest from local government officials and chambers of commerce, Colorado Gov. Dick Lamm has vetoed construction of Interstate 470 on environmental grounds. Calling the six-lane, 26-mile highway which would have curved around the southwest corner of the Denver metro area a "solution of the past," Lamm said he would seek to have the \$200 million allocated for the project put into mass transit development for the area. Lamm cited air pollution and urban sprawl potential, and conflicts with mass transit plans as a few of the reasons for killing the project. Jefferson County Commissioner Joanne Paterson applauded the decision saying it removed "an albatross" from local planners' necks. Arapahoe County Commissioner John Nicholl called it a "tyrannical, arrogant decision."

Yellowstone winter elk kill "natural"

A sizable elk die-off, resulting from a severe winter in the Yellowstone National Park area, has been the cause of some public outcries of game mismanagement and demand for a feeding program. Many of the elk are starving in the belly-deep snow of Montana's Gallatin Canyon in full public view along U.S. 191. The outcry in that area has forced the Montana Fish and Game to begin a limited hay feeding program which park biologist Mary Meagher called a "political response."

"This happens all the time in the back country, but there is no public outcry. There are 13,000 elk in Yellowstone and calves are dying all the time. But here we have a highway right through the elk wintering grounds. If people didn't see what was happening, there would be a lot less concern," Montana Game and Fish biologist John Cada told the Associated Press.

"It's been a more severe April than we have had for a few years. But it's all part of the natural system, and one way of sorting out the less fit animals," said Meagher. Yellowstone Park officials plan no feeding program because "it would upset the natural system, and we think natural systems have a tremendous capacity to repair themselves," Meagher told the Billings Gazette. She said the carrion will likely attract grizzly bears so that many more park visitors will get a chance to see them this season.

Eagle refuge endangered by dams

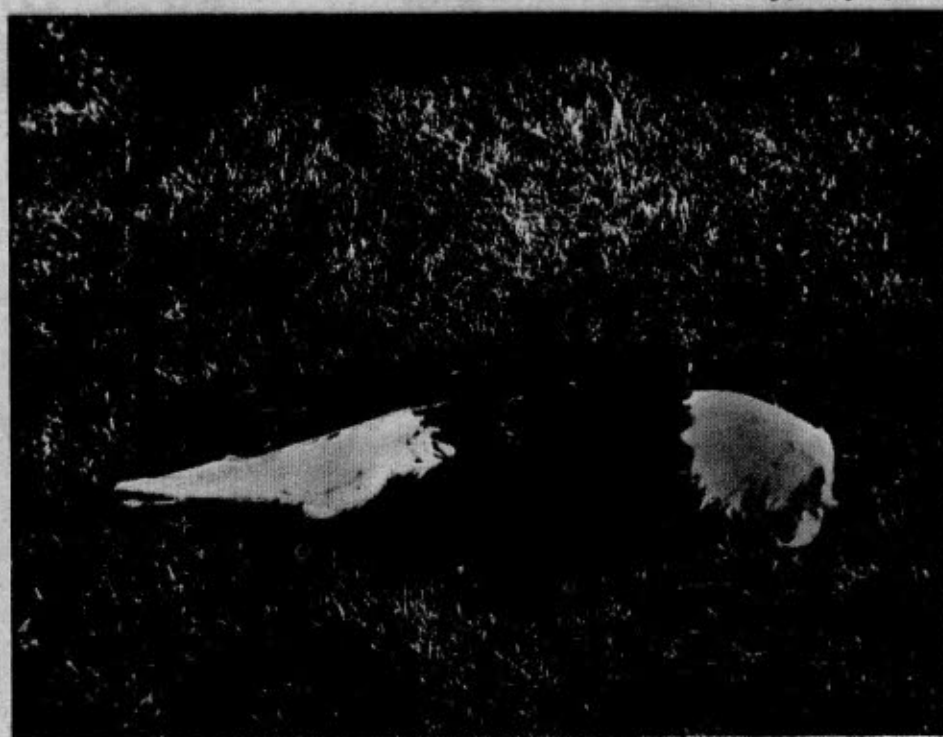
Adding more power turbines and tunnels to dams on the Missouri River may endanger the nation's first bald eagle refuge, the new Karl Mundt National Wildlife Refuge in South Dakota, according to the National Wildlife Federation North Central Regional Executive Charles J. Griffith. Griffith says discharges from the Fort Randall Dam "will, without doubt, cause severe bank erosion on the refuge. Flooding and the raise in the water table will, without doubt, kill the cottonwoods and eliminate roosting site . . . and the refuge. About 15% of the nation's bald eagles winter in this roost," Griffith says the Army Corps of Engineers, which is promoting the project, plans to proceed without filing an environmental impact statement as required by the National Environmental Policy Act.

Coal mine may affect park's wildlife

Biologists and administrators in Glacier National Park, Mont., are apprehensive about coal development across the border in British Columbia because it could affect a valuable wildlife resource on the North Fork of the Flathead River. Biologist Francis Singer has found the river valley to be important for wintering bald and golden eagles. The area supports 10 golden eagles, two bald eagles, and nine osprey nesting pairs during the breeding season. In addition, the North Fork is good habitat for wolves, moose, and white-tailed deer. Five to ten resident and breeding wolves are found in the area, which is "critical habitat during most winters for wolves." Officials fear that if water quality is altered or if human activity is increased by the proposed Cabin Creek Coal Mine in British Columbia the wildlife might suffer.

Colo. ski lift rate proposal modified

Major ski areas in Colorado — Vail, Aspen, and Aspen Highlands — have been seeking U.S. Forest Service approval to raise their ski pass rates from \$10 to \$12 a day. The USFS has denied the \$12 request, but now appears willing to accept an \$11 compromise. In the meantime, the USFS has released a ski pass rate evaluation proposal for public review. The proposal calls for an "adult ticket price upper limit guideline" based on investment in lift facilities, cost of doing business, and skier use. Rates which promote skiing by children and those over age 62 would be encouraged. Ski area operators using national forest lands could not exceed the guideline rate. Copies of the proposal may be obtained from: Regional Headquarters USFS, Rocky Mountain Region, 11177 W. 8th Ave., P.O. Box 25127, Lakewood, Colo. 80225. Comments are requested.



COLORADO EAGLE SLAUGHTER

Eight eagles have been found dead along the Colorado River southwest of Rifle — presumably the victims of predator poison. Six bald and two golden eagles — four of which were confirmed to have died of doses of thallium sulfate — were found in a late April search of the river valley.

A spokesman for the Colorado Division of Wildlife, Marvin Smith, told the ROCKY MOUNTAIN NEWS that most of the bald eagles who ate the tainted carrion probably returned to the river area to die, "but there's no telling how far away the goldens went before dying." Smith revealed that during the past three years from 12 to 16 other eagles were found, most of them poisoned with thallium, in the same area.

Smith said more than one ranch in the area was being investigated to determine who was putting out baits laced with thallium. "Right now we want whoever put them out to stop it before more eagles are killed," Smith told the NEWS. He added that there was no telling how many eagles had died from poisoning already.

Thallium has been banned from interstate commerce and from commercial application in Colorado and most other states. Ranchers who have stockpiled the deadly powder can still use it on private lands in the state, however. Killing eagles is a federal crime.

A similar eagle slaughter with thallium occurred near Casper, Wyo., in 1971. The eagle pictured above is one of the birds found in Wyoming. Photo by Bayard D. Rea

President hears poison advocates

Western congressmen met with President Gerald R. Ford, Agriculture Secretary Earl Butz, and Environmental Protection Agency Administrator Russell Train in late April to urge a relaxation of federal restrictions on the use of predator poisons. Since a 1971 executive order banning the use of predator poisons on federal lands, some western livestock operators and their representatives have urged a return to the toxicants. Asking the White House to release the poisons were: Sens. Clifford Hansen (R-Wyo.), Paul Laxalt (R-Nev.), Paul Fannin (R-Ariz.), and James McClure (R-Idaho), and Reps. Jerry Litton (D-Mo.), W. R. Poage (D-Tex.), John Melcher (D-Mont.), James Abdnor (D-S.D.), and Harold Runnels (D-N.M.).

Bill to remove radioactive tailings

Rep. Allan Howe (D-Utah) has introduced a bill in Congress to expedite removal and permanent disposal of radioactive mill tailings from the defunct Vitro Chemical Co. site in Salt Lake County, Utah. Under Howe's bill the federal Energy Research and Development Administration would pay 75% and Utah would pay 25%. "Those tailings have been sitting in the middle of Salt Lake creating a public health threat for far too long, while action to remove them has been delayed by bureaucratic roadblocks and red tape," he said.

USFS won't step up timber cut

The U.S. Forest Service will not bow to timber industry pressure to harvest western old-growth timber more rapidly, Forest Service chief John R. McGuire told the Intermountain Logging Conference in Spokane, Wash. in April. He said increased harvesting of old-growth timber "could jeopardize future supplies in a period which many predict will have even greater demands."

14-High Country News
Friday, May 9, 1975



Archaeologists have, by literally digging into the past, unearthed some fascinating bits and pieces of civilizations which flourished thousands of years ago. On every continent students of ancient times have found traces of advanced cultures who thrived and prospered for a time, and then disappeared from the face of the earth.

Probably the best-known are the Egyptian tombs, some of them dating back to 3000 or more B.C. The artifacts and paintings found there show that the kings of that time lived in opulent splendor. Carvings, statues, and jewelry were crafted by artisans with such skill that they remain unsurpassed, even today.

Even earlier cultures have been unearthed in ancient Mesopotamia (most of which is now the kingdom of Iraq). In one prehistoric mound, the Tepe Gawra, as many as 11 different layers of civilizations have been found, one on top of another. Sites known to be almost 7,000 years old have yielded evidence of domesticated animals and cultivated plants. Five hundred years later, technical developments included wheeled vehicles, high-temperature kilns, and the use of copper.

Relics of by-gone cultures are found not only in the ancient countries of the East — many have been found in the Western Hemisphere. The Mayan Indians built one of the world's greatest civilizations in parts of what is now Mexico and Central America. Long before the Spaniards arrived in the New World, the Mayan cultural achievements included writing, a numbering system, and a calendar based on astronomy.

In the Andes Mountains of South America lived tribes who built cities of stone, had knowledge of medicine and surgery, wove beautiful textiles, and were skilled artisans in silver and bronze. They were eventually conquered by the Incas, who terraced the precipitous mountainsides and developed extensive irrigation systems.

Perhaps the most enigmatic trace of a by-gone civilization is found on Easter Island, in Polynesia. It's a small island, only 42 square miles, and here have been found walls made of huge stones, fitted together without mortar. There are also hundreds of statues, some of them over 30 feet high, roughly carved from volcanic rock. History has yet to discover where the builders came from, or when, or where they went.

The first real proof of ancient man in America was discovered in our own Rocky Mountains. In 1926 a man-made point embedded with bones of an extinct bison was found at Folsom, N.M. Now called the Folsom point, others have been found in New Mexico, Colorado, and Wyoming. The age is estimated at from 10,000 to 25,000 years. The point differs from that made by the American Indian thousands of years later. The Folsom point has a groove, or channel running down the middle, surrounded by delicate fluting — the work of a real artisan. Modern man can flake flint, but he has yet to discover how Folsom man succeeded in driving out that long flake that creates the smooth channel.

It rather staggers the imagination to think of man's struggle for survival in terms of thousands of years. What happened to those civilizations that were once, and are no more? Evidence shows that some were obliterated by flood, earthquake, or other such disaster. Some were defeated by human enemies, who in turn were conquered by other enemies. Some still remain a mystery.

Perhaps 20 or 30 thousand years from now, archaeologists will dig into the dust of planet earth to see what happened to our civilization. It's quite possible that they will conclude that Earth-man self-destructed because he overpopulated his planet, and at the same time, wasted its resources!

Film review

Look What We've Done to this Land

by Bruce Hamilton

Few Americans have toured a strip mine or a coal-fired power plant. Fewer still live beside a stripping operation, a constant reminder of the true cost of energy. To bring the specter of a 100 cubic yard dragline bucket into your livingroom, Central Clearing House has produced a 22-minute 16mm, color-sound film entitled **Look What We've Done to this Land**. The film is disquieting entertainment.

Look What We've Done to this Land portrays how the lives of the Hopi and Navajo Indians of the Southwest are being spiritually and socially disrupted by power production on their reservations. The film focuses on the Four Corners power plant during its worst pollution stage, when it was emitting more pollutants than New York and Los Angeles combined. This situation has since been somewhat improved with the installation of air pollution control equipment. Other power development projects in the Southwest are mentioned in the film. But, unfortunately, the film does not give much emphasis to these future developments and what can be done about them.

To its credit, the film raises many broad energy

issues — where the power is consumed, how the power is used, the injustice in our present electricity rate structures, the need for stronger energy conservation programs, and the threat of regional air pollution episodes.

Using a juxtaposition of shots depicting the solitude and quiet beauty of the unpolluted desert, and the eroded spoilbanks of the unreclaimed stripped coal lands, the film focuses in on the Indian and his tie to the Earth. Only traditional Indians opposed to coal development are filmed, which may be somewhat biased, but their message in broken-English is a poignant reminder to the all-too-comfortable consumer of electric power.

What this film lacks in objectivity is more than counterbalanced by American Electric Power and the other electric utilities' advertising campaigns. It's an important film that may win back some of the ground lost by America's over-reaction to the energy crisis.

Look What We've Done to this Land can be rented for \$25 or purchased through Central Clearing House, a non-profit environmental organization. Write Central Clearing House, 338 East De-Vargas St., Santa Fe, N.M. 87501 or call 505-982-4349.

Eavesdropper

LOONEY LIMERICKS

by Zane E. Cology

Since Daedalus, man has sought to try
To soar like a bird through the wide open sky.
You may think it a joke,
But particulate smoke,
May make the air solid so we all can fly!

SMOKING BANNED. Smoking a cigarette in San Diego, Calif., could cost you \$100, if you are caught by a policeman who is willing to enforce the city's new ordinance. The law applies to many, but not all, public places. "We are telling our officers to give it the lowest priority," says the assistant police chief. "Unless an officer has absolutely nothing to do, he isn't going to go out and give someone a citation for smoking in an unauthorized area."

PLASTIC BOTTLES OKAYED. The Food and Drug Administration is granting permission to produce billions of throwaway plastic pop and beer bottles even though it concedes they will foul the landscape, consume precious energy, and possibly boost consumer prices. However, the agency is openly inviting a lawsuit to block the approval and clarify a gray area in the law: whether the National Environmental Policy Act amends by implication the 1938 Food, Drug, and Cosmetic Act under which the FDA operates.

"PROJECT CONSERVE." The Federal Energy Administration may soon be able to provide every homeowner with a personalized plan to reduce heating and air conditioning bills. Called "Project Conserve," the project will offer free computerized estimates to homeowners who want to know how much it would cost to insulate, weatherstrip, or otherwise improve their homes to conserve electricity or fuel.

BULLETIN BOARD

RESEARCHERS NEEDED

The Powder River Basin Resource Council is currently recruiting for three researchers to help with an energy project. The council, which is based in Sheridan, Wyo., is seeking a water researcher with a natural resources or business background, and two other researchers. The positions will open up in July of this year, depending upon when the money is raised for the project, and will continue at least through the end of August. Pay will be about \$350 per month. If interested in more information, contact Lynn Dickey, coordinator, Powder River Basin Resource Council, Box 6221, Sheridan, Wyo. 82801.

\$100 ART PRIZE

Wyoming artists have been invited to enter an emblem contest sponsored by the state's Department of Environmental Quality. Entries should express the goals and responsibilities of the department and must be suitable for black and white reproduction. Contest deadline is June 1, 1975. Send entries to the DEQ, State Office Building West, Cheyenne, Wyo. 82002. The winning emblem will be used on DEQ publications and posters.

SOLAR ENERGY MEET

A solar energy and energy conservation symposium will be held in Aspen, Colo. May 24-25. Nationally known experts will hold workshops and solar energy and energy conservation products will be displayed. Registration is \$20 before May 21 and \$35 after. For more information contact Roaring Fork Resource Center, P.O. Box 9950, Aspen, Colo. 81611, (303)925-5125.

COLORADO HEARINGS

Public hearings on Colorado's new land reclamation standards for open pit and strip mining will be May 13, 14, and 15. Testimony from the public will be presented to the State Colorado Mine Land Reclamation Board. The standards apply to mining of coal, sand, gravel, quarry aggregate, and limestone.

GLACIER PLAN

A draft revision of Glacier National Park's back-country management plan is available from the Superintendent, Glacier National Park, West Glacier, Mont. 59936. Comments are due by May 23, 1975.

Land use bills in final stages

Subcommittee hearings have been completed in both the House and the Senate on federal land use planning bills. Rep. Morris Udall (D-Ariz.), House sponsor of the bill (HR 3510), said he hopes to have the full committee make a decision in May. The biggest fight for land use is expected in the House Interior Committee where Rep. Sam Steiger (R-Ariz.) hopes to kill it, according to Land Use Planning Reports.

One major change in the Udall bill provides for federal consistency with state planning. One draft of the provision would require "federal activities significantly affecting land use on nonfederal land (to be) consistent with (state) land use programs which conform to the provisions of this act, except in cases of overriding national interest."

In the Senate, Sen. Richard Stone (D-Fla.) is saying that the Senate bill should perhaps include a provision for compensation for "taking" of private property in order to fight the scare tactics being used to oppose the bill.

The U.S. Chamber of Commerce is one of the bill's opponents that is accused of using scare tactics. One Chamber official said privately that the campaign against the land use bill is designed to distort, cause confusion, and misunderstanding about the measure, according to Land Use Planning Reports.

Interagency rivalry may also endanger the bills. The Senate bill specifies administration by the Interior Department. Other agencies suggested to administer the bill include the Department of Housing and Urban Development, the Environmental Protection Agency, and the Department of Agriculture. Former Interior Secretary Rogers C.B. Morton has announced his support of the Senate bill, despite administration opposition. Interior Secretary-designate Stanley K. Hathaway said at Senate Interior Committee confirmation hearings that he also supports federal land use legislation.

The full Interior Committee is now expected to begin drafting a bill when the House Interior Committee completes action on the House bill. The Senate is expected to pass S 984, authored by Sen. Henry M. Jackson. Opponents of the bill, particularly Sens. Paul J. Fannin (R-Ariz.) and Clifford P. Hansen (R-Wyo.), argued repeatedly that S 984 would endanger private property rights.

Strip mine bill future uncertain...

(Continued from page 10)

coal will be 35 cents per ton or 5% of value, whichever is less.

The two administration proposals the conferees refused to yield to were that strip mining be permitted in national forests, and that the Interior Secretary be given broad powers to interpret any standards in the bill he considered ambiguous.

INDIAN LANDS

The bill requires the Interior Secretary to conduct a study of coal on Indian reservations, including consultation with the tribes. The study must be complete by Jan. 1, 1976, at which time the Secretary must propose legislation to the Congress. That legislation will say whether or not each Indian tribe could have the option to assume full regulatory authority over coal development on its reservation. Reclamation standards from the federal strip mining bill must be met, in either case.

Rep. Melcher failed in his attempt to tighten up the language in this section. Stressing that the full

protection of the bill will not be available to Indian lands while the study is under way, Melcher said, "I think the coal companies may turn to the Indian lands as the place to go strip mining," according to a Denver Post story.

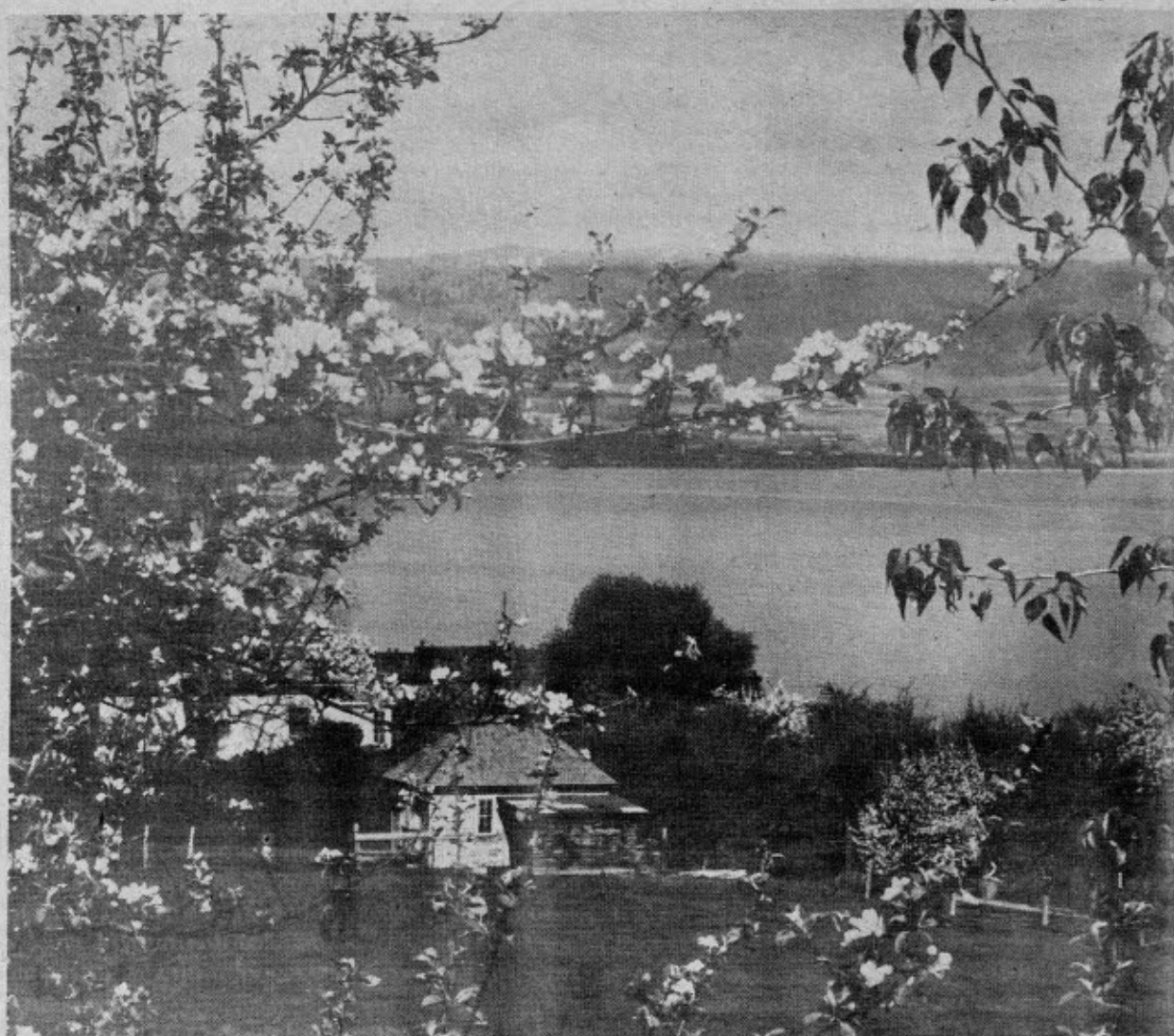
SIX MONTHS TO GO

The bill provides that the Interior Department must publish and promulgate regulations to fit the bill within 180 days after it is signed. The Interior Department has already drafted regulations in anticipation of enactment. Rep. Udall has accused the department of giving the coal industry copies of the draft regulations although he has been unable to get them from the department himself. The department said the regulations were available to everyone although they had not been formally released.

Most of the bill will apply to existing and to new mines. Operators will have 20 months to apply for a permit if they expect to continue mining.

States can apply for exclusive authority as regulatory authorities. They have 18 months after enactment of the law to prepare their programs.

High Country News-15
Friday, May 9, 1975



Flathead Lake in Montana

Photo courtesy of Montana Department of Highways

Arizona says solar energy top priority

For the director of the Arizona State Fuel and Energy Office, the top priority is solar energy. Jick Myers, the director, says that ironically there are disadvantages to the state's abundant sunshine when it comes time for research funding. The National Science Foundation has had the philosophy that solar research in Arizona would not prove anything for the rest of the nation, Myers says. Consequently, money was directed toward places like Minneapolis.

Nevertheless, the state energy office is forging ahead with solar energy research. Begun as an

energy study team in a severe period of the energy crisis in May 1973, the energy office may one day help the region meet its energy demands with solar energy. According to Myers, as pilot power plants get more advanced in technology, Arizona can become an exporter of electricity and perhaps can one day serve the entire West.

Toward this end, the state is continuing to work at both the federal and the local level. Now that most of the National Science Foundation is included in the Energy Research and Development Administration (ERDA), Arizona has sent experts to Washington, D.C., to testify for higher funding for solar energy in the ERDA budget. Myers says more money now needs to be put into implementation than research, to get solar devices into the marketplace.

Myers quotes one of the professors from the university, Norman Hilbury, who says that solar energy is ultimately the only potential we have. "With nuclear energy, you have the potential of overheating the earth and, in effect, turning it into a sun. But if we use solar energy before it transpires back into the atmosphere, we don't overheat the earth."

At the state level, the energy office has helped get about five bills introduced to encourage solar energy use. In 1974 the Arizona Legislature passed a bill providing for a tax deduction amortizing investments in solar appliances such as water or swimming pool heaters. The bill led to introduction of a similar bill at the national level.

In the 1975 Legislature, a bill providing for a solar research council is likely to pass, Myers says, although its funding is limited. Other bills providing incentives for making improvements which conserve energy are not as likely to pass, he says.

Looking ahead, Myers believes that coal will be needed for 10 or 15 more years. "But by then we should have the technology for making each home self-sustaining for energy," he envisions. "There's a good possibility — if we really push."

Laney Hicks keeps Sierra Club on front page

by Marjane Ambler

When you mention "environmentalist" in Wyoming, the response is often, "What about Laney Hicks?" For in the minds of many of the people in the state, one is the same as the other. Although there certainly are other environmentalists in the state, and although many of them are now making the headlines, Hicks, as the Northern Plains Representative of the Sierra Club, has been in the public spotlight more than any other full-time professional in the state. Her primary objective while furthering the conservation effort has been getting "good press coverage," which she believes she now has.

What Hicks terms as "good press" likely differs from many other people's definitions because it certainly has not been all favorable. As with environmentalists everywhere, the Sierra Club has been accused of shutting down businesses without any concern for loss of jobs, and of being "instant experts" on subjects such as reclamation and air quality. Recently, Hicks has been personally attacked in the state newspaper's letters to the editor from an oil executive who questions her information on coal reserves and has challenged her to a public debate on the question. Hicks, who is confident her figures are right and who rarely backs off from a confrontation, has accepted.

This is another opportunity for the Sierra Club to "extend its voice beyond its own membership," which is what Hicks has aimed for since she began working in Wyoming in June of 1970. "For the first two years, the Sierra Club members were referred to as 'those nuts from California,'" she says. The newspapers ignored anything they had to say. However, the Sierra Club became involved in fighting the Clarks Fork road in Wyoming and in the coal development issue. "We did a lot of hard work. . . The press figured out that we knew what we were talking about."

"We (the Sierra Club) have always been extra careful so that we could back everything we say. They never could shoot us down on what we said in a story," Hicks says. She believes this has built up an image that has a readership which includes people from industry, agriculture, and the environmental movement. "It's a matter of opinion what that image is," she admits.

One example of an issue which kept the Sierra Club on the front page of the state's principal newspaper for several days was a controversy over whether mining officials should be the only tour guides for U.S. Senate Interior Subcommittee members looking at reclamation in the West. Hicks insisted that conservationists should also have some input. The senators countered that there wasn't time. Hicks also questioned the propriety of a cocktail party for the legislators to be hosted by the Mining Association in Sheridan.

The press coverage has resulted in public criticism and in angry letters addressed to her personally — enough that friends often ask her how she takes the flak. "It doesn't bother me at all," she explains. "I'm not dependent upon approval of those who give me flak. I have my own standards. Listening too much to what others say is a form of tyranny. I can be more objective and more issue-oriented if I keep away from that."

The first three years in Wyoming were difficult until a second staff member, Pam Rich, was added to the Northern Plains office. Before coming to Wyoming, Hicks had been chairman of the

committee on forest practices for the Rocky Mountain Chapter of the Sierra Club, based in Denver.

The committee helped in a nationwide effort which eventually killed the timber supply act. She was also involved in a landmark court case, East Meadow Creek, in which the Sierra Club argued that there should not be timbering in roadless areas, if they were adjacent to primitive areas, that had not yet been classified as wilderness. She earned a Sierra Club Special Achievement award for her work and later had the opportunity to become the Wyoming liaison for the Rocky Mountain Chapter. For the first year in Wyoming, she supported herself with earnings from her past work illustrating biology books. However, when the club realized how big the energy issue was becoming, they hired her to work full-time serving the Northern Plains region which includes eastern Montana, Wyoming, North and South Dakota, and western Nebraska. She was the first woman to serve as a regional representative.

Running the Northern Plains office out of her home in Dubois, a town of about 600, Hicks enjoyed the challenges but found that she got depressed at carrying the total responsibility without



anyone to share decision making. Now with Pam Rich also working out of Dubois, each has someone to bounce ideas off of, and the responsibilities are shared. Although she admits that Wyoming gets more attention than the rest of the region as a result of this set-up, she points out that Wyoming is a center of coal development.

Once she had the choice between a job in Los Angeles or the job in Wyoming, "I spent 48 hours in Los Angeles and left," she says, and she doubts she'll ever want to leave Wyoming. The traveling required for her work keeps her from feeling as if she is trapped in a small town situation. Besides, she is convinced that big cities don't have more — in fact maybe less — to offer than rural areas, if one has a little imagination.

One of the things Hicks believes she has gained while living in Wyoming is a better understanding of the situation of the agricultural economy in the Northern Plains states. She hopes to communicate to the national Sierra Club membership the benefits of an agricultural economy and the positive aspects of a majority of ranchers. "It has upset me the amount of emotion that comes out of urban people toward rural landowners. I try to tell the Sierra Club that the reason we have a good environment out here is because we have an agricultural economy — and not many people," she says.



Laney Hicks

Photo courtesy of Denver Post

Hicks is now on a committee to prepare a national agricultural policy for the club, the first ever drafted. The idea stems from a regional agricultural policy developed by Sierra Club members in cooperation with representatives of farm and ranch organizations in five states. The regional policy was inspired in part by an article Hicks wrote for the national *Sierra Club Bulletin*, including interviews and pictures of ranchers.

Her sympathies for the agricultural community have earned her some resistance from Sierra Club staff members in San Francisco, particularly, perhaps, because of her flexible stand on predator control. "The Sierra Club has a tradition of inner controversy," Hicks says, and she believes that tradition is healthy.

Asked what she sees as her biggest challenge in the future, Hicks says that she hopes to maximize public involvement so that not just "environmentalists" are involved in conservation efforts. "We've got some good state bills in the region; now it's up to the citizens to be sure they work," she says. She points out that ranchers, recreationists, and environmentalists have a lot at stake. "If we drive the ranchers off the land, I don't know what will come in to take their place."

Dear Friends,

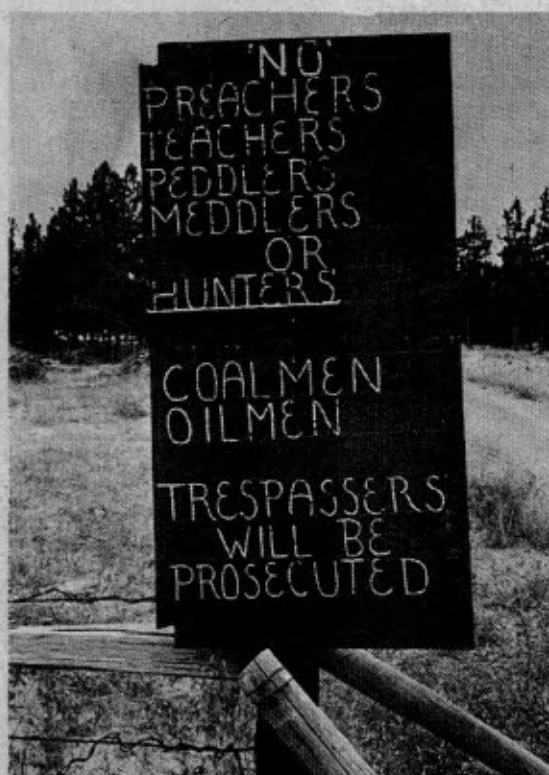


Photo by Terry Moore

A loss of cultural diversity may be almost as unsettling as a loss of the physical necessities — land and water. And while westerners watch development enter, we may be losing bits of both our cultural and environmental makeup.

The changes are being forced upon us by profit peddlers — by the oil men, the coal men, and the nuclear power men and land

hucksters. Because of them, all caretakers of western land and water have new, almost irresistible options.

Some people are resisting, despite the attractions offered. But many are opting for money. There are other people, in the middle, who feel that they cannot cling to old ways, even if they find them satisfying. They accept the money as a consolation prize.

In this issue Steve Auslander points to some cultural casualties in the Southwest.

To look at it another way, the peddlers have given the caretakers of land — the cowboys and the Indians — more in common than ever before. And because all of our problems are bigger, westerners have opened up to allow more contact with other states. This closeness between formerly isolated groups is the one strengthening, stimulating by-product of our troubles. This contact is not like that of the tenacious heavyweight, Energy Demand, knocking out traditional Indians, ranchers, and townspeople in the West. It is Indians and Anglos, ranchers and their neighbors, and assorted isolated geographic communities standing up as equals in a time of need and sharing their insights. Auslander's article is one such generous offering from the Southwest to the Northern Rockies. We accept it gratefully.

HCN was able to have our own look at the Southwest and its problems this fall. Three people, representing Montana, Idaho, and Wyoming, made the trip. (The Northern Rockies Action Group, a symbol of closer ties between environmentalists in neighboring states, organized the trip.) The Southwest has a decade of experience with massive power development. We were able to get a glimpse of our own future and a chance to help direct it with wisdom. We will continue to share that experience with you through photos and occasional stories.

Spring promotional activities have made us hopeful. Our ad manager, August Dailer, has just sent out exchange advertising (we run another publication's ad and they run ours, free of charge) which should bring our subscription plea to about 60,000 people. Our sample mailings, done with the help of many local volunteers, have brought in about 60 subscriptions so far. That means a \$600 boost in the direction of solid finances. We will continue to send out samples as we get lists in the hopes of finding more readers and making enough money to get us through the usually not-very-lucrative summer months.

—the editors.

In the News

Demands collide

A tale of two cultures. 1

Hathaway hearings

Conservationists counter supporters. 7

Prairie chickens

Wooing with oo-loo-woos. 8

Strip mining bill

Onward to Ford's desk (again). 10

Land use bills

Compensation for "taking" property? 15

Laney Hicks

Five years fighting on Wyoming's front pages. 16