Major mining roadblock removed

Court lifts Powder River injunction

by Marjane Ambler

The U.S. Supreme Court has lifted an injunction barring four coal companies and a railroad from proceeding with coal development in the Eastern Powder River Basin. The high court at the same time agreed to hear the case of **Sierra Club v. Morton** concerning whether or not a regional impact statement is necessary from the federal government prior to further coal development in the Northern Great Plains. The injunction was imposed by a circuit court of appeals a year ago when it agreed to review a lower court's findings against the Sierra Club. The appeals court later indicated that a regional statement might be necessary.

The Supreme Court's decision on the injunction opens the way to "full scale development" of the region, according to Bruce Terris, attorney for the Sierra Club. "People who have been concerned about coal development can no longer rely on this litigation as they have for the past year," he says, although it is possible that the court may rule in the Sierra Club's favor sometime this spring. Lifting the injunction was "definitely premature" in his mind since if the court rules that a regional impact is necessary, the Sierra Club would then presumably be able to enjoin any further coal development in the region.

The mines included in the injunction were Carter Oil Co., Atlantic Richfield Co., Kerr-McGee Coal Corp., and Wyodak Resources Development Corp. The companies already had approved federal leases but are now awaiting Interior's reaction to the court ruling to see if it will approve their mining plans.

Terris told **HCN** "There's little doubt Interior will approve these four companies, with maybe some additional conditions on their permits as a result of the pressure created by the suit and by the strip mining bill."

Prior to the court lifting the injunction, there were some indications that the Interior Department was considering proceeding with coal development anyway in the Eastern Powder River Basin, according to **Coal Week**. "Given the appeals court's

(Continued on page 12)

The Environmental Bi-Weekly
High Country News
35¢
Vol. 8 No. 2
Friday, January 16, 1976

Mineral withdrawals: death of 1,000 cuts?

by Bruce Hamilton

Tenneco is planning a giant strip mine in Death Valley National Monument. Exxon wants to develop uranium leases within the Grand Canyon. Major fertilizer and chemical companies want to surface mine phosphate in the Caribou National [illegible]st in Idaho. Several mining companies pl[illegible] to develop platinum and palladium claims in the Stillwater Complex of the Custer and Gallatin National Forests in Montana.

Such controversial mining proposals have stimulated a surge of protest from conservationists across the country. They are demanding that more public land be withdrawn from mineral entry and the ravages of mining. They are also calling for reform of the "antiquated" mining laws, which they claim give carte blanche privileges to miners to destroy the natural values of our public lands.

This fall, Assistant Secretary of the Department of Interior, Dr. Jack W. Carlson, was stumping across the West, predicting a "staggering" upheaval of the American economy if more mineral withdrawals were made. Carlson, then in charge of energy and mineral resources for the department, told the American Mining Congress: "The practice of withdrawing federal lands from exploration and mining has accelerated to a point that by 1980, we could close all public lands — one-third of the land area of the U.S. and some of our best mineralized areas."

Some critics attributed Carlson's vigorous attack on further withdrawals to his own political ambitions. In December, Carlson announced his resignation and his [illegible]tion to return to his home state of [illegible] to challenge Democratic Sen. Frank [illegible] in the 1976 election. Carlson left his post at Interior on Jan. 15, 1976.

OFF LIMITS?

Carlson, relying on a paper printed in the **Mining Congress Journal** entitled "Is Our Account Overdrawn?" said: "Today, some 500 million acres, the size of every state east of the Mississippi River, except Maine — 67% of all federal lands — are off limits to miners."

Carlson compared the piecemeal withdrawal of lands to the "fabled death of a thousand cuts. Each cut in itself was not dangerous, but taken together, they killed the victim. We have been inflicting the death of a thousand cuts on our mineral capability because each proposal for new withdrawals has been treated by itself . . . and appeared desirable. But what were thought to be individually desirable withdrawals add up to a bad situation for the nation."

Conservationists were quick to attempt to discredit the **Journal's** article and Carlson's references to it. They pointed out that many of the lands claimed to be "off limits" were in fact open, but were subject to some form of governmental restriction. Jan Johnson, executive director of the Utah Environment Center, did her own calculating using the same acreage figures and concluded: "Of the public lands **totally** withdrawn to mineral entry, approximately 7%, not 67%, is identifiable."

Jumping to Carlson's defense was American Mining Congress president J. Allen Overton. "Attractive scenery and good camping sites are not scarce," Overton told the Northwest Mining Association convention in December, adding that less than three-tenths of one per cent of the nation's land has been disturbed by mining. "Wilderness and wildlife have their entitlement, and ecological respects must be paid. Man does not live on bread alone. But on the other hand, he can't thrive on an exclusive diet of beauty," he said.

"We're on a toboggan ride towards minerals bankruptcy if we don't get this (withdrawals) policy reversed," said Overton. Each American, every year, needs 40,000 pounds of new minerals. For this reason, Overton said, mining must receive the highest land use priority. He recommended that "environmental extremists" should be required to file their own impact statements whenever they presented a new demand.

FOE threatens Death Valley suit. See page 4

The Maze in Canyonlands National Park, Utah. Photo by Jack McLellan.

NATIONAL AUDIT

"Is Our Account Overdrawn?", was designed to be a national audit depicting "the status of our minerals land account," according to authors Gary Bennethum and L. Courtland Lee. Bennethum and Lee are two Interior Department professionals who conducted their study on their own time. Carlson, speaking in Denver, said he had requested the study, according to the **Denver Post**.

When calculating the "debits to our mineral account," the authors summed up formally withdrawn public lands, and **de facto** withdrawals "where access to the lands for exploration or development is so restricted that 'as a practical matter,' they are also withdrawn."

Bennethum and Lee found that in 1968, about 17% of the public lands were excluded from mineral exploration and development under the 1872 Mining Law. By 1974, the authors claimed this exclusion area had risen to 67% or about 500 million acres. Similarly, in 1968 about 24% of the public lands were excluded from mineral exploration and development under the various federal mineral leasing laws. By 1974 this figure had jumped to 73% or over 600 million acres, according to the authors.

Included in the list of restrictive areas were withdrawals for conservation purposes including national parks, wilderness areas, wildlife refuges, and wild and scenic rivers. These conservation withdrawals, which actually comprise only about 15% of the total calculated withdrawals, drew the brunt of the criticism from Carlson, Overton, Bennethum, and Lee. The authors concluded in their report that "preservationists and others will have to accept the fact that somewhere in that million acre wilderness area, there is a mine."

Also included in the list of withdrawn areas were military oil reserves, utility corridors, oil shale reserves, state selection lands (lands promised to be turned over to the states when they joined the union), power production sites, Atomic Energy Commission lands, and Alaska Native Claims Settlement Act lands (lands promised to Alaskan natives and areas of Alaska being studied for inclusion in future federal reserves). These types of withdrawals comprise about 85% of the total withdrawals.

Using the study's figures, it can be shown that there is three times as much land withdrawn for military purposes as for national parks. There is 10 times as much land withdrawn for utility corridors

(Continued on page 5)

HIGH COUNTRY

By Tom Bell

And so, my fellow Americans: ask not what your country can do for you — ask what you can do for your country.

President John F. Kennedy
January 20, 1961

- - -

Our nation's bicentennial year is an appropriate time for all of us to recall President Kennedy's stirring words in his 1961 Inaugural Address.

It seems to me that 1976 could be a decisive year in the history of the United States of America. Either we as a people strive mightily to enhance all that is good about our great country, or we may all live to see its destruction and the end of the last great hope for all mankind. The year should be one in which each day we renew a pledge to ask ourselves that which President Kennedy reminded us.

The year should be one in which we learn to think less of self and more of our country and of our fellow man. We must learn to deny ourselves and even sacrifice if we have to. Let us put ourselves in the place of the signers of the Declaration of Independence. Those 56 men signed the immortal document knowing full well that they could be signing their own death warrant. And for some of them it was. The British immediately put a bounty — dead or alive — upon each of their heads.

Five of the men were captured and subjected to cruel and brutal punishment. Nine of the signers died of wounds or wartime hardships. One died of a skin malignancy that could only be treated by English doctors. Twelve had their homes burned, and 17 lost everything they owned. (Some were rich men when they signed.)

John Hart was forced to flee from his wife's deathbed, following which he never again saw several of his 13 children. The families of many of them were killed, jailed, or tortured, including wives, sons, daughters, mothers, and fathers.

The British offered complete amnesty to all but two if they would renounce their signatures. None accepted through all the trials and tribulations. All of them stayed true to the awesome pledge which Thomas Jefferson added almost as an afterthought: "... with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor."

Some of our great Christian leaders believe 1976 could be a turning point in our history just as 1776 was. Derek Prince, a naturalized citizen and former Britisher himself, says he has been called to a special ministry. That ministry is to call God's people in America to repentance, fasting, and prayer on behalf of our nation and our government.

Bill Bright of Campus Crusade for Christ says the Christians of America have less than a year to turn the country back to God. Like Prince, Bright believes it can be done only through fasting, prayer, repentance, and voting godly men into places of leadership in the November elections.

Fasting can be done by anyone, anytime. It is a small measure of sacrifice for the good of our country. It is simply going without food and drink for a meal, a day, or the period of the fast. Whether or not you are a Christian, you will find fasting a humbling experience. You will find yourself meditating on much outside yourself. You might even find yourself thinking, this is how it felt to George Washington and his courageous men during that bitter winter at Valley Forge. If you are a Christian, you can pray and ask for forgiveness for wrongs done a fellow man, or laws broken or ignored.

In furtherance of a dedication to our country, a national day of fasting for each month in the year has been established. The first Friday of each month has been designated for that purpose. Christians throughout America, individually and collectively, should unite in self-humbling, fasting and prayer. Its purpose is to confess our sins, pray for our government, and implore God's mercy on our nation according to His promise. That promise is given in 2 Chronicles 7:14: "If my people, which are called by my name, shall humble themselves, and pray, and seek my face, and turn from their wicked ways; then will I hear from heaven, and will forgive their sin, and will heal their land."

HCN Letters

STEAM POWER

Dear HCN,

One slight correction in your Dec. 5, 1975, article on the Idaho energy workshops. On page 7 you reported: "Parts of Boise used to be heated by hot springs, but the system was abandoned with the advent of cheap utility-provided power." Actually, Boise's geothermal system is still going strong — and it's expanding!!! Right now it is the cheapest form of space heating by far!!!

Belle Heffner
energy workshop director
Boise, Idaho

PREVENT POWER COLONY

Dear Persons:

As a temporarily expatriate Westerner, I find my major and still growing commitment is to prevent the West from becoming a power colony to the cities.

Yours is a crucial contribution to that effort. Keep up the good work and send me your paper.

Sincerely,
Errol E. Meidinger
Chicago, Ill.

HANDS ARE TIED

Dear HCN:

I have heard about a proposed uranium mining operation proposed for Green Mountain in central Wyoming. It will scalp the top of the mountain as has been done on Crooks Gap to the west.

It is my understanding the Bureau of Land Management has most of the land, but claims their hands are tied by the Mining Act of 1872.

This seems to me to be a planned action that is far worse than many we get excited about. The proposal will destroy elk, deer, and bird habitat and go a long step towards ruining the entire area.

What do you know about it?

James Phelps
Billings, Mont.

(We touched on the problems on Green Mountain in our 10-24-75 issue (p. 5) — and we hope to do a more thorough job soon. A series on uranium mining is in the works. Readers familiar with the subject should feel free to send us information and ideas — Ed.)

GANG'S OUTRAGE NOWHERE

I have watched with much interest the response in your letters column to Peter Wild's review of Edward Abbey's **The Monkey Wrench Gang.** Most of the criticism has missed the mark.

Read this book and the first impression is that Abbey was blasted one night and began to fantasize about what he would like to do to the ridiculous machines that are ravaging the landscape. There are few readers of this publication who have not, at one time or another, thought about the satisfaction that would result from tearing down the signs that litter the land.

To my mind, the environmental movement is predicated upon understanding the consequences of our acts: to do violence to the land is to do violence to ourselves.

Abbey's "Gang" engages in exactly the same sort of violence that I think most environmentalists are fighting. Lynette "Squeaky" Fromme allowed all reason to slip away from her, pledging to execute corporate managers and waving an automatic at the President.

There is a tradition in conservation, one of reasonableness and integrity. And those who are the best known writers of the conservation ethic — Leopold, Powell, and others — would no more consider doing violence to their enemies than they would to the land.

Abbey goes against that grain. His writing is not that comedic: most of it is anger. **The Monkey Wrench Gang** was a disappointment to me. I think Abbey is among the best writers around, but he chose to act out a fantasy that he evidently believes will one day happen.

I share Abbey's outrage. But outrage as expressed by the **Monkey Wrench Gang** gets us nowhere.

Sincerely,
Steve Auslander
Tucson, Ariz.

AN ERROR: In our Jan. 2 issue we reported that Tri-State Generating and Transmission Company had withdrawn its court challenge of Wyoming's sulfur dioxide regulations. It **has not** withdrawn the court challenge; it **has** amended its court petition to remove all reference to a proposed power plant in Wheatland. The six sponsors of the power plant, Tri-State among them, have recently agreed to drop their application for a variance from the standards.

HCN Editorials

Our bankrupt natural heritage

Civilization's attitudes toward mineral wealth never cease to amaze me. We rip open mountains and river valleys to extract a shiny mineral which we then store in a vault in Fort Knox. This mineral, I'm told, gives our paper currency value — but it bankrupts our natural heritage. Why not back our dollar bills with wilderness lands? It's a far more precious resource.

A recent article in the **Mining Congress Journal,** "Is Our Account Overdrawn?", says we have withdrawn too much of our public domain from mineral exploration and mining. Each year every American needs 40,000 new pounds of minerals, but miners can't supply this amount if the land is locked up. The books won't balance, say the miners, we are approaching a state of bankruptcy.

But bankruptcy isn't really the right term. True, we may be writing more checks than we can cover with readily available resources — but we still have a substantial savings account to fall back on in the form of withdrawn lands. A comforting thought, if the miners' figures on withdrawn lands are correct. . . .

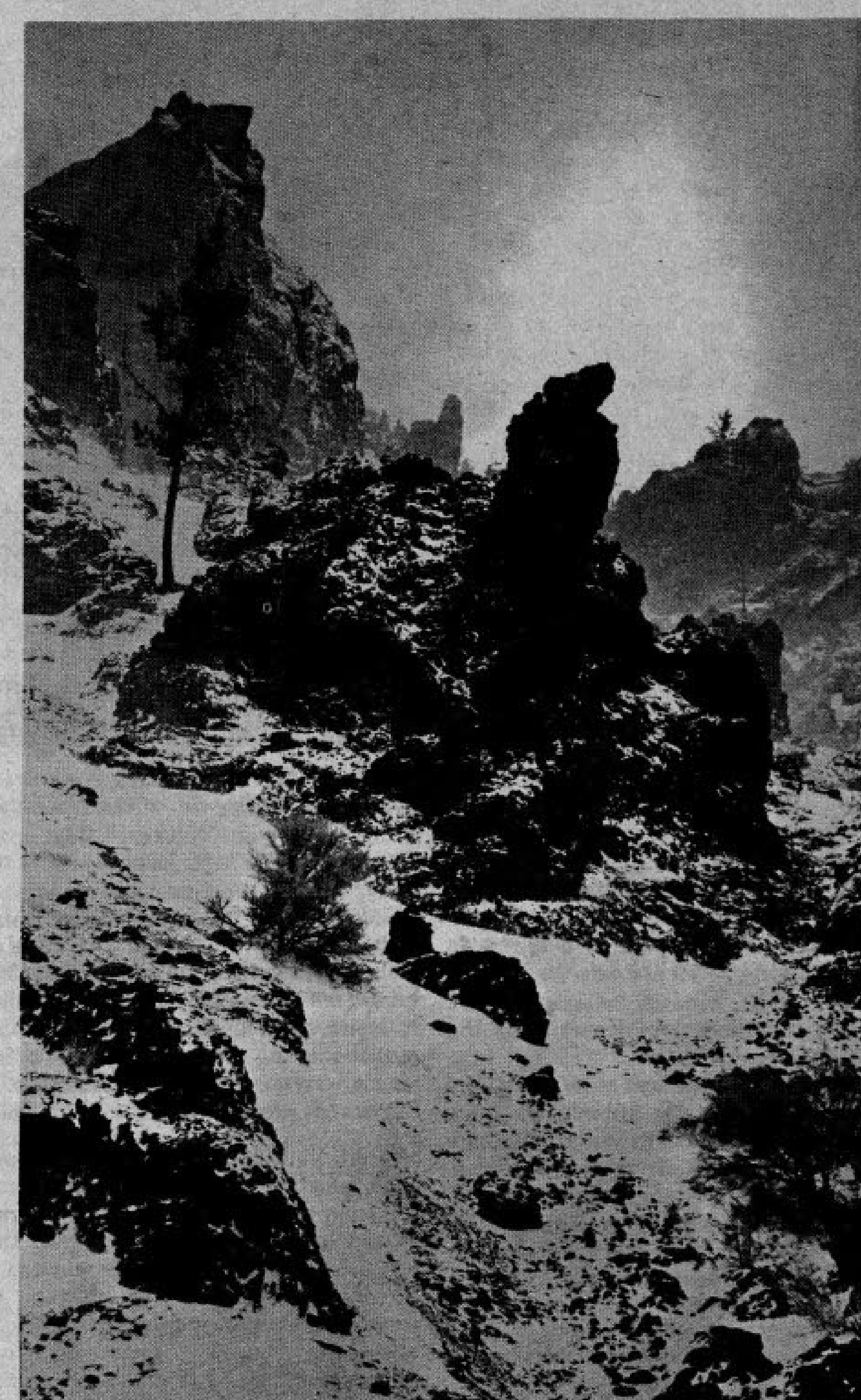
Conservationists fear there may be some embezzlement of the savings account, however, and it is actually much smaller than the miners claim.

The American Mining Congress says that 67% of our public lands are locked up. I only wish they were. If we could lock up 67% of our public land, maybe then we would realize that our mineral resources are finite — and far too precious to run through at the rate of 40,000 pounds per man per year.

Some minerals are necessary for our well being — but what is more remarkable than the unavailability of minerals is our profligate use of them. We wear platinum for jewelry. We throw away millions of steel beverage cans every year. We turn our old cars out to pasture to rust or hold a streambank in place.

I'd rather the minerals were withdrawn — locked up — until some future date when we regain our senses. I fear that if our mineral account was open we would draw on it until nothing was left. Not even enough to build a bulldozer to plow through the city dumps in search of a future for humanity.

—BH



Canyon formed by the North Fork of the Shoshone River in Wyoming.
Photo by Lynne Bama

Maybe we'll plan — but later

The Supreme Court of our land has ruled. It has declared that it will study the question of whether a regional environmental impact statement is necessary in the Northern Great Plains to assure proper planning of coal development. But just so no one loses any time, the court says that Interior can permit four developments in the Eastern Powder River Basin to proceed — without a regional plan.

Somehow we can't find the thread of logic that ties those two decisions together. It looks like the court is directing the four companies to determine their own hero or villain parts in the drama while it's still not sure who — if anybody — is writing the script.

Rancher environmentalists in the Powder River Basin Resource Council haven't leaped up to proclaim that the four companies are the bad guys. Exercising restraint (apparently more than the court itself), they have said they'll wait and see. "If the four companies develop their mines slowly and well, then the (regional) impact will not be too severe, provided the Supreme Court requires the Department of Interior to comply with the National Environmental Policy Act and prepare an environmental impact statement for the Northern Great Plains region," the council chairman, Ed Swartz, said.

"Our real fear at PRBRC is not mines, but accompanying coal conversion facilities that could cause such major impacts that agriculture and our way of life here could come to an end," he added.

Major impacts. Changing a "beautiful, largely uninhabited area" into a "major industrial complex." That's what the plaintiffs said they feared when they first filed their brief in 1973 calling for the regional impact statement.

And that's **regional** impact — which is why it's not covered by a national overview on the impact of coal leasing on all federal lands, although Interior insists that it is. Nor is the impact statement covering the Eastern Powder River Basin adequate.

The Project Independence Report illustrates the government's focus on development of Western coal: "Increased production of Western coals to meet low-sulfur standards in Eastern and Midwestern markets, as well as for local demand, was assumed."

As the Interior Department gears up for this shift West, state officials and activist groups continue finding that more of the department's regulations will accommodate developers at the residents' expense. We object, we sue, we file resolutions through the Western Governors' Energy Policy Office. Although these protests are of no direct concern to the court as it considers the legal aspects of the case, they should indicate that at least some of us fear "irreparable harm" from proposed development while the court decides the need for a regional impact statement. If we're not damaged by the four mines themselves, we fear the spiraling effects they could set off. The injunction was brought in the first place because the appeals court saw these dangers.

With so many questions unanswered, is this the time to let these few companies slip onto the stage and begin? Worse yet, is it an indication that the court will later decide no script is needed at all? —MjA

Letters count

Environmentalists' clout in the Congress is often attributed to their ability to get out letters from the constituency on critical conservation issues. Yet a year-end report from Sen. Gary Hart (D-Colo.) reveals some disappointing news for environmental organizers. The letters aren't flowing.

Representing a state with 2.5 million residents, Hart received more than 35,000 letters and 3,000 phone calls last year expressing opinions on public policy. The input on environmental issues is very discouraging — especially when Hart has expressed a willingness to champion conservation causes.

He received a total of 25 opinions on nuclear energy and 50 on solar energy. Only 50 citizens contacted the senator on clean air and 100 on strip mining. The biggest environmental issue was the nomination of Stanley K. Hathaway as Secretary of Interior. Hart received one petition containing 450 signatures and 50 calls.

By comparison, Hart received 8,000 contacts on gun control, 4,000 on picketing, 2,000 on Ethiopian arms trade, 750 on Turkey, and 600 on New York City loans.

Are clean air and strip mining so unimportant to Coloradoans?

Write letters, call, and work for representative government. It's the only way we can make government work.

High Country News

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

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

Subscription rate $10.00
Single copy rate 35¢

'Picturesque miner' myth destroying park

STRIP MINE SITE. Zabriskie Point in Death Valley National Monument. Open pit mines are planned near this site. Photo by Fred Mang Jr. of the National Park Service.

by Chuck Williams
National Parks Representative
Friends of the Earth

"Death Valley remains a forsaken salt flat lying 280 feet below sea level. It is the lowest, hottest, driest and most tormenting stretch of desert in the United States.

Tenneco Oil Company is adding a new chapter to the colorful '20-mule team' history of Death Valley. Through extensive open pit operations conducted by an affiliate, Tenneco Mining, Inc., the company is recovering substantial deposits of borate ore for which important new markets are being developed."

—from a Tenneco report to its stockholders

Lowest? Yes, Badwater is the lowest spot in this continent. Hottest? Temperatures here have reached 134 degrees F. with ground temperatures approaching 200 degrees. Driest? Annual rainfall averages less than two inches. Forsaken? No, not to those who know and love the desert. Most tormenting? Probably only to those guilty of trying to rip monetary wealth from a sacred landscape.

Death Valley is, among other things, one of the earth's finest museums of geology. All of the great eras of geologic history are recorded on the fault-formed mountains rising as high as two miles above the valley floor. The floor is one of the world's largest salinas, or salt flats, with crusts up to six feet thick. Seas once covered this land, leaving behind coral fossils. Less than 25,000 years ago it was covered by Lake Manly, 116 miles long and up to 600 feet deep, and some of the beaches still remain. Flash floods have created wide alluvial fans flowing out of deep gorges. A large variety of plants, including 36 species not found outside of Death Valley, have adapted to this arid land and put on fine shows in the spring.

Panamint (Shoshone) Indians were residing in Death Valley when the first whites arrived on Christmas Day, 1849. These pioneers' rough journey across the valley began the endless love-hate legends about this land. In the late 1800s Death Valley became famous for the 20-mule teams (actually 18 mules and 2 horses) that hauled tons of borax mined from the valley to Mohave 160 miles away. Most mining operations, the results of fantasies and frauds, were busts and even the borax mining moved to a huge deposit at Boron, Calif.

Death Valley National Monument was established in 1933 by presidential proclamation, but four months later Congress passed legislation which reopened this beautiful valley to mining. In addition to the always present mining interests, the romanticism of the "single-blanket jackass prospector" played a large role in reallowing mining. At the hearings on this bill, Interior Secretary Ickes stated:

". . . it was not the desire to prevent prospecting and mining within the area, as such activities would in no way interfere with the preservation of the characteristics of the area sought to be preserved. In fact the picturesque miner is one of the characteristics which give the area the color of the early pioneer days, and his continuance there would be a very desirable feature of the area under national-monument status."

ENTER 400-MULEPOWER TRAINS

A new chapter in Death Valley's mining history began in 1971 when Tenneco began strip mining in the monument. Lone prospectors had been replaced by huge earthmoving machines. U.S. Borax & Chemical Corp., a subsidiary of England's Rio Tinto Zinc Corp., Ltd. (RTZ), and the descendant of the 20-mule team operations, was forced by anti-trust actions to divest some of its borate claims. Tenneco Oil Co., a conglomerate that also owns such companies as Container Corporation of America and House of Almonds, inherited many of these claims when it acquired the Kern County Land Co.

Modern mining machines, the shortage of minerals which drove up prices, and new uses for borates again made large-scale mining economical in Death Valley after three decades of relative inactivity. The mining companies still defend their actions with fantasies of romantic and colorful prospectors, but the current operations bear no relationship to what Congress had in mind in 1933.

Tenneco's first open pit mine, the Boraxo Pit, is now 3,000 feet long, 600 feet wide and 230 feet deep. Including the huge waste dumps, this operation is now about a mile across in both directions. Its second mine, the Sigma, is presently closed, but after only four months of operation is already 500 feet by 400 feet with a depth of about 75 feet. Both are east of Zabriskie Point and are readily visible from the Dantes View road. Tenneco is planning to start a third mine, the Billie, soon along this scenic road.

Earlier this year Tenneco staked out claims in the beautiful Zabriskie Point-Gower Gulch area and applied for a permit to sue an old closed road through this famous landscape. It has also staked out claims on the hills just above Furnace Creek, the main center of visitor activity. These claims are on top of existing U.S. Borax claims and Tenneco is trying to gain control of them through a loophole in the mining laws.

The widespread publicity resulting from the Zabriskie Point claims has caused Tenneco to back off — a little. It has removed the claim stakes from this area and says that it made the claims to prevent an irresponsible third-party from claiming it and ruining the fantastic view. Tenneco wants the National Park Service (NPS) to construct viewpoints overlooking the open pits so that the public can view modern mining methods in addition to the NPS's historical displays.

TALC MINERS FOLLOW TENNECO

After Tenneco broke the ice and began strip mining, the talc mining companies soon followed suit. Talc mining is easy to spot; it leaves white wastes on a dark background. Johns-Manville Corp., Pfizer, Inc., and Cyprus Industrial Minerals Co. operate seven active talc mines in Galena and Warm Springs canyons in the Panamint Mountains. The top is being stripped off of the ridge and mountain dividing these once-public canyons.

TO THE RESCUE — OF THE MINERS

Unfortunately, many of the decisions by the Interior Department and this administration seem to be based more on political expediency than the law. Last summer when Tenneco staked out mining claims in the Zabriskie Point-Gower Gulch area, the NPS, with the advice of the Regional Solicitor, attempted to withdraw the area from mineral entry and location. Although the monument was created "to preserve the unusual features of scenic, scientific, and educational interest," the Solicitor General's office ruled that the NPS couldn't withdraw land for scenic preservation.

The 1933 law re-opening Death Valley to mining made surface use subject to "general regulations to be prescribed by the Secretary of Interior." The NPS drew up mining regulations identical to the new ones adopted by the U.S. Forest Service, but they were rejected by Interior for being too "extreme."

SCENE SHIFTS TO CONGRESS

Fearing that, as in the Redwoods, legal action would drag on and on while the resource was destroyed, environmentalists have been concentrating on passing legislation stopping mining in Death Valley and the other NPS units where mining claims are still allowed, Glacier Bay National Monument and Mt. McKinley National Park in Alaska and Organ Pipe and Coronado National Monument in Arizona. Sen. Lee Metcalf's bill (S. 2371) would end future mining claims in the parks and enact a moratorium on mining to give the NPS time to sort out the existing claims and determine their validity. Rep. John Seiberling's bill (H.R. 9799) would provide for regulation and end new claims, but lacks the needed moratorium. The Ford Administration has backed closing the park units, except Glacier Bay, to new claims, but is strongly opposed to a moratorium or legislative-taking of existing claims. Rep. Morris Udall has introduced the strongest bill (H.R. 9953), but no hearings have even been held on it.

Before adjourning in December, the Senate Interior Committee reported out S. 2371 after beating back an attempt to exempt Alaska's Glacier Bay National Monument from the ban.

While the Congressional machinery drags on, the mining companies have

The mining companies still defend their actions with fantasies of romantic and colorful prospectors, but the current operations bear no relationship to what Congress had in mind in 1933.

begun around-the-clock operations to get it while they can. Tenneco plans to expand their mining in the monument five-fold in the next three years. Production — and damage — have risen sharply since the widespread publicity. Talc mining has increased so it now overshadows Tenneco's operations. Many mining claims are being bulldozed, not mined, so that they will be active mines if a moratorium comes on claims.

The borates being mined by Tenneco are colemanite (calcium borate) and ulexite (sodium calcium borate). Over 180,000 tons per year of borates are being taken from the monument and these are primarily used for glass fiber, insulation, and heat-resistant cookware. Although Turkey is the only other country with large known deposits of borates, U.S. resources — excluding Death Valley's — will last well over 100 years at current production. About one-half of the borates mined in this country are exported. Colemanite, useful for finer fibers, is rarer, but other borates can be substituted for it at only a slightly higher cost.

Talc mining became entrenched in Death Valley during World War II when it was used for marking practice bombing targets (it's very white!) among other military purposes. Current talc production in the monument is about 100,000 tons per year and it is mainly used for paints and ceramics. Talc reserves in this country and throughout the world are enormous.

DEATH VALLEY NATIONAL PARK?

Conservationists have for many years supported elevating Death Valley to national park status. Hopefully the prestige of park status would help Death Valley's problems get the attention they deserve. It's time we finally quit thinking of our deserts as dumps and bombing targets and actually begin preserving the most beautiful and scientifically-important examples, such as Death Valley.

(Editors' note: Friends of the Earth this week threatened Interior Secretary Thomas S. Kleppe with a lawsuit unless steps are taken to protect Death Valley from the "irreversible destruction of rapidly increasing surface mining activities." FOE said Interior's refusal to prohibit or at least regulate mining there violates several federal statutes and judicial decisions including the National Environmental Policy Act and the Wilderness Act. The letter also expressed dismay about the effects of mining on the desert bighorn sheep which inhabit the area.)

Photo of Zabriskie Point area reprinted with permission from the LOS ANGELES TIMES, Sept. 17, 1975.

Withdrawals: lock ups or preserves?

(Continued from page 1)

as for wild and scenic rivers and national trails. Despite these telling figures, Overton said, "... the main impetus for hamstringing the mining industry comes from people who profess an abiding concern for the environment."

FINE PRINT

John Leshy, an attorney for the Natural Resources Defense Council, told the **Denver Post** that he found the Bennethum-Lee article "extremely misleading and in some cases downright dishonest."

Ray Housley,, associate deputy chief of the U.S. Forest Service, expressed mild criticism of the study to the **Post** saying, "I think, perhaps, the report overdramatizes the actual facts of the situation. When you get to the bottom line, there is some fine print that says that not all of it is withdrawn. It is just difficult for miners to get easy access to all these lands."

"Perhaps the biggest exaggeration is the statement that all the (Forest Service) roadless areas are withdrawn," Housley told the **Post**. "... At no time did we withdraw the land from mineral entry or say people couldn't explore there."

Bennethum and Lee also tallied as withdrawn 19.2 million acres of Bureau of Land Management "roadless study areas" (areas being studied for possible wilderness designation). The BLM is not conducting any roadless area reviews for wilderness, according to BLM officials contacted by the **Post**.

Even designated wilderness areas are open to mineral exploration until 1984 and to mining on valid claims in perpetuity, say the article's critics. Bennethum and Lee counter that conditions placed on mining in "de facto" withdrawals such as wilderness areas "create such a disincentive to exploration and cloud the mineral title to such an extent that making the necessary large investments for mineral development is unacceptably risky."

One "debit" drawing especially heavy fire from the article's critics was a bit of double accounting. Bennethum and Lee added 73.8 million acres of federal lands already under valid mineral lease to the lands unavailable for lease. Once federal land is leased, it is withdrawn from further federal leasing.

The dramatic increase in withdrawn lands charted between 1968 and 1974 by Bennethum and Lee is mostly due to the Alaska Native Claims Settlement Act (ANCSA). About 250 million acres of public lands classified as withdrawn by Bennethum and Lee — nearly half of the total withdrawals — are attributable to ANCSA.

TEMPORARY WITHDRAWALS

Critics of the article think that including ANCSA lands under the withdrawal category is misleading because the land is withdrawn only temporarily. Once Alaskan natives and the state choose which lands they want for their own, they will be free to negotiate for mineral exploration and development with private industry.

Natural Resources Defense Council attorney John Leshy told the **Denver Post** that because of the temporary Alaskan withdrawals, the study was conducted at a time when mineral withdrawals are at the highest they ever have been or are likely to be in the future.

Just how much of Alaska will be withdrawn is not known. ANCSA allowed for up to 80 million acres of public land in Alaska to be studied for possible inclusion in one of four systems: national parks, national forests, national wildlife refuges, and national wild and scenic rivers. Even if all 80 million acres were allotted to one of the four systems, much of the land could still conceivably be left open to mineral entry. Mining would be allowed in newly created federal reserves unless they are specifically withdrawn.

Preservation of the Alaskan wilderness appears threatening to Bennethum and Lee. They broke from their dry accounting narrative to criticize Alaska conservationists:

"It is certain that, in the years ahead, various preservation and 'public interest' groups will be pressuring Congress to preserve entire 'ecosystems' for future generations. And during the ensuing months, pictures of snowy mountain peaks and analogies to the destruction of the great buffalo herds will be presented to the public as the straw man argument of preservation versus destruction is raised in defense of America's last frontier. Very few will consider whether the 'buffalo' being destroyed is America's future mineral wealth."

CONGRESSIONAL REFORM

This national debate over withdrawals comes at a particularly appropriate time because Congress is now considering legislation relating directly to withdrawals.

This fall, the House Interior Committee's Public Lands Subcommittee conducted hearings on the Public Lands Act of 1975. (This bill is commonly referred to as the BLM Organic Act and is probably now known as the Public Lands Act of 1976 since it didn't come to a vote last year.) This legislation would give specific legislative direction to the Bureau of Land Management — the federal agency which manages most of the government's mineral estate.

In the 1975 version, the act forbade governmental agencies from withdrawing any tract of more than 5,000 acres from mineral exploitation without the specific consent of Congress.

Subcommittee chairman Rep. John Melcher (D-Mont.) held hearings in late October on withdrawals and the Bennethum-Lee report. Appearing on behalf of the Interior Department was Assistant Secretary for Land and Water Resources, Jack Horton.

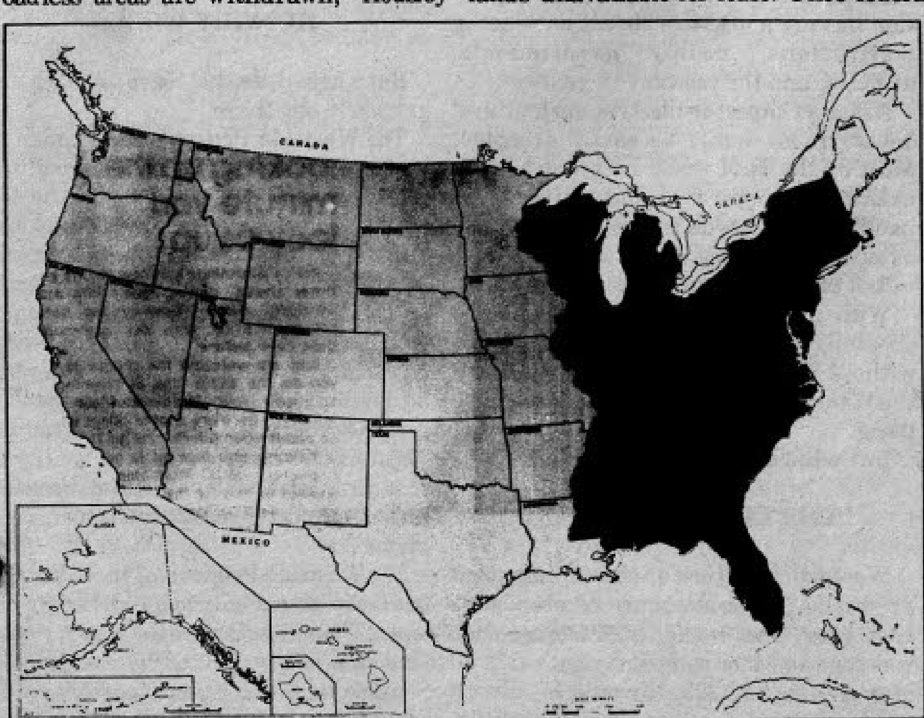
Horton testified, "The significant issue is not how many acres are withdrawn. There is a fallacy in mere aggregation of figures. The real questions are: What are the purposes of the withdrawals? Do the existing withdrawals reflect our current national needs and priorities?"

Horton said about 90% of the land withdrawn has been the result of action by Congress. He reported that two studies were being conducted on withdrawals — one by an Interior Department task force, and one by the General Accounting Office.

Summing up Interior's official position, Horton said, "We do not believe this is a time for alarm. Rather, this is a time for action, for review, for evaluation of where we are now on withdrawals, where we want to be, and how much it will cost to get there."

- - -

Copies of "Is Our Account Overdrawn?" by Bennethum and Lee (Sept. 1975) are available from the American Mining Congress, 1100 Ring Building, Washington, D.C., 20036.



FENCED OFF? This map appeared in the November, 1975 issue of the MINING CLAIM, a publication of the Wyoming Mining Association. The caption read: "The federal government has put a fence effectively prohibiting mineral exploration and mining around an area equivalent to every state east of the Mississippi except Maine."

Westside Project

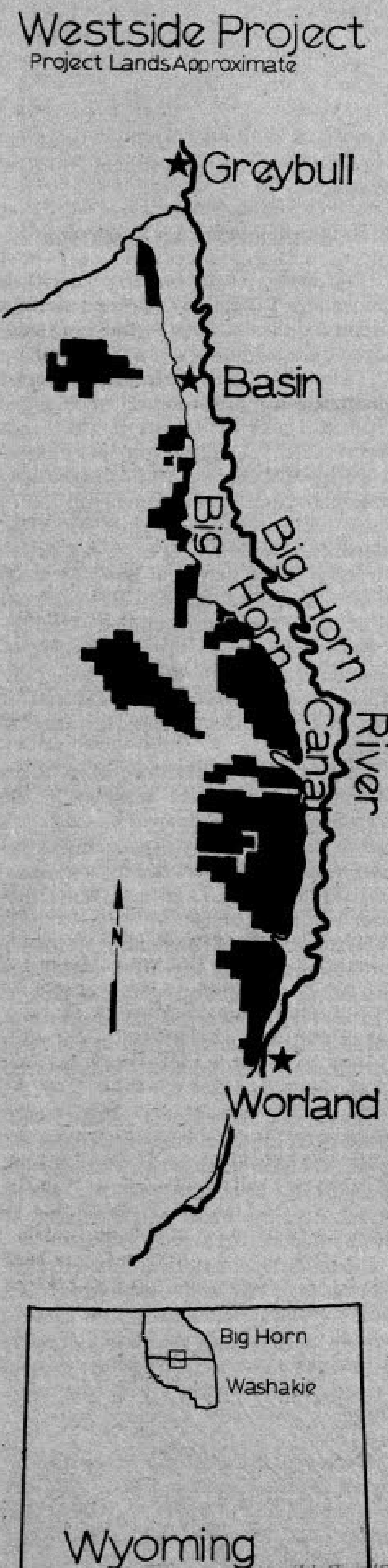
Can we afford new desert cropland?

For several years, Wyomingites in Big Horn and Washakie counties have been hanging hopes on a big, new pumped irrigation proposal — the Westside Project.

But now some farmers and other residents in the area are expressing reservations. A government study has revealed that the project could dry up the Big Horn River during irrigation season and the cost of pumped irrigation water may be too high for most farmers.

In the article below, Wyoming planner Monty Grey suggests that, with some changes in the plan, farmers could irrigate and still leave a minimum flow in the Big Horn. But he also points out that whatever mitigating measures are taken, the project is indisputably an energy hog. While putting only two per cent more land into production in the state, the project's pumps would suck up 16% of all electricity used by agriculture in Wyoming in 1973.

That kind of energy demand may put the glorious blooming-desert plan beyond most farmers' reach. Development costs have risen to $1,100 per acre — which is well above the asking price for good farmland already developed in the area. Annual costs to support the pumping system on a standard farm unit of 320 acres would be $21,440.



by Monty Grey

The name Westside refers to the project location — the west side of the Big Horn Canal between Worland and Greybull (see map). The Worland District of the Bureau of Land Management (BLM) recently released an environmental analysis on the proposed development since it would involve transferring public lands to private ownership.

The Westside Project would be a Desert Land Entry project. Under the Desert Land Act, farmers may apply for up to 320 acres of public desert land if it can be improved and farmed through irrigation.

The Big Horn Irrigation and Development Association has been urging the BLM to open up the Westside area for Desert Land Entry. Following public review of the environmental analysis, the BLM must determine if irrigated agriculture would be the "highest and best use" of the land. If the agency rules in favor of opening up the land, applications will be accepted for the land with a $1.20 per acre filing fee. Individual farmers foot the bill for developing the land.

The Big Horn Basin Irrigation and Development Association is trying to urge farmers to band together to come up with enough money to fund the irrigation project. State funds may also be available.

WILL THE DESERT BLOOM?

The Westside Project would rely on pumps. Eighty-seven pumps to be exact, generating 39,335 horsepower. The pumps would capture return flows in the Big Horn River and lift them above the existing canal to sprinkler irrigation systems. Estimates of how much land would be irrigated vary between 14,700 acres and 20,700 acres. After salt seeps and erosion have taken their toll the 14,700 acre figure would probably be closest to the long run productive acreage.

The generally poor quality of soils in the project area would certainly hold productivity below average for the Big Horn Basin. It might well make the project infeasible as planned.

The project area is presently a saltbush desert, with patches of sagebrush and greasewood. These lands are alluvial terraces or benches broken by steepsided draws and drainages. Wind and water erosion are serious hazards.

The lands support oil production and winter and spring grazing of sheep and cattle.

The water to be used would be about 63,000 acre-feet of return flows off lands already in production. BLM analysis shows

Big Horn River might be diverted to supply the project. At other times extraordinarily low flows would prevail.

This would have serious, but localized impacts on wildlife and the river's warm water fishery. Impact on downstream water users is unknown except in one case. The town of Basin (population 1,200) draws water from the river only one mile below the northernmost river pump. Diminished flows would be accompanied by a decrease in water quality — more dissolved solids and suspended sediments. Soil loss from the project alone would add something like 11 tons a day to the already excessive sediment load of the Big Horn. Basin would very likely have to build a new water treatment plant and its intake would have to be redesigned and relocated.

Some of the negative environmental impacts of the Westside Project could be minimized by good soil conservation practices, good water management, and maintaining a minimum flow in the Big Horn River through regulation at Boysen Reservoir or slightly reducing the project diversion.

Short term social and economic impacts of the project would be minor, although the construction force might pose some problems and there would be a tax lag on the project. Desert Land Entries can't be taxed until they're proved up — two to four years after county services are needed.

The Westside Project is concrete proof that energy will be the limiting factor on expanding agricultural production in the semi-arid and arid West.

But in the long run the new farmland could give the local economy an even stronger agricultural base, supporting as many as 400 new jobs. On the other hand, project failure due to salted out lands or other problems could create a local depression having a negative impact on lending institutions, county governments, utilities, and the economy in general.

As far as impact on lifestyle, agricultural development would be easily accepted. Most of the land would be proved up by existing farm operators who wanted to expand. The Westside Project would be an extension of the Big Horn Basin's heritage — not an intrusion from the urban world.

With minor negative impacts and the possibility of long run economic gains without disrupting the area's way of life the Westside Project might be a pretty good thing.

But what about those 87 pumps?

THE LIMITING FACTOR

Westside would end up consuming about 45 million kilowatt hours of electricity each year. That would be 25% more than was consumed for pumped irrigation in all of Wyoming in 1973. It would be almost 16% of all the electricity used by all agricultural operations in Wyoming in 1973. All that power would add less than two per cent to the state's producing lands.

The costs of getting 45 million kilowatt hours to the project area would be stagger-

tally.

Utilities involved are asking for $3.2 million in front end money. That works out to $200 or so per acre in the project and raises initial development costs by 22% to $1,100 per acre — well above the asking price for good farmland already developed. That $3.2 million would go for stringing 50 miles of 115 kilovolt and 75 miles of 34.5 kilovolt transmission line and for building a new substation (large enough to serve a town of 7,000 population) near the center of the project. The annual bill to support all this, $61 in power costs and at least $6 in interest on the initial cost for every acre. For a standard farm unit of 320 acres that comes out to $21,440. The production costs of typical crops will be from 12% to 32% higher than average for the Big Horn Basin.

Pumped irrigators face higher production costs. They are also highly vulnerable to changes in energy prices. Recent studies comparing the energy vulnerability of various modes of farming make it clear that irrigated agriculture is from 30% to 300% more vulnerable to energy price change than dry farming.

The economic costs of getting energy to the Westside Project will be high — prohibitively high in terms of initial costs, production costs, and vulnerability to energy price changes. Environmental costs also will be high.

Fifty miles of high voltage transmission lines will disfigure the landscape and at some point 45 megawatts of new electrical generating capacity will be needed. In fact, officials of the Missouri River Basin Power Project are using seminars on water management sponsored by University of Wyoming Agricultural Extension Services to help sell their controversial Laramie River generating station on the basis of energy hungry irrigation projects like the Westside. (for details on the Laramie River station see **HCN**, Aug. 1, 1975, page 1).

The Westside Project is concrete proof that energy will be the limiting factor on expanding agricultural production in the semi-arid and arid West. What applies to this project in Wyoming will apply to most any pumped irrigation project anywhere.

HUNGRY WORLD

But where does that leave us? It's a hungry world out there.

The Westside Project helps to make the high costs of developing new agricultural lands evident. But this year in the U.S. subdivisions and supermarkets and freeways and fairways will put 85 times as much land out of agricultural production as the Westside Project would bring in. And most of those lands are more productive than the marginal lands which would be developed by the Westside Project.

In the project area itself, residential subdivisions claim more and more quality agricultural land each year. Lands on which production costs are lower and productivity higher.

The Westside Project may never be built, but it can give us a graphic and important lesson. The development of new irrigated land is severely limited by energy costs. Sensible land use policies prohibiting the conversion of already productive agricultural lands must be adopted if food and fiber production is to be maintained without the environmental costs of power generation and transmission and without the economic burden of energy escalated food

Planning progresses unevenly in West

Wyoming headlined a recent survey by **Land Use Planning Reports** as the only state to enact a statewide land use plan in 1975. Other states in the West and in the rest of the nation considered statewide plans but did not pass them. However, other legislation, such as energy facility siting laws and tax incentive programs, were enacted in the region.

In its comprehensive state-by-state analysis of the status of land use planning, **LUP Reports** cites several reasons that planning has bogged down in most states. First, it says is the U.S. Congress' failure to pass federal land use legislation in 1974 and 1975.

Historic lands are included in Wyoming's Land Use Planning Act as areas of "critical or more than local concern." The Wyoming State Land Use Commission is now in the process of determining critical areas in the state, following public hearings. Atlantic City, Wyo., pictured above, is part of a historic mining area on South Pass. **Photo by Lorna Wilkes**

It's not expected this year either. "Proposed federal land use legislation . . . will probably not even get serious consideration in 1976," **LUP Reports** says, despite the probability that Presidential candidate Sen. Henry Jackson (D-Wash.) will try to revive it.

"How the federal and state governments will finally deal with the issues may remain in doubt for a short period, but the persistence of the problems means that public officials will be forced to act soon in many areas of land management."

COURTS

Both state and federal courts will be dealing with land use problems in 1976, according to **LUP Reports.** The U.S. Supreme Court has agreed to review cases involving exclusionary zoning, referenda on no-growth policies, and efforts to prevent concentrations of pornography shops.

In state courts in 1975, landmark decisions were issued banning exclusionary zoning in New Jersey, upholding no-growth policies in California, and making local zoning ordinances subject to state court review in Georgia, **LUP Reports** says.

Other reasons given by state officials for the shift away from sweeping land use proposals are that many conservative political groups have singled out land use controls as an especially dangerous threat and that recession, inflation, and economic austerity have meant an emphasis on fewer new programs, according to **LUP Reports'** survey. Economic conditions were cited by the Ford Administration as its reasons for opposition to federal land use planning.

Utah's chances for passing land use planning are among the dimmest in the country, according to **LUP Reports.** "In a November 1974 referendum, Utah voters decisively turned down a proposed state land use program. The vote probably squelches any chances for adoption of a state land use program in the near future. Superficially, the vote appears to contradict the results of a poll taken in 1973 showing that three out of four Utah voters favored land use planning. However, the poll also showed a major difference of opinion as to which level of government should handle land use planning," **LUP Reports** says.

ENERGY SITING

In the West, both **North Dakota** and **Wyoming** passed energy siting legislation in 1975. North Dakota also passed a strip mining regulation act. "Although adoption of a statewide land use policy and program has received little support here, the North Dakota State Planning Division has undertaken the formulation of a proposed policy statement on growth in the state," according to the survey.

Of the eight states in the region, only Arizona and Utah have not yet passed surface mining regulation legislation. The region includes Arizona, Colorado, Idaho, Montana, New Mexico, North Dakota, South Dakota, Utah, and Wyoming

CRITICAL AREAS

Wyoming's state land use act created a permanent state land use commission and provides for the protection of critical environmental areas.

that would require designation of critical state areas, but it was killed in the House. State planning officials in that state are now drafting "legislation on erosion and sedimentation control, area water quality control, and will push for minor changes in existing local land control measures in the next legislative session," according to **LUP Reports.**

Idaho Gov. Cecil Andrus is expected to push for designation of state critical areas in the 1976 legislature. He also plans to resubmit measures for regulation of developments of regional impact and to establish a statewide land use planning process. The Idaho Legislature in 1975 rejected a statewide land use program for the fourth straight year. It did pass a bill that requires all cities and counties in the state to develop and implement comprehensive plans according to state guidelines. The bill passed by only one vote, and opponents are trying to get it repealed this year, according to the **Idaho Statesman.** A statewide campaign has been organized to oppose mandatory planning, using committees in each county.

In **Colorado,** 1974 legislation which provided for state critical areas has become an "administrative nightmare" since localities designate and regulate the areas. The 1974 law gives the state control over development activities of statewide interest and establishes criteria for areas and activities of statewide interest. Gov. Dick Lamm's staff is now reviewing the state land use policies to coordinate a multitude of agencies, programs, and regulations dealing with land use, and to assess support for further legislation.

COMPENSATION

In both **Arizona** and **New Mexico,** land use legislation bogged down over the question of whether compensation would be provided for the regulation of land. In Arizona, the legislation died in the committee. New Mexico's state senate passed a bill requiring property owners to be compensated for any government restrictions on the use of land, even though the land would not be taken outright. The bill was different than that any state now practices, according to **LUP Reports,** and it was defeated by the state house.

TAX INCENTIVES

An innovative program using property taxes as incentives for proper land use is now being tried in **Montana.** Under the law, local governments are required to classify land in broad categories. Property tax rates will then be based on the classification, according to **LUP Reports.** Once land classifications have been made by local governments, property owners must indicate how their land will be used. If the use varies from the classification, the property tax rate will be adjusted accordingly. To gain the best tax rate, property must be used according to the land classification.

Resistance to this program has been strenuous, however, and it has not yet been implemented.

"A Summary of State Land Use Controls, December 1975" is available from **Land Use Planning Reports** at 2814 Pennsylvania Ave., N.W., Washington, D.C. 20007. The summary describes major state land use activities undertaken in 1975, including plant siting, strip mining regulations, and the preservation of agricultural lands. Checks for $6 should be made out to

Region's refineries called big polluters

A two-year study on refinery pollution control in the U.S. reveals low ratings for most refineries tested in the Northern Rocky Mountain region. Most firms were meeting requirements set by state and federal governments, however.

The study included 61 refineries run by eight major oil companies. It was performed by a private, non-profit group called the Council on Economic Priorities.

The council says technology is available to clean up refineries' air and water pollution. "The variations in company pollution control performance . . . are not determined by technical feasibility, but by management aggressiveness toward pollution control," the study said.

Here's how some of the refineries in the Northern Rockies scored on air pollution control:

WYOMING

The **Texaco** refinery in Casper produced more sulfur oxides per barrel of oil then any of the 61 refineries studied by the council. It is not in violation of state air quality standards, however, the Wyoming Department of Environmental Quality says. On a scale of A for excellent to F for very poor, this Texaco facility rated low: a B rating for hydrocarbon emissions, a D for particulates, and F for both carbon monoxide and sulfur oxide emissions.

The **Amoco** (American Oil Company) refinery in Casper showed slightly higher marks. Its major offenses are mediocre sulfur oxide controls and poor carbon monoxide controls, according to the study. The Amoco operation was rated good on particulates and hydrocarbons.

Wyoming sulfur dioxide standards, while very strict for coal-burning facilities, do not cover existing oil-burning facilities. State air quality official Randy Wood says that because of their size the refineries in

ity, however. He says that the refineries emit more sulfur than many other refineries in the country, because they process extremely "sour" crude oil — oil which contains a high percentage of hydrogen sulfide.

Wood also told **HCN** that cleanup would be uneconomical at the refineries. "It would cost more to install (sulfur oxide control) equipment than the whole refinery is worth," he says.

UTAH

The **Amoco** refinery in Salt Lake City earned only a "poor to fair" rating for its air pollution control efforts, although it is not apparently violating any air standards.

"Amoco has installed minimal air pollution control equipment at this refinery," says the report. The only control on sulfur oxide emissions is the "relatively low sulfur content" of the crude oil it refines.

The **Socal** (Standard Oil of California) refinery in North Salt Lake was praised by the study for "quite good" air pollution controls. Its sulfur oxide emissions are "outstandingly low," the report said.

MONTANA

The Billings **Exxon** refinery was second only to Casper, Wyo.'s Texaco facility in spewing out sulfur oxides. The facility received poor marks in other air pollution areas as well.

Ed Wadington, an air quality control officer in Montana, says that Montana air regulations don't require the measuring of sulfur oxides that refineries release into the air. The law only regulates the amount of sulfur being burned in fueling operations at the refinery.

For a copy of the council report write to the Council on Economic Priorities, 84

Silent hunters of the nigh

The screech owl is one of the smaller owls, but one of the most savage hunters.
Photo courtesy National Park Service

by Sarah Doll

Owls are different things to different people. To one farmer, they're enemies to be shot on sight, murderers of poultry. Another farmer recognizes them as good friends, the best mousers around. To one birdwatcher, an owl sighting is an exciting event, while another finds the creature repulsive, an enemy of songbirds. Whatever feelings an owl evokes are apt to be strong ones.

People have been fascinated by owls for a long time. Stone Age men painted them on cave walls, believing them to have magical powers. They've been universally regarded as evil forces, harbingers of bad luck or death. On the other hand, parts of owls were used in folk brews to heal ailments from madness to heart disease. Whether for good or evil, owls were powerful medicine. Beliefs such as this still exist in some areas of the world, and traces of them are seen in our own society, evidenced by the popularity of owl figurines on our shelves.

The order of owls, strigiformes, represents such a varied group of birds that not many generalizations can be made concerning them. Some of the commonly held beliefs about owls are not true of all of them — for example, they don't all hunt exclusively at night.

All owls are, however, specialized for predation, with strong talons and sharp beaks. They all have large eyes, excellent night vision and, contrary to popular belief, see well in the daylight also. Their eyeballs are stationary in the sockets, but they can swivel their heads more quickly and in a larger circle than most animals. The eyes are set in the front of the head, giving them t
sion, both eye
with good de

Silent flig
owls. The for
ers are finely
air over them
characteristi
hearing to m
dim light. A l
of hearing, c
ness.

As do most
owls devour t
including hai
gestible parts
and regurgita
lent clues to

Most owls
individual bi
the winter in

The young have voracious appetites and grow rapidly. Photo by Don Domenick and Courtesy of Colorado Division of Wildlife

This immature great horned owl, still in juvenile plumage, devours par
Photo by Dick Randall of Defe

ers
night

giving them the advantage of binocular vision, both eyes focusing on the same object, with good depth perception the result.

Silent flight is characteristic of most owls. The forward edges of the wing feathers are finely toothed, breaking the flow of air over them so no sound is produced. This characteristic combines with excellent hearing to make them efficient hunters in dim light. A barn owl, using only its sense of hearing, can locate prey in total darkness.

As do most predatory birds, the larger owls devour their prey more or less whole, including hair, bones, and teeth. The indigestible parts are formed into neat pellets and regurgitated. These pellets are excellent clues to owls' food habits.

Most owls are not true migrators, but individual birds often drift southward in the winter in search of food.

e, devours part of a rabbit.
andall of Defenders of Wildlife

Both eyes of this great horned owl focus in front, as in man, giving it good depth perception.
Photo by Dick Randall of Defenders of Wildlife

Following is a list of some of the common owls, and their unique characteristics.

The smallest species, **Whitney's elf owl,** is a resident of the Southwest. It lives in giant cactuses, in deserted woodpecker holes. A night hunter, it feeds mostly on insects.

The **pygmy owl** is about the size of a bluebird. It eats insects and mice, but will also take on songbirds and gophers larger than its own size.

The **saw-whet owl,** whose best-known call sounds like a saw being sharpened, is smaller than a robin, but has been known to kill birds as large as pigeons. Mice form most of its diet.

The **screech owl** is a savage night hunter that eats anything it can catch — insects, rodents, birds, and even fish.

The **western burrowing owl** lives on plains country, usually in the abandoned hole of a prairie dog, although there are reports of them digging their own burrows. Its prey is mostly rodents and insects.

The **hawk owl** of the northern states and Canada is unique from other owls in its perching stance, which is usually at an angle, not upright. Again, rodents are the principal food, but it will also take ptarmigan and other game birds.

The **short-eared owl** lives in open, treeless areas, and nests on the ground. This species does the farmer a great service in ridding fields of rodents.

The **long-eared owl** prefers wooded areas. The same color as the trees in which it nests, it is especially good at striking a hiding pose, in which it stretches vertically and becomes almost perfectly cylindrical, and is difficult to distinguish from the tree.

The **barn owl** is responsible for many haunted house stories. Its most memorable characteristic is the heart-shaped, long-nosed face. It is strictly a night hunter.

Of the **barred owl,** Angus Cameron in **The Nightwatchers** writes: "The unearthly repertoire of cries that this owl can make has horrified, mystified, and dismayed more people than that of any other owl. Unearthly screams and caterwauls of the barred owl have been the howling "wildcats" and "panthers" of many a bewildered imagination. . . ." It eats rodents and small birds, including smaller owls.

The **snowy owl** lives in the Arctic regions of both hemispheres. This large white owl often hunts in the day by sitting motionless, close to the ground, until a rodent comes close, then leaps on it. Snowy owls occasionally migrate to the northern United States in the winter months.

The **great horned owl,** along with the snowy owl, is the largest owl, and the most efficient hunting machine of them all. It preys on mammals as large as muskrats, and large birds, such as red-tailed hawks and barred owls. It has almost no enemies except man. Crows will mob it by daylight, but are no more than nuisances.

Pellets found around an owl's nest are good diet indicators.
Photo by James Garrett Davis

ENERGY E 1976 HCN
energy news of the Rockies and Great Plains

POLL SHOWS EXPORT SUPPORT. A University of Montana poll reveals that residents of coal development impact areas in Wyoming and Montana are nearly unanimous in their opposition to transferring water rights from agricultural to industrial use, according to a **Casper Star-Tribune** report. On the question of an export policy, 42% of the Wyomingites surveyed said coal should be shipped out of the state for conversion unless the electricity is needed in Wyoming. About 60% of those polled in both states believed that there isn't enough water for both industry and agriculture.

GASIFICATION PLANNERS STUNNED. Congress' vote against a synthetic fuel loan guarantee program has "seriously jeopardized" plans of the firms closest to building a coal gasification plant in North Dakota. "The guarantee played a very significant role in our plans," says a spokesman for Michigan-Wisconsin Pipeline Co. and American Natural Gas Co. He says there is "no workable alternative" to the federal guarantee. The firms have proposed a $1.4 billion coal gasification complex near Beulah, N.D.

WESTMORELAND IN COLORADO. A Philadelphia-based coal mining company has paid $1 million to buy Colorado Consolidated Coal, a company with leases in Western Colorado. The Eastern firm, Westmoreland Coal Co., has mines in Virginia and West Virginia and is a partner in Westmoreland Resources, the firm mining in the Sarpy Creek Basin near Billings, Mont. Westmoreland Coal Co. plans to open a new mine near Paonia, Colo.

HATHAWAY JOINS PP&L. Stanley K. Hathaway, a former governor of Wyoming and a former Secretary of the Interior has been elected to the board of directors of Pacific Power & Light Company. Hathaway also has a private law practice in Cheyenne.

KAIPAROWITS FIRMS DECIDE TO WAIT. "Objections by environmental groups and lengthy approval processes" have delayed the proposed Kaiparowits power project in Southern Utah by one year, says a spokesman for the utilities behind the project. Completion of the first unit of the 3,000 megawatt complex is now set for 1982, the second and third in 1983, and the fourth in 1984. The complex, if approved, would be the largest in the U.S. One of the utilities, Arizona Public Service Company, has said that reduced demand for electricity was also behind the delay.

ONE RIVER — TWO COUNTRIES. Granting oil and gas leases in the Flathead River drainage in Montana might jeopardize U.S. negotiations with Canada to limit water pollution from a proposed strip mine in the northern part of the same drainage, Rep. Max Baucus (D-Mont.) believes. Baucus has asked the Secretary of Interior and the Secretary of Agriculture to delay final judgment on the leases until the Cabin Creek coal mining issue is settled. Granting of the leases would create "a situation whereby Canadian negotiators could refer to oil and gas leasing in the Flathead drainage as evidence of America's lack of singlemindedness and sincerity in guarding against industrial pollution," he said.

COLOWYO TO STRIP NEAR CRAIG. W.R. Grace & Co. and the Hanna Mining Co. have joined in a partnership to strip mine coal near Craig, Colo. The Colowyo Coal Co., as the partnership is called, plans to mine three million tons of coal by 1979. Operations may begin this year, pending the federal government's lifting of the moratorium on coal leasing and completion of a regional environmental study. The mine would supply fuel to a proposed $500 million electric generating complex near Craig.

SHALE WORK GOES UNDERGROUND. While most energy companies have put oil shale development on the shelf for a while, Occidental Petroleum Corp. seems as optimistic as ever. "Recent Congressional action denying government guaranteed loans to pioneers of synthetic fuel technologies has in no way deferred us from going forward with our program," says an Occidental spokesman. The company is experimenting on private lands near Logan Wash, Colo., with an innovative underground technology. Instead of mining the shale and moving it to a "retort" facility to remove the oil, Occidental removes the oil by setting a fire underground. This "in situ retort" eliminates waste disposal problems and uses almost no water.

OIL SHALE. Here, dark brown shale is sandwiched between other layers in the formation. Congress' decision against loan guarantees was a setback for most firms interested in making oil from shale. Occidental Petroleum, however, plans to go ahead with its experiments in "in situ" technology.
Photo courtesy of Occidental Petroleum

CRIME WAVE HITS ALASKA. Alaskan police officials are unable to handle the crime wave that has hit Alaska since construction of the Alaska oil pipeline began, according to the **Los Angeles Times.** "Pipeline barracks (have) turned into armed camps," reports the **Times,** "with brutal fights among feuding union gangs and pipeline welders rioting over such trivial issues as the absence of automatic washing machines." The state's attorney general says Alyeska (the pipeline construction company) will "do nothing to provoke the unions. They just want to finish that line. They've stayed about 10 miles away from state law enforcement people."

OIL SPOILS PLENTYWOOD. Some people in Plentywood, Mont., have had enough of oil companies. Salt water from oil wells in the area around this eastern Montana town has been ruining farm land and water wells, according to a story in the **Billings Gazette.** Water from the companies' salt water storage pits has seeped into adjacent farm land. One rancher, Leslie Hjelm, complains that two of his stock watering wells are too salty for cattle consumption. To pressure for reform, local people have formed the Northeast Montana Land & Mineral Owners Association, Inc. The state Oil and Gas Conservation Board, which is responsible for investigating such claims, has "dragged its feet," says one organization member.

IDAHO REACTOR PASSES TEST. During a half second test, a nuclear breeder reactor at the Idaho National Engineering Laboratory performed as it was expected to under emergency conditions. The researchers turned off the flow of cooling sodium through the reactor, one of many at the Idaho site, for the test. Computers and monitoring equipment took readings on everything that happened and sent the results elsewhere for analysis. According to an Associated Press report, the presumed success of the experiment may mean progress toward eventual widespread use of breeder nuclear reactors.

CAN'T LEGISLATE GRASS. Reclamation standards in semi-arid Western states may be "little more than wishful attempts to legislate grass," according to an editor of **Western Oil Reporter,** Douglas Gill. "It's too early to tell whether the hot-house conditions of carefully tended company test plots will lead to stable communities of self-perpetuating vegetation, good ground cover, or grazing forage equal to what was there before the draglines came," Gill said in a **Denver Post** article. Companies would have to stay on the job watching over reclamation for 30 to 40 years because of capricious rain and snowfall and because it takes so long for native grass species to become reestablished, he says.

Bridger plant to scrub stacks

Companies backing the Jim Bridger power plant in Rock Springs, Wyo., have signed an agreement with the state to install sulfur dioxide scrubbers on all four units planned.

The companies, Pacific Power and Light Co. (PP&L) and Idaho Power Co., have not formally dropped a lawsuit filed in Sweetwater County District Court asking for judicial review of the state standards which require that the scrubbers be installed, however.

"We feel comfortable that they have signed the agreement committing themselves to meeting the standards," said Randy Wood, director of the State Department of Environmental Quality's air quality division. "That reinforces our position that the standards are achievable."

Two other firms have raised separate challenges to the state sulfur dioxide standards: Tri-State Generation and Transmission Co. (one of the six backers of the proposed power plant at Wheatland, Wyo.) and Utah Power and Light Co. The court hearings in these cases were postponed last April to allow for out-of-court negotiations between the state and the companies.

Wood said that PP&L and Idaho Power are now discussing "reasonable compliance schedules" with the department. He said the companies are not certain they will be able to add a scrubber to the fourth unit by the time construction is expected to be complete in 1978, however. Wood expects that scrubbers will be added to the three units already under construction sometime after the scrubber is installed on unit 4.

Wyoming Gov. Ed Herschler said the agreement was "an example of the kind of cooperative relationship the State of Wyoming wants to maintain with its corporate citizens."

"But, only pressure from concerned citizens, interest, and demands from consumers fed to the teeth with the coal and petroleum and uranium and plutonium 'plans' of the existing energy industry, will cause windpower, or any other solar energy system to come into being. If you want energy alternatives, you will have to demand energy alternatives — or it simply will never happen."
William E. Heronemus, Professor
University of Massachusetts
Amherst, Mass.

House, Senate clash in coal conference

Members of Congress on the coal leasing bill conference committee find themselves trying to reconcile two different philosophies found in the House and Senate versions of the bill.

Sponsors of the House coal leasing bill (HR 6721) are predicting a deadlock with the Senate, according to **Coal Week.**

The Senate tried to regulate strip mining on federal lands through the leasing bill. Rep. Patsy Mink (D-Hawaii) wants to either regulate all strip mining through the leasing bill — not just mining on federal lands — or not combine leasing and stripping issues at all.

The House and Senate versions of the leasing bill have other major differences to be resolved. The Senate bill repeals provisions in the Mineral Leasing Act which prohibit railroads from developing their coal leases. The House version does not.

The Senate bill increases the state share of coal royalties, which was 37.5%, to 60%. The House bill increases it to 50%.

The House bill takes a hard line on non-producing leases, it flatly cancels them after 15 years. The Senate bill would cancel the lease after seven years, but would allow the Secretary of Interior to renew the lease for whatever he considered to be "good cause."

Windustries promotes

One year ago, the Kansas attorney general's environmental specialist — William H. Ward — left his post to help promote wind power. "I came to believe that the potential of wind, or any other type of solar energy, will not be realized for a long time without concerted citizen action," says Ward.

So Ward set up a non-profit organization called Great Plains Windustries, Inc. "as a voice for one alternative."

"Wind power needs a constituency," says Ward. "If you and I and a lot more of us stand up and say that we've had it with energy sources that grab our land and water, pollute our air, and leave radioactive wastes to our descendants, we'll be heard. And we might get something better."

Ward says that with reasonable energy conservation efforts and a strong commitment to wind power "there doesn't need to be a single additional water-sucking, land-gobbling, waste-making, life-threatening nuclear plant built in the Great Plains region."

The problem is that the government, through taxes and incentives, won't divert the necessary capital into the solar-wind industry, according to Ward. "Instead, solar and wind systems get researched — an exercise in many ways tantamount to reinventing the wheel — while nuclear plants get built."

Ward says the technology for using wind energy is developed and waiting. "Wind could be producing significant amounts of energy within two to four years after a whole-hearted commitment," he says. "The prestigious National Science Foundation has estimated that the winds could eventually supply at least one-fourth of the nation's entire electrical needs — and certainly all those in the Great Plains. That's half again as much energy as will ever be pouring through the Alaska pipeline — and the wind will be blowing long after we've drained the oil out of Alaska," says Ward.

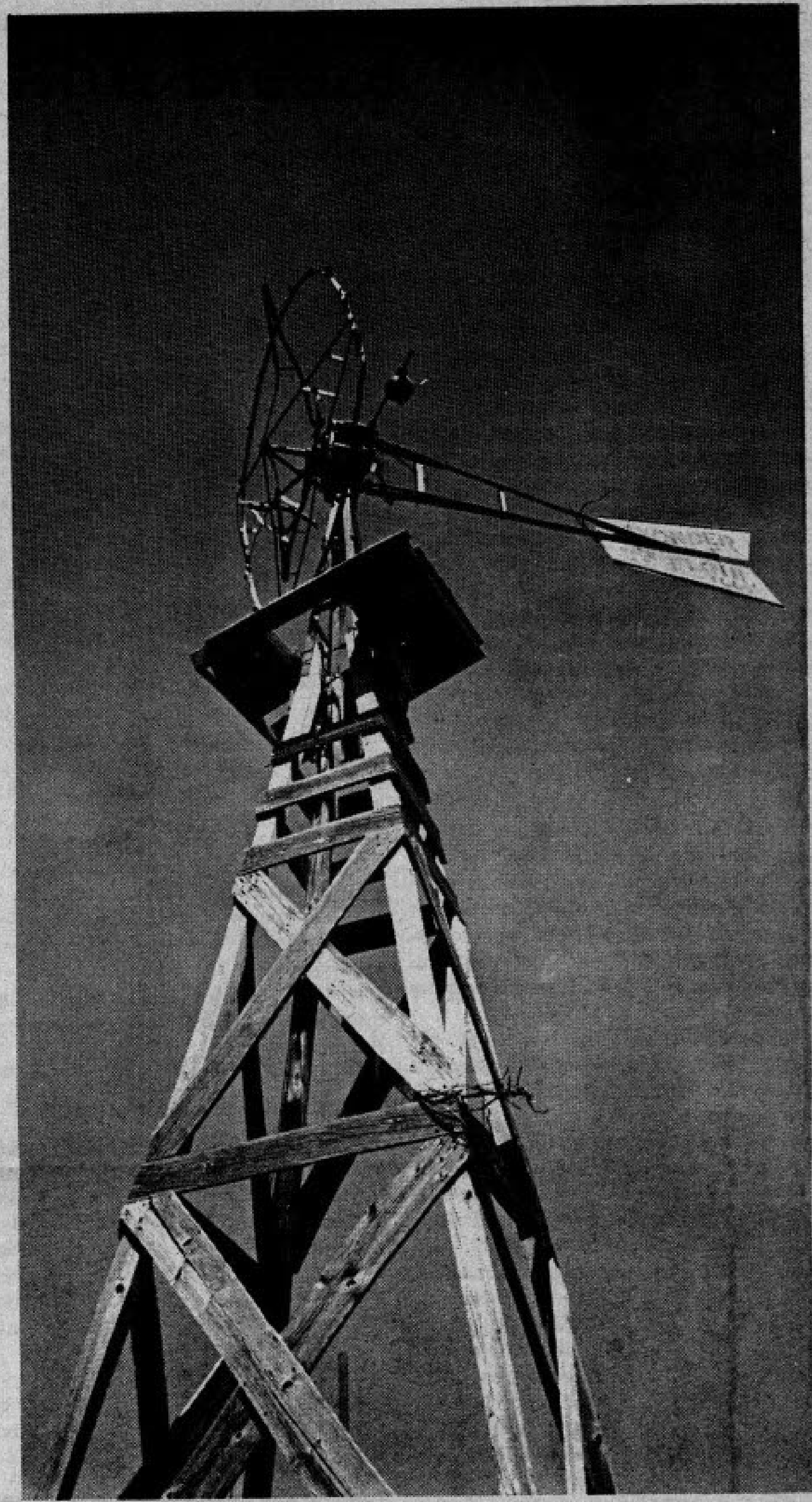
Education is Windustries first priority, says Ward. The organization is now developing written material, slide presentations, and other educational tools.

"The best way to promote wind energy is to get some equipment up for everyone to see," says Ward. "Many people have wind and other solar projects going. We want to encourage such projects and let the public know about them. We are attempting to develop a professional staff and are working with several groups who want their own systems — a home for neglected and abandoned children in Topeka, a western Kansas town, a radio station.

"At the same time, Windustries will monitor governmental and private activities in wind energy," says Ward.

Windustries now has about 400 members. Membership is $5 and is "basically a donation at this point," says Ward. "We inform members from time to time of what progress is being made and how they can help. We also direct our membership to sources of wind energy information and hardware."

For more information, contact William H. Ward, Great Plains Windustries, Inc., 3802 S. Topeka Ave., Topeka, Kansas 66609.



IDLE WINDMILL. Is it time to revitalize old technology? Photo by Don Domenick and courtesy of Colorado Division of Wildlife.

The HCN Hot Line

energy news from across the country

SOLAR LOANS FROM FHA. Federal Housing Administration loans for solar heating and cooling are being processed and will be available on an individual basis for homes despite the absence of uniform solar equipment standards, according to **Solar Energy Intelligence Report.** A spokesman for the Department of Housing and Urban Development said that minimum property standards being drafted are five months from completion.

PRIVATE ENRICHMENT OPPOSED. The Congressional Joint Committee on Atomic Energy is opposed to President Gerald Ford's plans to allow private industry to build uranium enrichment plants with government guarantees against major losses. Ford's proposed plan would make the nuclear fuel business a get-rich-quick scheme for big business, according to the **Denver Post** account of the committee's reaction. Presently, the government owns the three existing fuel plants. A consortium of companies called Uranium Enrichment Association (UEA) has submitted a proposal for building the first private plant, a $3.5 billion factory with the government paying for any losses over $20 million. Additionally, the uranium group wants the government to guarantee the plant will make 15% profit per year.

COAL HOT SPOTS. Two federal agencies have placed a high priority on coal development in Wyoming's eastern Powder River Basin and in northwestern Colorado. The agencies, the U.S. Geological Survey and the Bureau of Land Management, recently rated federal coal lands. The rating will guide the Interior Department if courts decide the department must prepare regional impact statements. Because BLM looked mainly at development potential and USGS mainly at interest shown by mining companies, other ratings made by the two agencies do not agree. BLM also gave high priority ratings to Montana's Powder River Basin; Kemmerer, Wyo.; and west central North Dakota. USGS also gave high priority to the Northern Cheyenne Reservation, Mont.; the Crow Reservation and Crow-ceded strip, Mont.; Paonia-Somerset, Colo.; Book Cliffs-Wasatch, Utah; Alton, Utah; Kaiparowits Plateau, Utah; Navajo Reservation, Ariz. and N.M.; northwestern New Mexico; and Eastern Oklahoma.

STATES WIN CONCESSIONS. The Interior Department has deleted a passage in its proposed mining and reclamation rules which led some Western governors to fear that less stringent federal standards would prevail over state reclamation standards on federal coal lands. The department did not include language which makes any concrete commitment to states, however, as had been requested by Wyoming Gov. Ed Herschler. As another concession, Interior is setting up procedures to allow states to participate in energy decisions. State veto power, which was requested by Colorado Gov. Dick Lamm for synthetic fuel projects, has not been endorsed by Interior, however.

MAKING LOW SULFUR COAL. Mapco., Inc., is working with Battelle Memorial Institute to refine a process for removing sulfur from coal before it is burned. Battelle says that up to 99% of the inorganic sulfur and up to 70% of the organic sulfur can be removed through the chemical process. Marketable elemental sulfur is a by-product of the process.

HORTON SUPPORTS EXPORT POLICY. Asst. Interior Secretary Jack Horton said he favors exporting Wyoming's coal to consuming areas rather than producing electricity from it in the state, according to an Associated Press report. Speaking before the Wyoming Association of Conservation Districts, he said, "The people who will benefit must accept the environmental and human impact."

ARMS CONTROL ON ENVIRONMENTALISTS. Rep. Steve Symms (R-Idaho) said, "It is time to place arms controls on the environmental lobby." Speaking at the Northwest Mining Association convention in Spokane, Wash., Symms said the National Environmental Policy Act, the Clean Air Act, the Clean Water Act, and the federal pesticide and predator control laws have become the "heavy artillery of the ecology movement." He called for full scale "arms limitation" by amending or repealing these laws, according to a United Press International report.

BREEZE POWER. A windmill which will turn in breezes you can't even feel is being developed by a Massachusetts inventor. The inventor, Norman Wilfram, says his turbine will generate electricity in five-mile-per-hour winds which will not even turn most bladed wind generators. The trick is a cone in the center of the generator which accelerates the wind speed. Wind which is five m.p.h. at the tip of the cone is about 12 m.p.h. by the time it reaches the base. The turbine is now undergoing wind tunnel tests at the University of Massachusetts.

Sierra suit. . .

(Continued from page 1)

standing order, Interior claims that adequate environmental impact statements exist for the Eastern Powder River Basin and northwestern Colorado," **Coal Week** said in its Jan. 5 edition, a week before the Supreme Court's decision.

REGIONAL RAMIFICATIONS

Ramifications for other companies in the basin and the region are less clear until the Supreme Court makes its final decision this spring.

Interior imposed its own moratorium on further federal coal leasing in 1973. Slowly the stage has been set for renewed leasing. In September 1975, Interior released its programmatic environmental impact statement on federal coal leasing. In October 1975, Thomas S. Kleppe took over as Secretary of Interior after months of departmental upheaval. In November 1975, federal strip mining regulations were proposed by Interior, followed in December by proposed coal leasing regulations. The strip mining regulations will be in effect shortly and the deadline for comment on the leasing regulations is Feb. 1.

When the Senate was questioning Kleppe prior to his confirmation, he said Interior's moratorium would remain in effect until after Congress had adopted its own leasing regulations. But, he said, he wouldn't wait indefinitely — only until the end of the year — before taking new leasing action.

Congress still doesn't have leasing regulations. Both the House and the Senate have proposed regulations, but they're now in conference committee where a deadlock is possible (see story, page 10).

In October, when the House Interior Committee was writing the leasing bill, Rep. John Melcher (D-Mont.) and Rep. Teno Roncalio (D-Wyo.) told **HCN** they didn't think the moratorium would be lifted without a bill from Congress and with the court suit pending. Melcher added that he didn't think the suit would be settled without a "national coal policy" dictated by Congress. Melcher and Roncalio were proposing combining the leasing bill with the vetoed strip mining bill to form the national coal policy. "We need the strongest energy plan we can to satisfy the courts," Melcher said.

However, the strip mining bill has not been combined with the leasing bill, so there may be no Congressional reclamation requirements even if the leasing bill passes. The stripping regulations proposed by Interior have inadequate reclamation requirements, according to critics, which include the U.S. Environmental Protection Agency, state officials, the Sierra Club, the Natural Resources Defense Council, and other environmental groups. Interior calls for reclamation "to the maximum degree practicable."

State officials were particularly critical of vague language which does not assure that stronger state reclamation provisions would prevail over federal regulations.

The Northern Plains Resource Council, a rancher environmental group in Montana, is considering legal action against the strip mining regulations. "Interior has tried to muddy the waters by promulgating new strip mining regulations to justify leasing. They aren't fooling anybody into thinking these are going to require reclamation," Pat Sweeney of NRPC explains.

NATION'S NEEDS

Sweeney told **HCN** his organization opposes lifting the leasing moratorium for several other reasons as well. "The first and most obvious reason is that there is no need to lease any more coal. By Interior's own figures, 15 billion tons have already been leased." For this reason, NRPC joined the suit challenging the programmatic impact statement.

On the other hand, Kleppe and Frank Zarb of the Federal Energy Administration have filed affidavits with the appeals court saying the injunction had to be lifted because of the nation's energy needs. Earlier, at a press conference, Kleppe had said, "We cannot sit here with a moratorium on coal leasing as a policy . . . . We just have to be able to find a way to develop this this resource."

Now that the injunction is lifted, Interior can allow the four mining companies to go ahead with development since they already have leases. If Interior goes a step further and actually does lift its moratorium on leasing, then Sierra Club attorney Terris thinks it faces another legal hurdle — aside from the Sierra Club suit — which should delay any action by six to eight months at the least.

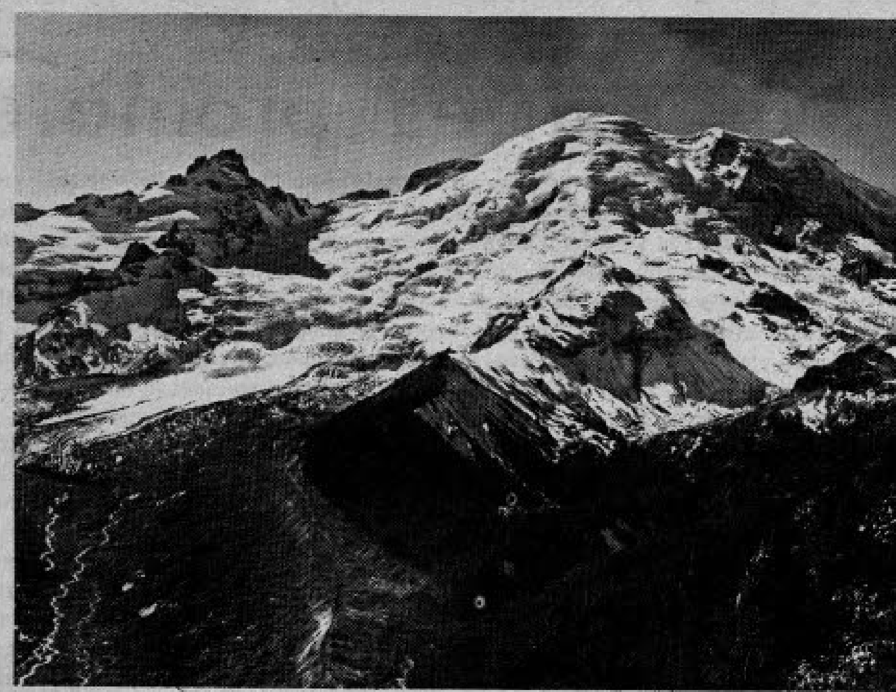
The Ninth Circuit Court of Appeals, in **Cady v. Morton,** ruled that individual impact statements are necessary on coal leases. Up to that point, Interior had prepared impact statements only on mining plans — not on entire leases, according to Terris. "On that basis, I would say it is illegal for Interior to proceed without individual impact statements. If that is true, they can't move very quickly in the Eastern Powder River Basin or anywhere," Terris says.

However, he says, Interior may not take that position. "That's the major open question now," he says.

CITIZEN RESPONSIBILITY

Regardless of which way the Supreme Court rules in the spring, Terris believes it is important for private citizens and for state officials to impress upon the federal government that they won't cooperate with it on energy development unless planning is provided. "There is no reason to believe Interior will use any rational planning process on its own," he says.

Now, he says, the Interior Department doesn't really believe that the states will insist on their own controls. "The governors could make the difference," he says.



PARK RESTRICTION SUIT FILED

A landmark court case challenging restrictions on public use of the national parks has been filed in U.S. district court in Seattle. The suit was brought by Larry Penberthy, president of Mountain Safety Research, against Mt. Rainier National Park regulations. Penberthy was denied permission to lead a climbing party up Rainier because his plan called for camping on a snowfield already used by another climbing party. Penberthy terms "absurd" a reference by park superintendent D. J. Tobin Jr. to "the inability of the snowfields to tolerate increasing numbers of users," according to FOREST USERS, a publication of the American Forest Institute.

Photo of (left to right) Little Tahoma Peak, Mt. Rainier's summit cone, and Liberty Cap. National Park Service photo.

Herschler questions BLM range policy

Wyoming's Gov. Ed Herschler has told the Bureau of Land Management that its current halt on range improvements on federal grazing lands is a burden on ranchers and farmers. In a letter sent in December to BLM Director Curt Berklund, Herschler said he thought the policy was unnecessary and asked that it be changed.

BLM claims that the halt is dictated by a court agreement in the case of Natural Resources Defense Council v. Rogers C.B. Morton, former Secretary of Interior. In that case the court ordered that the BLM write environmental impact statements (EIS's) reflecting the localized effects of grazing on public lands.

The BLM has agreed to complete those grazing statements over the next 13 years. The agency has said that, in the meantime, until an EIS is complete in an area, no range improvements can be made.

Herschler argues that if a range improvement does not have a significant impact on the human environment, the completion of the grazing EIS is not required before that improvement can be built. He says that an opinion from the Interior Department's solicitor's office concurs: current preparation of the range EIS's does not preclude necessary range improvements.

Coal impacts to be outlined in Casper

Casper, Wyo., area residents will have an opportunity next week to look into a crystal ball, courtesy of federal and state governments. John VanDerwalker, program manager for the Northern Great Plains Resources Program, will give a talk on the completed report : "The Effects of Coal Development in the Northern Great Plains, A Review of Major Issues and Consequences at Different Rates of Development." The slide-illustrated talk will be at the Energy Institute at Casper College at 7:30 p.m. on Thursday, Jan. 22.

Those who cannot attend the meeting may be interested in reading the document which resulted from the four year NGPRP study. The study is the closest thing to a region-wide impact statement on the possible effects of coal development that is available. As well as assessing effects on land, water, and air resources, it goes into the economic, social, and cultural impacts of coal development. Maps show who owns the surface, who manages the minerals, and land reclamation potential in the five states included. A "Declaration of Indian Rights to the Natural Resources in the Northern Great Plains" prepared by a federation of Indian tribes is also included.

The Casper meeting is being cosponsored by the Rocky Mountain Center on the Environment (ROMCOE) and the Wyoming Geological Association.

Interior doesn't understand NEPA

"Interior has never understood the intent of this suit," according to Bruce Terris, attorney for the Sierra Club. Terris was asked about the Interior Department's plans to define the boundaries of more than 30 different coal development regions, at least two of them within the Northern Great Plains. Interior is preparing these regions in case its appeal to the Supreme Court fails, according to **Coal Week.** The suit, however, demands a regional impact statement that encompasses northeastern Wyoming, eastern Montana, western North Dakota, and western South Dakota.

"We're not just talking about putting together a bunch of statements on mines and power plants that happen to be near each other. What we're saying is that they have to look at some of the cumulative regional implications," he says. Terris cites examples such as the advantages and disadvantages of exporting coal as opposed to converting it to electricity in the region, of Western v. Eastern coal, of slurry pipelines v. railroads, of concentrating plants in one area rather than spreading them out.

"It's these kinds of questions that are the basic questions rather than little dinky questions about individual mines. These are the kind of questions that have to be analyzed in an overall statement," Terris says.

Beyond just not understanding the intent of this lawsuit, Terris charges that Interior doesn't understand the intent of the National Environmental Policy Act (NEPA). "The heart of the problem is that Interior regards an environmental impact statement (EIS) as a pile of papers that NEPA requires them to go through," he says. "Any reasonable person," Terris says, would realize that planning would be necessary prior to such a major action as development of Western coal. However, Interior insists that since it has no overall scheme for developing Western coal, then it is not a major federal action and consequently an impact statement is not necessary.

Confirming Terris' analysis, one Environmental Protection Agency insider told **Coal Week,** "Interior has never taken the EIS process seriously, and now they are paying the price."

Western Roundup

HCN

Attempt to block water board fails

In a 7-0 ruling, the Colorado Supreme Court has ruled that the Denver Water Board is fully empowered to sell water outside the city limits. Environmental groups challenging the water board's authority were concerned that such power would encourage unwanted growth in the Denver metropolitan area and endanger water resources in wild lands on the Western Slope. The Denver Water Board has been attempting to dam and divert water in the proposed Gore-Eagles Nest Wilderness near Vail to accommodate future growth in the Denver area. The high court ruled that the only restrictions on the water board's expansion are constraints in the city charter which prohibit service to suburban areas at the expense of Denver service.

Presently, almost half the board's customers live outside the city. In addition, the board has signed contracts to serve 181 square miles of suburban land — 60% of it still undeveloped, according to the **Rocky Mountain News.**

In a related matter, the water board is now considering another water use rate increase. When Denver voters passed a $160 million bond issue two years ago they were assured by the water board that they wouldn't be forced to subsidize an expansion program designed to serve suburban customers. Since the bond issue, Denverites have been hit with an 18% rate increase last year and another 20% increase expected in April 1976.

"It is obvious that about half of the increased revenues will be used by the water board to meet annual principal-and-interest payments on capital improvement bonds it intends to issue," reports the **News.** "... The water board may be violating the spirit, if not the letter, of the charter."

Lead smelter defies federal regs

The Idaho Department of Health and Welfare has questioned whether pre-school age children ought to be living near the Bunker Hill Lead Company smelter in Kellogg, Idaho. The town, agreeing that the ground near the smelter had been saturated with emissions for years, refused to take the advice of the school board and close an elementary school near the plant. Instead, the playground was black-topped and instructions were given to hose down the pavement frequently, according to **Water Newsletter.**

Meanwhile, the U.S. Environmental Protection Agency has come up with new sulfur dioxide emission control regulations for zinc and lead smelters which will force Bunker Hill to control 82% of its emissions. The company says it will fight the new EPA regulations. The state had required future control of only 72%.

Two new Clark's Fork dams proposed

Applications for two new reservoirs and a supply ditch on the Clark's Fork River in northwest Wyoming have been filed with the state engineer. The two reservoirs — called Badger Basin and Clark reservoirs — would be primarily for industrial water storage. The applicant, Allen O. Fordyce of Big Horn, Wyo., is the same man whose application to dam Sunlight Basin was turned down several months ago. It is believed that Fordyce intends to supply water to coal developers in the Powder River Basin, but he has never been specific on his applications. Failure to provide detailed information on the type of industrial water use planned from the Sunlight Reservoir led to its rejection by the state engineer.

GREEN RIVER GROWTH

Growth will occur in Green River, Wyo., as fast as housing can be developed to accommodate the expanding trona industry, according to the city's new comprehensive plan. Demand for soda ash is expected to increase two to three times in the next 10 years, report the planners. The CASPER STAR-TRIBUNE notes that the industrial siting application for the fourth unit at the Jim Bridger power plant lists "several major companies including Wyandotte Chemicals Corp., Phillips Petroleum Co., Olin Mathieson Chemical Corp., and Diamond Alkali, own trona rights" in the Green River area. None of these new companies have announced development plans.

Arizona's Sen. Paul Fannin to retire

Sen. Paul J. Fannin (R-Ariz.), a senior member of the Senate Interior Committee, has announced that he will not be a candidate for re-election in 1976. Fannin was a consistent opponent of strong environmental legislation. He earned one of the worst environmental voting records in the Senate, according to a League of Conservation Voters report — three per cent in 1973-74 and four per cent in 1972-73.

Phosphate impact statement delayed

A draft environmental impact statement on phosphate mining in Southeastern Idaho will not be released until late February, according to a Department of Interior spokesman. The report was scheduled for release in December, 1975, but Idaho Gov. Cecil D. Andrus requested a delay to allow more input from state agencies. The preliminary draft was strongly criticized by Andrus in November, 1975.

Recreation top Montana forest use

A resource economist at the University of Montana says recreational users of forests and wildlands pump more new money into the Montana economy than does the forest products industry. In an interview with **The Missoulian,** Dr. Joseph Horvath estimated that $50 million spent on recreation stays in the state, compared with $30-35 million for the wood products industry. He said the two industries are not mutually exclusive: "The same land can provide two-by-fours, recreation, wildlife, and scenery." Horvath recommends redevelopment of existing cities and towns as recreational centers, rather than building new resort communities. "Let Colorado and California develop their ski resorts and condominiums," he told **The Missoulian.** He advised Montanans to "sell the scenery" to tourists, "let them be here" and "don't do much" to disturb the natural wildlands.

Toxic gas could make useful plastic

U.S. Rep. Pat Schroeder (D-Colo.) has found an answer for one of the toxic gases stored at Rocky Mountain Arsenal near Denver. She and Sen. Gary Hart (D-Colo.) have advocated termination of operations involving poisons there since they fear the danger to humans. Schroeder is sponsoring a bill to allow the Army to sell the phosgene gas, saving as much as $4 million that it would cost to continue detoxifying the gas. About $1 million in revenues should be generated by selling the gas to manufacturers of urethane plastics, paints, and other products. The Army testified at a public hearing, saying transport of the gas would not endanger the public, according to a **Rocky Mountain News** report.

Federal noise regs too lax for SLC

The Salt Lake City-County Board of Health plans to appeal new federal noise standards because they are too lenient, according to the **Deseret News.** The county has already adopted tougher noise standards than those being proposed by the U.S. Environmental Protection Agency and the U.S. Department of Transportation. Board of Health officials are worried that their standards may be unenforceable if the lax federal standards are adopted. Uniformity from state to state is vital to interstate carriers — such as trucks — but the county's regulations are three to four times stricter than the federal government's.

Greenbelt law not helping agriculture

Montana is one of the only states in the Rocky Mountain region with a "greenbelt law," and a recent study says it's not working. The law, passed in 1973, attempts to keep land in agricultural production by taxing agricultural land on its productivity instead of its market value for development purposes. A retroactive penalty tax is assessed if the land is sold. However, a study by the Department of Community Affairs says the penalty is not large enough to discourage sales and that it actually encourages developing productive agricultural land rather than marginal land, according to a report in the **Missoulian.**

Beartooth backpackers mistreat wilds

Damage by campers, hikers, fisherman, horsemen, and dog owners to the Beartooth Primitive Area in southern Montana has become "critical." Forest Service officials feel that tighter controls — including a permit system — may be the only solution, according to a **Billings Gazette** report. A group of Eastern Montana College students surveyed the area this summer and found significant damage from campfires, litter, and human wastes. Trail bikes drew the largest number of complaints from users, even though only one per cent of the users ride cycles into the area. About 30% of those interviewed thought there were too many people on the trails. Horses and dogs in the area also drew fire.

Denver to house 71.6% of Colorado

The Denver area is expected to house 71.6% of all Coloradoans by the year 2000, according to a Denver Regional Council of Governments' report. Greater Denver is already home to 56.6% of Colorado's 2.5 million residents. Colorado's population is projected to be 3.5 million by the year 2000.

Eavesdropper

environmental news from around the world

LOONEY LIMERICKS
by Zane E. Cology

Let's return to those Death Valley Days,
When Ronnie Reagan was the craze.
Grab a pick and a shovel,
Turn the park into rubble.
Be a part of its moonscape phase.

PARK MINING BILL PROGRESSES. The National Park Mining Bill, S. 2371, was reported in early December to the Senate floor by the Interior Committee. The bill contains a four year moratorium on any new surface mining in Mt. McKinley National Park and Death Valley and Organ Pipe Cactus National Monuments effective Sept. 18, 1975. The other parks — Crater Lake N.P., Glacier Bay N.M., and Coronado N.M. — are closed to mineral entry under the legislation. Full Senate action is expected soon. (Editor's note: see the article on mining in Death Valley, N.M., in this issue.)

WOLF HUNTING DECRIED. Rep. William Whitehurst (R-Va.) wants to outlaw wolf hunting to protect the animal from extinction. He plans three legislative measures: 1) outlaw shooting and harassment of wolves on federal lands. 2) authorize an Interior Department study aimed at dispelling "superstitions and myths" about the wolf, and 3) make a treaty with Canada to ban the killing of the eastern timber wolf.

SEWAGE WATER SOLUTION. Farmland Industries has built a nitrogen fertilizer plant near Enid, Okla., that uses sewage waste water in its cooling tower. The plant helps the city solve its clean up problems, and the city sells the plant its sewage water for $5 a day.

COMMUNITY PITS. Three Illinois communities outside Chicago have set up community oil pits. Motorists come to the pits to change the oil in their cars and leave the old oil for recycling. The project conserves energy resources and keeps the old oil out of the sewer system or off the ground where it was previously drained.

CUTS THAT COST. Budget cuts in the national parks can cost more than they save, says the National Parks and Conservation Association. NPCA says current budget cutting policies have resulted in laying off Park Service employes and then having to hire more expensive outside contractors to do the same work. The Park Service made "an expenditure of $15 million for contract work which would have been done for $11 million, and done better, by Service personnel," says NPCA president Anthony Wayne Smith.

Thoughts from the Distaff Corner

by Marge Higley

In the past few years, millions of words have been written about man and his environment. One couldn't begin to read them all in one lifetime. They paint a grim picture, and for the most part are unpleasant reading.

I'd like to tell you about one slim little volume containing less than 30 pages. It's another of those beautiful, delightful books by Gwen Frostic, and is called **Contemplate** (c. 1973, Presscraft Papers, Inc., Benzonia, Mich. 49616).

The book has to be seen to be truly appreciated. It's printed on a variety of different papers and is profusely illustrated by Frostic's imaginative block prints. The words flow lyrically across those colorful pages — not quite poetry, yet not really prose — and the impact is tremendous.

The book starts with a question: "Will there be a great tomorrow — or is This the way it will be told - - -?"

And Ms. Frostic tells the story as it might possibly be told at some future date. There isn't room here to put it all down, but I'm going to quote at random from the next few pages.

"There are no stars - -
no moon - - -
and no sun - - - -
around the earth lies a dense man-made
cloud of smoke and dust. . .
Green plants cannot breathe
- - -nor produce food
without the energy of the sun - -
green plants upon which all life depends. . .
But man will not know - -
for man has gone the way of the lemmings - -
running from his own creation - - -
running with no place to go - -
running — to final extinction
the way of the dinosaurs
that once lived upon this earth. . ."

The author then talks about the warnings that man ignored, and the fact that there were some who tried to stop the trend,

"but their voices were lost
in the demands to fill and
put to use those 'wastelands'. . ."
"And man produced
more and more men - - -
who wantonly consumed all things - -
until the entire balance of life collapsed. . . . .

The next portion of the book concerns the "power of the small," and is of the balance of nature, and how man no longer is "attuned to all life, living at peace with the earth and everything around him."

"It was only as man developed an urge to control all things that the great balance was endangered. . ."

The author describes man's desire to set the course of rivers, to eradicate the insects, to determine which plants were weeds — she touches upon the cutting of trees, mining, overgrazing, and the other "disgraceful crimes the human race committed against the earth — the air — the waters — and the wild things that called these places home - - -"

and —
as man destroyed these things - - - he — in turn
destroyed himself. . . . .
One of mankind's greatest needs
was to restore his soul amidst the wildness of this earth - - -
and that - - -
he heedlessly
demolished. . . . ."

"Man discovered all the secret places of this earth
- - scaled the highest mountain
- - - explored the depths of the oceans
- - - - ventured to the moon — and beyond. . . .
Yet — was unable to solve
the greatest mystery of them all
- - man himself - - - - - -
and his rightful place upon this planet. . . . ."

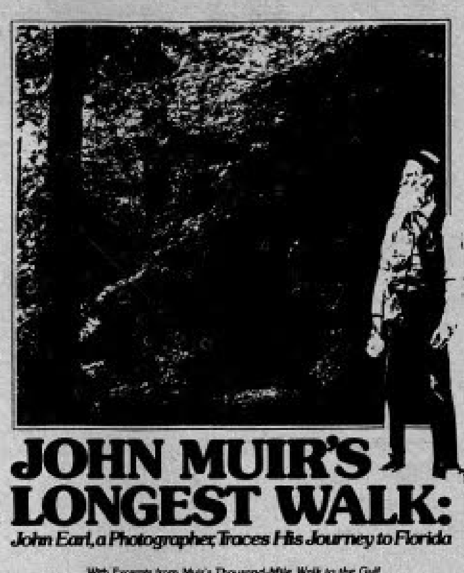
The last few pages of the book give a breath of hope. "Perhaps it's not too late - - -" if we expand our concepts to global thinking; if we change our defenses from destructive power; if we divert our attention from infringement on the wild lands; if we dedicate ourselves to creating an individual creed —

"a creed that will meet the challenge of interweaving life with life
upon this earth - -
with one destiny for all. . . ."

Ms. Frostic suggests: "Savor each moment of beauty -
the majestic - - and the simple. . .
Keep a sense of wonder - - -
and of awe - - - -
- - - forever. . . . . ."

By now you are probably wondering why I say that this is a beautiful little volume. As I read and reread it, I am reminded of the proverbial "iron fist in a velvet glove." It truly is a beautiful book — but it sure does pack a wallop!

HCN Books



by John Earl, Doubleday & Company, Inc., Garden City, New York, 1975. $30.00, hard cover, 123 pages. Photographs and maps.

Review by Peter Wild

In 1849 the 11-year-old John Muir arrived in Wisconsin with his Scottish immigrant family. The future conservationist had little chance to wander in the woods he loved. Instead he shared with thousands of other new arrivals the drudgery of the frontier: clearing and planting the intractable land, moving from farm to farm. In his youth he showed a flair for often bizarre inventions. Country neighbors marveled at his version of an alarm clock, a bed that dumped the sleeper on the floor at the appropriate time. One wonders what idiosyncracies moved him to construct a fantastic arrangement of clockworks mounted on a desk. The hand-carved contraption demanded that the reader quickly absorb a lesson thrust before him before whipping the book away and replacing it with another.

Despite Muir's early fascination with the outdoors, his mechanical skill and necessity for earning a living landed him in an Indianapolis carriage factory. The owner delighted at the young man's ability to improve his product and offered him a partnership. However, an accident changed the course of Muir's life. At work a file slipped and pierced his right eye. Later, the left eye, acting sympathetically, also went blind. Muir made a promise that if he ever saw again he would turn his life from men's inventions to the "inventions of God."

Any mind is difficult to fathom, let alone a mind as complex as Muir's. On the one hand he was a religious mystic. Alone he scaled the peaks of the Sierras and waded alligator-infested swamps in Florida. Everywhere he celebrated the glory of Creation. On the other he was a shrewd, practical man, lobbying, pulling political strings, and hobnobbing with President Teddy Roosevelt in order to win protection for the wonders he saw. One man's efforts now enrich the nation with Yosemite, Sequoia, Grand Canyon, Petrified Forest, Rainier, King's Canyon. His dream of a National Park Service became a reality in 1916, two years after his death.

For those already acquainted with the celebrant of wilderness, the photography of **John Muir's Longest Walk** will heighten appreciation of a segment of his life. For others the book is a good place to begin an understanding of the man. For one thing, his 1000-mile trek on foot in 1867 from Kentucky to Florida is the first of the extensive wanderings that later made him famous. Exquisite photographs in the oversized book present as nearly as possible the land that Muir saw 109 years ago. Captions and maps by author John Earl guide the reader along the route. The text accompanying the photos is Muir's own, excerpted from his diary of the trip published early in this century. All combine to give us a feel for the qualities of the young man, stepping out in wonder a few months after recovery of his sight — qualities that would persist, become refined and magnified with maturity.

For another, the 1867 trip perhaps provided more geographical and cultural variety than his following adventures. Across temperate Kentucky and over the Appalachian Mountains, along the cypresses of Georgia's Savannah River and finally to the palms of semitropical Florida, we see the young man opening his eyes to the spectrum, formulating his ideas. It wasn't an easy trip. In our mania for comfort it is difficult to imagine a man deliberately courting hardship in order to toughen himself for the future. Often he went hungry. Once, destitute because a packet of money failed to arrive in Savannah, he lived a week in a cemetery — charmed by the wildlife he discovered among the overgrown graves. In Florida malaria reduced him to an impoverished invalid. He would have died except for the kindness of a Southern family.

At times amusing incidents show the vulnerable Muir coping with a less sensitive mankind. Bands of thieves and guerrillas left over from the Civil War made travel in the South risky, especially for a lone and unarmed Northerner. At one point a robber made off with his pack. However, Muir observed, "Finding there only a comb, brush, towel, soap..., a copy of Burns's poems...," the outlaw returned it, apparently disgusted.

Some months later slogging through a swamp, perhaps he thought back on the theft when he chided men in his diary for their fear and revulsion of alligators. "Fierce and cruel they appear to us, but beautiful in the eyes of God. They, also, are his children, for He hears their cries...." In his entry for the same day he develops the thought and reveals his perception of the natural world: "They dwell happily in these flowery wilds, are part of God's family, unfallen, undepraved, and cared for with the same species of tenderness and love as is bestowed on angels in heaven or saints on earth."

Everywhere we see Muir's flashes of wit, irony, and devotion expressed in a prose that combines a scientist's careful eye with a poet's awe. There is much of Whitman, Thoreau, John Wesley Powell, and St. Francis in John Muir — a man who might serve as a hero for an age that so sadly lacks them.

BULLETIN BOARD

AVOIDING CROWDS

The National Park Service has published a guide to "Visit a Lesser-Used Park." It provides a look at the variety of little known scenic and historic attractions to be found in the park system, 132 areas of which the American public is barely aware. It is available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 under stock number 024-005-00589-7.

LAND USE RESOURCE

The Department of Housing and Urban Development (HUD) Library has prepared a comprehensive bibliography on land use with special emphasis on community development. "A Land Use Resource List" is available free from the HUD Distribution Center, Room B-258, HUD Building, Washington, D.C. 20410.

WHEATLAND POWER PLANT

The public has until March 1 to submit written comments to the Wyoming Public Service Commission on the Missouri Basin Power Project's application to build a 1,500 megawatt power plant near Wheatland, Wyo. A hearing has been held to determine whether a certificate of public convenience and necessity should be issued. MBPP has produced a motion picture which focuses on the environmental, social, and economic concerns related to the project. Groups interested in obtaining "The People Plan" for showings can contact the Wyoming MBPP office in Cheyenne by calling (307) 635-4261.

REFUGE EIS OUT

A draft environmental impact statement on management of the 367 national wildlife refuges has been filed by the U.S. Fish and Wildlife Service. The EIS explores a range of alternatives, including setting up a separate refuge service to oversee the refuges. Public comment is invited through Feb. 7, 1976. Copies of the EIS are available from and comments should be sent to: Director, U.S. Fish and Wildlife Service, Division of Wildlife Refuges, Washington, D.C., 20240.

CITIZEN INPUT ON ENERGY

Anyone who wants to have more input on energy research and development may be interested in attending one of the White House Regional Conferences on Consumer Representation this month. The meeting in the West will be Monday, Jan. 26, at the Brown Palace Hotel in Denver. Participants will discuss proposed consumer representation plans of the federal departments and agencies. The draft proposal suggests, for example, public interest group dialog. This is a program for disseminating energy fact sheets, reviews of draft EIS's, and fact books to public interest groups. Other proposals include use of schools, educational television, public meetings, and a biweekly newspaper. For information on the Denver meeting, contact Janice Cavaliere, Denver Federal Executive Board, Box 25628, Denver, Colo. 80225. Telephone (303) 234-4215. The meeting will be held from 8:30 a.m. until 1:30 p.m.

CORDERO MINE EIS

Copies of a draft environmental impact statement on the proposed Cordero strip mine in northeast Wyoming are available at libraries in Gillette, Casper, Douglas, and Cheyenne, Wyo. The Cordero Mining Co., a wholly-owned subsidiary of Sun Oil, proposes to strip mine about 337 million tons of coal on 3,800 acres of land in Campbell County in the next 25 years. The public has about 30 days to file written comments on the statement with the director, U.S. Geological Survey, National Center, Washington, D.C.

POPULATION COORDINATOR

The Sierra Club now has a "population coordinator," Judith Kunofsky. She is offering free material on population matters including films, reprinted articles, and a monthly newsletter — **Population Report.** For more information contact Kunofsky at the Sierra Club, 220 Bush St., San Francisco, Calif. 94104

OIL SHALE EIS

A draft environmental impact statement on a proposed oil shale development in Colorado has been released by the Interior Department. The draft impact statement covers federal actions relating to the proposed oil shale project of Colony Development Operation. For copies, write the Office of Public Affairs, Bureau of Land Management, Room 700, Colorado State Bank Bldg., 1600 Broadway, Denver, Colo. 80202. Written statements will be accepted until Feb. 14

BIRDS OF PREY

The Bureau of Land Management has published a brochure on the Snake River Birds of Prey Natural Area south of Boise, Idaho. The brochure includes color paintings of the species of raptors to be found in the Natural Area, along with descriptions of sizes and habitats of the birds. The history and purpose of the Natural Area is briefly discussed and a location map is included. Means of identifying the different raptors are also given. Requests for the free brochure, tours, and additional information should be directed to: Manager, Birds of Prey Natural Area, Boise District Office, Bureau of Land Management, U.S. Department of Interior, 230 Collins Road, Boise, Idaho 83702.

Bud Redding knew 'the truth' of Sarpy Creek

BUD REDDING: "They'll never get me to believe that strip mining is the right thing to do. They're going to starve the people to death."

(Editors' note: John "Bud" Redding, a rancher known in Montana for his fortitude in resisting strip mining of his land at Sarpy Creek, died Dec. 28. The following tribute to him was written by Donald Tobkin, who came to Sarpy Creek after reading about the struggles of the ranchers in the area. He helped the Reddings with ranch chores and otherwise did what he could to support their commitment. As Tobkin mentions, the family eventually sold the part of their ranch which overlies Crow Indian coal to Westmoreland Resources. Later, a lawsuit which they had participated in was won at the Ninth Circuit Court of Appeals. As a result of the suit, the federal government must prepare an environmental impact statement covering Westmoreland's entire 20 year mining plan, which includes the Redding ranch. Redding was still living on the ranch with his wife, Vella, when he died. The fate of that piece of land will be determined by the progress of the impact statement. Interjected into Tobkin's tribute, which is in bold type, are comments Redding made to HCN prior to his death.)

Here was a man who anchored his life close to the earth. It was a simple and honest sort of anchorage, it did not need 40 volumes of exhaustive scientific study or a multi-million dollar bankroll to make it look legitimate.

If our lives be a search for the truth, how may we come closest to touching this truth? Perhaps it could be said of this man that he had only the soles of his boots between his life and the truth. The truth of the good earth under his boots was that it provided him and his family the necessary basics for sustaining life.... .namely: food, fiber, water, and clean air to breathe.

Bud Redding was only 12 years old in 1916 when he came up from Oklahoma with his family to this Sarpy Creek country in Big Horn County, Montana. His parents built a homestead here. Some years later Bud married the daughter of another homesteader. Sarpy Creek has always been home for their family. Bud and Vella and their four youngsters stayed with this land through the dry dust bowl years when other families pulled up and left.

During the dust bowl era, Redding said a woman from the government went from farm to farm urging the occupants to move to Idaho or to Oregon where there was more water and a better opportunity for farming. She said to Redding, "What do you expect to do in this God forsaken country?" He replied, "I've seen this country grow, and it will be good again."

Forty years before the first strip miner ever saw this Sarpy Creek country, Bud already knew a fundamental truth: it is a good land to live with; take care of it, stick with it, and over the long haul, it will see you through.

After some 55 years of living with this land, Bud was confronted by some well-heeled outsiders who invaded his homeland and began telling him that energy from this land was more important than the food it could grow. In the very beginning of this confrontation, he stated his belief that turning this land over to energy development meant sacrificing its other values. It meant stealing this land from future generations. Bud and Vella know something of these future generations; they have nine great grandchildren. Bud believed that future generations were ultimately as dependent upon the land as was his own life.

"They'll never get me to believe that strip mining is the right thing to do. They're going to starve the people to death — their own children and grandchildren. I know what that country will raise out there. It will raise good corn, raise good beans, raise good wheat, and raise good potatoes — and all that on dry land," Redding said.

The last years of Bud's life since the coal digger confrontation began were an unceasing effort to tell people the truth of his land as he knew it. His message was not received by those people entrusted with the legal and regulatory authority to make responsible decisions concerning strip mining coal development. The invasion of his Sarpy Creek homeland and the construction projects at the mine site continued for over two years until July 1974 when the first unit train was loaded with Sarpy Creek coal and rolled out for delivery to Minnesota.

As Bud's son Johnny once testified in court, the distance from the Redding ranch property to the Westmoreland strip mine was exactly the thickness of a barbed wire fence. A long and persistent campaign of more-or-less psychological pressure from Westmoreland eventually resulted in a reluctant agreement from the Redding family to settle a surface rights dispute. (A dispute that was severely restricting the expansion of Westmoreland's stripping operations.) This settlement was reached about a year ago, and after that, it could be said that the distance of the barbed wire thickness didn't even exist anymore.

"Some of the others went along with them (Westmoreland). They said that's awfully good money, that's as much as this land is worth. They don't even think about the food side of it. . . .They think it ain't going to hurt nothing: we'll put it right back, and it will raise another crop. Maybe it will and maybe it won't. But I know it will the way it is now. . . .I think it's the worst thing. We're going to need all the food we can get. Now these people ought to know this," Redding said.

The impact of the strippers' invasion began to take its toll on Bud's spirit, which in turn began to take its inevitable toll on his physical health. Bud's last hours came on December 28, 1975. He was 71 years old; how often he had wished he was 40 years younger. . . .he said that he could have given the strip miners a hell of a lot more of a fight. He remained thoroughly convinced to his final moment why he should put up this fight.

Those of us who knew Bud Redding came to touch that rare brand of truth that he could teach us from his long and honest life in this Sarpy Creek country. We can readily understand why he go on the fight when the strippers came. We can also understand why his fight must be carried on.

—Donald Tobkin

Dear Friends,

Staff members' various Christmas trips led us into the new year unaware. It took a week to catch up on facts, which reminded us that it was time to stop — to distill the past and foretell our fate.

On coal affairs the job was easy it seemed. Our best source of national coal news, McGraw-Hill's **Coal Week**, had printed an article which slipped events of the past neatly together and dared to speculate about the future. The facts clarified our vision and the predictions seemed insightful.

We decided to share some of the information in that article with you. It predicted two major victories for environmentalists. The first we thought was a fairly safe bet. The second was interesting, a necessary step toward survival, but definitely a long shot.

Coal Week said that 1) it was likely that conservationists would force the federal government to entirely redefine its program for development of western coal reserves and 2) that they might "knock out" the nuclear industry in 1976.

Perhaps we thought the first victory was likely because it was so obviously necessary. A favorable Supreme Court ruling on the **Sierra Club v. Morton** suit would force Interior to come up with a regional plan for coal development on federal lands. The injunction on four coal mines in Wyoming associated with that suit would safeguard the land until reasonable plans were laid. It would cost some time and cause some uncertainties about development, but those sacrifices seemed small compared to the price we would pay in the end for willy-nilly federal leasing.

We were comforted by the feeling that despite Interior's and Congress' state of disarray — the lack of any promise of solid strip mine regulations or legislation — the Sierra Club suit would give them both time to straighten up.

In that spirit, we planned an encouraging story on the front page about **Coal Week's** predictions. A four-column banner headline was to declare: "**Coal Week** predicts conservation victories."

Rarely have our assumptions disintegrated so dramatically.

Bogged down in the last minute details of producing the paper, we must have been the last people in Wyoming to hear the news of the Supreme Court decision. As the story which preempted the **Coal Week** spot on the front page explains, we have already lost much of what we were almost sure we'd won.

Long past our normal deadline for articles, we ripped up the front page plan, retired the **Coal Week** story, and began work recording the latest reality with all its sad facts and bleak prognostications. The new year had not even given us a chance to make an erroneous forecast. Events had come too quickly.

—the editors

In The News