

House bill prompts public lands alert

The nation's public lands are threatened by the proposed Federal Land Policy and Management Act of 1976 (H.R. 5224), according to a coalition of 19 conservation organizations. The bill makes it easier for miners, stockmen, and other vested interests to abuse 600 million acres of public lands for short-term financial gain, says the alliance. They claim H.R. 5224 would severely limit the federal government's ability to protect long-term natural resource values.

H.R. 5224 has been approved by the House Public Lands Subcommittee. The conservation groups hope to amend or kill the bill in the full House Interior Committee. The coalition favors a different public lands bill, S. 507 — the so-called Bureau of Land Management (BLM) Organic Act — which passed the Senate on February 28.

"The Senate-passed bill mandates multiple use management of the public lands, with all uses on an equal footing, and gives the BLM the authority to do the job," says Michael McCloskey, executive director of the Sierra Club and a spokesman for the coalition. "H.R. 5224 also mandates multiple use management, but the resemblance ends there — the measure goes on to deny the BLM the needed management authority."

Major features of H.R. 5224 which the conservationists oppose include:

MINING. The bill repeals the only authority the Interior Department has to close lands to mining. Any withdrawal of public land from mineral entry of over 5,000 acres would have to first be approved by both Interior committees of Congress. Every mineral withdrawal would have to be renewed every five years through the same procedure. H.R. 5224 would give the Interior veto power over all existing mineral withdrawals of BLM and Forest Service managed land except established wilderness.

GRAZING. The BLM would be required to grant 10-year leases to ranchers, even if required environmental impact statements and allotment management plans had not been completed. Grazing fees would be lowered and set below fair market value. Local grazing advisory boards — composed primarily of livestock industry representatives — would be set up to oversee BLM and Forest Service decisions.

ENFORCEMENT. The BLM would not be given the power to enforce its own regu-

lations under H.R. 5224. The agency would be required to rely on local and state law enforcement officials to protect the public lands. "The bill prohibits any fine or imprisonment of violators unless they have violated a state or local law," says McCloskey. "They could violate a BLM regulation with impunity."

LAND USE. H.R. 5224 requires BLM

and Forest Service land use plans to "be consistent with state and local plans to the maximum extent feasible." McCloskey argues, "These are national lands, and they should not be controlled by local planning agencies, with their close ties to development interests."

WILDLIFE. H.R. 5224 prohibits the Interior Department from enlarging any unit

of the National Wildlife Refuge System by setting aside public lands. Such additions could be made only by an act of Congress, under the House bill.

FOREST SERVICE COVERAGE. The conservationists favor the Senate bill which just covers public lands administered by the BLM. H.R. 5224 would apply (continued on page 5)



Believe it or not, you probably could build your own solar water heater. With a little help from experts, these people learned how one snowy weekend in Billings, Mont.

Some of them had plumbing and carpentry skills. Others had never lifted a saw or soldered a pipe before.

The materials for each 32-square-foot panel cost about \$100.

If you want to know their secret, see page 6.

Readers find HCN accurate, lively

Dear friends,

Finally, three months later, we have a report for you on the reader survey published in the January 30 HCN. More than 300 of you responded, and for awhile, August was overwhelmed tallying the results.

The composite HCN reader looks something like this: You are ageless, well-educated, outdoorsy, politically active, solar energy minded, well-read, and above all — opinionated.

Many of you will be upset with us for grouping you with other HCN readers in this introduction and apparently ignoring your individuality — and you won't hesitate to tell us so.

The survey also tells us you like most of HCN the way it is. There were mild reproaches, but general support.

A Washington, D.C., reader said,

"Please work to keep your folksy style. It's nice to feel as though you are writing for friends."

Now that we know you a little better, it will be easier to do that.

WHO READS HCN?

We received responses from the region and from the rest of the nation in the same proportion as the residences of our total list of subscribers — 70% from within the Rocky Mountain and Northern Plains region and 30% from elsewhere.

Although it sometimes is said that only newcomers are interested in the environment, the survey indicates our

readers include an equal mixture of newcomers and long-time residents.

Twenty-two percent have lived in the region less than five years, 30% five to fifteen years, 21% more than 15 years, and 26% said they had lived here a lifetime. (One added, "not yet.")

An emphatic 97% said they plan to remain in the region. A Minnesota resident who said he wanted to live here asked that HCN carry information about available land and jobs.

More city or town dwellers (69%) read HCN than rural residents (31%).

The level of education question drew many remarks: "overeducated;" "couldn't begin to count the number of years spent in a classroom;" "self-

taught;" "not using the degree I earned."

Although journalists are taught to write for the sixth grade reader, we have to revise that for HCN since 53% say they have more than a college degree. Ten per cent have less than a high school education, and 36% have some college.

More than half (55%) of the respondents have children. This indicates the age of our readers is dispersed — especially since there were about an equal number of children in each age category.

We weren't going to include the book question, but we're glad we did. It put us all to shame! Over 63% read more than 10 books last year; 32% read more

(Continued on page 3)

HCN finds readers generous in praise



BREAKER 21. I'VE GOT THIS BEAR ON MY TAIL WITH EARS. LOOK IF IT ISN'T PARK SERVICE OR U.S. FISH AND WILDLIFE. HOW ABOUT MONTANA GAME? HOW ABOUT ANYBODY? "

HIGH COUNTRY

By Tom Bell

Spring is that time of year when you can't wait for it to get here, and then when it is finally here you can't understand why it is in such a hurry. Once on the way it appears with a mighty rush, like the thunderstorms descending from the high country.

But it is a lovely time of year. No other season produces such a profusion of soft, pleasing colors or such sense-tingling fragrances. As the earth awakens, buds open, and flowers and shiny new leaves emerge, there is a progression of color and mell to quicken the pulse and gladden the heart.

Here on the land the metamorphosis takes place all too quickly. One day the ranches are all bare and almost the next, breathtaking bouquets of delicate white

and pink cascade across the hillsides. Apricots, plums, cherries, and various wild fruits are followed by the peaches, pears, and apples.

In the meantime, the seeds you planted in March are seedlings waiting to be transplanted. Spring is a season when timing is all-important. (Those seedlings were being transplanted just at the time I should have been doing a column for the previous issue of the paper.) It is a steady procession of new jobs presenting themselves every day.

There is never a dull moment on the homestead. I just returned from burying a dead calf, a small, pitiful victim of scours. The milk cow has a severe case of belyache, believed to be caused by ingesting a piece of wire or a fence staple. This morning, Tommie and I administered a gallon of

Guest Editorial HCN

How vital is Alaska pipeline?

Reprinted from the Fort Worth STAR-TELEGRAM

by Louis Hudson
Star-Telegram Writer

Remember how the United States HAD to have the Alaskan Pipeline immediately or face imminent doom?

Remember how the pipeline HAD to go through Alaska, because that was the quickest way to get it here?

Remember how Alyeska, the pipeline consortium, originally declined to prepare an environmental impact statement, because it would delay construction, and the pipeline's construction was absolutely vital to America's energy independence?

Remember how Alyeska officials said the line could not go through Canada to serve the midwestern United States, which needed the oil more, because that route would be too expensive?

Remember how the environmentalists were villified when they finally won a court order forcing the preparing of an environmental impact statement (after they lost rounds to have the line brought through Canada, an environmentally-safer route)?

Remember? Now, note the Associated Press story which appeared in the evening Star-Telegram last Wednesday:

"By the time oil begins flowing through the Alaska pipeline in 1978, the West

Coast may no longer need it, the Federal Energy Administration says.

"Unless a transportation system is developed to move the oil from West Coast ports to midwestern markets, the Alaskan oil may have to be 'shut in' or sold to foreign countries, the FEA says.

"...The FEA said it 'estimated that in 1978 a surplus of crude oil will accrue on the West Coast... as a result of the operation of the trans-Alaska oil pipeline.'

"It said a crude oil transportation system must be developed to move the oil eastward 'to avoid either curtailing Alaskan production or exporting surplus production.' "

That, by the way, is from production of 400,000 to 600,000 barrels of oil per day. Eventually the pipeline is expected to carry 2 million barrels a day.

What are we going to do with all that oil?

Just what has happened to make the pipeline sponsors so wrong in just a few short years?

How long will it take, and how much money will have to be spent, to develop a transportation system to get the oil from the West Coast to the Midwest?

Is it possible that it might have been cheaper and quicker, after all (not to mention environmentally safer), to run the line through Canada?

There has been a growing lack of credibility among oil companies in the past few years.

Do they wonder why?

mineral oil by means of a quart-size pop bottle. On further advice, this afternoon I put a powerful magnet down her gullet with a bolus gun. We shall see if our doctoring has done any good by morning.

Early yesterday morning, I put out the third batch of baby chicks. The bantam hens are not to be dissuaded from setting so I put them to work. They hatch out six or eight Rhode Island Red chicks which become the fryers, roasting chickens and replacements in the laying flock. The first batch is already well on the way to becoming summer fryers. The system works very well — and the banties earn their keep.

The potatoes went into the ground last week; the peas, radishes, and lettuce yesterday (somewhat late for this area), and the onions and carrots today (also late). But the weather has been unusually cold and rainy for a week or more so the planting schedule got delayed.

In the small porch I enclosed for a temporary greenhouse, the tomatoes, peppers, eggplant, cabbages, and assorted other plants are doing well. Bedding plants are

shipped into this area and still there is not enough to go around. So we are going to raise plants for sale, as well as provide our own. As time and money become available, we want to build a solar heated greenhouse specifically for a bedding plant business.

This year we put in a test planting of three varieties of strawberries and three varieties of raspberries. We planted enough for our own use as well as have some for sale. As varieties prove out for our soil and climate, we plan to enlarge the plantings of each. Until the energy bubble bursts, hundreds of week-enders come into the state park on Brownlee Reservoir. The park is only four miles from our house and those vacationers should offer good possibilities for sale of small fruits and vegetables.

All in all, after nearly a year here on this land, we are feeling more snug and secure. There is much yet to be done and we may not have the money to do all we would like, but we are confident. This is a pleasant rural community in to which we have easily fit. In fact, it feels more like home every day.



HCN

Letters

INFORMATION SHEDS

Dear HCN,

I think your comment on the "information shed" in Colorado between the East and West Slopes is very true. I think you would find the West Slope most responsive to increased coverage. We have the impact

now — and we are most isolated from information not only about the East Slope, but our region as well.

Belle Anderson
Hayden, Colo.

RURAL EDITOR

Dear HCN,

As a managing editor of a rural weekly, I need to keep informed and get some perspective on the region's environmental issues. HCN is one of the best publications for this that I know of.

Edward Truitt
Walden, Colo.

TAX EXEMPT LOBBY

Dear HCN,

I would like to urge all readers to write their U.S. Congressmen to urge their support of House Resolution 8021, and Senate Bill 2832. These identical bills would allow lobbying or other efforts to influence legislation with portions of the budgets of organizations currently enjoying tax exempt status under section 501 (c) (3) of the Internal Revenue Service Code. Passage of this bill would remove these organizations from the threat of loss of tax exemption for engaging in these currently prohibited activities.

Business currently writes off all its lobbying and advertising expense. Such

writedoffs mean that effectively for corporations above a certain size, government pays 48% of the bill.

Also, direct political contributions of up to \$100 per year per individual taxpayer are deductible under proposed tax law.

However, contributions to organizations like the Sierra Club, the Wyoming Outdoor Council, the Powder River Basin Resource Council, and others which engage in efforts to influence the legislative process are not deductible in any amount.

Ed Strader
Cheyenne, Wyo.





© Carol Snow

Survey results...

(continued from page 1)

than 25 books. One reader noted that our juxtaposing the "children" question with the "books" question was appropriate since the number of books read was inversely proportional to the number of children.

WHAT ELSE DO THEY DO?

Other activities ranked in popularity as follows: hiking 83%, photography 63%, gardening 58%, skiing (both downhill and cross country) 51%, bicycling 49%, fishing 48%, bird watching 48%, handicrafts 28%, hunting 24%, sailing 16%, astronomy 11%, electronics 6%, rock hounds 6%, horse packing 6%, and rafting 6%.

(Some readers apparently viewed this as a question on morality — one

"Avoid environmental wide-eyed jive."

woman apologetically confessed she enjoyed her son's motorboat.)

A disproportionate number of HCN readers write to their representatives in Congress — 82%. An Arizona letter writer didn't think she had much impact, however, since her delegation includes notoriously anti-environmental representatives.

More than half of the respondents (54%) say they are registered Democrats, 25% are Independents, and 21% are registered Republicans. Others resisted any labeling, saying, "We vote for the better choice of the lot."

A third of the respondents said they are active in politics other than voting. One woman commented, "I helped my husband lose an important contest and am no longer involved."

Ninety-seven per cent of the respondents said they were interested in applying energy conservation to their own homes and places of work. A high percentage — 89% — said they were interested in using an alternate form of energy in their homes or businesses. Negative comments included: "Solar is too costly." "Retrofitting doesn't work." "I'm renting; if I had my own home I would be interested."

Over 77% belong to conservation

groups. Only 36% say they attend meetings or participate in their groups' activities, however. Many said they were too far away. One, when asked if she attended the meetings, said, "Not when I can help it."

A whopping 158 people (more than half the respondents) read *Audubon* magazine. Nearly as many (130) read *Sierra Club Bulletin*. If these are representative, we can forget about repeating information contained in these publications.

No other publication compared. The closest was *Montana Outdoors*, the publication of the Montana Game and Fish Department, with 59 readers.

Readers seemed largely dissatisfied with their local newspapers' coverage of environmental news — 74% said they were dissatisfied. Some were emphatic. One said there was inadequate coverage of environmental news — "or any other aspect of life."

ACCURATE — BUT OBJECTIVE?

Ninety-two per cent of the respondents said our reporting is "accurate." One reader pointed out, however, that, "I have no way of checking up on you."

Almost as many — 91% — said it is "lively and interesting" and 96% said

"Centerspreads are a strong point. They keep the paper from being too depressing."

the stories are well developed. This is the balance we strive for by combining a long front page feature with other shorter pieces. A few said the frontpage stories were too long. Others said stories tend to be too long and full of too many statistics, but added that maybe this is necessary for these subjects.

Readers were a little more reluctant to say our reporting is "fair and objective" — 81% said it is and 12% gave no opinion. As one reader said, "Reporting is accurate. 'Fair and objective' are strong words. For an environmental paper, objectivity is adequate — far better than most. Since I work in the mining industry and the 'inside reports' are so different from HCN, I feel that I get to see both biases. I do prefer HCN thinking."

Others pointed out that HCN's environmental bias is its strength and that they didn't want us to be "objective."

One advised us to "avoid constant superlatives (good or bad) and environmental wide-eyed jive."

Another relatively low rating from the readers (a B minus grade) was on layout. Only 82% find it easy to follow, 17% find it "confusing sometimes," and 1% said "hard to follow, send a map." Unfortunately, we didn't ask and no one offered details on what makes it hard to follow.

ADVERTISING OKAY

Although a few people expressed reservations about advertising, 96% said (continued on page 7)

A reader's suggestion:

Buy an ad for High Country News

Our friends Everett and Frederica Peirce in Hamilton, Mont., have suggested that we ask our readers to place small display ads or classified ads for HCN in their local papers. HCN would supply the ads, and volunteers would pay for it or share the cost with other readers in their locale. To start the ball rolling, the Peirces have offered to run an ad in their local paper.

Here's the ad. Simply take it to your local paper to see if they can reproduce it. If not, get in touch with us and let us know their requirements. If your budget is tight (like ours), here's a classified ad you might want to use.

If you do buy an ad, let HCN know so we can give you proper recognition. With this suggestion, we could cover the region! We could cover the whole nation!



Howdy!

Introducing High Country News. A twice-monthly newspaper publishing stories about energy, land use, changing lifestyles, and wilderness — to name but a few of our exciting beats in the Rocky Mountain region. For a free sample copy of our paper, write to: HCN Box K-W, Lander Wyo. 82520. We know our business: we've been reporting environmental news for over six years. It's time we got acquainted, don't you think?

— OR —

Classified Ad

Hunters, ranchers, homemakers, farmers, hikers, bikers — 10,500 readers can't be wrong. Introducing High Country News, the 16-page environmental newspaper of the Rockies. Subscribe now: \$10 for 25 issues. Box K, Lander, Wyo. 82520. Write for free sample copy. The environmental watchdog of the Rockies.

— OR —

Wildlife and whisper jets. Quality of life. Is there life after Desert? Alternative energy. Introducing High Country News... (use the same words as in the classified ad above.)

High Country News

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

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

Subscription rate \$10.00
Single copy rate 35¢

Material published in High Country News may be reprinted without permission unless it is copyrighted. Proper credit should be given to High Country News. Contributions (manuscripts, photos, artwork) will be welcomed with the understanding that the editors cannot be held responsible for loss or damage. Articles and letters will be published and edited at the discretion of the editors. To send a sample copy to a friend, send us his or her address. Box K, Lander, Wyoming 82520

4-High Country News — May 7, 1976

A close look at Wyoming's new law Siting act holes may let impact problems grow

by Marjane Ambler

(Second half of a series)

In 1975, the Wyoming state legislature passed an industrial siting act. Although the act is still young, court challenges and frustrations of the siting council and staff have already revealed some weak spots. Many of these problems became apparent during the hearing and decision making meeting on the proposed 1,500 megawatt power plant near Wheatland, Wyo., which the council approved conditionally. (See separate story.)

In its probe into the act, HCN talked with John Troughton, chairman of the siting council; Dr. Blaine Dinger, director of the siting staff; and Dave Palmerlee, attorney for one of the intervenors in the Wheatland proceedings, the Laramie River Conservation Council (LRCC). Representatives of the Missouri Basin Power Project (MBPP), who want to build the plant, were not willing to discuss the siting process with HCN at this time.

Last issue, HCN looked at the two stage siting process. This issue, HCN looks at what facilities are covered by the act (and what are excluded), jurisdictional disputes between the council and other state agencies, citizen access, and the length of study periods.

\$50 MILLION CUTOFF

The planned expansion of Atlantic Richfield's mine is not covered by Wyoming's industrial siting act — even though the mine is one of the largest in the state. High voltage transmission lines (over 115 kilovolts) are not covered either, unless they are part of a facility that is covered by the act.

The act covers energy generating plants over a certain size, uranium enrichment plants, and other industrial facilities with an estimated construction cost of at least \$50 million. (Atlantic Richfield said its mine will cost \$46.9 million.)

Certain other operations must provide

information, but are not subject to the application and permit procedures. These include transmission lines of 115 kilovolts or less, oil and gas pipelines, coal slurry pipelines, and oil and gas drilling and processing facilities.

In Troughton's judgment, one of the difficult problems with the act is using only monetary standards — \$50 million — for a definition of impact.

"While dollars and cents are related to impact, the problems addressed by the act are people problems. The definition of impact should therefore be written in terms of people and social matters," he says. He points out that if several industries, none of which are subject to the act, are established in a relatively small area, the cumulative effect would have an impact.

Troughton suggests that impact could be

defined in terms of the number of employees, volume of products produced, monetary bases, or preferably a combination of these elements plus others.

Before it was amended during the 1975 legislature, "other facilities" that would be covered by the act were defined in terms of the number of construction workers needed as well as estimated cost. However, the number of construction workers was eliminated leaving only the \$50 million cutoff.

Dinger points out there is no control over uranium mining and exploration under the present law.

If the law is amended to cover other facilities, he says that the rules and regulations should be tailored to the different types of facilities, not all of which would require hearings.

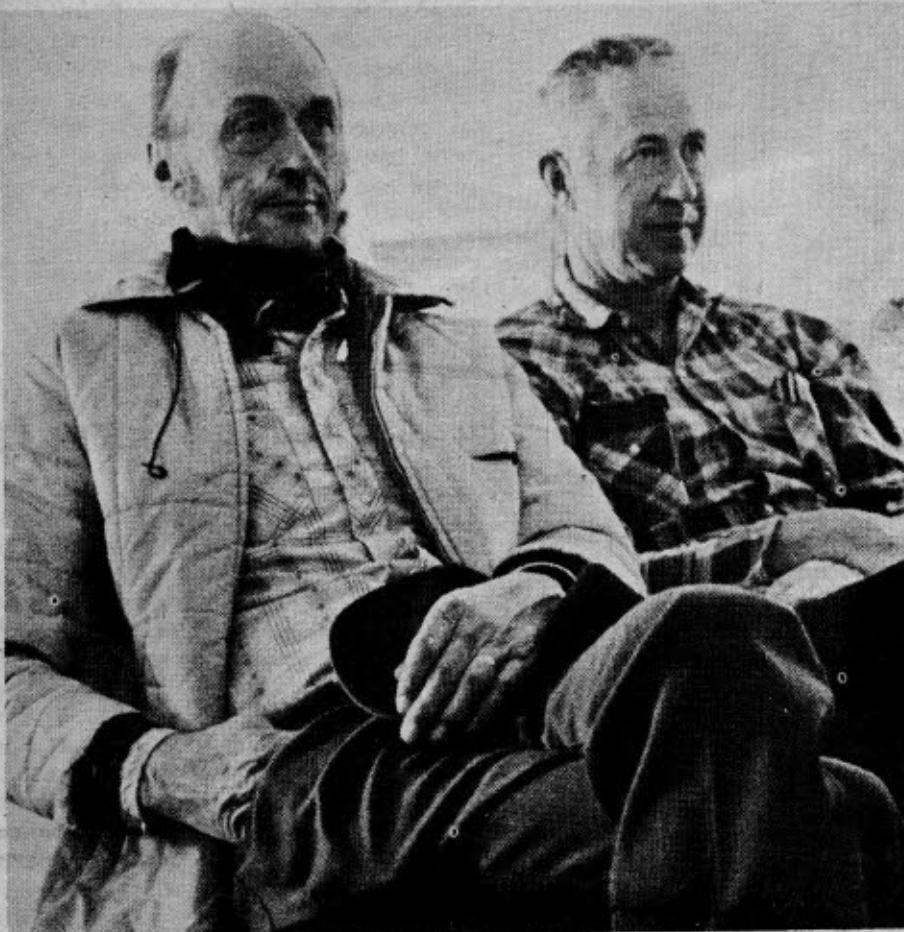
PASSING THE BUCK?

The question of jurisdiction between the siting council and other state agencies came up several times during the council's decision making meeting on the Wheatland plant.

Siting council member Ed Grant, a lawyer who had evidently spent some time studying the siting law, complained, "There are conceptual ambiguities in the law involving overlapping and concurrent jurisdiction . . . In other words, I don't know what the hell it means," he added for the council's benefit.

Jack Van Baalen, University of Wyoming law professor, predicted that jurisdiction would be a problem area under the new law. His analysis of the siting act is in the first 1976 edition of the university's *Land and Water Law Review*.

The jurisdictional ambiguities include: whether authority over air and water quality should be under the Wyoming Department of Environmental Quality (DEQ); whether availability of water should be under the Public Service Commission (PSC) or the state water control board; (continued on page 5)



GRAVY OR DUST. Ranchers Art Burnett and George Wilkerson said they attended the industrial siting council hearing in Wheatland because the decision would be vital to their industry. Both were concerned about transmission lines, which turned out to be the subject for a condition on the permit. "Industry will get the gravy, and we'll get the dust," Burnett said.

Council sets conditions for Wheatland plant

Construction of the Missouri Basin Power Project (MBPP) coal-fired power plant should begin "as soon as practicable" at the site near Wheatland. But before transmission lines can be approved, the applicant must contact all landowners and all "significant conflicts" must be resolved.

In addition, the applicant must set up a monitoring system which provides for MBPP stepping in to help whenever revenues from the public sector are inadequate.

The Wyoming Industrial Siting Council attached these conditions to MBPP's permit for its 1,500 megawatt plant.

The council did not discuss limiting the size of the plant when it met in Rock Springs, Wyo., April 26 to issue the permit. Nor did it set any conditions related to availability of water.

The Wyoming Public Service Commission (PSC), however, did discuss availability of water and of coal and felt concerned enough about the question to require quarterly reports from MBPP on water, coal, and financing. The PSC issued its certificate of public convenience and necessity on the day following the siting council's permit.

The PSC discussed whether or not to grant authorization of all three units before the water availability and financing were resolved but decided to allow all three now.

JURISDICTION SPECIFIED

In its permit, the siting council specified several conditions related to water and air quality in addition to the requirement for state Department of Environmental Quality permits. These included a one year climatological study prior to the plant's startup and monitoring of any groundwater contamination.

After studying the conditions, the Powder River Basin Resource Council, which is one of the protestants in the case, charged that the siting council had done nothing to protect the area's agricultural economy.

A primary concern expressed at the hearings was that MBPP's estimates of the number of workers coming to each town in the area could be wrong. In reaction, the siting council demanded that a monitoring system be designed by the applicant within four months for approval by the council.

Monitoring will depend upon a coor-

inating council composed of mayors from each town in the county, the county board chairman, the presidents of the school districts, management representatives from MBPP, the staff siting director, and a representative of the intervenors.

The applicant must provide funds (as much as \$10,000 per year) to finance the coordinating council if necessary.

The coordinating council will receive monthly reports from MBPP. If at any point during construction the coordinating council sees that funds from the public sector are inadequate to serve the facility and service needs of the new people in the area, then it can ask that MBPP take immediate steps toward solving the problem.

The siting permit specifies that if there are not enough public funds, the applicant will take the necessary steps to assure housing for construction workers, capital and operating funds for the school districts, financial assistance to area health and social services as well as recreational services, and financial assistance to the county planning commission.

MBPP had already made agreements in many of these areas prior to the hear-

ing although some of them had not been finalized.

The siting council permit holds MBPP to its prior commitments in terms of the number of construction workers and construction schedule.

TRANSMISSION LINES

The permit says the applicant shall contact landowners along the potential routes for transmission lines and get their comments and suggestions for the best locations for rights-of-way.

Then the applicant shall submit detailed information to the council analyzing land use compatibility and including the landowners' comments.

"Upon satisfactory resolution of significant conflicts, the council will issue subsequent conditions to this permit, which . . . will authorize construction of . . . transmission lines," the permit says.

The siting office will retain some of the application fee (not more than \$10,000) to cover its expenses related to the transmission line siting.

In response to several comments during the hearing, the council asked that the applicant try to locate the transmission lines in existing corridors if possible.

Siting act . . .

(continued from page 4)

whether need for the facility should be under the PSC; or whether the siting council should have exclusive jurisdiction in all these areas.

The siting council referred all of these questions to the other agencies.

Van Baalen says in other states, siting legislation is aimed at providing a one-stop permit process. It benefits the applicant and other parties who have an interest in the proposed facilities — if there is one, coordinated proceeding before a single agency.

However, to achieve this goal, the law must give the siting council power to supercede all other agencies' proceedings.

Wyoming's law does not allow this. The law says that both the DEQ and the PSC retain their own jurisdiction: they require

However, evidence at the hearing suggested that such elements might have an effect on the health of the people and of the crops in the area.

IS THERE ENOUGH WATER?

Availability of water turned out to be one of the more controversial fronts for the jurisdictional battle. Both the siting staff and the intervenors thought the question of water supplies was crucial to the council's deliberations on the Wheatland plant.

They say the state engineer is charged with considering each permit individually but that he doesn't deal with the cumulative effect of several permits. Nor do they think he is willing to look at the overall picture.

Troughton, during the decision making meeting, pointed out that the state engineer is responsible for the quantity of the water but not for the economic effects.

LRCC witnesses said during the hearing

adequacy of fuel and water resources.

WHAT IF IT'S NOT NEEDED?

Questions raised about the jurisdiction of the PSC and the siting council concern timing as much as authority.

The PSC hearing to determine if the proposed 1,500 megawatt plant is needed was held prior to the siting council hearing. However, its decision that there was a need for the plant was not announced until after the siting council decision.

Talking with HCN at the hearing, Tyler Dodge of LRCC said, "I don't know why we're here until a decision from the PSC has been made saying whether or not the plant is even needed. If the PSC says that only one 500 megawatt unit is needed, then this is out of sequence."

A section of the law concerning the jurisdiction of the PSC is an extreme example of ambiguity in the act. It states:

"The finding in the certificate of the public service commission as to the present or future public convenience and necessity of the proposed facility shall be binding on the council, but such finding shall not be binding on the council with respect to issuance or denial of a permit under this act."

Van Baalen explains this "superficial inconsistency" by saying it means the council "shall not consider public convenience and necessity since this chore is reserved for the commission." "But a favorable commission decision does not obligate the council to grant a siting permit," he says.

Troughton apparently agreed at least partially with this interpretation since every time either the applicant or the intervenors tried to bring up the question of need during the siting hearing, he ruled them out of order.

That siting act provides that the council can consider need at its second stage deliberations, if it determines at the first stage that more information is needed on "consumer demand and future energy needs."

Van Baalen suggests that one reason this "need" section might be included in the act is that some facilities which are covered by the siting act are not covered by the PSC. Therefore, the siting council would

May 7, 1976 —5

have to consider the need for these facilities.

According to Van Baalen, the facilities which would not be covered by the PSC include power plants that are exporting all their power, uranium enrichment plants, liquefaction plants, gasification plants, and others.

Palmerlee says that to solve the problems of jurisdiction, legislation is probably needed — not just to amend the siting act, but also to change PSC and water laws.

"No matter what side of the fence you're on, it should be a preconceived rational process — a logical sequence," he says.

SHORT STUDY PERIOD

The staff had 42 working days (in the 60 day study period) to study the Missouri Basin Power Project's (MBPP) application for the Wheatland plant. MBPP had been working for years gathering the information upon which the application was based.

The intervenors also had only the 60 day study period to prepare their case prior to the hearing. "There's a tremendous disparity in capabilities," Dinger says. He says as a result, there were still many unanswered questions when the hearing began.

A longer study period could help the applicant, too, he believes. With more time — perhaps 120 days, there is "more probability" that the staff would not have recommended going into the second stage in this case, he says. With additional time, the staff could have turned their analysis over to the applicant and given MBPP time to respond prior to the hearing. As it was, they still had four unanswered questions at the end of the hearing and so recommended further study.

As far as the intervenors are concerned, Palmerlee says it would have been impossible for them to prepare for the siting hearing if they hadn't already prepared for the PSC hearing. He thinks six months might be a reasonable study period.

Troughton admits that the 60 day period for the initial study has some "severe time restrictions." He says, however, "The nature of a siting permit requires prompt and

(continued on page 14)

"The problems addressed by the act are people problems. The definition of impact should therefore be written in terms of people and social matters."

—John Troughton

their own applications and hearings and issue their own permits. Their decisions are binding on the council if they deny permits.

However, if the DEQ grants permits, then the siting council still has authority to review the issues of environmental quality, according to Van Baalen's interpretation. Furthermore, the siting council has the responsibility to evaluate independently the impact of air, water, and land quality degradation on environmental, economic, and social conditions of the community, he says.

The question of trace elements to be emitted from the plant's stacks exemplified the issue of jurisdiction. Trace elements are not covered by state statute and so would not affect whether or not the DEQ granted an air permit.

that the council did not have the results of well tests which would indicate whether ground water would be depleted by MBPP plans. Other MBPP proposals for water for the plant also are not finalized yet.

MBPP testimony showed there were other alternatives if the present proposals for water were inadequate. However, the intervenors said some of these alternatives, such as transbasin diversion or purchase of other agricultural water rights, would have a negative impact on the agricultural economy. Therefore, they argued, the council should know exactly where the water will come from and what its impact will be before granting the permit.

The PSC is also responsible for looking at water supplies. In their ruling on the plant, the commission members specified that the applicant provide periodic reports on the

Lands alert. . .

(Continued from page 1)

to both the Forest Service and the BLM. The Forest Service already has an organic act — which makes the House coverage "redundant and confusing," according to the coalition.

WILDERNESS. Environmentalists favor a provision of the House bill which requires a study of potential wilderness areas on the public lands. The BLM has never reviewed its lands for potential wilderness. However, the coalition is anxious to close a loophole in the wilderness review provision. The loophole allows the BLM to reopen wilderness quality lands to development if the President has recommended against wilderness classification — unless either the Senate or the House has adopted a resolution calling for protection.

The conservation coalition is mounting an all-out effort to amend or kill the bill in the House Interior Committee. A showdown is expected soon.

Land Use Planning Reports predicts: "It is not expected that the bill will be approved this year because (1) it is substantially different from the BLM bill, S. 507, passed by the Senate, (2) environmental groups will lobby heavily to have the measure killed, and (3) in reducing the grazing fees, granting longer grazing leases, and diminishing enforcement, the bill goes directly counter to new BLM land

management directives being recommended by the Department of the Interior."

Organizations in the alliance opposing the H.R. 5224 as worded include: the American Forestry Association, the American Rivers Conservation Council,

the Animal Protection Institute, the Citizens Committee on Natural Resources, Defenders of Wildlife, Environmental Action, the Federation of Western Outdoor Clubs, Friends of the Earth, the Fund for Animals, the Humane Society of the U.S., the Izaak Walton League of America, the Na-

tional Audubon Society, the National Parks and Conservation Association, the National Wildlife Federation, the Sierra Club, the Society for Animal Protective Legislation, the Wilderness Society, the Wildlife Management Institute, and the World Wildlife Fund.



RESOURCE RIP OFF? Conservation groups say the House Subcommittee on Public Lands' proposed Federal Land Policy and Management Act of 1976 would "cripple effective land management efforts on some 600 million acres of U.S. public lands." The bill gives preferential rights to miners and stockmen on public lands, removes guaranteed protection from natural areas, and

leaves law enforcement on federal lands in the hands of state and local officials. The bill would pertain to public lands administered by the Bureau of Land Management and the Forest Service. Pictured above is an old homestead high in a grassy valley in the Cabinet Mountains of Montana.

Photo by Rick Graetz

Non-plumbers build water heater



CONNECTING WATER TANK TO COLLECTORS. The prospects for immediate success looked dim that day in Billings because the sky was so overcast.

by Joan Nice

About 100 men and women at a conference in Billings, Mont., in March built a solar water heater in one weekend. Only two of them had had previous experience with the new technology. Many had plumbing and carpentry skills. Others had never lifted a saw or soldered a pipe before.

The group built two 32-square foot collector panels and connected them to a 30-gallon used hot water tank. AERO (Alternative Energy Research Organization, an educational group in Billings) provided materials and instructors who had built seven similar panels before the Billings event. The instructors were Ken Smith of the Ecotope Group in Snohomish, Wash., and Lee Johnson of RAIN magazine in Portland, Ore.

Participants' goals varied widely. Some were just curious; a few were skeptical. Many were interested in building a solar system for their homes or ranch buildings.

One man wanted a solar heated stable for his race horses. A building contractor from Lander, Wyo., wanted to confirm his design ideas for solar greenhouses. A woman from Missoula, Mont., hoped to set up a collector manufacturing business which would offer employment to women, giving them "an alternative to sitting and typing in offices." A group of high school students from Casper, Wyo., came to help make solar energy work.

The particular collector design constructed was for heating water. It could be used as a pre-heater for domestic hot water or connected as a pre-heater to a hot water

baseboard heating system, Smith and Johnson suggested. The materials for each 32-square-foot panel cost around \$100.

Participants pointed out the collector's limitations for use in the Northern Rocky Mountain region. Unless special precautions were taken, the pipes might freeze in the winter. While the vinyl glazing used is cheap, it might not last long in a hail storm — and a double layer of glazing might be necessary in this area's cold climate.

While the building sessions did not begin to answer all of the participants questions about personal projects, the weekend demonstrated for most of them that solar heating systems for homes can be built cheaply by ordinary, industrious people.

(A step-by-step guide to the construction of this system will be featured in the June issue of RAIN magazine. That issue may be purchased for \$1 from RAIN, 2270 N.W. Irving, Portland, Ore. 97210. Please send a stamped self-addressed business-sized envelope along with your order.)

Lee Johnson and Ken Smith have scheduled another solar water heater building workshop in the region June 5-6. This time the workshop will be sponsored by the Grand Teton Environmental Education Center in Kelly, Wyo. It is open to the public.

For information contact Ted Major, Box 68, Kelly, Wyo. 83011 or call (307) 733-4765.

For a more comprehensive look at solar water heaters — both home-built and ready-to-buy, see the current issue of POPULAR SCIENCE magazine (May 1976).



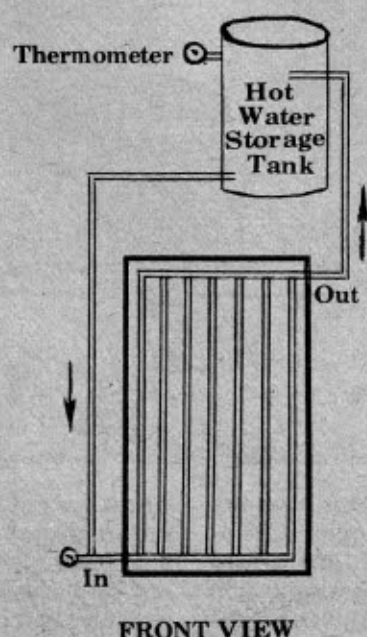
SWEAT SOLDERING THE WATER GRID. Sweat soldering is not difficult, but some instruction is recommended. Here a student from Kelly Walsh High School in Casper, Wyo., is learning how.

AERO showed 100 how

COLLECTOR BOX

The box for the collector is a rectangle made by glueing and nailing a sheet of $\frac{1}{2}$ inch plywood to the back of a 4 foot x 8 foot frame made of 2x4's. The box is then caulked to seal cracks and painted white. When the paint is dry, add 2 inches of rigid insulation cut to fit the box. Glue aluminum foil to one side of the insulation shiny side up. (This protects the insulation material from high temperatures — up to 300 degrees — which can build up in the box.) Place the insulation in the box, foil side up.

Recommended materials: One $\frac{1}{2}$ inch x 4 foot x 8 foot exterior plywood sheet; three 8 foot long 2x4's; one pound 6d galvanized nails; one quart white wood glue (Elmer's was used at the workshop; one tube latex indoor-outdoor caulking (and caulking gun); one sheet of 2 inch x 4 foot x 8 foot rigid fiberglass, styrofoam, or other rigid insulation; household aluminum foil.



HEAT ABSORBER PLATE

The absorber plate is an array of connected copper pipe soldered to corrugated galvanized steel roofing material, all painted black. In the finished product, water will run through the pipes, collecting heat from the entire metal plate.

Using tin snips, cut the sheet metal to fit in the box with the corrugations running the 8 foot length of the rectangle. But allow about 1 inch of space on each end for the copper pipe, which will extend beyond each end of the plate. Drill holes and pop rivet sheets together where necessary to obtain the required width to fit the box.

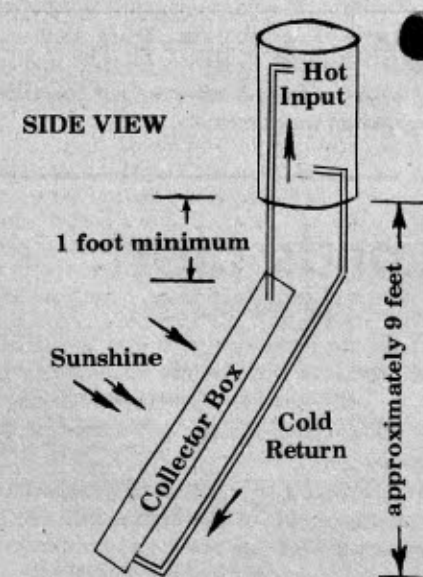
The water grid is made up of $\frac{1}{2}$ inch copper pipes connected to a $\frac{3}{4}$ inch manifold at each end using $\frac{3}{4}$ inch to $\frac{1}{2}$ inch tees. Cut $\frac{1}{2}$ inch copper pipe to fit the length of every other groove in the sheet. Then carefully measure the center-to-center distance of every other groove on the sheet at each end. Cut lengths of $\frac{3}{4}$ inch copper pipe to those measurements. Prepare the ends of all pipes for sweat fitting by sanding and applying soldering flux. At each end, fit up the pipes in the grooves and the pipes at each end of the plate with $\frac{3}{4}$ inch copper tees. Solder each connection.

Note: If you have never sweat soldered copper tubes and fittings, it is recommended you get an experienced person to assist with this part of the construction. Sweat soldering is not difficult, but some instruction is recommended. Clean, sanded tubes and fittings make soldering easier.

Attach copper cold water inlet and hot water outlet fittings at opposite corners of the rectangles. Temporarily cap off the other two corners. Then check the completed array of pipes for leaks by attaching a hose to one corner of the grid, sending water out through the corner diagonally opposite.

Mark any leaks and resolder them after draining the water. Recheck after repair.

After cleaning the galvanized metal sheet (a product called Galvaprep was used at the workshop), solder the copper pipes to the sheet. Sand the copper and attach the pipes to the



sheet metal with a bead of solder at intervals of about 10 inches along the length of each pipe. Then paint the whole assembled plate with a heat-resistant flat black paint.

Recommended materials: two pieces corrugated galvanized steel roofing 26 inches x 84 inches, one box 3/16 inch x 1/4 inch pop rivets (and pop rivet gun), 60 feet $\frac{1}{2}$ inch copper pipe, 16— $\frac{3}{4}$ inch x $\frac{1}{2}$ inch x $\frac{1}{2}$ inch copper tees, 8 feet of $\frac{3}{4}$ inch copper pipe, two copper water inlet and outlet fittings, two copper pipe caps, sandpaper, soldering flux, 50-50 soldering compound (and a propane torch), galvanized sheet metal cleaner, 1 pint flat black heat resistant paint.

PUTTING THE PLATE IN THE BOX
Cut notches in sides of box where water inlet and outlet will go. Set painted absorber plate in the box. Trim wood cutouts to allow for pipes and glue back into the notch to close the hole. Seal all leaks with caulking compound.

GLAZING

To make a "window" to hold heat in the (continued on page 7)

Reader survey...

(continued from page 3)

they didn't mind HCN carrying it. Some commented: "if you must," "yours have been credible," "you've got to eat." A couple of respondents went further and said they found advertising to be a good service to the readers.

Our advertisers will be pleased to see our assumption verified: people keep HCN around longer than most newspapers and pass them around for others to see. According to the survey, copies are kept an average of 8.8 months. (Several said forever!) Many people said they file HCN, and some index it themselves. A Wyoming reader said he had them bound at the library. These readers were upset with us for printing the survey on a page of the paper and

pictures in the paper. "Use your space to keep us aware of the issues. If we want pretty pix, we can refer to the Audubon or Sierra Club Bulletin that many of us receive."

Others appreciate the pictures and graphics and natural history material. (We'd get too depressed ourselves if we didn't include some of that.)

Sixty-two per cent of the respondents requested more land use news and 58% wanted more energy reporting. This is hard to compare with other department ratings, however, since these two categories are so broad that together, they could include almost every article in HCN.

A rancher-contractor asked for "More wildlife, plant life, less political bullshit, less criticism of some of our livelihoods in construction. You

"I'd appreciate some small scale ideas to improve things — ones that apply directly to me. I'm just not up to organizing huge efforts."

told us so. One commented, with evident annoyance, that he usually passed his copy on to others, "but not this copy since it's torn to pieces."

Many of those who don't keep the issue themselves pass them around. An average of 4.3 people read each copy, according to the survey. One said he didn't know how many people read it since he always leaves it on a bus. Another leaves them at a barber shop and another at a drug rehabilitation center. A Forest Service office reports it is routed through 8-12 people and exposed to another 40 in their library.

Surprisingly, a few readers said that we didn't need to put too many pretty

couldn't print this paper if some of us didn't harvest lumber or stay warm if some of us didn't mine coal or travel if someone didn't improve roads. Lighten up."

After land use and energy, readers gave the next highest department rating to "practical guides such as the home insulation series." Fifty-two per cent wanted more. This reflected to us the readers' orientation toward activism. (One reader warned, however, "Let's not get into the Mother Earth News trip," and another said there were many good cheap books on these topics.)

This interest in practical guides

(continued from page 6)

collector, build an 8 foot x 4 foot frame out of 1 inch x 2 inch wood molding. Stretch vinyl plastic over the frame. Many hands help here. Easing out all wrinkles, staple the vinyl to the frame, running greenhouse tape between the stapler and the vinyl sheet. Lee Johnson recommends you put the vinyl on very tightly, "like an army bedsheet." Otherwise the glazing will reflect, rather than capture some of the sun's rays. If you can afford it, lay aluminum molding on top of the staples and tape. Duct tape will also do the job.

Then apply weather stripping where the box meets the covering frame. Lay the glazed frame on top of it. Drill holes and screw frame to box.

Recommended materials: One 25 foot roll of 4 foot wide Sears vinyl (or Warp Bros. Flex-o-Glass), one box of 3/4 inch staples, 30 feet of adhesive felt or rubber 3/4 inch weatherstripping, 30 feet of greenhouse tape, 30 feet of 1 inch x 2 inch wood molding, 24 no. 12 x 2 inch wood screws and washers, 25 feet aluminum molding or duct tape.



SEALING THE BOX with caulking compound.



CONNECTING THE COLLECTOR TO THE WATER TANK

Set up collector outside facing south at about a 60 degree angle. Position a hot water heater (or other storage tank) at least a foot above the top of the collector. This arrangement allows heated water to rise by convection from the collector to an inlet near the top of the storage tank. Colder water sinks to the base of the tank, where it is tapped and routed back through the collector. The heated water rising up the collector pipes and up to the storage tank is an example of the thermosiphon effect.

Connect the collector to the hot water storage tank with copper pipe. Use gate (not globe) valves at the inlet and outlet to the collector. Test the system for leaks. Then wrap insulation around the pipes and fasten with duct tape.

An open-ended pipe is teed into the intake pipe with a pop-off valve to allow for expansion of the heated water in the system. This pipe also allows for the escape of air when the system is first filled with water.

Recommended materials: a roll of 2 inch wide duct tape, 20 feet of 3/4 inch pipe insulation, a 30 gallon hot water heater (if you can get one used from a local plumber, make sure it doesn't leak), 20 feet of 3/4 inch copper pipe, 3/4 inch 45 degree copper elbows, 3/4 inch copper tees (3/4 inch x 3/4 inch x 3/4 inch), 3/4 inch 90 degree copper elbows, two 3/4 inch compact bronze gate valves, one pop-off valve.

May 7, 1976 — High Country News-7

"I don't object to your reporting the facts from an environmental point of view, but I do object to the tone of your voice sometimes. It's a little self-righteous."

showed up in the list of stories that most interested you in HCN in the past year. "Toilets: a revolution from the bottom up" was mentioned the most often. Alternative energy stories were second. One reader suggested more stories on "people who are getting out and living with alternate energy sources."

Stories mentioned the most often:

Toilets
Alternate energy
Wilderness endangered by overuse
Kaiparowits
Donkey dilemma
Idaho phosphates
TVA moves West
Does the nation need Western coal?
Ski Yellowstone

Some readers commented that they felt depressed reading all the grim realities and wished we would write more about what they could do to help.

An Idaho reader wrote: "Sometimes I get really frustrated reading HCN because the problem seems so big — I'd just rather crawl into my hole and ignore the rest of the world. I suspect I'd appreciate small scale ideas to improve things — ones that apply directly to me. I'm just not up to organizing huge efforts."

Bulletin Board also earned high ratings — 42% said they would be interested in more.

This perhaps is also related to the readers' orientation toward activism — they want to write for impact statements and, educational materials, to attend workshops and conferences, and to learn.

Some of the categories of articles are listed below with the percentage of people who wanted to see more of them. We realize these figures don't necessarily indicate relative popularity of the departments for a couple of reasons. First, readers who enjoy the centerspreads, for example, are satisfied with two pages and wouldn't request more.

Second, some respondents may have been confused by our rating system. Several pointed out to us that it was inconsistent to have "1" indicate they want more, "2" mean less, "3" mean the same, and "4" mean discontinue.

More than 50% of the respondents indicated they were satisfied with the amount of coverage we give to most of the departments.

Department ratings with percentage who wanted more:

Land use articles 62%
Energy reporting 58%
Practical guides 52%
Bulletin Board 42%

Reckoning 40%
Wilderness use 40%
Guest editorials 38%
Tom Bell's environmental columns 37%
Natural history 36%
Agricultural reporting 35%
Editorials 34%
Centerspreads 33%

Twenty per cent said they would like more personality profiles. One reader said he wanted profiles "about country people — not city slickers and kids."

Several readers admitted that if we were to print more of all the departments they requested, the paper would have to be larger than 16 pages. We have discussed this possibility, but a few readers have also told us they appreciate our doing the editing for them and keeping the 16 page format. The other factors, of course, are that we just don't have the staff nor the money to expand right now. We are considering running occasional extra sections for special subjects, however.

Suggestions for geographical coverage varied from some who wanted more coverage of the Rocky Mountain area to another who said we should look at "international issues that affect everyone."

Generally, 71% of the respondents said that HCN had improved, 28% said

Eighty-three per cent of our readers are hikers, 63% are photographers, and 58% are gardeners.

Over 77% belong to conservation groups.

it stayed the same, and 1% said it had slumped. Fortunately, no one thought we had "become a front for the oil companies."

Several readers wrote across their surveys, "Thanks for asking!" We can only say thanks for taking the time to write. We put a few hurdles before you. We didn't include our address on the same page, and we made you cut a page out of your paper or get it copied (both of which you reprimanded us for).

Next time we'll make some changes in the survey. But in the meantime, keep coaxing, cudgeling, and counseling us. We're listening!



When bears awaken, biologists go on the

by William Brewster

While grizzly bears are now beginning to roam after their winter sleep, an interagency team of wildlife biologists is prowling the woods to learn more about this awesome backcountry inhabitant.

The long-term research project is being conducted by state and federal wildlife biologists in the 7,000 mile Yellowstone ecosystem of Montana, Wyoming, and Idaho. Data is being evaluated at a U.S. Forest Service facility in Bozeman, Mont.

It all began as a joint venture by the scientists in 1973 to learn more about the sometimes shy and sometimes bold and brawling bear which has been the topic of myriad frontier tales.

But in spite of all the fables and backcountry lore written about the grizzly, sci-

entific information on *Ursus arctos horribilis* has been sketchy. The team is continuing with pioneer research conducted by Frank and John Craighead in Yellowstone National Park a few years ago. And it reinforces field observations made by naturalist-guides like Canada's Andy Russell.

The grizzly is being studied in one of the last remote, backcountry wilderness areas left within the Lower 48. It is to this mostly roadless, timbered high country that the giant bear has retreated as man continues to develop, scalp, and tear at what little wild country remains.

The resource managers need viable information if they are to make crucial decisions and protect the remnant grizzly population from the overpowering hand of man.

Biologists from the U.S. Forest Service,



Photo by Mike Sample, Montana Fish and Game.

National Park Service, and U.S. Fish and Wildlife Service are working with state wildlife men from Montana, Wyoming, and Idaho under a cooperative agreement.

They are after solid information on the status and trend of the grizzly population, use of habitat types by the bears, and the relationship of land management activities to the threatened bear's welfare.

Team leader Richard Knight, a biologist with the National Park Service, said the team is interested in studying the bears in areas where the grizzlies are affected by recreation, timber harvest, and livestock grazing. That description fits the entire Yellowstone ecosystem.

Through the use of collars with radio transmitters, biologists have been able to track several bears from aircraft and on foot as they roamed across the rugged terrain of Yellowstone National Park and the national forests in the three states.

One of the critical locations being studied by the biologists is located north of Hebgen Lake on Montana's northwestern edge of the big national park. At Hebgen Lake, land developers have requested a permit from the Forest Service to construct ski lifts on Hebgen Mountain for the Ski Yellowstone development (See HCN, May 23, 1975). The recreational development project borders on critical grizzly habitat in the Hilgaard-Teepee Creek backcountry area.

When winter snows sent the grizzlies into snug dens, field teams had radio collars on four bears. The bears were live-trapped during the summer months, fitted with collars and then released. Three of the bears were trapped near Cooke City, Mont., where the area's only remaining open garbage dump is located. They use the Cache and Slough Creek areas on the northern park and Beartooth country as their home range. The fourth collared bear, known as the Multiple-Use Sow, utilizes a gigantic home range in the Cabin Creek-Hilgaard country north of the park which runs for 40 miles in a north-south direction.

"She may be affected by the recreational development on Hebgen Lake and also by



Photo by

the heavy hunting pressure the area receives," Knight said. "She is called the Multiple-Use Sow because she covered a range which includes lands being used for various purposes."

"We don't know what happens when development takes place," Knight noted. He is also interested in records to see if the extensive range of the Multiple-Use Sow is truly representative or if she settles down once she has cubs.

"She is difficult to keep track of because she moves so darn much. She seems to get up and go for no reason known to us," Knight noted. "We are finding out they are



Photo by Tom Warren, Montana Fish and Game.

the prowl



Photo by Craig Sharpe, Montana Fish and Game.

pressure the area re-
"She is called the
cause she covered a
lands being used for

what happens on
"Knight noted.
records to see if the
Multiple-Use Sow is
if she settles down

keep track of because
ch. She seems to get
ason known to us,
finding out they are

extremely mobile animals." The biologist said in one case, bears were located in Wyoming, and before they could be trapped, they moved north 50 miles into the park.

Bonnie Blanchard, a Montana State University fish and wildlife graduate student from Helena, Mont., spent most of the field season working in the remote Cabin Creek-Hilgaard area.

Blanchard is interested in studying the distribution of grizzlies as it relates to human activity. She is seeking facts on the number of bears in the area, habitats, food sources being used, and human and grizzly interactions. Backpackers, hunters, and

other wild country users were asked to complete questionnaires. Along with questions on the number and type of animals spotted in the area, backcountry users were asked to give their opinions on the "value" they placed on the existence of grizzlies.

One of the major research objectives, Knight said, was to obtain information on habitat types. After radio-monitored bears were located in areas, vegetative teams were sent in to inventory foods and topography.

Studies so far have uncovered a number of facts which differ from earlier research findings.

"We are very suspicious of the commonly known fact that they are creatures of the wide open spaces," Knight said most grizzlies observed last summer were in heavy vegetative cover instead of the more open terrain where observations had been made in the past.

"They probably have different tricks for every kind of year there is," he said. "We will see. But this year they were found in spruce swamps and in heavy lodgepole pine thickets."

By using space age equipment like the radio collars, the biologists were able to locate winter dens and obtain much needed denning information.

The team would have liked to have live trapped more bears during the past summer, but nature's conditions made that difficult.

The bears showed a spectacular disenchantment for most of the baits the team used at live traps and time-lapse camera sites.

One of the big questions which needs to be answered concerns the bear population in the ecosystem. Knight believes the bear population is between 237 and 540 bears. Others who have been studying the bears, like the Craigheads, feel that figure is too high.

Since 1971 when the dumps within the park were closed, the grizzlies have dispersed into the backcountry area in search of natural foods. That has made it necessary for Knight's crew to utilize some different techniques than those used by the Craighead research teams.

The interagency study team would like to obtain information on grizzlies in wilderness areas, but Forest Service policy, so far, has blocked that possibility, based on the agency's transmitters couldn't be used on bears that roamed across wilderness boundaries. Through the end of the last season's study, helicopters weren't allowed to land in the wilderness areas. Helicopters are used by the study team to carry the traps.

Information on grizzlies within the Targhee National Forest in Idaho is also

May 7, 1976 — High Country News-9



Photo by National Park Service.

needed because of domestic sheep grazing allotments in the forest.

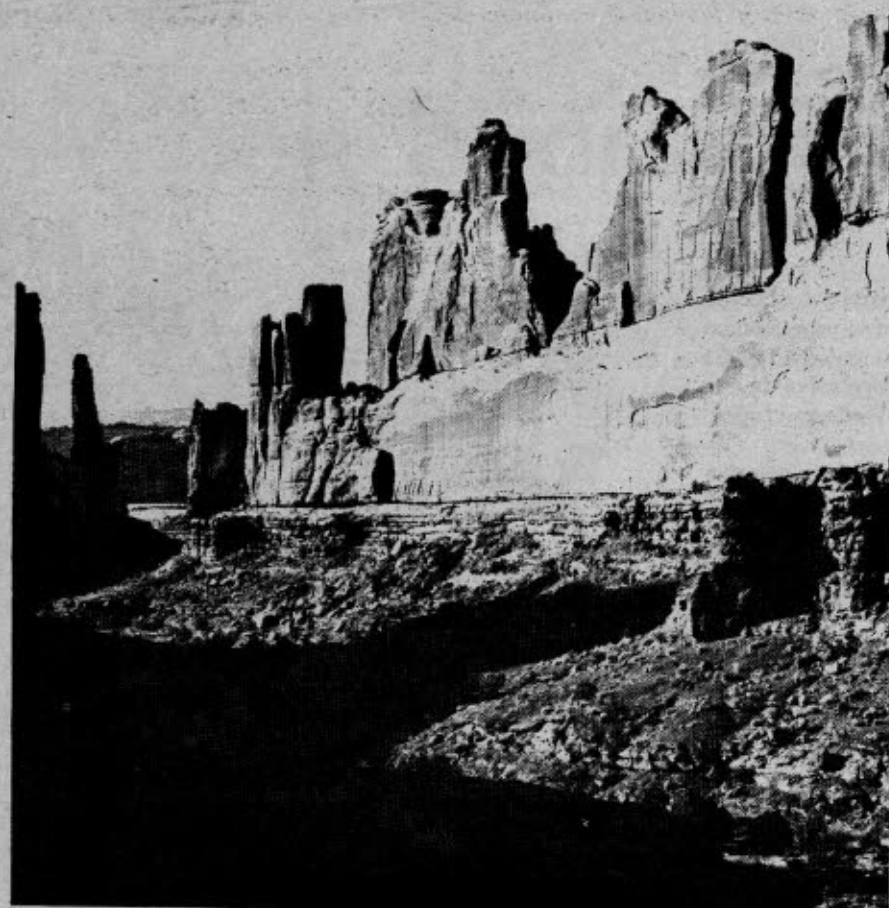
"There is a fascination about the ways of the grizzly," Andy Russell wrote in *Grizzly Country*, "that forever prods and calls for more investigation."

That thought, perhaps, is in the minds of the study team as they probe the grizzly's way in its last stronghold in the Lower 48.



Photo by Lloyd Casagrenda, Montana Fish and Game.

10-High Country News — May 7, 1976



UTAH INDUSTRIAL CORRIDOR PROPOSED

In the wake of the demise of the Kaiparowits power plant project (see HCN, 4-23-76), industry-minded Utahans are rallying behind a proposal for an industrial corridor in the state. The corridor would be composed of a string of coal-fired power plants and industrial plants requiring large amounts of energy.

The corridor idea is the brainchild of Dr. George R. Hill III, a former director of the U.S. Office of Coal Research and dean of the College of Mines and Mineral Industries at the University of Utah. Hill envisions small power plants in the 50 mile stretch between Price and Green River, Utah, eventually producing about 3,000 megawatts — the same amount as the now-defunct Kaiparowits plant. Hill says the corridor is well-removed from the national parks that would have been impacted by Kaiparowits. Conservationists note that the tip of the corridor would be only 30 miles from Arches National Park.

Utah Gov. Calvin Rampton is excited by the proposal and says it will be considered in the state's current effort to establish an energy policy. Rampton plans to appoint a blue ribbon committee to hold seminars this summer and draw up a state energy policy.

Photo of Park Avenue in Arches National Park copyright 1976 by Ann and Myron Sutton.

Reckoning from Washington

by Lee Catterall

Did Wyoming Attorney Gen. Frank Mendicino really understand the Sierra Club coal development case last week when he appeared before the U.S. Supreme Court?

Observers were asking themselves that question after the state's lawyer testified in support of the Sierra Club in the controversial case, one of the most important in Wyoming's history. Mendicino's answers to a series of questions by Justice Byron White suggested he was ill-prepared to testify on the case before any court, much less the Supreme Court.

The case is not terribly complicated. Previous courts have ruled that several, related federal actions, although individually insignificant, can together be considered a "major federal action" and thus trigger an environmental impact statement. The Sierra Club argues that the same should hold true for related actions that are individually "major" ones; they together should be considered a major, separate action and thus trigger a more comprehensive statement.

The Sierra Club argues the government should prepare such a comprehensive statement on its plans for coal development in the Northern Great Plains — parts of Wyoming, Montana and the Dakotas. The government insists those separate actions are unrelated, so it has no "program" for the area on a regional basis.

Justice White repeated the government view to Mendicino that there is no report on any regional action proposal.

"Well, we disagree with that," Mendicino replied.

"Where is the report?" White asked.

"We don't know where it is," Mendicino answered.

Actually, there is no report. Which is the whole point of the case. The Sierra Club

argues that the government is simply taking actions in the West without acknowledging their relationship in any written report. Doing so would mean the government was planning on a regional basis, and it would be forced to prepare an impact statement.

Mendicino added that the Court of Appeals had sent the case back to U.S. District Court "to determine whether or not there was a proposal of a program for development."

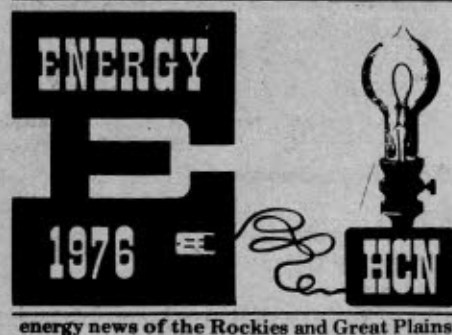
The Court of Appeals went quite a bit further than that. It concluded the government was indeed planning coal development on a regional basis, and sent the case back to District Court to await the time those plans would become "ripe." Those attempts to allow coal development were real, the court said, "whether (the government) labels its attempts a 'plan,' a 'program,' or nothing at all."

Mendicino ran into trouble when he agreed to testify on matters beyond the factual background of coal development in the area, and made statements regarding the legal issues in the case, rudimentary as they were. Finally, when White began following up on his earlier questioning, Mendicino said he would prefer those questions to be directed to Sierra Club attorney Bruce Terris.

But the wounds already had been inflicted. By the time Terris came before the court, the nine justices were clamoring for answers to the contradictions in Mendicino's testimony. Terris's explanation was that there already have been "dozens of actions, not proposals, for major federal action," and "literally hundreds of additional proposals coming before Interior" for coal development in the region.

"In our view there has been a regional action and decision taken," although not written on paper, Terris said. However, the justices seemed unwilling to accept his contention.

"Where is the report?" they were still asking at the end.



SENIORS CHALLENGE UTILITIES.

A regional organization of senior citizens has launched a multi-state campaign for utility rate reform. The group, the Mountain Plains Congress of Senior Organizations, includes people from North and South Dakota, Montana, Wyoming, Colorado, and Utah. Its headquarters is at 820 16th St., Suite 617, Denver, Colo. 80202.

MORE AT COLSTRIP. While still not sure it will gain state approval for proposed units three and four at Colstrip, Mont., Montana Power Company admits it is thinking about a fifth unit at the southeastern Montana site. If all five units are approved, they would boost the facilities' capacity up to 2,410 megawatts. The possibility of the fifth unit was revealed in a 10-year development plan filed April 1 with the state Department of Natural Resources. The fifth unit would have a generating capacity of 350 megawatts. Montana's Utility Siting Act requires the filing of a long-range plan each year.

POWER LINE THROUGH PARK.

Three Jackson Hole, Wyo., residents have disputed threats of blackouts made by a local, publicly-owned utility seeking to build a 115 kilovolt transmission line in the valley beneath the Tetons. The three residents, Wally Ulrich and Wayne Johnson of the Wyoming Field Institute and attorney Hank Phibbs, claim that the people of Teton County are being "railroaded" into accepting an unnecessary transmission line by "scare tactics and questionable data." The line proposed by Lower Valley Power and Light would run from Teton Village to Kelly, Wyo., through Grand Teton National Park and the National Elk Refuge.

BOILER ROOM? According to a high-ranking Interior Department official, the "most likely level" of Northern Great Plains coal development eventually could require 11 new generating plants, 16 gasification plants, and an annual water supply of 430,000 acre-feet. The official, Under Secretary Kent Frizzell, made the statement at a seminar in Denver sponsored by the Great Plains Agricultural Council.

NO PLACE UNTOUCHED. Leasing the Utah portion of Bear Lake for oil, gas, and hydrocarbon exploration is being considered by the Utah Division of State Lands. State Lands Director Charles R. Hansen says he is approaching the project with caution because, "we recognize that lake particularly is a great recreation re-

source." Sierra Club spokesman Sherm Janke says that Bear Lake has the highest water quality of any large lake in Utah. "I guess my reaction is, 'Gosh, can't they leave anything alone?'" he told the *Deseret News*.

QUESTIONS PIONEER COAL.

A health physicist for the Idaho Department of Health asked the Public Utilities Commission to withhold its decision on the proposed Pioneer power plant south of Boise, Idaho, until coal for the plant can be evaluated for radioactive materials content. Gary Booth said Idaho Power's Jim Bridger plant in Wyoming has "significant concentrations" of radium in its fly ash. The company that designed the Pioneer plant says the coal has low concentrations of radioactive material, but Booth says there has not been an independent analysis yet.

UTAH COAL TAX. Robert D. Moore, attorney for the Utah Coal Operators Association, says a proposed severance tax on Utah coal doesn't make sense because Utah uses most of its own coal and is not a net exporter. The biggest user of Utah — Utah Power and Light Co. — uses 32% of Utah's coal production. Utah coal, which is mostly deep mined, is double the cost of strip mined coal from Wyoming and Montana he said. A Utah severance tax would seriously hamper the Utah coal industry, he said.

PANHANDLE TO PANHANDLE.

Panhandle Eastern Pipeline Co. says it will need federal help to finance its proposed \$1.3 billion coal gasification plant in Wyoming. Part of the reason is that the company must get permits from so many state and federal agencies, according to an Associated Press report. "The real crux of the problem is that the cost of synthetic fuel projects has skyrocketed beyond the capability of traditional financing," an official of the firm said.

INVESTORS' CHALLENGE.

Activity by Continental Oil and Standard of California on the Northern Cheyenne Reservation in Montana has been questioned by investors in the two companies. The Corporate Examiner reports that several church organizations which are investors in the two companies have asked them to prepare a full report on their involvement in strip mining on the reservation in southeastern Montana. Another resolution questions whether any corporate funds have been spent in connection with the Rosebud Society, a group that is challenging the tribe's authority to lease minerals. The sponsors of the resolution claim that "individual Northern Cheyenne have been promised and/or given access to bank accounts in exchange for membership in the Rosebud Society." They object to this practice, saying, "The sovereign right of the Cheyenne to determine their resources should not be undermined by outside economic pressure."

Twenty-two states enter debate

Supreme Court hears plains coal case

On April 28 the Supreme Court witnessed the last skirmish in a lengthy battle between the Interior Department and the Sierra Club over coal development in the Northern Plains.

The Sierra Club had reinforcements this time — the support of 22 states who filed an amicus curiae brief with the court. Using time allotted the Sierra Club, the states asked that the court not weaken the protective mechanisms contained in the National Environmental Policy Act.

Despite the support, Sierra Club representative Laney Hicks fears that the justices "were not listening." Hicks told HCN that the court seemed not only hostile to the club's position, but that it also gave "a cold shoulder" to the interests of the states.

Some observers felt that the high court revealed its leanings toward Interior's side earlier — when it lifted an injunction on four strip mining applications in Wyoming's Eastern Powder River Basin in January.

The case, *Sierra Club v. Morton*, is based on the 1969 National Environmental Policy Act (NEPA). The act requires federal agencies to write environmental impact statements on major federal actions that will have a significant effect on the human environment.

Sierra Club attorney Bruce Terris argued that the various activities associated with federal coal development in the Northern Plains should be examined as a whole through a regional environmental impact statement.

Interior Department attorney A. Raymond Randolph argued that the government has no regional plan to develop the Northern Plains coal. "In the absence of a proposal for regional action, NEPA does not require a regional impact statement," he told the Supreme Court.

According to a report in the *Casper Star-Tribune*, Chief Justice Warren Burger questioned whether a series of "minor actions" constitute a "major action," which would be subject to the requirements of NEPA. Other justices asked how the plaintiffs could prove the government had an actual development plan.

In June 1975 a U.S. Court of Appeals ruled, in effect, in favor of the Sierra Club. Terris contends that, while the Interior Department has appealed the suit to the Supreme Court, it has already conceded to the clubs' demands for planning on a regional basis.

As a part of Interior's new coal leasing program Secretary Thomas Kleppe has announced that a regional environmental impact statement will be prepared if the department is taking interrelated actions.

"The plaintiffs consider this an enormous victory for those who believe that the entire environmental impact of federal actions should be carefully analyzed and considered before irrevocable decisions are made and actions taken," Terris said in a position statement on the suit.

That victory behind him, Terris believes that two issues remain. Only the first will be addressed by the Supreme Court decision.

First, while the two parties now agree that regional planning and regional environmental impact statements are necessary, Interior is defining "region" in a more limited way than the Sierra Club.

An Interior spokesman told the Senate Interior Committee, "We are not talking about a region that simply blankets a five

state area. . . . We are talking about regions that are defined more by drainage areas, basin boundaries, and economic independence."

The Sierra Club maintains that the Fort Union and Powder River coal formations in northeastern Wyoming, eastern Montana, and the western Dakotas are an appropriate "region" in this case.

The second area of disagreement between the Sierra Club and Interior, which will not be addressed by the pending court decision, is the quality of Interior's impact statement on the Eastern Powder River Basin in Wyoming. Terris says it is "woefully inadequate" and fails to resolve major policy issues.

The states' presentation before the court, which took 10 of the 40 minutes allotted for presentation of the plaintiffs' case, was presented by Wyoming's attorney general, Frank Mendicino. Mendicino backed a strict interpretation of NEPA, saying that environmental impact statements are needed by the states to learn the "tremendous magnitude" of federal programs.



The HCN Hot Line

energy news from across the country

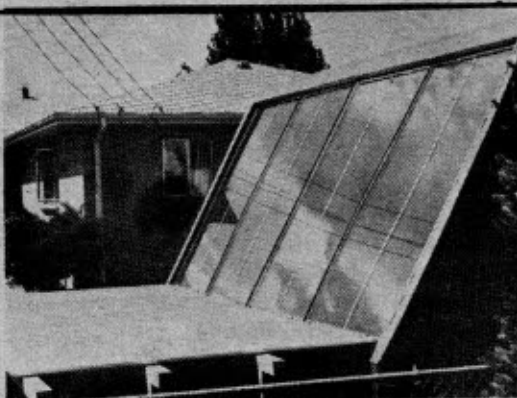
U.S. SEEKS EFFICIENCY. The country's energy demand growth rate is decreasing and the Ford Administration has recently taken a stance which may bolster the trend. Southern California Edison, one of the utilities which pulled out of the Kaiparowits project, sees demand rising at a rate of only three per cent or four per cent until the 1980s, when it will rise at an even lower rate. The growth rate of the '60s, of seven to eight per cent a year, is gone. In a recent report to Congress, the federal Energy Research and Development Administration (ERDA) embraced more efficient use of energy as a high priority national research goal. This is a reversal of the administration's original plan to emphasize energy production and stimulate conservation through higher prices. Depending on price pressure alone would create too much inflation and unemployment, officials have decided.

WINDY SITES SOUGHT. The Energy Research and Development Administration (ERDA) is looking for sites for a test program for wind turbine generating systems. ERDA has asked utilities and other electric service organizations to propose sites and offer installation and operation services for the test program, according to the Associated Press.

OKLAHOMA NIXES SLURRY. Members of the Oklahoma House killed a coal slurry pipeline bill which would have given eminent domain to the pipeline proposed to carry coal from Wyoming across Oklahoma to Arkansas. The Senate had passed the bill. Kansas and Nebraska legislatures have also refused to give condemnation power to the coal slurry pipeline.

COLORADO SOLAR SETBACK

What looked like good utility rate reform last fall has taken a devastating turn for solar energy advocates in Colorado. Public Service Co. of Colorado's energy-and-demand rate went into effect Feb. 9. The new rate makes it harder for those using heat from the sun to save money on their electric bill, if they use electricity when their store of solar heat has run out



after several cloudy days. The new rate is based not on the total amount of electricity consumed over a month's time, but on the size of peak electrical demand at any one time. The higher the peak demand, the higher the rate. According to a DENVER POST article, the new rate will raise the cost of an electric backup system for a solar-heated house by about \$300 a year.

The new rate was approved by the Public Utilities Commission Oct. 21. As described by Public Service at the time, the new rate would encourage spreading the use of appliances over the day. This would lower the utility's peak load at any one time.

Public Service still defends the rate, saying that they must have the same generating capacity available whether or not a home is solar heated — the capacity just isn't used as often in the solar home. Thus, the rate structure isn't punitive, Public Service says. It simply represents the cost of providing the service.

While using fuel-powered rather than electrically-powered backup systems would solve the problem, that isn't as easy as it sounds. In most places in Colorado, natural gas standby systems aren't available.

Photo courtesy of International Solarthermics Corp.

KAIPAROWITS DOUBLE-EDGED.

What was a major boost to the spirits of most environmentalists in the country may be viewed as a setback to groups working to pass a nuclear safeguards initiative in California June 8. The pull-out of two California utilities from the huge, coal-fired Kaiparowits project in Utah may make nuclear power development seem more urgent to Californians, according to the Scripps-Howard News Service. The safeguards initiative, called a "shutdown initiative" by the nuclear power industry, demands that the industry provide its own accident insurance and proof of the safety of its technology. The latest poll of those California voters who are familiar with the initiative shows 51% opposed, 35% for, and 14% undecided. Nuclear industries are spending \$3 million in California to defeat this measure, according to Not Man Apart.



STRIP BILL STILL CAPTIVE. At the end of April only 80 out of the 218 signatures needed had been gathered on a petition to release the federal strip mining bill for a vote on the House floor, according to U.S. Rep. John Melcher (D-Mont.). Nevertheless, Melcher, the sponsor of the bill, is predicting eventual success. The petition would discharge the bill from the House Rules Committee, which has halted its progress.

POWERFUL PIGMENT. Pigment in a purple bacteria found in Israel's Dead Sea may be capable of capturing light and turning it into energy. Previously, only green chlorophyll was known to be capable of photosynthesis — the process that converts light into usable energy. Now U.S. researchers are using the pigment in this bacteria to make solar cells. Tests indicate that about 10% of the sunlight falling on the cells is converted directly to electricity. The pigment is similar to the "visual purple" pigments in blue human eyes.

L.A. WANTS SOLAR PLANT. The city of Los Angeles' power company is submitting a proposal for a bid to the federal government to build the nation's first solar thermal conversion power project. The Energy Research and Development Administration (ERDA) is seeking bids for the 10 megawatt pilot plant. The plant would produce electric power for as many as 2,500 homes during the hours which it could operate. ERDA's timetable calls for experimental operation by the summer of 1980.

BREEDER PROBLEMS. A Resources for the Future (RFF) report to the Joint Economic Committee in the Congress says the nation may not need the nuclear breeder reactor. If electricity growth rates beyond 1980 level off at two per cent, the breeder could be delayed while it is studied more thoroughly, says RFF. Meanwhile the General Accounting Office reports management problems with the contract governing the experimental Clinch River Breeder Reactor (CRBR) in Tennessee. CRBR now has a cost overrun of \$1 billion.

LAND USE AND LEASING. Area-wide land use plans by state, local, and federal governments will be required under new coal leasing proposals by the Department of the Interior, according to **Land Use Planning Reports**. The regulations would call for an inventory of all natural resources — not just coal — and a plan resolving land use conflicts. The proposed regulations are in the March 16 **Federal Register**.

Money needed for alternative energy?

Oilmen, conservatives v. synfuels bill

by Kevin Markey
Colorado Friends of the Earth
Representative

Another synthetic fuels loan guarantee bill is now being considered in a House committee, and this time both conservative Rep. Barry Goldwater Jr. (R-Calif.) and some representatives of synfuels industries have joined environmentalists in criticizing the proposal.

The House Science and Technology

Committee has revised a proposal in Congress to provide billions of dollars to subsidize the commercial development of synthetic fuels (primarily oil shale and coal gasification) and alternative energy.

Supporters of the program are trying to meet a budget control act deadline of May 15, after which no legislation may authorize further fiscal year 1977 expenditures.

Several organizations, led by the Col-

orado Open Space Council, the Environmental Policy Center, and Friends of the Earth are mobilizing grassroots opposition to the subsidies.

The new bill, H.R. 12112, introduced by Rep. Olin Teague (D-Tex.), is substantially the same as the synfuels loan guarantee program defeated by a coalition of conservatives, liberals, and environmentalists last December.

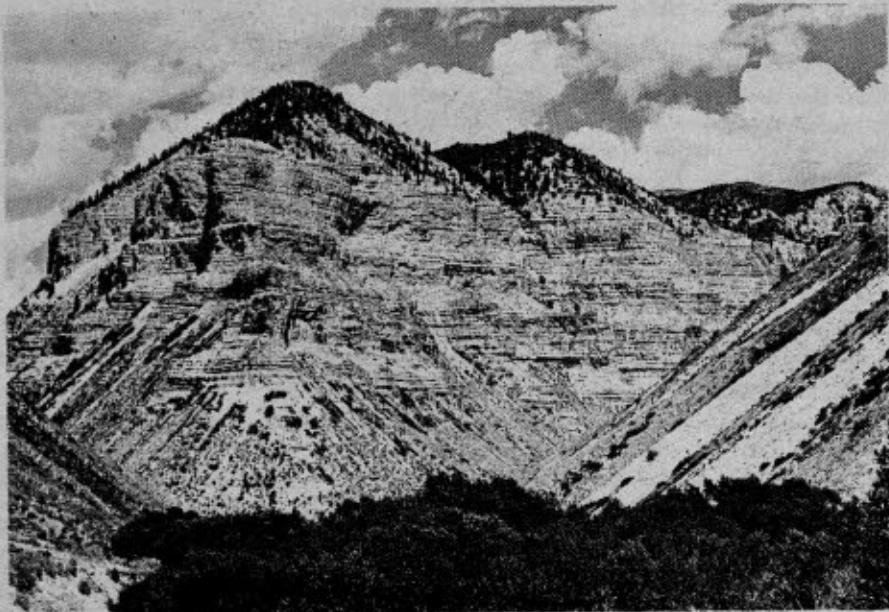
It authorizes the U.S. Energy Research and Development Administration (ERDA) to guarantee loans for various energy projects without the government being able to

high Btu gasification, a maximum of 30% for other fossil fuels, or a maximum of 50% for renewable resources.

Conservationists charge, however, that since ERDA priorities lie with fossil fuels, and since no minimum percentages are specified, this in effect leaves renewable resources with only 20% of the pie if ERDA chooses to use the full \$4 billion.

COULD REACH \$15 BILLION

The direct and indirect costs resulting from a guaranteed loan program could reach \$15 billion for a small 350,000 barrel per day program if future price supports,



GOVERNMENT BOOST NEEDED? The Congress is considering allocating \$4 billion in loans and grants to subsidize synthetic fuel production (like coal gasification and oil shale development) and alternative energy (like solar, wind, and biogas). Some oil shale firms claim the resource will remain untapped unless this type of legislation is passed. Other energy industry spokesmen call it "irresponsible legislation." This photo is of oil shale outcropping in the Parachute Creek drainage of the Piceance Basin in northwestern Colorado. Photo courtesy of the Colony Development Operation.

Rep. Barry Goldwater Jr. (R-Calif.) condemned the bill as providing oil shale with "cradle to the grave subsidies."

touch corporate assets if a project defaults.

In response to Western states' demands, it also provides various sorts of aid to impact communities and allows the governor of an affected state to veto any project located in his state. However, ERDA may override a governor's veto if the project is in the "national interest."

Several amendments have been adopted in committee markup. The original \$2 billion limit in Teague's bill was increased to a total \$4 billion. This compares with the \$6 billion authorization of the bill killed last December.

To make it look as if a greater share of loan guarantees will go for renewable resources, the committee adopted percentage ceilings. Not more than 50% of the total authorization may be used to guarantee

grants, aid to boom towns, and guaranteed purchase contracts are added together, according to Congressional testimony presented by Kathy Fletcher of the Environmental Defense Fund. Fletcher used figures from the report from the Administration's own Synthetic Fuels Commercialization Program Task Force Report.

These subsidies would reward the most uneconomical technologies. A Superior Oil spokesman, Ben Weichman, said last week that the subsidies were "irresponsible legislation" which may do more harm to a healthy synfuels industry than good. At the Ninth Oil Shale Symposium at the Colorado School of Mines, both Occidental and Superior claimed that they did not need federal subsidies. Occidental is experimenting with a modified in situ process, and Superior is developing a multiple mineral process.

WIRTH HELPS SHALE

Oil Shale companies would get special treatment under an amendment made by Rep. Tim Wirth (D-Colo.). It allows loan guarantees to oil shale technologies only after they are proven on a modular scale. To aid construction of these demonstration plants, Wirth's amendment allows construction grants of up to 75% of their costs. Other technologies are limited to 50-50 cost sharing.

This provides oil shale with "cradle to the grave" subsidies, according to Rep. Barry Goldwater Jr.

Other critics of Wirth's amendment say it also confuses the testing of a technology with its commercialization. Most developers believe their process is technically feasible and proven. The only aspect which needs to be proven is its economic viability.

Modular demonstration does not prove this, and loan guarantees prevent a true test of the economics of the technology.

PUBLIC COMMENT

Before markup, the bill allowed any interested party — including towns, Indian tribes, and the public — to evaluate possible impacts before a guarantee would be issued. However, the committee has now limited that review to the borrower, ERDA, and the governor of the affected state.

Anyone interested in commenting on H.R. 12112 should contact their representatives at the House of Representatives, Washington, D.C. 20515.

HCN Bulletin Board

PHOSPHATE EIS RELEASED

A draft environmental impact statement (EIS) on phosphate development in southeastern Idaho is now available for public review. Public meetings will be held during May and June. The first series will be informational sessions to inform the public. A series of formal public hearings will be held later.

Copies of the EIS and additional information is available from the Interagency Task Force, P.O. Box 236, Pocatello, Idaho, 83201; or Caribou National Forest, 427 North Sixth — P.O. Box 4189, Pocatello, Idaho 83201.

GLACIER SNOWMOBILING POLICY

Public meetings will be held in two Montana cities to review the decision to ban snowmobiles from Glacier National Park. The public meetings will be held in Kalispell at the Elks Temple, Highway 93 South at 7:00 p.m. on May 25 and in Great Falls at the Rainbow Hotel, 20 Third Street North on May 27 at 7:00 p.m. Written statements from the public may be sent to the Superintendent, Glacier National Park, West Glacier, Mont. 59936.

ERDA ENERGY PLAN

The U.S. Energy Research and Development Administration (ERDA) is holding a meeting on its National Energy Plan in Denver on May 17-18. The purpose of the meeting is to hear from citizens on the agency's energy plan — especially as it relates to regional energy issues. Copies of the ERDA energy plan — ERDA 76-1 —

are available from US-ERDA, Technical Information Center, P.O. Box 62, Oak Ridge, Tenn. 37830. The Denver meeting will be held in the Denver Hilton beginning at 8:30 a.m. To participate, contact James R. Nicks, ERDA, P.O. Box 928, Golden, Colo. 80401.

WYOMING LEGISLATIVE ANALYSIS

An environmental analysis of Wyoming's 1975 and 1976 legislative sessions is available from the Wyoming Outdoor Council. Issues covered include land use planning, industrial siting, air standards, coal export, and coal taxation. The voting record of each state legislator on these issues is also included. To purchase a copy, send 50 cents to WOC at P.O. Box 1184, Cheyenne, Wyo. 82001.

COLORADO RENDEZVOUS

The old mining camp of Dunton, Colo., high on the West Fork of the Dolores River, adjacent to the Wilson Mountain Primitive Area of the San Juan National Forest, will be the scene of the Colorado Plateau Rendezvous II. The three day gathering will include natural history hikes, discussions with Colorado scholars from the humanities, and videotaped sessions with western Colorado residents. "Most of all, participants are urged to come and talk to one another about their concerns and hopes for Colorado's vast and beautiful Western Slope," say the conference organizers. The rendezvous is June 12-14. Participants are

urged to camp nearby and do their own outdoor cooking. Some limited indoor lodging is available. All participants must register by May 31, 1976. It's free! For more information contact Dr. Roger Eldridge, 1215 East Third Ave., Durango, Colo. 81301.

PUBLIC LANDS CONGRESS

The Congress on Public Lands in the West will be held June 3-5 in Caldwell, Idaho. The program includes displays, panel discussions, field trips to ranches, a barbecue, and entertainment by the Old-time Fiddlers. Roger Beers, an attorney with the Natural Resources Defense Council which brought a grazing suit against the Bureau of Land Management, and Stan Steiner, author of *The Vanishing White Man* and *La Raza*, will be two of the featured speakers. For more information contact the Regional Studies Center, The College of Idaho, Caldwell, Idaho 83605.

MONTANA WILDERNESS WALKS

Montana wilderness walks are scheduled throughout the summer and fall, starting the middle of May, by the Montana Wilderness Association. Hikes range from one to three day trips. One group of hikes is designed for hikers of all ages who can walk four to five miles per day and another group for those who want more strenuous trips. Hikers provide their own food and gear, and there are no charges. Write to the Montana Wilderness Association, Box 548, Bozeman, Mont. 59715 for schedules.



Western Roundup

HCN



CARS BANNED

Daytime automobile traffic will be banned this summer on the road to the Maroon Bells near Aspen, Colo. The U.S. Forest Service and Pitkin County have agreed to close the nine-mile access road to private cars from 8 a.m. to 6 p.m. and send visitors in by bus. Air pollution and traffic congestion along Maroon Creek were cited as the reasons for the new policy, according to the DENVER POST. Overnight campers will still be allowed to drive in, but the 90 camping sites are usually emptied by 10 a.m.

North Fork primitive area rejected

The Casper District of the U.S. Bureau of Land Management has dropped a proposal for an 11,000 acre primitive area on the North Fork of the Powder River near Buffalo, Wyo. The BLM cited overwhelming local public opposition to primitive area designation as the reason for dropping the proposal. "We asked the public what their wishes were, they told us, and we are following their recommendations," said BLM Buffalo Area Manager Forest Littrell. Over 90% of the letters and public statements at the hearing were opposed to the primitive area. Hearings were held in Sheridan, Buffalo, and Casper. Scott Bates of the BLM Casper District Office told HCN most of the people who testified against official primitive area status wanted to see the area remain undeveloped. It was the "neon sign syndrome," he said. "They feared national exposure of the area would lead to overcrowding." He said most local people were worried that labeling an area as primitive would attract hordes of backpackers. Leaving the area alone and unlabeled might protect the area better, they said. Bart Koehler, Northern Representative of the Wilderness Society, believes to the contrary that the only way to keep the area as it is to give it some sort of protective designation. "If you leave it under multiple use management it will eventually be developed," he says.

Eastern Wyoming seeks Green water

Wyoming State Engineer George Christopulos has asked a water study committee in southwest Wyoming to study diverting "excess water" from the Green River to the eastern part of the state. The diverted water would presumably go for coal development in the water-short northeastern corner of the state. Christopulos believes 75,000 to 100,000 acre-feet could be diverted out of the Green River Basin "with no adverse effect." He suggests that the water be taken out downstream in Flaming Gorge Reservoir since taking it out upstream could cause serious decreases in flow levels.

State Sen. Robert Johnson (D-Sweetwater County) opposes the trans-basin diversion. He cites a study which indicates there is no water left in the Green for diversion once supplemental irrigation allocations and the Mexican Colorado River Treaty allocations are accounted for.

Christopulos has proposed an "area of origin plan" whereby diverted water could be returned to the original watershed, if needed, according to the *Green River Star*. John Borzea, chairman of the Sweetwater County Committee of the Sublette Project (the group studying the water diversion), told the *Star* he is doubtful that eastern state water users would willingly return the water once they have paid to ship it across the state and put it to use.

Cloudseeding planned for five states

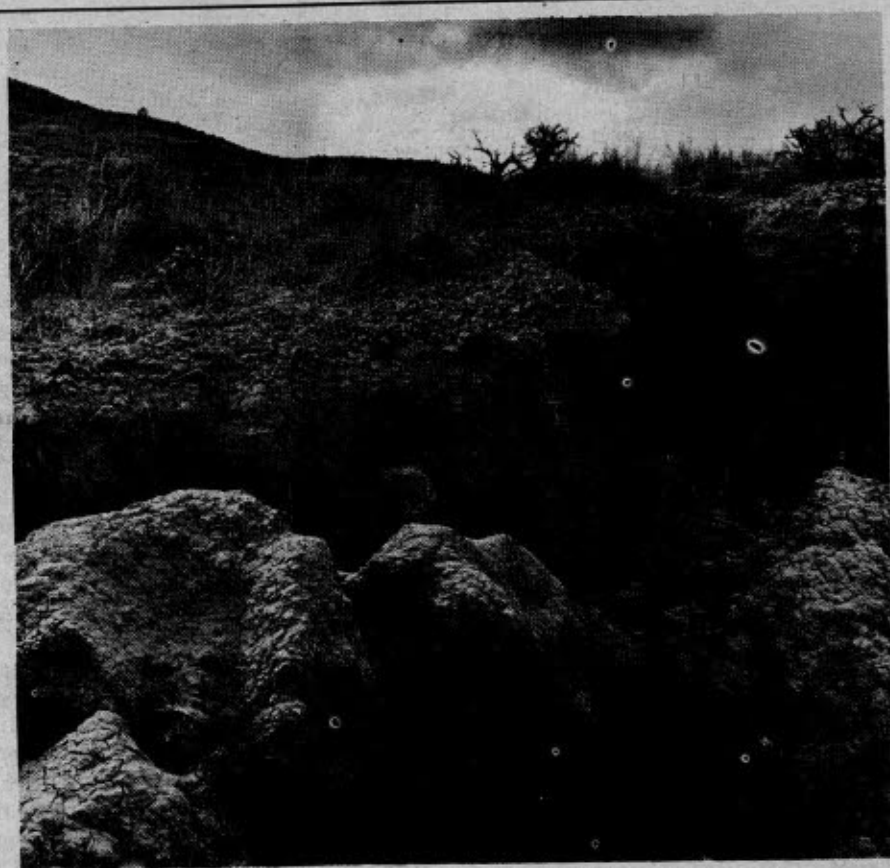
The U.S. Bureau of Reclamation (BuRec) is pushing a 13-year, \$36 million demonstration cloudseeding program for five Western states. BuRec would like to seed the skies above the San Juan Range in Colorado and New Mexico, the Wind River Range in Wyoming, the Uinta Range in Utah and Wyoming, the Park Range in Wyoming and Colorado, and the Mongollon Rim in Arizona. Mountains in central Colorado would remain unseeded as a control area for comparison. Southwestern Colorado has been the scene of an eight-year, \$6 million seeding program to augment the flow of the Colorado River. BuRec officials admit that that program didn't show conclusively that seeding works to increase precipitation.

Big Sky line could bypass wilderness

The Montana Department of Natural Resources has recommended that Montana Power Co. not be allowed to build a power line across a potential wilderness to serve the Big Sky ski resort. Routing the power line across the roadless area west of Big Sky was vigorously opposed by Montana environmentalists (see HCN, 2-27-76, page 10). The department recommends that any new power lines to Big Sky be sited along an existing utility corridor in Gallatin Canyon between Bozeman and Big Sky. The department's decision represents only a partial victory for environmentalists. Rick Applegate of the Center for the Public Interest in Bozeman hoped the department would rule on the question of whether or not Big Sky needed an additional line. Applegate and others favored energy conservation and land use controls rather than supplying more electricity to the resort. They'll carry their argument to a Board of Natural Resources hearing on the line scheduled for June 3.

West River plan loses popularity

An "overwhelming majority" of southwestern North Dakotans are opposed to the West River Diversion, according to state Rep. Clarence Martin (R-Lefor). Martin bases his opinion on testimony delivered at public hearings on the proposed water project. The West River Diversion is a water development scheme planned for the rivers south and west of the Missouri River in North Dakota. Martin believes much of the opposition to the diversion is because of the extensive coal development proposed to accompany the water project, according to the Associated Press.



GRAZING CUTS ATTACKED

The livestock industry in Nevada is willing to go to court to prevent the Bureau of Land Management (BLM) from making substantial cuts in grazing allotments in the state, according to the president of the Nevada Cattlemen's Association. National BLM Director Curt Berkland went to Nevada recently to meet with the land users. In his speech, Berkland urged Nevadans to cooperate with his agency in implementing a plan for improving the land it administers. The BLM land in that state has been singled out as one of the worst examples of grazing abuses. "Major corrective steps must be taken now if the livestock industry, which is dependent upon the public land of this state, is to survive," Berkland said, according to a DESERET NEWS report. Photo shows erosion resulting from overgrazing. Photo by Lynne Bama.

Boulder's regs to curb growth limited

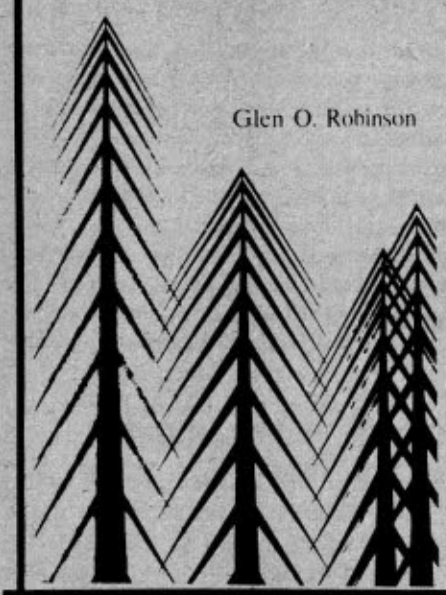
The growth-limitation plan of the city and county of Boulder, Colo., which has served for a model in the nation, is now in jeopardy as the result of the Colorado Supreme Court ruling, according to *Land Use Planning Reports*. The court ruled that the city is a public utility under state law and, as the sole provider of services, could not withhold services merely to curb growth. The city of Boulder had refused to extend water and sewer lines to a landowner five miles outside city limits because development in the area was not provided in the comprehensive plan until after 1990. The landowner, Larry Robinson, had agreed to meet county land use regulations, including open space requirements, and the engineering requirements for services. County planning officials had indicated that they thought the proposed development would conform with the comprehensive plan.

14-High Country News — May 7, 1976



THE FOREST SERVICE

Glen O. Robinson



by Glen O. Robinson, The John Hopkins University Press, Baltimore, 1975. \$4.95, paper cover, 337 pages.

Review by Peter Wild

Riches attract thieves. Forty years ago, this wasn't an overriding problem for the U.S. Forest Service, which controls about 10% of the nation's land. For the most part in those times there were sufficient timber and minerals to go around outside forest boundaries. In what now seems to be the idyllic days before Smokey the Bear, extensive clearcutting, and trail bikes, much of the ranger's job consisted of protecting the trees under his jurisdiction, shifting his wad of chewing tobacco occasionally to have friendly chats over wooden picnic tables with the rare visitors to his peaceful domain.

In a few decades all this has changed. As Glen O. Robinson observes, the radical shift began with World War II. Since then America's resources have become scarce. In turn, scarcity has resulted in "two conflicting forces" on the national forests, demand for full-throttle exploitation and the plea for long-term conservation. An exploding population and dwindling resources on other lands have forced open the doors of the Forest Service treasure house.

As a result, the conflict has inspired a number of books. Many of them, such as Jack Shepherd's *The Forest Killers* and Michael Frome's *The Forest Service*, cite the agency for caving in to the immense political and financial might of the exploiters. Glen O. Robinson's *The Forest Service* is a scholarly and detailed study of the

Robinson's credibility suffers because he does not answer widespread allegations.

agency. If read with caution, it will be of value to anyone interested in plumbing the complexities of the Forest Service.

Robinson's purpose is twofold: to describe and analyze. Chapters on the history of the Forest Service, its organization, management policies concerning timber, recreation, wilderness, and wildlife present a thorough view of the functions and problems of one of the largest public landholders. By the end of the 337 pages the reader could pass himself off as an authority on the subject.

This would be unfortunate. While

Robinson's descriptions are helpful and accurate for the most part, his analyses ring more of propaganda than of truth. Furthermore, the reader may be lulled into a state of ready belief by the book's profuse documentation. (One chapter of 42 pages ends with 16 pages of footnotes.) In itself, this is fine, until one considers the sources of the information and how it is used. An example is the author's lengthy rendition of one of the most crucial debates raging around the Forest Service: Is it, or is it not, overcutting timber on public lands? His discussion details how the agency assiduously determines the right amount to harvest each year, how clearcutting is a valuable tool in this management, and how the Forest Service stoutly resists industry demands for larger cuts.

The fallacy lies in the writer's willingness to accept the Forest Service position and the official data that supports it. As he should suspect, data can create success on paper, disaster on the ground. Other studies of the agency insist that the Forest Service justifies increased cutting by playing the numbers game. It juggles the books and pads the "... sales by counting marginal species of timber growing on steep slopes. ..." according to *The Forest Killers*. Robinson's credibility suffers because he does not answer the widespread allegations.

With surprising contrast, in other places the book wobbles from lack of documentation. Robinson believes, with what must be blind faith, that the hand wringing of environmentalists just about cancels out the arm twisting of the exploiters. In fact, he says the scales tilt a little in favor of the environmentalists, who, "... seem to have the upper hand in terms of influencing Forest Service policy." Not only this, 150 pages later he develops the idea that they are, "The major threat to the agency's independence. ..." This is indeed happy news for the embattled conservationists, dependent on voluntary and for the most part non-deductible contributions from the public in hard times. It is heartening to know that the millions spent by the well-heeled lobbyists of the American Forest Institute (whose budget alone in 1973 was \$5 million), Weyerhaeuser, and the National Forest Products Association have been to little avail.

One wonders how Robinson can keep a straight face. Elsewhere, the former professor of law at the University of Minnesota, and now member of the Federal Communications Commission, entirely overlooks the back-room shenanigans (illustrated ad nauseam in *The Forest Killers*) of the Nixon Administration to dictate Forest Service policy. Instead, Robinson flies in the face of reason by praising Nixon's eloquent concern for the environment, a position that surely will result in bipartisan, if cynical, chuckles. The Forest Service is not a monster; neither is it an unblemished saint. Like any bureaucracy, it must eventually yield to the politicians who control its purse strings. Conservationists interested in how the Forest Service functions should read this book to deepen their understanding of the rationalizations and slick half-truths of the exploiters who are trying to manipulate the agency for selfish gains at the expense of the public trust.



Siting act. . .

(continued from page 5)

speedy action. Perhaps some additional time would be desirable, but I do not believe that it would be practical or reasonable to make the study periods excessively long."

The bill introduced into the 1975 legislature provided for a 600 day (20 month) study period for review and evaluation of the application for conversion plants.

NOT ENOUGH LEAD TIME

The bill also provided for a two year lead time between the application and beginning of construction. Proponents of a lead

saying what is best for the local people," Dinger says. That's why he thinks it is important for intervenors to enter the siting proceedings.

Under the law, the application is reviewed by the siting staff prior to the hearing. The staff that Dinger heads created a stir in the Wheatland hearing when it recommended that the MBPP application be sent to the second stage of the siting process for further study. The council later reprimanded the staff for its recommendation and decided instead to grant the permit for the 1,500 megawatt plant, with conditions.

Dinger says that having strong intervenors "keeps the staff and the applicant honest." He explains that in any agency,

"I don't know why we're here until a decision from the PSC has been made saying whether or not the plant is even needed."

—Tyler Dodge

time say it would give communities more opportunity to prepare. This would be especially true if the law specified the length of time between the decision and the beginning of construction.

The law now provides for no lead time other than the study period and the decision period.

In the case of Wheatland, the applicant, to its credit, had been working continuously with the community to help it plan. However, critics say the applicant used this to its advantage at the hearing. MBPP witnesses and attorneys pointed out several times that commitments had already been made.

MBPP had already hired an architect for the new school; the city of Wheatland had already ordered new equipment; grant applications for federal hospital and mental health grant funds were being processed.

If there were a lead time, it would be harder to justify making these commitments prior to the siting council decision.

Troughton admits that longer lead times help the communities. "However, it seems unreasonable to require an industry to announce far in advance for the reason that oftentimes industry does not know until the very last moment whether or not it will proceed with its proposed industrial expansion," he says.

CITIZEN ACCESS:

"It gets kind of esoteric when the staff is

there is a tendency to get lax because of time and resources restraints, but if the staff overlooks anything, it is usually brought out by the intervenors.

In the Wheatland application, there were four intervenors: LRCC, the Powder River Basin Resource Council, the Platte County Farm Bureau, and the Sierra Club.

SUMMARY

Critics have pointed out that legislative attention may be needed in several areas:

—Two stage process. Legislators may want to see if they should clarify their reasons for having a two stage process. Do they want industries to come to the council for direction before their resources are committed to one size plant at one location? If so, do they need to extend the study periods? (See discussion in HCN, 4-23-76, page 5.)

—Definition of facilities. Industries which might bring "people problems" may be slipping through without any review by the siting council or the staff. Should all industries which need a certain number of construction workers file applications with the siting council? What about cluster developments?

—Jurisdiction. Lines of authority among state agencies are muddled. Is no agency critically evaluating the overall impact picture? Is legislation needed to assure that need for a facility is determined first? Should there be a one-stop permit?

WYOMING INDUSTRIAL SITING COUNCIL NOTICE OF APPLICATION FOR CERTIFICATE OF INSUFFICIENT JURISDICTION WITH REGARD TO CONSTRUCTION BY UTAH POWER & LIGHT CO. OF TWO 400 MW GENERATING UNITS, KEMMERER, WYOMING DOCKET NO. WISA-76-1

Pursuant to Section 3.c., Chapter I, Industrial Development Information and Siting Rules and Regulations, NOTICE IS HEREBY GIVEN THAT UTAH POWER & LIGHT CO. HAS FILED AN APPLICATION FOR A CERTIFICATE OF INSUFFICIENT JURISDICTION WITH REGARD TO CONSTRUCTION OF TWO 400 MW GENERATING UNITS AT OR NEAR THE COMPANY'S NAUGHTON STATION, KEMMERER, WYOMING.

The application, filed April 8, 1976, alleges principally that on the basis of the Company having received all state and federal approvals and permits required for the construction of the units (the facility) prior to March 1, 1975, that the proposed facility intended to be constructed does not qualify as an industrial facility under the Wyoming Industrial Development Information and Siting Act (W.S. 35-502.75 - 94; Laws, 1975) and that the Council lacks sufficient jurisdiction to require a permit to construct or that an application for a permit to construct be submitted.

The estimated construction cost of the proposed facility is stated as three hundred fifty-four million, eight hundred thousand dollars (\$354,800,000) based on current year costs.

The proposed facility will consist of two 400 MW coal-fired generating units to be located about five miles southeast of Kemmerer in Lincoln County, Wyoming, on land owned by the Company within Section 28, T21N, R116W.

Coal for the plant will be purchased, with the bulk of fuel expected to be mined from nearby properties. Water will be obtained by way of enlargement of the existing Viva Naughton reservoir, and an added pipeline delivery system. A new 345,000 volt (345 kV) transmission line will be built, and two existing 230,000 volt (230 kV) lines uprated to 345 kV service.

The facility will be designed and equipped to comply with all applicable air quality regulations, and will include equipment for the desulfurization and cleaning of stack gases. No wastewater will be discharged from the proposed plant property.

Interested persons (parties) who would be parties pursuant to W.S. 35-502.85(a)(iii) in any permit proceeding before the Industrial Siting Council with respect to the facility proposed may file objection to the issuance of a Certificate of Insufficient Jurisdiction with the Office of Industrial Siting Administration. Such objections shall be filed within thirty (30) days of the last day of publication of this notice.

Dated April 13, 1976.

Office of Industrial Siting Administration
Suite 500, Boyd Building
Cheyenne, WY 82002



A MESSAGE OF HOPE

by Myra Connell

When I was growing up on a Wyoming homestead, about 1910-1920, wild creatures were regarded as being in two categories: (1) a source of food or (2) an enemy. Coyotes, then as now, were in the second category.

Since life was a struggle for mere existence, the farmer and his wife could hardly be blamed for hating the thief that helped himself to chickens and lambs.

Shortsighted homesteaders had created many of their own problems by starting a vicious cycle: They destroyed the rodents, especially the prairie dogs, that built their towns in the hay fields by drowning, poisoning, or shooting them. They thereby robbed coyotes of their natural food. Then the coyotes killed hens and sheep, and the farmer had to kill coyotes.

Strangely, in spite of their hatred, the homesteaders that I knew had a grudging respect for the extremely clever coyotes. They also enjoyed hearing them howl. It's an indescribable sound — the distillation of all that is wild and natural, filled with the ultimate tragedy of life but with overtones of hope for its continuity.

As kids we made a game of mimicking their cry and then listening for the answer. Because of these childhood experiences, the coyotes song has special meaning for me.

I was thrilled, therefore, in the late 1940s, when I heard coyotes at night near my new home on the edge of Lander, Wyo. No doubt they were hunting mice, rodents, other small things in the nearby fields, which lay in two directions from my house. I felt pretty smug, too, about my location, as it seemed I had the best of two ways of life — the conveniences of the city and the advantages of the country. Meadowlarks stayed the year around in a thicket of clematis vines. We could wander over the meadows in search of killdeer's nests, the parent birds feigning crippling and leading the intruder away.

All was changed when an iron mine was opened near town in 1960. Our population



doubled in about two years.

Uniform rows of houses sprang up in the fields like mushrooms after rain. The wild creatures that I loved were crowded out of their habitat. I wasn't so smug anymore; I felt boxed in and out of touch with nature. Species were being exterminated; perhaps as Colonel Lindberg was telling us, Man's turn would come also.

Years went by without the sound of coyotes reaching me. They had moved out, probably to the uninhabited hills far beyond the new subdivisions of people-hutches. I was enraptured, consequently, one midnight not long past, to hear a pair or more, yodeling their signals to each other. They had likely been driven by hunger to try hunting in the city park. I listened blissfully until the car motors overcame the sound, as the workers on swing shift came home from the mine.

I thought if by a miracle I could talk to coyotes, I would say, "Congratulations, for managing to survive in a hostile world!" These creatures exemplify nature's law of survival of the fittest, for they are unsurpassed in adaptability.

I experience a sense of renewal and fresh hope through knowledge that a few of my wild kin still live near. There may yet be a possibility of man's continued existence.

Classifieds

Beekeeping for pollen — nutritious, ecological, inexpensive protein. Holistic essay, information, 60 item annotated bibliography — \$1.00. John Thalmann, 911 Carnation, Demotte, Indiana 46310.

PETZOLDT'S TETON TRAILS, hiking guide by legendary mountaineer Paul Petzoldt. Includes stories, history, and personal experiences in the Tetons by the author. \$4.95 postpaid, Wasatch Publishers, 4647 Idlewild Road, Salt Lake City, Utah 84117.

NOTICE

Effective March 20, 1976

Brand Inspection Fees will be 30 cents per head for all Form A and Form H inspections and 5 cents per head for all sheep inspections per Enrolled Act No. 4, Wyoming Legislature 1976 Session.

Wyoming Livestock Board
Cheyenne, Wyoming

Eavesdropper

environmental news from around the world

High Country News-15
May 7, 1976LOONEY LIMERICKS
by Zane E. Cology

Three cheers for an HCN reader
Who's often found wiring her leader
There's never a stammer
From this telegrapher
So why don't the powerful heed her?

PARKS MINING BILL DELAY.
Proponents of mining in the national parks have arranged to delay House Interior

Wetland protection
law is endangered

The House Public Works Committee has approved, 22-13, an amendment to the Federal Water Pollution Control Act of 1972 which could remove protection from 80-90% of the Lower 48's wetlands, according to the National Wildlife Federation.

The amendment, submitted by Rep. John B. Breaux (D-La.), would limit the Section 404 wetlands protection program. Presently, the Army Corps of Engineers oversees development impacting most of the nation's waters. Under the Breaux amendment the Corps would be restricted to oversee only waters navigable for interstate or foreign commerce. The full House will consider the amendment in late May.

This amendment comes in the wake of a landmark Corps of Engineers decision under Section 404. Last month, the Corps rejected permits for an 8,000 acre development complex in wetlands near Marco Island, Fla. The development would "constitute an unacceptable adverse impact" on the area, according to the Corps. It is the largest project ever rejected by the Corps.

Committee action on HR9799 until the end of May. Rep. Don Young (R-Alaska) is sponsoring an amendment to exclude Glacier Bay National Monument from protection. "Proponents of the amendment saw sure victory turn into at least a standoff," according to Chuck Williams of Friends of the Earth. Consequently, the committee vote was delayed.

ALL PESTICIDES UNSAFE. Twelve present and former Environmental Protection Agency (EPA) scientists and lawyers testified that there is inadequate evidence of the safety for the nation's entire supply of pesticides, according to the L. A. Times. They said pesticides commonly remain in tiny amounts in foods eaten by everyone.

TIRE RECYCLING. Goodyear Tire and Rubber Co. and TOSCO (The Oil Shale Corp.) plan to open a plant outside of Denver to recycle tires. By 1977 the plant will recycle 15 tons of used tires each day using a technology developed in the oil shale industry. The companies hope to recover enough gas to run the plant, 14 million gallons of oil, 10 million pounds of steel, and 63 million pounds of carbon black from the tires in a single year.

COUNTRY
CRAFTSMAN

HEATER KIT \$19.50

Convert any size steel drum into a high capacity wood burning heater.

Kit consists of: patented gray iron door with draft control, gray iron flue pipe flange, steel legs, instructions and all hardware for easy bolt-together assembly. No welding is required. (Drum not furnished)

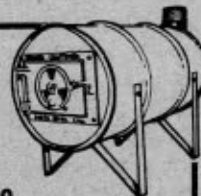
Send check or money order to:

COUNTRY CRAFTSMEN

PO BOX 3333-H

Santa Rosa, Ca. 95402

Please add \$4.00 for UPS shipping charges. Dealer inquiries invited.



Grumman & Old Town

CANOES

HUNGRY JACK'S STORE
Wilson, Wyo. 83014

rural values
in the
energy era

Join the Wyoming Outdoor Council, solar energy specialist Malcolm Lillywhite, Drs. Clayton and Ann Denman of the Small Towns Institute, and Representative Alan Simpson for:

THE 1976

ENVIRONMENTAL
CONGRESS

featuring

A special workshop on rural values in the energy era co-sponsored by the Wyoming Council for the Humanities

MAY 29 Casper, Ramada Inn

Pre-registration information available from P.O. Box
24, Basin, Wyo. 82410

Are you a

closet
environmentalist?

We know of 10,000 people who feel as you do. They're our readers. Join us, won't you? Come out of the closet. High Country News is proud to be an environmental publication. Has been for the last six years.

Write for a free, sample copy.
Others feel as you do.

Send a sample copy of High Country News to:

Name
Street
City
State
Zip

Send to: HCN, Box K, Lander, Wyo.
82520



16-High Country News — May 7, 1976

Buzz and Mary Anne Youens: Doggedly working to save Escudilla Mountain

by Peter Wild

Driving through the forest ahead of their own clouds of dust, summer tourists might see deer peacefully grazing in the meadow beyond abandoned Tal-Wi-Wi Lodge. More to their surprise, they might also see a middle-aged man sitting on a stump at the edge of the trees, playing a recorder, a type of flute dating back to the Renaissance. If they looked the other way, they could catch a glimpse of a slender woman, his wife, off for a day's excursion in the woods. The tranquility of a summer morning can be deceptive.

At a different time the same visitors might wonder at lights in the house of the recorder player burning all night long or at the man himself out back by the woodpile, flailing away with an axe at a tough old log in a manner that psychologists describe as "displacement activity." The story behind the contradictions goes back to 1970, when Buzz Youens retired early as senior partner of a large architectural firm in Houston, Texas.

With his wife, Mary Anne, he built a cabin in Arizona's isolated White Mountains. The Vietnam War was on, with its attendant public outcries. Society's values were under fire by impatient youths, and some people were making noise about an abused environment. The national turmoil existed on the fringes of their consciousness, more a phenomenon of Walter Cronkite than a reality in their daily lives. For their part, after the hassles of making a living and raising three children, the couple looked forward to the fulfillment of the American Dream — a house in the woods, years of quiet, a chance to indulge their love of hiking, music, and painting. The Youens' bubble burst just two years after they had settled themselves at the end of a forest meadow a few miles from the general store in Alpine, Ariz.

Mary Anne was out on one of her long strolls through their back yard, the ponderosa forest that sweeps up the slopes of Escudilla Mountain, Arizona's third highest peak. She happened upon an employee of the Apache-Sitgreaves National Forests seemingly also out for a stroll. They chatted awhile, and he mentioned that he was sizing things up for the proposed Watts Timber Sale. To soothe her alarm, he told her what has become the battle cry in the Southwest's most heated Forest Service controversy in recent years: "Lady, we aren't going to hurt the forest any, except esthetically."

The Youens had no objections to logging per se. However, Buzz emphasizes, "I had seen the results of logging elsewhere. They looked like battlegrounds. The Forest Service's whole aim is to get the timber out — anything else doesn't matter." In many cutover areas across the White Mountains, huge trucks scattered helter-skelter and eroding bulldozer trails remind the hiker of nothing less than aftermaths of artillery duels.

No battlefield can be the same after such pounding, especially in the arid Southwest, and especially on the fragile alpine ecosystem of Escudilla. Home of eagles, bear, and a variety of alpine flora, site of prehistoric Indian ruins — the mountain is a unique natural resource for the whole state.

The Youens had read Aldo Leopold's eulogy to the mountain in *A Sand County Almanac*. To Leopold the mass of the extinct volcano rearing above the surrounding plateau stood as a symbol both of the beauty of ecological complexity and of

man's brutal treatment of what had taken nature eons to build. He noted that when a government trapper shot the legendary Old Bigfoot with a set-gun on Escudilla's slopes, he was killing far more than Arizona's last grizzly: "... he had toppled the spire off an edifice a-building since the morning stars sang together."

Inexperienced in conservation struggles, the Youens hoped that the Forest Service would stop the proposed Watts Timber Sale once the agency was made aware of Escudilla's treasures. The Youens pointed out to officials that the mountain is a focus for thousands of summer visitors, who contribute heavily to the area's sagging economy. They reminded the Forest Service that scientists from the state's universities are conducting a number of studies on Escudilla concerning the ecological diversity of the 11,000-foot peak. A nearby educational camp uses the mountain's coves and canyons as pleasant, outdoor laboratories.

What has happened over the past four years has been an education for the Youens, an alarming look at how political and economic forces — not concern for good stewardship — dictate how the agency goes about its work.

At first the Forest Service brushed them aside.

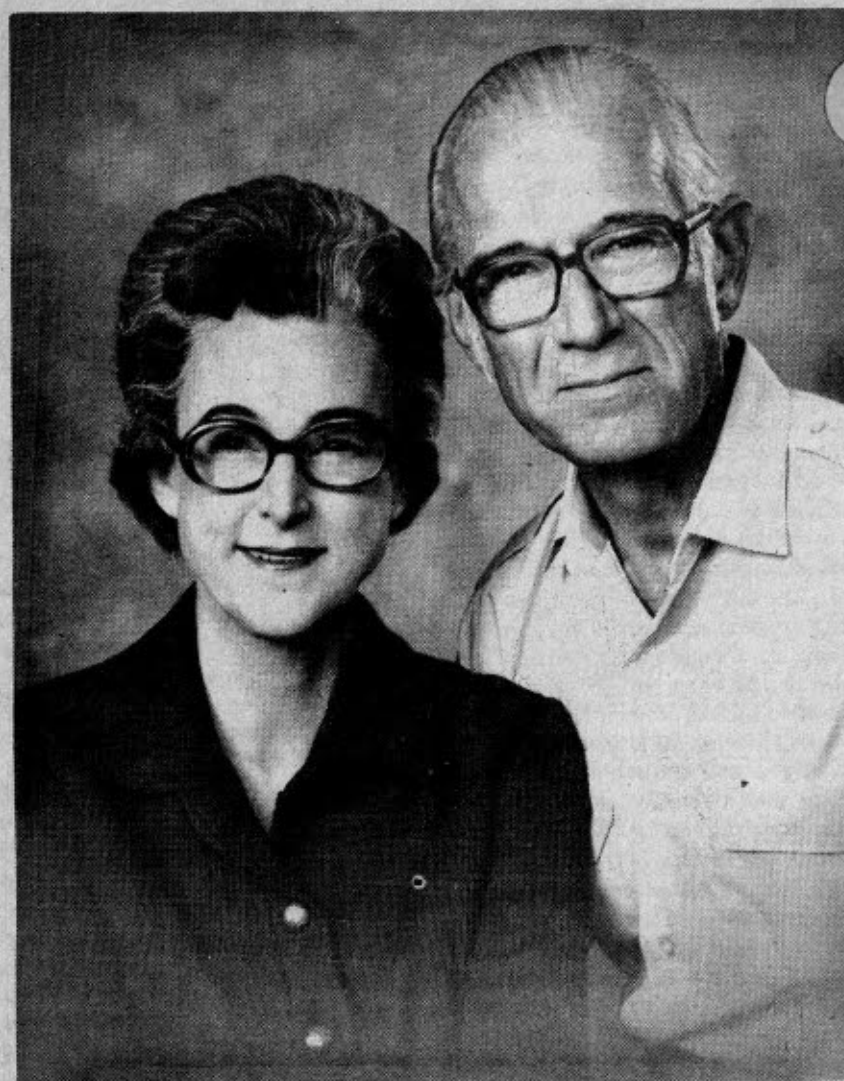
Though hurt at the rebuff, the couple started digging for details of the sale. They were amazed at what they found. The Watts sale is a taxpayer's rip-off and a conservationist's nightmare. According to its own figures, the Forest Service will receive about \$200,000 from the sale. But the cost of the roads to remove the timber will be in the vicinity of \$600,000. The difference — some \$400,000 — must come from the pocket of the taxpayer. In addition, the network of expensive roads would leave a legacy of eroding scars on the steep contours.

"Can this possibly be termed responsible management?" the Youens ask. Why, in view of the unfavorable conditions, does the Forest Service persist in marketing the sale?

The answer, the Youens were beginning to realize, strikes at the heart of how the agency manages the National Forest System. In the Escudilla area, one private, out-of-state company dominates not only the local Forest Service but the area's economy as well. It has the influence to push cutting practices that are to its own self-interest, whether or not they benefit the region or the country as a whole.

The Youens' eyes were opening to a national, rather than to simply a local, scandal. Yet as far as saving Escudilla from the sale was concerned, "We had absolutely no experience in how to conduct a campaign. We fumbled around for months writing letters to the wrong people."

Finally they hit upon people willing to support their cause. Rep. Morris Udall



BUZZ AND MARY ANNE YOUENS: They looked forward to the fulfillment of the American Dream — a house in the woods, years of quiet, a chance to indulge their love of hiking, music, and painting.

Photo: Int. Photographic Associates

(D-Ariz.), himself from a pioneer family in the White Mountain area, helped extract information from the sometimes reluctant Forest Service. Once made aware of what was planned for Escudilla, state citizen groups adopted the Youens' battle as their own. With their specialized knowledge of the mountain, scientists and educators pitched in to support the couple's formal request that the Forest Service abandon the sale — a request that still awaits a ruling by officials in Washington. With their research projects threatened, members of the Arizona Academy of Science joined the Youens in proposing that the mountain be protected as a Research Natural Area.

The Youens have come to some general conclusions about their experiences. Surprisingly, though they've fought against considerable red tape, they sympathize with the Forest Service. How the agency operates is, "... not entirely its fault." Backed by special interests, some Con-

gressmen have hobbled the agency. They design its budget so that the Forest Service must emphasize timber production at the sacrifice of other values. Many professionals within the Service chafe under the situation. However, they are afraid to speak up. Timber is where the money is, and increased timber production means larger budgets.

Buzz and Mary Anne work as a team, pouring through mountains of official documents, researching and writing mountains of their own in response. They estimate that they've spent some \$5,000 of their personal funds and 30-40% of their time over the past four years in the still unfinished job of seeing Escudilla protected. This is in contrast to a bureaucracy that is able to defend its position with seemingly unlimited taxpayer funds and staff. As with similar struggles going on across the nation, the situation is unfair, the cards stacked heavily against the conservationists. Yet, if for no other reason, the friends that the Youens have made across the state as a result of their environmental activities have made the battle worthwhile.

Asked if she has any advice for others, Mary Anne suggests, "As soon as possible offer positive alternatives to what you're opposing." Still keeping the humor that has seen him through when everything else seemed to be failing, Buzz's eyes sparkle: "And if you really have the conviction, sink your teeth in like a bulldog and hang on. You may be shaken half to death, but hang on."

In The News

Organic act alert

public land rip off? 1

Reader survey

readers report on HCN. 1

Solar water heaters

amateurs in hot water. 6

Supreme test

Sierra suit in high court. 10

Wyoming siting act

problems with new law. 4