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The Environmental Bi-Weekly

# High Country News

Vol. 9 No. 2

Friday, January 28, 1977

Lander, Wyoming

## Wheatland: the model boom town?

by Marjane Ambler

A lot is riding on the changes coming to Wheatland, Wyo. Officials of the Missouri Basin Power Project (MBPP) and many community leaders are determined that Wheatland is to be the ideal boom town, as construction workers pour in to build a 1,500 megawatt power plant. But others in the community already have reasons to be dubious.

MBPP is a consortium of consumer-owned utilities in eight states (Wyoming, Colorado, Nebraska, Montana, North and South Dakota, Minnesota, and Iowa). MBPP officials see Wheatland as the town which will prove big industry can move into rural communities of the West and transform them into thriving, lively places where people want to live. They don't envision it becoming the grim den of drugs, delinquency, divorce, and general dross that Gillette and Rock Springs, Wyo., symbolize.

"We need a model community," Robert Valeu, a former official of MBPP, says.



**BOB VALEU** predicts that Wheatland is going to be a model community — better prepared for industrial impacts than any other community in the state.

"People assume it can't be done, but it has to be done."

Is it possible? Or will all the efforts toward "impact alleviation" be merely "boarding up the windows before a hurricane," as one sociologist testified at a hearing on the proposed power plant? Will Wheatland be an example of what communities should demand from industries — and what industry should offer? Resting on the answers to these questions is the fate not only of Wheatland but of the West, as more and more communities boom.

Some people in the community are not very optimistic about the prospects. They point out that already subdivisions have been platted for hundreds of acres now in agriculture, that prices for housing and groceries are leaping higher than neighboring towns, and that the turnover rate of MBPP employees seems to be high.

The core group of pessimists is a local group of farmers and ranchers, the Laramie River Conservation Council (LRCC). LRCC challenges the basic premise that impact can ever be eased when a project this large is forced upon a community so small, tripling the population.

### COMMUNITY PRIDE

According to the optimists, Wheatland has everything going for it — enthusiastic community spirit, legislation for financial assistance, and a conscientious industry.

"There's a strong bond between people in Wheatland and the confidence that we can get through whatever is ahead," Gary Payne tells HCN. Payne is director of the Platte County Branch of the Southeast Wyoming Mental Health Center.

In time of crisis, Wheatland has a history of rallying to find solutions, he says. The movie theater and the high school both burned down several years ago. Until the new school was built, the whole town became a campus as churches and other buildings were offered as classrooms. To replace the theater, a group of young people worked together to earn the money. The city matched their dollars, built a theater, and now leases it to private individuals to run.

Many people of the town seem to be facing the expected boom with the same determined togetherness. "The problems are too big for any one individual," Wheatland city clerk Jim Dunham says.

When MBPP announced its plans for the power plant, it set up a task force of local officials to share information about their proposal. The officials enlarged the task



**PROTECTION SOUGHT.** Conservationists fear that the open season on bobcats in many Western states is leading to the species' rapid decline. Protective state legislation is being proposed and some environmentalists want the bobcat declared an endangered species. For the complete story see page 8.

Photo by Dick Randall, Defenders of Wildlife.

force to include representatives of the mental health center, the social services office, the schools, the ministry, and the youth council, (but not LRCC). The task force then broadened its scope to foreseeing potential problems and trying to solve them.

### LEGISLATIVE HELP

Adding to Wheatland's supposed good fortune is the fact that some new state and federal impact legislation came on the books before MBPP's application was filed.

Most importantly, this power plant was the first new facility to fall under Wyoming's Industrial Facilities Siting

Act, which is the first siting act in the region that deals with socio-economic impact in a comprehensive way. "This is the first time that the owners are directly responsible to the state for the impact and have to demonstrate that the needs will be met," according to Tim Rafferty, an MBPP official.

Wheatland's third asset is MBPP's concern with creating a model community, although it's not clear how much MBPP would have done if there were no siting act.

Officials of MBPP have studied enough

(continued on page 4)

2-High Country News — Jan. 28, 1977



## HCN Letters

### KANSAS NEEDS NUCLEAR

Friends at HCN:

Enclosed find check for another year's subscription for *High Country News*. I'll admit you almost lost me with your success in stopping the California public utilities from building a generating plant in south-east Utah, on top of that big supply of coal.

I am asking that you slow down in your opposition to the proposed nuclear generating plant at Wolf Creek in Kansas. The Kansas City Power & Light and Wichita KG&E are finding your opposition is very costly and time-consuming.

After getting to know Tom Bell, I know you are reasonable people and Kansas needs this generating plant. Our gas supply is going out-of-state under old contracts and is not available for new generating plants. The oil supply is mostly down to stripper wells, and coal supply is rather limited.

Lorin Bradshaw  
Penalosa, Kan.

### CAN'T IGNORE WEST

Dear HCN,

I got your renewal notice the other day and was debating — we left Colorado for Minnesota six months ago. I had thrown away the notice when we got your Dec. 31 issue — and it was really super.

The Edward Abbey article was just excellent. Please sign us up again — although we're "Easterners" we know the West is too important to ignore.

Ann Johnson  
Minneapolis, Minn.

### POOR SUBSTITUTE

Dear HCN,

I find reading your paper, *Mountain Gazette*, and *Friends of the Earth's Not Man Apart*, a poor substitute for being in the West, but it will have to do for awhile. But more important it makes you realize how valuable the things are in the West that you take for granted until you come West and have to fight for breathing space. It also makes you realize that as screwed up as the East is there are things that can be done to correct the problems which could have an effect on the situation nationwide.

Willy Moore  
Largo, Md.

### STRONG, SIMPLE ACCOUNTS

Dear HCN,

Tell Peter Wild to read the "Little House" books by Laura Ingalls Wilder. He made a cruddy reference to them in his review of *A River Runs Through It*. ("We can be grateful to Maclean that this is no flaccid 'Little House on the Prairie' reminiscence of childhood, no nostalgic trip designed to stimulate lachrymose hearts at the sacrifice of reality.") He may have been referring to the television series. I hope so because the books are not "a sacrifice of reality." They're strong and simple accounts of her childhood — written for children and should be examined that way.

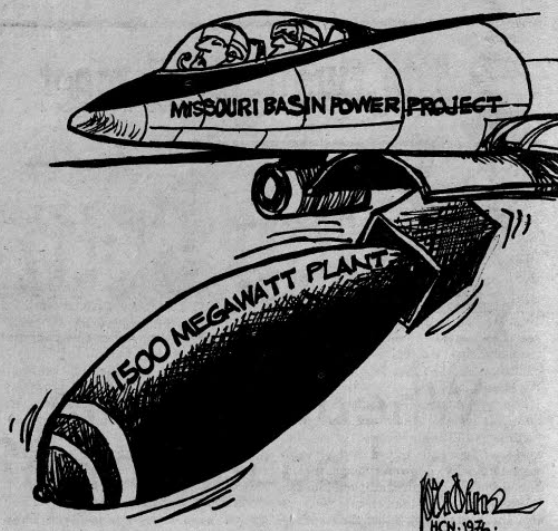
Cathy Berne Scott  
Newhall, Calif.

### TAKING A COLLECTION

Dear friends,

Your latest article on Abbey was great. We should all get together and send him a case of 6% beer. He deserves, and I'm sure he has, our great admiration for being the person he is.

Robert M. Gillespie  
Longmont, Colo.



"WHEATLAND WILL NEVER KNOW WE'VE BEEN HERE."

### HARD NOT BEING OBSCENE

Dear friends,

I would like to comment on the recent articles by and about Ed Abbey. As a senior citizen who just went on a tent-camping tour of the Slickrock country with my first Abbey book in the car, I am delighted with everything he says. You know its hard to write about the ultimate obscenity of too much technology and development without being a little obscene! More power to Abbey as an excellent writer and an accurate reporter. Do print more of him! I like what he says and I approve of the way he says it — emphatically.

Polly Renne  
Bozeman, Mont.

### BLM IN RESOURCE CLOSET

Dear HCN,

Your recent article on rest-rotation grazing was excellent. It serves to point up the massive problems facing the Bureau of Land Management.

What we don't need is a more cumbersome bureaucracy, but in the case of BLM I'm apprehensive about its ability to give the public lands the protection outlined in the new Federal Land Policy and Management Act of 1976. Though BLM administers more land than all federal agencies combined, its share of the budgetary pie is humble indeed. If Congress is genuinely concerned about the quality of the public domain, then it's time to back its good intentions with a few more bucks to see that the job gets done.

Much of the devastation of the range could have been avoided if the manpower had been available to research and develop reasonable grazing alternatives and to strictly enforce their implementation. We have only ourselves to blame for the destruction that followed from a lack of money and manpower.

With a greatly expanded budget, BLM would be able to come out of the natural resource closet and assume its rightful role as a vitally important agency for the national welfare. Field managers could actually get out in the field and see with their own office-strained eyes the extent of the calamity. Perhaps they will then realize that the grazing interests have had a free ride for long enough and adjust the grazing fees accordingly. The days of the public subsidy will at long last be over.

My own suggestion would involve reappropriating the money now earmarked for predator extermination from the U.S. Fish and Wildlife Service to the BLM for increased monitoring of grazing plans. A modest beginning, but a necessary one. Long live the public domain.

Jeff Gailiun  
Springdale, Utah

## HIGH COUNTRY

By Tom Bell

White hoarfrost decorates every bush and branch outside. And the fog still hangs thick and grey on this late January morning.

But as I look to that chill outside scene, I see the orange amaryllis with two big beautiful blossoms. That corner of the livingroom is a small greenhouse, complete with plant cart and hanging baskets. Off the livingroom, a summer sitting porch is converted to a green room with more hanging and pot plants. In one corner is even a bonsai Washington palm, which we got in Arizona about 15 years ago.

We have been delighted with how well the plants have done in spite of a few mornings with temperatures to four degrees below zero. Since we heat our house almost exclusively with a wood stove, we had some fears.

A brisk foggy day is a most unlikely time to be poring over seed catalogs. But what a pleasant diversion. And before long, dreams of the first fresh radish from the garden will be a reality.

It is time to be ordering seeds. Last year's records weren't as well kept as I now would like. Nevertheless, any records help. For instance, we know the Faribo Hybrid R squash (90 days, from Farmer Seed & Nursery, Faribault, MN 55021) is a great winter keeper. We store our squash in a dirt cellar which seems to be ideal. We ate

the last of our 1975 Faribo squash in the latter part of August 1976. Though not as tasty as a fresh squash, it was still good.

We were in for a pleasant surprise when we ate a Waltham butternut squash (85 days) given to us by neighbors. Even though a 1970 All-America vegetable winner, we had never tried it. It will be in our garden this year.

Summer squash are favorites with nearly everyone. This year we are going to try the new 1977 All-America winner, Scallopini. It is a hybrid cross between a zucchini and a scallop or pattypan squash. It is said to have a sweet, nut-like flavor and grows on a bush-type plant, maturing in about 50 days.

Premium Crop hybrid broccoli lives up to its All-America rating. It will be back in our garden this summer. It matures in about 58 days and will produce abundantly until freeze-up if kept picked.

Our only problem is that we get carried away with plans for all the vegetables — new and old — we want to try. The garden just isn't big enough. Fortunately, we have little room for expansion. It is just as well. We grow far more than we can eat now. But what delicious eating, year-round.

If your plans haven't included a garden, better think again. What a great way to beat inflation and eat far better than the kings of old.

### DETAILS WILDERNESS FIGHT

Dear HCN,

I want to inform your readers about a struggle that we are having in N.E. Washington for a wilderness. The struggle centers around a 12,700 acre roadless area that the U.S. Forest Service has rated very high for wilderness quality and only moderate overall for timber productivity.

Essentially it's the old struggle of trying to get something besides rocky mountain tops included for wilderness study by the Forest Service. As only five per cent of the Colville National Forest (the whole proposed area encompasses some 53,500 acres), the mature ponderosa pine and Douglas fir left standing will not cripple the forest's timber management plan.

The nucleus of popular support is here, but what is needed is some additional popular support from outside the area. I hope this short note might engender a few post cards of support for this area. Comments should be sent by Feb. 22 to: Supervisor, Colville National Forest, Colville, Wash. 99114.

For more information contact:  
Tad Wasielewski  
R.R. 2, Box 145E  
Colville, Wash. 99114



# The twain shall meet

## The last straw — an air grab

by Dan Whipple

"They made us many promises, more than I can remember, but they never kept but one; they promised to take our land and they took it." — anonymous Indian, quoted by Dee Brown in *Bury My Heart at Wounded Knee*.

The systematic destruction of the American Indian by the white man is well documented. The movement of settlers westward forced the Indian from pillar to post and finally on to reservations a fraction of the size of their traditional lands.

When the white man came West he brought diseases that killed thousands of Indians. He killed off the buffalo, the food

and clothing source of many tribes. In 1868, when the white man was well into the process of wiping out the buffalo, the government even issued denim for lodge covers to the Rosebud Sioux — 1868 became the "Blue Tipi Year."

Along with the land, the white man appropriated the Indian's water. Only today are the questions of the Indian water rights being finally addressed in the courts of several states.

When he was done, the white man had taken the Indian's land, food, water, and shelter. A single, consistent motive runs through history for this expropriation of the red man — profit. The sacred Black Hills were taken for gold; the Great Plains

for hunting, farming, and grazing. Every time an Indian turned around, he was standing on something of value to the white man.

One thing that seemed hard to steal — the air — was fairly safe until recently. Now, however, with great advances in technology, it has become possible to take that, too. Perhaps stealing isn't the proper word, but it can be rendered unusable for some purposes.

The Northern Cheyenne of Montana are again fighting an "Indian War" with the white man. The battle with Montana Power Co. is legal, not armed, conflict. The Northern Cheyenne are asking the federal government to honor yet another treaty — the tribe's right to protect the air on the reservation by prohibiting any deterioration of air quality.

In the Cheyenne culture, air is inseparable from the other components of the circle of life — land, water and living things. Said one Cheyenne, "there are many areas on the cultural level that are going to be affected, not only by the air, but by everything else that comes with . . . development."

Montana Power wants to build two large power plants upwind from the reservation,

which probably cannot keep emissions within the limits of non-deterioration standards. But, Montana Power has invested a lot of money in developing these plants. They need them to turn a profit. So, naturally, the company is opposed to clean air on the reservation. They don't say it that way, but that is the bottom line.

At a recent public hearing on the future of air quality on the reservation (see story, p. 6), the Northern Cheyenne tribal council took testimony from many witnesses. Curiously, though Montana Power has a tremendous stake in the outcome of the request, they presented no testimony. Perhaps it would be too embarrassing to oppose clean air in public. Or, as one observer noted, "This is Indian country. Maybe they thought they'd get scalped."

A spokesman for the company said later that they would submit written testimony on the issue. Perhaps it is appropriate that Montana Power will try to take the air the same way the white man has taken everything else — on paper. The spokesman said, "no comment," when asked what the substance of the written testimony would be. One line would probably suffice: "We're only in this for the money."

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## Editorial

HCN

### We can't afford to demand less

After learning about the efforts being made to prevent serious impact problems in Wheatland, readers may decide that the Missouri Basin Power Project (MBPP) should be commended for its \$20 million efforts. Or at least that the financiers, the Rural Electrification Administration, and consumers of the power, who will eventually pay the portion of the \$20 million that is not recoverable, should be thanked.

While we're being grateful, we should also remember that their efforts are not enough, however. Until local officials recognize the value of true planning, land speculation will be one of the most tragic costs of pouring people into a rural area. And no one has found a satisfactory way to lessen the pain of spiraling costs on many

of the local people whose incomes fall far below the newcomers'.

The most we can say is that MBPP is trying. At this time in this region, industrial efforts of this scope are rare. So we shouldn't hesitate to call attention to them, regardless of whether they are motivated by fear or by conscience.

In the future, however, such efforts should be routinely expected. As long as large industries continue to come into sparsely populated areas, they should expect to give technical assistance, money, and whatever else is necessary to make the transition less painful. After all, the total cost of the project is over \$1.4 billion, making the expenditures for impact alleviation

less than two per cent of the total in this case.

Unfortunately, Wyoming's siting act is now being amended to condense its two stage process into one stage, which will leave out the specific list of impacts that must be scrutinized by the siting council. Although MBPP's application never went into the second stage, that list no doubt inspired many of MBPP's plans.

MBPP has set a precedent that will no doubt be of interest to other industries covered by the act. But without a specific outline of their responsibilities, the present Wyoming siting council can't be counted on to demand such extensive efforts. In fact, the siting council members seemed to be rather embarrassed by how much MBPP had committed itself to spend on impact alleviation prior to the hearing.

If the proposed amendments pass as now proposed, Wyomingites can derive little consolation from MBPP's efforts in Wheatland because the next applicant probably won't do as well. It won't have to. Other Western states have even less protection.

Industries are beginning to look at environmental controls as a routine part of the cost of doing business. The experience of Wheatland proves that every Western state should demand that industry include specific social and economic safeguards in their costs, too.

—MJA

#### One reader suggests:

#### Send HCN to key decision makers.

Margot Fraker, a lobbyist for Colorado Open Space Council, has suggested that HCN solicit gift subscriptions for people making decisions on key natural resource issues. HCN thinks it's a good idea.

The list of possible subscribers is endless: Western governors, state legislators, members of Congress, Interior and other Cabinet positions, county commissioners, lobbyists. . .

Here's some people who get HCN: President Jimmy Carter, Rep. Teno Roncallo-Wyo., Sen. Clifford Hansen-Wyo., Gov. Ed Herschler-Wyo., Sen. Malcolm Wallop-Wyo., Sen. James Abourezk-S.D., Justice Harry Blackmun-U.S. Supreme Court, Sen. James McClure-Idaho.

Help us fill in the missing spaces by sponsoring a gift subscription to a key decision maker. If you wish, HCN will send a card along saying who donated the subscription. (Please include a couple of choices in case of duplications.)

Send HCN to the following decision makers, enclosed is \$10 per subscription.

|              |              |
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Send to: HCN, Box K, Lander, Wyo. 82520  
 (Or, send a name and address and HCN will send a sample copy.)



#### Lobbyist overkill



Corporations in Utah take the state legislative session very seriously, according to an article in the *Deseret News*.

IBM Corporation cares enough to register 58 lobbyists, according to the story. Other corporations are similarly well-represented including Great Salt Lake Minerals and Chemicals Corporation with 46 lobbyists, the Utah Bankers Association with 24, and Texaco with 15.

To register in Utah, lobbyists must pay a fee of \$10 per person and \$10 per company they represent.

4-High Country News — Jan. 28, 1977

## Wheatland. . .

(continued from page 1)

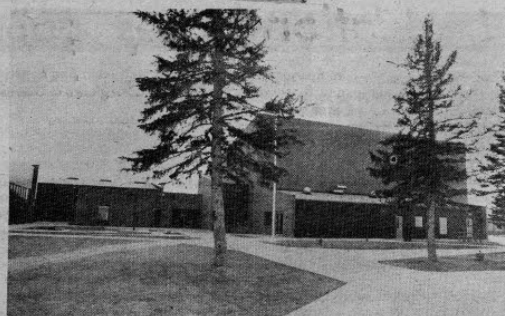
boom town history to know the costs to a company if workers are displeased with their living or working conditions. "If we have happy workers, we'll save millions in lost time," an official of one of the MBPP companies told the *Onlooker*, a biweekly newspaper in North Dakota.

MBPP instigated the task force and began working with the town to plan before the siting act was passed. After its passage, MBPP worked with added impetus. Officials of the MBPP knew the act said state approval was contingent on the siting council believing the facility would not "pose a threat of serious injury to the environment nor to the social and economic condition of inhabitants or expected inhabitants in the affected area."

What they didn't know was what the council would interpret the applicant's responsibilities to be.

MBPP officials were determined that the council would decide in their favor. By the time they submitted their application to the siting council, it was three inches thick with plans to protect the community in the traditional trouble areas, including housing, schools, land use planning, mental health, law enforcement, public utilities, child care, old age housing, and recreation.

To make the transition as smooth as possible, MBPP provided loan guarantees,



**NEW HIGH SCHOOL.** The school district had already reached its debt ceiling as a result of the costs of its new high school, pictured above. Therefore, MBPP agreed to guarantee loans to a nonprofit corporation which is building the elementary school.

technical assistance, and advice. Total MBPP mitigation costs will be approximately \$20 million, but about \$15 million of that is potentially recoverable, according to Wyoming Industrial Siting staff figures.

### HOWEVER. . .

It's already clear, however, that some of these apparent advantages — especially the new legislation (see separate story) — are falling dismally short of the optimists' expectations. In addition, division in the community between opponents and proponents of the plant has taken its toll on the community spirit.

The construction force has only reached one-tenth of its total numbers, but housing problems are already emerging. Construction workers are by the nature of their work transient, but when they look for rental housing in Wheatland, there is none available. Most of the workers are commuting, some more than 100 miles. Those who want to save the driving are faced with waiting lines for rental units, and then find prices start at about \$200 for a one-bedroom apartment, according to the director of the joint planning office in Wheatland, Dave Sneesby. MBPP estimates prices are 25% higher than in Cheyenne, Sneesby says.

Except for the planned MBPP bachelor quarters and 28 federally funded units for senior citizens, Sneesby says there is no

rental housing being built. He says the banks aren't willing to lend money for rental housing because it is such a long-term investment for what is expected to be a short-term boom.

Buying a house requires a large investment, Sneesby says. A local survey shows

32 homes on the market with an average price of \$49,700.

Inflation is already affecting other prices in town. Tyler Dodge, LRCC chairman, says prices are enough higher in Wheatland to force some people to drive to Cheyenne, Torrington, or Casper for their shopping — in some cases, even for their groceries. One woman reported that a pair of overalls cost six dollars more in Wheatland than in Cheyenne.

### TOO MANY LOTS

Land speculation is expected to have the worst long-term effects. A total of 2,031 plats have been submitted to the local planning office — more than enough for every construction worker at the boom's peak. Although only 749 plats have received final approval, Sneesby says these are enough for 2,000 people if one figures three-person average family sizes. He says there are clearly more than enough lots for the incoming population.

This creates a problem because of the "miles and miles" of roads and utility lines that will put in and not used, Sneesby says. The county requires that the developer put in gravel roads and be able to pay for electrical and phone lines.

The county commissioners have not



**OMEN.** A Wheatland fire hydrant stands ready, far from any homes to protect. The local planner predicts miles of unused gravel roads and telephone lines because too many lots have already been subdivided.



**RECREATION CENTER.** Fees will probably be charged for some of the activities, such as swimming, at the recreation center built by MBPP. Glenda Gray of MBPP says they won't know whether the center will be open only to MBPP employees until they check with the Rural Electrification Administration, which is financing the building. The \$600,000 center also includes space which will be leased for a child care center.

## LRCC chairman Tyler Dodge anticipates a community of strangers

Tyler Dodge is chairman of the Laramie River Conservation Council, which appeared before the Wyoming Industrial Siting Council to oppose the power plant being proposed for Wheatland, Wyo.

Dubious of advantages to come, he points out that before the power plant was announced, Wheatland had no debts, only nine-tenths of a mill tax levy, and free garbage service. Wheatland has now started charging for some previously free services, and he expects the county taxpayers to be paying off debts for 40-50 years.

Dodge says it wouldn't be so bad if everybody moved to town and stayed. "But by the nature of the project, there's a constant rotation and turnover," he says. Using MBPP's employee figures, he points out that although there was a drop in numbers by 57 from November to December, there were 67 new people hired. This



**TYLER DODGE** expects a town full of strangers.

means 124 people left. He realizes this is necessary when one subcontractor completes a job and another begins. However, the effect on the town is unsettling.

He says three of MBPP's employees have already applied for public welfare in Wheatland, and he fears the problem will grow. Now there are only about 200 workers and 2,000 are predicted by 1979.

His only hope is that MBPP might build only two power plant units instead of three if Nebraska continues in its suit against the project and if Wyoming demands changes. A hearing is scheduled March 8 when MBPP must show why the state siting hearing should not be reopened to consider the safety of the dam which would supply the plant and consider water availability questions.

"If they reduced to two units, that would chop the big peak off of the con-

struction worker projections," Dodge says. Otherwise, he expects that by the time the population triples, it will be a town full of strangers. The rural people won't feel comfortable anymore shopping in Wheatland. He also fears for the elderly, many of whom left their farms years ago to retire in Wheatland. They now make up about 40% of the population, and he's afraid their limited incomes won't be able to stretch far enough to cover inflated housing and other costs. Dodge recognizes there are plans for 28 units of low income housing, discounts for the elderly, low-cost meals, and other programs. But he's afraid it won't be enough. "They'll be forced out of town — if they have any place to go," he fears.

"I don't think they're getting to the root of the problem which is the huge inflation. . . I don't think anyone has any good answers," he told HCN.



## Legislation leaves gaps in impact aid

turned down any plans. "They don't have any particular growth policies, nor do they consider supply and demand. They want to leave the market open so that if one developer is better than another, he'll get the buyers," Sneesby says.

Asked if they consider whether or not the development is on prime agricultural land, Sneesby said most of the commissioners are farmers or ranchers and figure that if someone can make more off his land by subdividing than by cattle or wheat, then "God's speed." Over 200 rural lots have received final approval, 356 tentative approval, and 272 more have been submitted.

Only a small percentage of the lots can likely be sold because the market is oversupplied, but Sneesby points out that if one or two are sold out of an 80 acre piece of land, "that's it for farming — forever."

Rural lots are selling for from \$4,000 to \$7,000 an acre, and residential lots without utilities sell for \$10,000 an acre in Wheatland, Sneesby says. Commercial lots sell for \$30,000 to \$40,000 per acre.

MBPP foresaw the problem and worked with the county early in its planning stages to implement an impact area comprehensive plan, supplying \$26,000 over a four-year period to help, Sneesby says. However, when MBPP paid \$7,000 per acre for undeveloped land it wanted for Black Mountain Village, then other landowners thought they could also ask that much, according to Tyler Dodge.

### NEW DIRECTIONS

The attention of planners from across the country is riveted to the site of MBPP's plant. The Wyoming Industrial Siting Administration has received several inquiries from other states regarding its siting regulations, especially requirements for socio-economic impact alleviation. As an Oak Ridge National Laboratory researcher said after scrutinizing MBPP's plans, such plans "represent new policy directions in the search for equitable distribution of the costs and benefits of energy development. . . . Their extensive scope and significant costs are signposts toward a future which considers community level social and economic costs as part of the normal, direct costs of development projects."

So as MBPP prepares to erect the giant steel structure for its plant, it knows it has helped build a foundation of planning and assistance from which the community could continue to build. The people of Wheatland and the surrounding area pray it is enough.

After all the headlines promising federal or state impact aid money to Western communities, Wheatland area school and town leaders told HCN they were shocked to learn how difficult it is to get that money when and where it is needed.

The valuation of the school district around Wheatland will rise from \$26 million to \$154 million by 1984 after the Missouri Basin Power Project (MBPP) power plant is built. But now, after financing a new high school, the district has reached



**ED HUNTER**, school superintendent, says the school board had been working for two years trying to find help with funding a new school before MBPP offered a loan guarantee.

its debt limit. In Platte County, as in other boom towns, most of the dollar dilemma is finding front-end money to supply services until tax revenues begin flowing.

State help with "brick and mortar" expenses such as schools, housing, water, and sewers will be available when a lawsuit concerning Wyoming's Community Development Act is settled. Another potential source of front-end money, the state's Emergency School Loan, had loaned all its money to other districts in similar straits before Wheatland applied.

School superintendent Ed Hunter says MBPP agreed to help by guaranteeing loans for a nonprofit corporation formed by the school district, which is now building an elementary school.

MBPP is also guaranteeing a loan from the Wyoming Farm Loan Board for water

and sewer improvements for Wheatland and a neighboring town of Guernsey.

### SOCIAL SERVICES IGNORED

On the brink of impact problems, Wheatland representatives lobbied early in 1976 for legislative help with services such as mental health services which had been ignored under the Community Development Act. However, the legislators refused.

Testifying for the local mental health center at the Wyoming Industrial Siting Commission hearings, Gary Payne, director of the center, said MBPP had been more responsive than state government to his pleas.

At first MBPP had been reluctant. Robert Valeu, a former MBPP official, said he understood that there would be an impact in this area but, he said, that's the reason for taxation. "The responsibility lies with the public sector as long as the public sector is going to tax," he told HCN.

Later, however, MBPP agreed to pay the mental health center \$60,000 under a three-year contract to help integrate newcomers into the community, provide drug education and treatment, prevent and treat alcoholism, and prevent adjustment problems for older residents.

To help with problems of youth, senior citizens, recreation, public health, and mental health, MBPP has also funded a human services team, which is coordinated out of the University of Wyoming. The team is funded for one year for \$63,000,

which is to be renewed for two more years if other funding can't be found.

As one of the conditions of its siting permit, MBPP is paying a maximum of \$10,000 per year for a monitoring team which will make sure that all alleviation plans are succeeding and will watch for unexpected problems. The siting council said MBPP must make sure that any needed assistance is provided — even if it means absorbing costs.

### HOUSING

"The question of impact is not as easy as everyone says," Valeu told HCN. "People think you just lay out the money and it's all taken care of, but it has lots of ripple ramifications."

Since no agency has outlined industry's responsibilities for providing new housing, MBPP says it hesitates to compete with the private sector. However lending institutions are reluctant to finance speculative housing, according to Valeu. So in order to avoid inflated prices or shortages, MBPP is building bachelor quarter with a dining hall and providing spaces, with utilities, for mobile homes and recreational vehicles. The MBPP housing area, Black Mountain Village, will also include a \$600,000 recreational center and about 10 acres that will be sold to the school district for the elementary school.

Valeu says he is not after a profit, which makes the housing costs more competitive and benefits the consumer.

## Gary Payne: a community identity is a fragile thing

For Gary Payne, director of the Platte County branch of the Southeast Wyoming Mental Health Clinic, the question of what Wheatland will be like in 1980 is professionally as well as personally challenging. Payne received his doctorate in rural community mental health and specializes in community development.

"A community identity is a very fragile thing. It consists of who is in power and how we stand in relation to others. Now, this is very well-developed in Wheatland," Payne told HCN.

He said that to maintain that identity, new people would have to be integrated into the community. But in addition, he says, there are problems for the longtime residents. "People are comfortable as long as the social order around them supports what they're doing. When that is diluted, people who had power, lose power. Often the people who promoted it (the power project) end up feeling they've made a mistake," he says. They become victims of severe depression.

"People who have been here 20 years and have worked their way up notice that the 19-year-old next door seems to drive a bigger car, and that's hard to take."

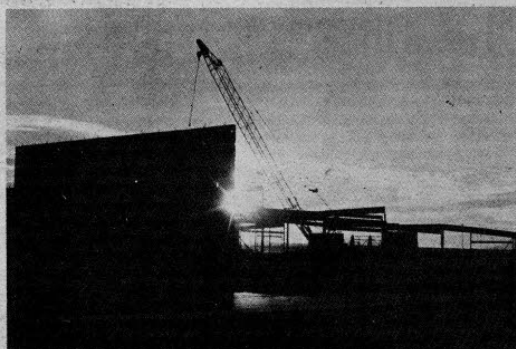
Asked to look ahead, Payne said, "In 1980 I'd like to see everybody feeling this is a young, dynamic, growing community — like they're part of the action. A place where construction workers feel like they have friends and are involved in organizations and

church and community experiences. . . so that if they throw a can out on the street, they'd worry if a neighbor saw them do it."

Payne says he's not completely confident. But, he concludes, "We feel like we're a community which is one of the first to plan. If planning will work at all, it will work here. The same thing is true of communities as is true of personalities. When you go through some problems, you come out being stronger. Unless they're too overwhelming."



**GARY PAYNE:** "If planning will work at all, it will here."



**BUILDING FOR THE BOOM.** The elementary school is rising at the Black Mountain Village site. Dust from the village site created public relations problems for MBPP. A shopkeeper told the reporter as a dust storm whirled by, "There goes Black Mountain." With advice from the U.S. Soil Conservation Service, MBPP started a dust abatement program in October, including both seeding and sodding at the Black Mountain site, but the problem remained in December.

6-High Country News — Jan. 28, 1977

## Cheyenne's health, timber depend on clean air

by Dan Whipple

"Many treaties have been broken. I just hope that this one won't be broken."

With these words, a Northern Cheyenne man asked the U.S. Environmental Protection Agency (EPA) to grant his tribe's request for a Class I air quality designation to maintain pure air on his reservation in Montana. At a public hearing in Lamar, Mont., Jan. 17, he and other tribal members presented EPA with a ringing endorsement of the redesignation.

Expert witnesses bolstered the tribe's request. "Class I air quality is necessary to protect the vegetation on the reservation," a speaker from the U.S. Forest Service said. Another expert warned that failure to take the action recommended by the Indians could aggravate the problems of people with respiratory problems on the reservation.

The air quality decision is linked to important economic decisions facing the Northern Cheyenne. The tribe is debating whether to develop the reservation's vast coal resources or develop other resources to strengthen its economic base. According to testimony presented at the hearing, failure

to receive a Class I designation could endanger at least one of those other resources — the reservation's pine forests, which could provide the basis for a medium-sized timber industry.

The decision may also be important for Montana Power Company, the utility which has two coal-fired electrical generating units just north of the reservation border at Colstrip, Mont. It is unclear whether MPC's proposed expansion at Colstrip, which would more than double existing capacity at the power plant, would be allowed so close to a Class I area. Under Class I status, no further degradation of the reservation's air quality would be allowed.

When EPA issued its rules for clean air regions, all lands were classified as Class II, pending a request by designated entities — Indian tribes, states, or federal land managers — for a change in status. The Northern Cheyenne tribe was the first entity to request Class I status.

According to Clinton Carlson of the U.S. Forest Service, the two units now in operation at Colstrip have already put measurable levels of sulfur dioxide in the Northern Cheyenne pine forests, even though the



**TIMBER OR COAL?** Witnesses at the Northern Cheyenne's clean air redesignation hearing said emissions from coal-fired power plants have a detrimental effect on timber. Pictured is the timber mill at Lamar, Mont., on the reservation.

plants were only operating at about 30% of capacity.

After citing three instances where air pollution had killed or damaged trees in Montana, Carlson said the problems were even more severe near Colstrip.

"Atmospheric inversions are more prominent in the Colstrip area. Pollutants can

be expected to build up and damage to occur to the ponderosa pine that are prominent on the reservation," Carlson said.

Dr. Robert Frank of Seattle, Wash., said that health impacts could also be severe if the air quality deteriorates. He told EPA that 20% of the Northern Cheyenne are affected by some respiratory difficulty and the tuberculosis rate on the reservation is one of the highest in the nation.

"New concentrations of sulfates at levels of 10 to 15 micrograms per cubic meter aggravate respiratory illness. The allowable standard for total suspended particulates (under the present Class II designation) is 30 micrograms per cubic meter. Without redesignation, you will have a license for increased pollution that will encourage the harmful effects," Frank said.

Mike Bear Comes Out, speaking in the Cheyenne language, said that "this is the best we can get under the law, but it is still very lacking. You have my support for the redesignation of the air as Class I under the white man's law. If you ever wish to reinstate the law of nature that the Indian people live by, you will have my support in that, too."

George Harris, whose Cheyenne name is Kills On Water, said, "We have to have clean air in order to survive. It's for everyone. When the great maker made up animals, he provided them with clean fresh air so that they would survive. He also provided for their surroundings — brothers, sisters, deer, birds, clean water. We need clean air first. Number two is pure water and then food."

The tribal council served as hearing officers and will relay the hearing record to EPA officials. The final date for a decision by EPA on the request is June 7.



**UTAH MAY HAVE BEEN TOO HASTY** planning its future air quality, critics at recent hearings told state officials. The proposed plan would allow pollution up to federal limits in 42% of the state. In some places the dirty zones are adjacent to national parks, where the state hopes — unrealistically, critics say — to keep air pure. The photo shows Chesler Park in Canyonlands National Park.

Hastily prepared?

## Utah air plan criticized at hearings

by Ann Schimpf

The state of Utah has wasted no time preparing to tell the U.S. Environmental Protection Agency how much air pollution should be allowed in Utah. It is the first state in the nation to propose its own air quality designations. However, the state's planning effort was criticized for being too hasty at hearings held around Utah this month.

At Jan. 5 hearings in Salt Lake City, newly-elected Utah Gov. Scott Matheson voiced some objections to the plan drafted by the Utah Air Conservation Committee. A barrage of testimony, most of it critical of the committee's work, followed.

"The proposal is a shoddy piece of work. Indeed, it appears that very little work at all went into it," said Ruth Frear of the Sierra Club.

"Utah has not complied with minimum federal procedural requirements in its

proposal to redesignate," said Mary Belle Bloch of the Environmental Defense Fund.

Among those who supported the proposal was Joseph Bennett, president of the Utah Mining Association. He called the plan a "well-reasoned and basically equitable balancing of the growth and development needs of the state with the needs for conservation and preservation of the state's scenic and recreational resources."

The plan designates 9% of the state as Class I air quality, 44% Class II, and 42% Class III. About five per cent of the state is already too polluted to be included in any of the three groups. The Class I designation allows almost no additional pollution. Class III would allow maximum legal additional pollution.

Critics of the Utah air committee's proposed plan claimed it was hastily prepared, biased toward industrial growth, and failed to protect certain scenic and wildlife resources.

James Isenogle of the U.S. Park Service objected to the committee's use of "flat land modeling" to draw up the plan. "No model should be used solely. Consideration of the various rough land terrain models seems appropriate given Utah's topography," he said.

At the hearing Jan. 7 in Vernal, Utah, Colorado officials objected to Class III designations on Utah's eastern border. They plan to classify lands on their western boundary Class I.

"The plan which is before us for comment today is not engraved in stone, and will be modified and refined after today's public hearing and those that will be held throughout the state," Gov. Matheson told those attending the Jan. 5 hearing in Salt Lake.



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# Cheyenne water plans cut hole in roadless area

by Philip White

The U.S. Forest Service, under pressure from the Cheyenne Board of Public Utilities, has released a draft environmental impact statement (EIS) which recommends allowing Cheyenne, Wyo., to extend its water collection facilities into the Huston Park roadless area of the Sierra Madre Mountains south of Rawlins.

According to the utilities board president, Elmer Garrett, a Cheyenne realtor, Cheyenne has a "dire need" for additional water. That need, however, is predicated upon a growth curve which would give Cheyenne a population of 191,000 in 2020, almost four times its present estimated population of 50,000-55,000. But given that kind of growth in 40 years, critics say Cheyenne still would not need much additional water from the Huston Park area until 15 or 20 years from now.

Cheyenne is very anxious to extend its water diversion now because they have an opportunity to finance it, at little cost to Cheyenne residents, by selling excess water to large energy industries in Wyoming. Cheyenne officials hope to gain public support for the idea by claiming that any water allocated to Wyoming which flows unused out of the state is, in effect, "wasted."

Environmentalists counter with the Edward Abbey maxim that to prepare for growth is to invite it. They also object to sacrificing part of Huston Park roadless area, which is one of the best wilderness area candidates in the Medicine Bow National Forest.

Garrett confirms that Cheyenne has negotiated with Pacific Power and Light and with Panhandle Eastern about contracting for water from Cheyenne. However, he says the city has talked informally with many people, including ranchers, and no contracts have been signed. The board is now primarily concerned with Cheyenne's present water supplies, which the drought has depleted even further, he says.

Asked by HCN if he would resume negotiations with the companies if the next two stages of its water plans were completed, Garrett said he couldn't say. "You're asking me to crystal ball," he says. Any contracts the board would sign with anybody would have to guarantee that the city could get the water back at short notice, he says.

## THREE FINGERS

A brief description of the geography helps in understanding the situation:

The front range of the Rockies enters southeast Wyoming in three fingers which form distinct geographical units of the 1.1-million-acre Medicine Bow Forest. The eastern finger between Laramie and Cheyenne is the Laramie Mountains. Prior to 1965, Cheyenne depended on runoff from this range into Crow Creek and on well fields west of the city for its water supply.

The middle finger is the Medicine Bow Mountains.

The Sierra Madre Mountains, 230,000 acres lying astride the Continental Divide between Encampment and Baggs, is the most remote and untouched of the three fingers. Cheyenne has its water rights all along the western slope of the Sierra Madre. If allowed to develop its water plan fully, Cheyenne could conceivably be diverting an estimated 50 million gallons a day from the Little Snake drainage over to the North Platte.

In the mid-50s, when insufficient runoff into Crow Creek caused an expanding



**ROADLESS.** Although environmentalists want at least a 48,000 acre area studied for a possible wilderness, the Forest Service is considering an area much smaller so that the city of Cheyenne can continue to grow. Photo from the west slope of the Continental Divide looking toward Baggs. Photo by Bart Koehler.

Cheyenne to restrict lawn watering, the city began planning for a new water supply. The only unappropriated water available was on the Little Snake, 125 miles away.

Now Cheyenne wants to expand to increase total average yearly diversion from 8,248 acre-feet to 31,000 acre-feet.

Cheyenne submitted preliminary plans for expansion of its water project in 1963. In 1975, Cheyenne tried to get quick approval for the expansion project, claiming it had been approved back in 1963.

The Forest Service refused, telling Cheyenne that it was about to begin a three-year land use unit planning process pursuant to the requirements of the National Environmental Policy Act (NEPA). That plan was to have been finished in early 1979.

Unable to convince the Forest Service to accelerate its planning process, Cheyenne contacted the state's three-member Congressional delegation. By stressing an urgent need for municipal water and not mentioning the industry sales, Cheyenne persuaded the Congressmen to pressure the chief of the Forest Service into ordering Medicine Bow Forest to condense the three-year study into a three-month process.

Several questions of critical importance to the long-range future of Wyoming are prompted by Cheyenne's plans:

1. How much industrial and municipal growth is enough? At a local Audubon Society meeting in Laramie December 9, 1976, Garrett admitted that although the city

has spent thousands of dollars on engineering studies for the Little Snake project, nothing has been spent considering ways to conserve and recycle water. The city has not considered whether a 400% population growth in 40 years is desirable. The city has not studied any alternative methods, with less impact on wilderness, of obtaining water.

The attitude of Cheyenne officials is evidenced by former Mayor Bill Nation's comments in a *Casper Star-Tribune* article of November 14, 1976: "The people of Cheyenne have worked hard developing nice green lawns, and it would be a shame to let those dry up."

2. How realistic are the population projections? In the midst of an Atlas ICBM boom in 1960, Cheyenne expected to grow from 43,380 to more than 55,000 by 1970. Instead, the 1970 census showed that Cheyenne had lost 2,000 people during the decade. Steve Adams, a rancher on the west slope, said in a *Denver Post* article Jan. 2, 1977, that the Huston Park expansion, plus a diversion system planned later further north in the Sierra Madre, would enable Cheyenne to take 59,000 acre-feet

annually. Adams said that at current consumption levels, that would supply a city of 260,000 people. "The entire state had only 312,000 people in 1970. Cheyenne's estimates are ridiculous," Adams said.

## THREATENED SPECIES CONFLICT

3. What effect will the streamflow losses, pipeline corridors, and roads have on plants and animals which are either rare or found only in the Sierra Madre? The draft EIS does not address this question.

The headwaters of the Little Snake are home to the last pure strain of Colorado River cutthroat trout (*Salmo clarki pleuriticus*). A Colorado State University trout biologist, Robert Behnke, recommended in a Forest Service report on western trout that the fish be considered a threatened species under the U.S. Endangered Species Act. The cutthroat is a year-long resident in the high reaches of these small streams and could not tolerate substantial streamflow reductions.

Also, the beautiful and rare wake robin plant (*Trillium ovatum*), which depends on a wet riparian habitat, is found in Wyoming only in the Sierra Madre.

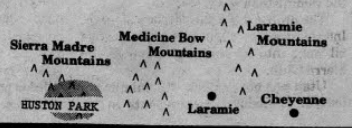
4. What effect will the project have on potential wilderness and wild and scenic river areas? The Medicine Bow Forest rated the Huston Park area as second highest of its 16 roadless areas in the 1972 inventory. The draft EIS just released recommends wilderness study on only 29,770 acres of Huston Park. But by recommending that Cheyenne have the land it wants for its project, the draft EIS allocates 5,000 acres of prime potential wilderness, and more than 20,000 acres of nearly pristine mountain lands, to development.

The Encampment River is presently being considered for inclusion in the National Wild and Scenic River System in both Colorado and Wyoming. Under Cheyenne's plan, the Encampment would carry water from the Little Snake River drainage into the North Platte. But the effects of the streamflow increases on the Encampment River canyon are not considered in the EIS. Increased stream velocity can usually be expected to cause more erosion, to increase dangers of flooding, and to damage fisheries and wildlife habitat on the streambeds.

5. Should cities be allowed to capitalize on their municipal preference rights for water by selling water to industry 200 miles away? Municipal use traditionally gets precedence over any other use if there is competition for a water right. Ranchers who live along the Little Snake River valley are concerned about the possible loss of agricultural water supplies. If sufficient water is not available to industries in the state, then they should locate elsewhere, many residents of Wyoming believe. Cheyenne's citizens, furthermore, should pay the true cost of their water and thus be forced to limit growth and consumption if the water cost is too high.

Comments on the draft EIS will be accepted until February 15 at Medicine Bow National Forest, Skyline Road, Laramie, Wyo. 82070. Copies of the EIS are available.

## WYOMING

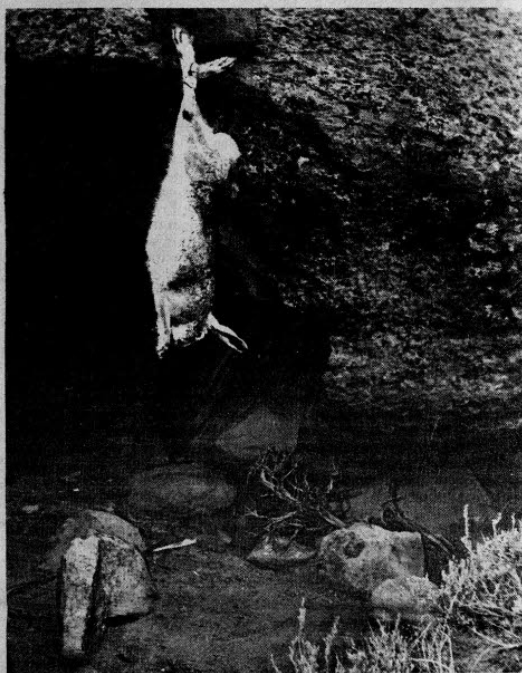


## COLORADO

## Bobcats, misunderstood and mism



The bobcat is not as wary as the coyote and is trapped easily.



This jackrabbit was hung over a trap to attract bobcats. It also attracts other meat-eaters, including raptorial birds.

Four Western states which presently classify the bobcat as a predator are now considering legislation to change its status. Wyoming's HB 136, which deletes both the wolf and bobcat from the predator list, is presently in committee. Montana's Senate has already passed SB 47, which reclassifies the bobcat to furbearer. It now must clear the House. Oregon's HB 2097 is now in committee. It reclassifies the bobcat to furbearer, but allows ranchers permits to take livestock predators. Similar legislation is expected to be acted on in Idaho.

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**Lynx rufus** may finally be in evidence only on the backs of a fashionable few. Inevitably, even these traces will be packed away in attic trunks, along with outmoded beaver hats and buffalo robes."

—Hope Ryden

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All photos by Dick Randall of Defenders of Wildlife.



As a result of the trapper not checking his trapline, this bobcat starved to death in the trap.



# managed

by Sarah Doll

Rapidly declining bobcat populations have made this animal the current object of much concern among conservationists. Complaints from trappers of poor takes have finally reached the ears of several Western state legislatures, and these bodies are considering some sort of protection. But there is still concern that the results will be too little, too late. Protection comes with difficulty for the bobcat, because, in many circles, it is regarded with the same ill feelings as is the coyote.

Bobcats and coyotes both prey on small rodents, and both are classified as predators by most states. Few other similarities exist. Coyotes rely on speed, a wide range, an excellent sense of smell, and swiftness of traps, and have recently been more successful than bobcats. Bobcats depend on stealth to catch their prey, and therefore need cover, such as rocks, trees, or heavy brush. Bobcats are not as opportunistic as coyotes, and cannot build up a sagging population easily. Bobcats give birth to small litters—usually only two or three kittens—and these are so dependent on the mother that if she dies in the early months they have no chance for survival.

In spite of differences, in many states bobcats are managed in the same manner as coyotes are, which means that the death of as many as possible is seemingly encouraged. Twenty-five states have completely open seasons, and six even offer bounties.

Few trappers, however, need the incentive of a bounty when they are assured of \$300 or \$400 or more per prime bobcat pelt. These inflated prices are due, in part, to the Endangered Species Act of 1969, which prohibits importing furs from endangered cats. Bobcat hair tends to break and shed, but even though it is inferior, it has become popular as leopard and cheetah fur have become unobtainable. The greatest number of bobcat furs, however, are exported to Europe, where they are immensely popular. Thus pelt values rose from \$5 each in the early 1960s to the present sum. And a bobcat is easy to trap; a rabbit's foot swinging above a leghold trap is irresistible to the cat's sense of play. Anyone, even a young child with an eye to easy cash, can get in on the take.

Other factors have hastened the bobcat's downward slide. Loss of habitat is devastating, as it is to all wildlife. The opening up of formerly inaccessible areas with logging roads has made it more difficult for the bobcat to find sanctuary, and snowmobiles have made it ruinously easy for trappers in areas that were once safe.

While trapping is the method of choice for most who take bobcats, others run them with hounds, with or without shooting as the coup de grace. Hunting with lights at night is popular, but illegal in many areas.

Bobcats are elusive and nocturnal, so true population counts are difficult to obtain. Hank Fischer, field correspondent for *Defenders of Wildlife*, notes in *Defenders* magazine (Aug. 1976) that one can get a fairly accurate picture of population fluctuations by studying the take of U.S. Fish and Wildlife Service trappers, who usually act only when asked to help control livestock depredation. These figures are not influenced by the current selling price of the fur. They indicate, in Montana, an upturn in bobcat populations immediately after the introduction of 1080, while coyote populations suffered. Since 1953, however, there has been a steady annual decline in the take of depredating bobcats from 1,812 in 1953 to only 55 in 1975. At the same time, total numbers trapped from the state have increased. Trapping pressure con-

tinues on a steadily declining population.

Many livestock owners traditionally loathe the bobcat. Researchers are proving this hatred to be unwarranted. Examination of stomach contents of dead bobcats have yielded livestock remains in only two per cent, some of which could have been carrion when eaten. In an unusual move applauded by conservationists, the Idaho Woolgrowers Association came out in favor of state legislation protecting the bobcat. Besides a concern for wildlife, the woolgrowers expressed concern that if the bobcat is classified as endangered, coyote control efforts will be jeopardized.

The bobcat is classified as a predator in Wyoming, Montana, Idaho, and Oregon. This means any number can be taken in any season with no controls exerted by the state. It also means that state wildlife officials have little data on population figures, unlike states which control the take.

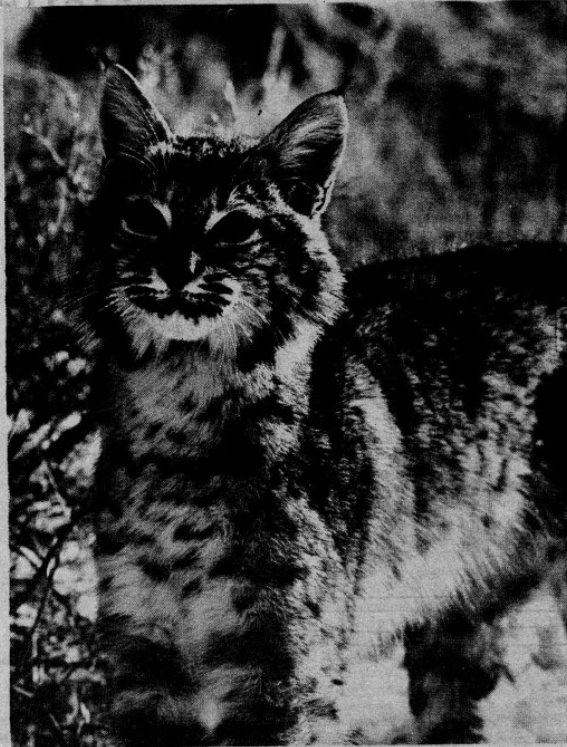
South Dakota calls the bobcat a furbearer, and regulates the season according to population estimates. Colorado follows a plan similar to South Dakota's, and claims to have a good bobcat population.

In 1976 Utah declared a moratorium until July, 1977, on the taking of bobcats. However, the moratorium does not apply to the Division of Animal Damage Control. Also, any livestock owner or his employee can take a bobcat at any time if it is molesting or "about to molest" livestock. Any bobcat found within a mile of a stock animal is defined as "about to molest." Defenders of Wildlife Field Representative Dick Randall writes, "Utah is 66% public land. Some form of domestic animal, a horse, cow, sheep, dog, can be found within one mile of almost anywhere in Utah. In effect, this proclamation bans bobcat trapping by the private trapper and invites an open season for livestock owners, their employees, and friends."

Hank Fischer suggests an immediate national moratorium on the taking of bobcats. Once populations are stable, each state should pass regulatory legislation on the bobcat season. He also suggests halting the export of bobcat pelts, just as imports of African furs were halted in 1969.

Defenders of Wildlife has filed a petition with the Department of Interior to list the bobcat as "endangered," a classification which indicates the species' survival is in doubt.

Jan. 28, 1977 — High Country News-9



A mature bobcat weighs from 15 to 25 pounds, is about 36 inches long, and stands about 15 inches tall at the shoulder. Coloration varies by geographical area from yellow-brown to dark brown. The coat has white-tipped hairs and dark spots.



These bobkittens weigh about nine pounds each, and were worth about \$70 on last year's fur market.

10-High Country News Jan. 28, 1977

## Reckoning from Washington

### COAL LEASING MORATORIUM

by Lee Catterall

The "moratorium" on coal leasing, which froze energy company drilings at the entrance to Western coal fields for some five years, is back with us again.

The word "moratorium" seems to have gotten a bad name through those years, culminating in a court battle, so has been shelved, much as "liberals" changed their label recently. But a moratorium by any other name is still a freeze.

The Interior Department adopted a new system for leasing coal last May. The department has adopted reclamation requirements to go along with those leases, and has agreed with the governors of all Western coal states except Montana and Colorado that state standards can apply to federal coal where they are more stringent.

However, some congressmen are unsatisfied with those Interior Department standards and new Interior Sec. Cecil Andrus, during his Senate confirmation hearings, made clear last week that he agrees with them.

Asked by Sen. Clifford Hansen (R-Wyo.) whether he would reimpose the "moratorium" on federal coal leasing, Andrus said he was "not certain." However, he added, issuing leases before Congress had acted on a federal strip mining bill would be "putting the cart before the horse."

Also, he said, "I don't want to spend a great deal of time reviewing regulations or redoing regulations that you (the Congress) are going to turn around and change."

"The strip mining bill will probably be an early action of the Congress," Andrus said, adding that he wants to "look at that before we do any additional leasing." He said he might reconsider sitting on the department's leasing program if Congressional action should be "held up."

There are some indications Congress may not act as quickly as had been expected. Environmentalists were encouraging members of the House Interior Committee to change parts of the bill that had been weakened over the years in attempts to gain favor with the industry-influenced Ford Administration.

Potentially more time-consuming problems were emerging in the Senate, where Sen. Lee Metcalf (D-Mont.) startled observers by including in the Senate bill a provision banning the strip mining of federal coal that lies beneath privately-owned land.

The Metcalf proposal replaces an intricate formula for coal company compensation to private landowners that had been arrived at after lengthy disagreement.

Hansen intends to propose his own version of that provision. He said it would allow the strip mining of federal coal beneath private land and would let the landowner bargain freely with the strippers over his amount of compensation. Both have been defeated soundly in past years.

The Metcalf proposal — labeled the Mansfield amendment after its original sponsor, former Sen. Mike Mansfield (D-Mont.) — would create a "lock-up" of western coal reserves, say critics, and the Hansen plan would create a "windfall" for landowners.

If the Senate does not quickly return to the intricate formula retained in the House bill, the strip mining bill's enactment may be long delayed and the pressure on Andrus to resume leasing increased.

## Kleppe voids Crow contracts with coal firms

In a dramatic move in his final days in office in January, former Interior Secretary Thomas Kleppe settled a lawsuit that had been brought by the Crow tribe in southern Montana more than a year ago.

In effect, Kleppe's agreement with the tribe voids coal contracts between the tribe and Shell Oil, Peabody Coal, Gulf Oil, and AMAX and delays them until new agreements can be reached with the tribe and until environmental impact statements can be prepared.

However, Kleppe said in his letter that his purpose was to expedite mining on the reservation, which had been delayed by the lawsuit since it was filed Sept. 19, 1975. Kleppe said he understood that both the tribe and the companies want to develop the coal, and he hoped his decision would help settle the "bitter divisiveness within the Crow tribe over coal leases."

Confusion about Shell Oil's lease had thrown the tribe into turmoil. Tribal Chairman Patrick Stands Over Bull had been suspended for some time after allegations that he had negotiated independently with Shell (see HCN, 1-14-77). Now Shell is questioning Kleppe's authority to interfere and saying it will continue legal action to force the Crow tribe to uphold its 30,000 acre lease.

The Crow tribe's lawsuit accused Interior of the same violations of federal regulations as the Northern Cheyenne had in 1974. Then Interior Secretary Rogers C.B. Morton confirmed many of the allegations and agreed to allow the Northern

Cheyenne to void those contracts (see back page story).

Kleppe commented only on the Crow tribe's allegation that leases were larger than the 2,560 acres allowed under federal

regulations for Indian reservations. He confirmed that unless the tribe and the company could prove it was necessary to have larger leases, they must conform to that regulation.



**CROW COAL TAX APPROVED.** Before leaving office this month, Interior Secretary Thomas Kleppe approved a 25% tax on the sales price of coal, a tax the Crow tribe requested a year ago. The tax will not apply to the ceded strip, according to Westmoreland Resources President Charlie Brinley. The ceded strip is private land outside the reservation which lies over Crow-owned coal that is now being mined by Westmoreland. The Crow tribe wanted its tax to apply to the ceded strip, and Westmoreland had been concerned that it would have to pay both the 25% Crow tax and a 30% Montana tax.

Pictured is a sandstone formation on land to be strip mined by Westmoreland. Photo by E. L. Frost.



energy news of the Rockies and Great Plains

**NEW PLANT SITE.** The Platte River Power Authority (PRPA) has chosen a new site for its coal-fired power plant previously proposed for Nunn, Colo. The plant, which will have an eventual capacity of 750 megawatts, is to be built near Rawhide Flats, about midway between Fort Collins, Colo., and Cheyenne, Wyo. PRPA officials say the new location has a better reservoir site and was chosen after extensive study of environmental considerations. The proposal met with much opposition at the former site. Final approval is up to the Larimer County commissioners who must make the necessary zoning change and grant a building permit, according to the *Loveland Reporter*.

**PAWNEE APPROVED.** The Colorado Land Use Commission has decided not to stand in the way of the 500 megawatt coal-fired Pawnee power plant proposed by a Colorado utility, the Public Service Co. The commission decided 8-0 against declaring the plant's construction a matter of state interest even though its staff had said concern for water and agricultural land loss would justify such a designation. The decision practically eliminates the possibility the state government will block the controversial plant, according to the *Rocky Mountain News*. Two lawsuits are the only hurdles left for the plant. The Colorado Public Utilities Commission granted final approval Jan. 25.

**JUDGE SUPPORTS EXPORT POLICY.** Montana Gov. Thomas L. Judge's proposed state energy policy recommends building energy plants in Montana only to meet state energy needs, rather than to supply power to other states. Montana environmentalists support this concept and also commend Judge's emphasis on energy from renewable sources such as sun and wind. However, Judge's interest in federal studies of the potential for coal gasification plants in Montana raised the ire of environmentalists and of three state researchers who helped prepare the energy policy. The researchers resigned after the policy was revised by top-ranking Montana officials behind closed doors.

**TVA BUYS WEST'S COAL.** The Tennessee Valley Authority (TVA) has agreed to purchase Western coal to test in a Kentucky power plant, according to *The Mountain Eagle*. TVA plans to purchase more than 160,000 tons of coal from strip mines in Wyoming and Montana to test. TVA is considering changing the plant from Kentucky and Indiana coal to Western coal. A top United Mine Workers union official told the *Eagle* the purchases mark "another nail in the coffin that TVA has been trying to construct for this union for 25 years." The union is strong in the East, but has had troubles organizing in the West.

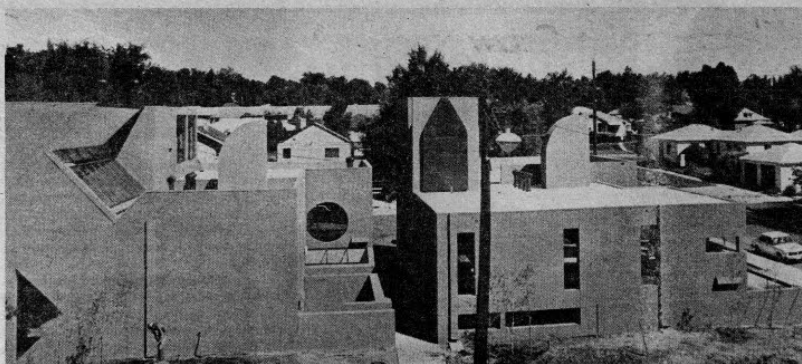
**GREENHOUSE ON THE SAND.** In a cooperative experiment among the University of Arizona at Tucson, the Middle East country of Abu Dhabi, and the University of Sonora, Mexico, greenhouses on the desert are producing products ranging from lettuce and tomatoes to shrimp. Plastic greenhouse shells are inflated with air, and waste heat from the generators is used to distill seawater, according to a *Denver Post* article. Similar desert greenhouses are built on two Indian reservations in California and in Arizona, creating jobs for Indians.

**N.D. SIGNS INTERIOR PACT.** North Dakota Gov. Arthur Link and former Interior Secretary Thomas Kleppe signed an agreement Jan. 19 which says the state will be responsible for administration and enforcement of surface mine reclamation rules on federally leased coal land within the state. Wyoming, Utah, and New Mexico have already signed such agreements. Fears that such agreements might undermine efforts for a federal strip mining bill were given more credence recently when Wyoming Gov. Ed Herschler said he wouldn't actively support a federal bill. Herschler said he wouldn't oppose the bill if other Western governors want it but added he intends to protect his own agreement with Interior, according to the *Denver Post*.

**COAL TRAIN CONCERNS.** A study financed by the Four Corners Regional Commission projects 14 to 21 daily two-way coal train trips through Colorado's Front Range by 1985. The coal trains would run between coal fields in Wyoming and Montana and power plants in Texas. The report says local, state, and federal programs are inadequate to meet the problems posed by this new train traffic. In October, Burlington Northern and Colorado and Southern announced it would stop considering a C & S route between Fort Collins and Denver for additional coal train traffic, according to the Associated Press.

**IDAHO BITES BULLET.** The Idaho State Office of Energy has announced a program to save energy in the state's 551 school buildings. The school districts together spent almost \$6 million for utilities in the 1974-1975 school year. Wayne Phillips of the state Department of Education says he thinks "no-cost conservation practices" can provide major savings for Idaho school districts. Twenty utilities which serve Idaho have volunteered to support the program.





**ENERGY-CONSERVING DESIGN** reduces the heat demand in these Denver office buildings by 88%. The architect was Richard Crowther.

## Architect solves office buildings' energy problems

Two office buildings designed by Denver architect Richard Crowther use a complex bag of architectural tools to reduce their annual need for heat energy by 88% and cooling energy by 60%, when compared to conventional buildings. Crowther incorporated a small solar collector in the design, but "architecture is the basic energy solution," says Crowther. When all else fails, the buildings are equipped with electric heat pumps and resistance coils. But the buildings' design keeps electrical use to a minimum.

The buildings are at 310 Steele St. in Denver.

Among the energy conserving features: —The buildings' main entrances face south to gain winter sun and avoid cold winter winds from the north.

—Some windows are recessed to receive low-angle winter sun and exclude high-angle summer sun.

—Wall construction is continuous from a wooden foundation to the top of the roof. This type of construction allows uninterrupted insulation in the walls, greatly reducing heat loss when compared with walls interrupted by a concrete foundation and floors in construction, according to Crowther. The walls are insulated with six inches and the roof with sixteen inches of rock wool.

The roof of the building is surfaced with

white marble chips. In winter when the sun angle is low the chips reflect rays of the sun toward the solar collector, increasing its effective area by 15-20%, according to Crowther. In summer when the sun angle is high, the chips reflect much of the radiation back into the sky.

—The buildings can collect warm air at high points near the roof and, after filtering to remove impurities, re-circulate the used warm air in the lower rooms. Openings between floors direct the warm air on each floor to the collecting point near the roof.

—The north building (at left in the photo) has two large window areas facing south. Blinds are positioned behind the windows with slats colored white on one side and black on the other. In winter the black side faces toward the sun to absorb solar radiation. In summer the white side is out, reflecting much of the radiation back to the sky. The warm air generated is pumped into the building by a small fan.

—The flat plate solar collector on the north building is slanted at 45 degrees. The heat it collects can be stored in a bin con-

taining 70 cubic feet of washed and graded river gravel.

—During the cooling season, wind-powered turbines pull warm air out of the building. This pulls cooler air into the building through ground level vents. Buildings can use outside air for cooling for over one-third of the year in Denver, Crowther says. To start an even stronger current of air running through the building during the day, warm air from the highest point in the building is ducted into the flat plate solar collector. The additional heat gained causes the air to move faster through the roof turbine to the outside. This pulls more cool air into the building and extends the life of the solar collector by cooling it.

—In the north building, which is occupied by Crowther's architectural firms, smoking is only allowed in the conference room. The conference room is equipped with its own wind-powered roof turbine and air intake vent which expels smoke and odors. Buildings in which smoking is allowed in all areas require up to seven times more energy for air purification than this one, Crowther says.

## North Dakota solons scrutinize new sources for impact funds

Local officials in North Dakota are watching state legislators closely this year as they wrestle with the problem of getting tax funds out into the state to help with impact problems. Three counties that are getting most of the mining, electrical generating plants, and gasification plants are worried enough to hire a full-time lobbyist to represent their interests in Bismarck.

The legislators are considering several innovative ways to take in and distribute tax monies including state revenue sharing and a county income tax.

Most of the solons' squabbling this year as last session, will concern whether to have a percentage or a flat rate tax. Democratic Gov. Arthur Link has proposed a 33.33% tax on the sales price of coal, but Republicans are pushing for a flat rate tax or a combination of the two. Republicans last session sponsored the present tax which is 54 cents per ton. The tax is to expire at the end of June.

Presently the severance tax revenue is divided with 35% going into a Coal Development Impact Office, 30% into a trust fund, 5% to coal producing counties, and 30% to the state's general fund. Local governments say they need a bigger share, and

Link is proposing that they get 25%.

Both the Democrats and the Republicans are proposing a Coal Development Impact Commission which would give out coal impact grants.

North Dakota also has a conversion tax of .25 mills per kilowatt produced. Republicans are offering a bill to send more money from that tax back into the communities.

A state revenue sharing program, which has much support from North Dakota citizens, is bogging down in the legislature as legislators try to determine whether population or some other factor should be used to measure the degree of impact.

Anyone in the state interested in the progress of a bill or in contacting a legislator, can call a toll free number (800) 472-2134. The United Plainsmen, an agricultural-environmental group pushing strong coal development control legislation, can be contacted through the president, Randolph Nodland, Dunn Center, N.D.

The Onlooker, an independent newspaper published by Mike Jacobs, will cover the legislature every week, concentrating on environmental legislation. For a year's subscription, send \$12 to Jacobs at Mandan, N.D. 58554.

Jan. 28, 1977 — High Country News-11



**The HCN  
Hot Line**

energy news from across the country

**ANTI-TRUST ACTION ON UTILITY.** A U.S. Nuclear Regulatory Commission (NRC) decision has far-reaching implications for small, publicly-owned power systems which are endangered by private utilities, according to a copyrighted *Washington Star* story. The NRC has charged a group of five Ohio power companies with a long series of antitrust violations, including refusing to allow the Municipal Electric Light and Power Co. to join a nuclear power plant venture. The Cleveland private utility surrounds the municipal power utility and had refused to transmit low cost hydroelectric power to it or to sell any of its own power to it unless the municipal utility would raise its rates to the same level. The NRC said it would not issue an operating license for the nuclear plant until many of the transgressions are rectified. The private utilities are appealing the decision to the courts.

**GAS CONSERVATION PLAN.** The U.S. Federal Energy Administration is studying a proposal that would encourage utilities to promote natural gas conservation and save consumers money. The plan calls for the utilities to insulate homes in their service areas and then recover the costs through monthly charges to the customers. FEA studies show that the cost of saving gas in this fashion is cheaper than the cost of developing new gas sources. Under the plan the gas utility would set up a wholly owned subsidiary to supervise and finance the conservation program. The work would be done by independent contractors. Some utilities have already initiated similar programs on their own.

**NUCLEAR ECONOMICS ATTACKED.** A Council of Economic Priorities (CEP) study, *Power Plant Performance*, says that the unreliability of nuclear plants limits their productivity to only two-thirds of the output expected by both utilities and federal energy policymakers. The two year study, which is based upon the first complete record of actual nuclear and coal generating plant performance, says that efficiency drops considerably as the size of the nuclear plants increases. Nuclear plants under 800 megawatts have averaged 64% reliability, but very large plants such as are presently being planned had only a 45% to 60% efficiency because of the number of shutdowns for maintenance and repair. The 200 page book is available from CEP at 84 Fifth Ave., N.Y., N.Y. 10011.

**LOSING NUCLEAR INVESTMENT \$.** A major New York brokerage firm, Jesup & Lamont, Inc., has advised its clients to switch their stockholdings from utilities with a heavy investment in nuclear power to those with moderate or no nuclear commitment, according to *Power Line*. The firm advised clients of the possible adverse impact of recent court rulings and regulatory decisions on nuclear generation and questioned the assertion that nuclear energy is cheaper to produce than coal. The Jesup & Lamont report is available from Environmental Action Foundation, 724 Dupont Circle Building, Washington, D.C. 20036 for \$1.50.

Is your current news coverage of natural resource issues on a

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12-High Country News — Jan. 28, 1977

State water plan another top priority

## Legislators seek repeal of Idaho's land use law

Conservationists anticipate a major battle over land use planning legislation in the Idaho legislature. Other key conservation issues to be considered include adoption of a state water plan, utility siting, energy conservation, and minimum stream flow protection.

"Overall it looks like the House will be less receptive to conservation legislation than it was last year, which may be hard to believe, but true nonetheless," says a spokesman for the Idaho Conservation League. "There is a chance that the Senate will be slightly improved in its attitude toward conservation issues."

Gov. Cecil Andrus, a strong supporter of environmental legislation, recently resigned and became the secretary of the U.S. Department of the Interior. His successor, Lt. Gov. John Evans, says he strongly supports Andrus' legislative programs. Some observers feel Andrus' departure weakens chances for passage of new conservation legislation, however.

### ATTACK ON LAND USE LAW

A conservative caucus has been organized in the House to promote conservative causes including weakening Idaho's 1975 land use law. At the caucus' first meeting two-thirds of the House Republicans attended. The Republicans control both houses of the legislature.

Two proposals are being considered this year to gut the existing law. One measure would repeal the law and another would make it optional.

The existing law says local officials "shall" regulate land use. It lets localities come up with their own plans for regulation. The bill to make land use optional would replace "shall" with the word "may."

The Idaho Statesman, in an editorial opposing the optional land use amendment said: "If you have local land use regulation in one county, and not in the neighboring county, you invite deuces-wild development in that county. You can have any number of badly planned and badly located subdivisions without fire protection or other basic services."

Some legislators told a Statesman reporter that the optional land use amendment has a good chance of passing as a compromise to the bill that would repeal the act.

### STATE WATER PLAN

A state water plan, which has been approved by the Idaho Water Resource Board will be considered by the legislature.

Legislative review of the water plan is expected to spark a major conflict between the legislative and executive branches of government. The plan was designed to be an executive policy statement with recommendations for certain legislative changes in existing water laws. The legislature wants the power of review of the entire policy.

A bill to require legislative review of the entire plan is expected to pass the legislature easily. A similar bill was approved by the 1976 legislature but was vetoed by Gov. Andrus as an unconstitutional intrusion by the legislative branch into the executive branch of government.

The water plan calls for protection of minimum stream flow levels in the Snake River, development of 1.2 million acres of new irrigated farmland, consideration of the public interest in water use conflicts, and an end to the recognition of preferred



LAND USE AND WATER PLANNING are two key issues being considered by the Idaho legislature. Conservative legislators hope to weaken or repeal the state land use law, which calls on localities to plan and protect agricultural land. A state water plan will also be considered. Photo of agricultural land and the Teton River with the Teton Range in the background.

water uses. Presently, domestic and irrigation water uses have precedence over other uses.

Andrus, in his state of the state message, called for passage of the 19 legislative proposals needed to implement the water plan. He singled out minimum stream flow legislation as a top priority. Public opinion

polls indicate that 80% of Idahoans favor some sort of minimum stream flows, according to Water Board Chairman John Streiff. Nevertheless, the legislature has consistently rejected all previous attempts by Andrus to pass a minimum flow law and is expected to do so again.

### ENERGY PACKAGE

In his state of the state message Andrus called for new energy legislation to solve "the single biggest problem" facing Idaho, the nation, and the world.

Andrus called for laws to regulate energy facility siting, encourage development of renewable energy systems, record home energy use and insulation levels, and set up energy districts.

Andrus' siting proposal calls for lead time to study alternative sites, funding to

allow the state to examine the proposals, energy supply and demand planning, and public input.

Andrus asked for passage of tax incentives to encourage development of alternative energy sources and local energy systems. The last legislature provided tax credits for home owners to improve home insulation and install alternative energy devices.

Andrus' energy district legislation would make it possible for communities to form districts to develop energy for local use. It is expected to help with development of geothermal energy in the city of Boise. Andrus hopes it will be used for "solar, geothermal, hydro, or other kinds" of energy development.

The energy districts would be organized like sewer districts are now and would enable communities to respond to opportunities for local energy development, rather than relying on major power companies.

To encourage energy conservation Andrus has proposed requiring that the prospective purchaser of a home be provided with the record of energy used in that home and the amount of insulation. For new homes, Andrus' bill calls for certification of designed heat load and amount of insulation. The bill would inform consumers of the existing insulation but would not set insulation standards.

Jeff Fereday, Idaho Conservation League (ICL) executive director, told the Statesman that Andrus' proposals were "moderate" . . . "but I think the makeup of the legislature this year gave him reason for his moderation."

ICL will be following legislation and lobbying in the legislature. To get involved in ICL's legislative work contact the group at Box 844, Boise, Idaho 83701.



### Regional Legislative Roundup



## Wyoming environmentalists want more Governor proposes 1½% tax increase

Wyoming is considering a severance tax which will only succeed in encouraging the rush for the state's resources, according to environmental lobbyists. At the same time, the legislature is hesitating to fund the additional staff positions for enforcing state reclamation requirements. Without these positions, Wyoming will be in serious trouble trying to comply with its agreement with the federal government to enforce stringent reclamation requirements on federal as well as state land, according to Bob Sundin of the Wyoming Department of Environmental Quality (DEQ).

The only severance tax bill being given serious consideration by the House revenue committee would raise the tax by only one and a half per cent, the level requested by Wyoming Gov. Ed Herschler. This would make Wyoming's total tax on coal, including impact taxes and ad valorem taxes, 12½%.

Members of the Powder River Basin Resource Council and the Wyoming Outdoor

Council want a 12% raise because of neighboring states' tax levels. Since Montana's tax is now 30% and North Dakota is likely to pass a 33% tax this session, coal companies will be forced into Wyoming, according to the two groups. Herschler is also said to want a higher tax, but he settled for less because he expects trouble working with the largely Republican body, according to some observers.

Another bill related to strip mining would revise the landowner consent provision of the state's regulations. Presently only landowners who owned land before 1970 can veto strip mining of federal coal beneath their land. Legal experts say this might be ruled discriminatory.

The Wyoming Outdoor Council (WOC) is pushing for a bill to create a scenic river system for the state. Because many opponents of the bill (HB 42) say it would constitute a taking of land, supporters want the bill to include only sections of river now surrounded by public land. Mining, tim-

bering, or grazing could continue if they were harmonious with scenic river purposes. No dams or stream alteration would be allowed.

WOC is also supporting bills for minimum stream flows and open space easements. To reach the council, write Box 1186, Cheyenne, Wyo. 82001 or call (307) 635-3416.

WOC and the Powder River Basin Resource Council (PRBRC) are working for a state export policy, protection for agricultural water, and changes in the state industrial siting law. To reach PRBRC, write 514 W. 21, Cheyenne, Wyo. 82001 or call (307) 635-1721. Both organizations have newsletters and phone chains to relay legislative messages across the state, and anyone interested in participating should contact the groups.

Residents of Wyoming can get free information on the status of bills by calling the Wyoming Information Referral Service, (800) 442-2744.





In what they called a "litmus test" of the new directions promised by the Carter Administration, environmental and public interest groups in the Northwest have asked Carter and Interior Secretary Cecil Andrus to dismiss the head of the Bonneville Power Administration. "No position in your department, nor in the Administration as a whole, here in the Northwest, is of higher priority and concern to the conservation community," the groups said in their Jan. 7 letter to Andrus. "BPA and its leadership will play a pivotal role in fundamental energy decisions affecting our lives and environment for years to come." The groups charged that the present head of BPA, Donald P. Hodel, is too closely aligned with aluminum and utility interests. They demanded more "public-spirited" and "conservation-minded" leadership. More than 100 groups in Montana, Idaho, Oregon, and Washington backed the letter. Among them were: Idaho Environmental Council, Idaho Conservation League, the Center for the Public Interest, (Bozeman, Mont.), Northern Plains Resource Council, Citizens for Alternatives to Pioneer, Northern Rockies Action Group, the Environmental Information Center, and the Northern Rockies Chapter of the Sierra Club.

14-High Country News—Jan. 28, 1977



HCN

## Bulletin Board



## WGREPO MEETING

A Western Governors Regional Energy Policy Office (WGREPO) meeting will be held in Denver at the WGREPO offices Feb. 10-11 beginning at 9 a.m. The alternates for the governors of the 10 member states are slated to discuss upcoming federal energy actions and dissolving WGREPO. Another regional organization with broader interests is to be formed. For information and the location of the meeting contact Ray Davidson at the WGREPO office, 4730 Oakland St., Denver, Colo. 80239, telephone (303) 371-4280.

## ROCKY MOUNTAIN SEMINARS

Registration is open for Rocky Mountain National Park's summer seminars. The six-day seminars emphasize field studies on various aspects of the Rocky Mountain environment. University credit is offered through Colorado State University and the University of Northern Colorado. For more information write: Seminar Coordinator, Rocky Mountain Nature Association, Inc., Rocky Mountain National Park, Estes Park, Colo. 80517.

## WHO'S WHO?

The December 1976 issue of *Sun-Times* contains an alternative energy "action map," which pinpoints people and projects in renewable energy in Montana. Names and addresses of people to contact about projects are included. *Sun-Times* is the monthly publication of the Alternative Energy Resources Organization (AERO), 435 Stapleton Bldg., Billings, Mont. 59101.

## GRANTS FOR CONFERENCES

The National Science Foundation has funds available "to assist nationally recognized professional societies and groups serving important public purposes in conducting a limited number of forums, conferences, and workshops to increase public understanding of science and technology, and of their impact on public policy issues." The deadline for five-page preliminary proposals is Feb. 15. Preliminary proposals should be sent to Science for Citizens Program, Office of Science and Society, National Science Foundation, Washington, D.C. 20550.

## WYOMING COAL POLICY

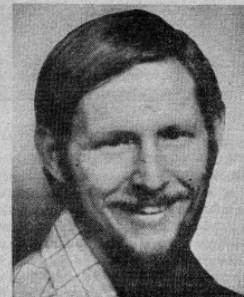
In response to new national coal leasing policy, the Casper, Wyo., office of the U.S. Bureau of Land Management is updating its land use plan for Campbell and Converse counties. The bureau is trying to determine how much coal in this area should be proposed for leasing in the next six years. About 54% of the known economic coal reserves in Wyoming are located in these two counties, according to BLM. Public meetings will be Feb. 1 in Gillette at 7 p.m. in the Campbell County Recreation Center and Feb. 2 in Douglas at 7 p.m. in the St. James Parish Hall.

## COLLECTOR PRODUCTION

Production of solar collectors has more than doubled in one year, according to a recent survey of solar collector manufacturers by the Federal Energy Administration. Since FEA initiated its solar collector survey in 1974, there has been a cumulative production of 1.56 million square feet of collectors, which could be saving the energy equivalent of up to 480 barrels of oil per day. Copies of the survey, "Solar Collector Manufacturing Activity, January through June 1976," are available at \$3.50 per copy. Write: National Technical Information Service, U.S. Dept. of Commerce, 5285 Port Royal Blvd., Springfield, Va. 22161. Order number 258865.

## UNION PASS PLAN

Public meetings will be held in Wyoming on the proposed land use plan for the Union Pass planning unit of the Bridger-Teton National Forest. The unit is north and west of the Green River about 25 miles northwest of Pinedale. The Forest Service proposal calls for an annual average timber harvest of between 1.5 and 2 million board feet. The plan also suggests creating a direct route between Dubois and Pinedale by upgrading the existing Union Pass-Green River jeep road. The plan will be discussed at meetings Feb. 10 in Jackson, Feb. 15 in Pinedale, and Feb. 16 in Dubois. The deadline for written comments on the plan is March 21.



DICK CARTER is opening a Wilderness Society office in Salt Lake City, Utah.

## UTAH WILDERNESS SOCIETY

Dick Carter has set up a new Utah office for the Wilderness Society. Carter says he plans to concentrate on the estimated seven to eight millions acres of public land in Utah that may qualify for wilderness protection. Energy development poses a threat to some of these areas, Carter says. He is particularly concerned about the proposed Intermountain Power Plant, located in the heart of the Waterpocket Fold near Capitol Reef National Park. The office is at 8 East Broadway, 610 Judge Building, Salt Lake City, Utah 84111, telephone (801) 359-1337.

## SAN LUIS VALLEY GRAZING

The second of the U.S. Bureau of Land Management's draft environmental impact statements on grazing management is complete and ready for inspection. (The controversial Challis, Idaho, statement was the first.) The statement deals with grazing on 516,371 acres of public lands in the San Luis Valley in southern Colorado. It is the second of 214 statements required by a court ruling in favor of the Natural Resources Defense Council, which said that site-specific grazing plans have a significant effect on the environment. A public hearing on the draft statement will be Feb. 23 in the Alamosa County Courthouse in Alamosa, Colo.

A copy of the statement can be obtained from the Colorado office of BLM, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colo. 80202, telephone (303) 837-4325.

## Eavesdropper

environmental news from around the world

## LOONEY LIMERICKS

by Zane E. Cology

The smoke that blackens our skies  
And scratches our throats and our eyes  
Bad odors expels.  
But to some, it smells  
Like money, in a disguise.

**QUALITY DOWN AGAIN.** For the seventh consecutive year, the overall quality of the national environment declined during 1976, according to the National Wildlife Federation. The federation's environmental quality index totaled 347 points out of a possible 700. The total was three points below last year's level.

**CARTER APPOINTS MINK.** Former U.S. Rep. Patsy Mink (D-Hawaii) has been appointed by President Jimmy Carter to serve as Assistant Secretary of State for Oceans, International Environment, and Scientific Affairs. While in the House, Mink was a staunch supporter of environmental quality, according to the League of Conservation Voters.

**FORD DOWNGRADED EPA.** Russell E. Train, the recently departed administrator of the U.S. Environmental Protection Agency, says his agency couldn't adequately protect the nation's land, air, and water because of a lack of support from the Ford Administration. In an interview with the *Denver Post* and *New York Times*, Train said President Gerald Ford had given a lower priority to environmental concerns than to economic growth and the development of energy sources.

**WOLF STUDY DEFENDS WOLVES.** The Eastern Timber Wolf Recovery Team, a group of professional state and federal biologists appointed by the Department of Interior, has disputed a recent computer study which says wolves will deplete the

deer herd in northern Minnesota. The team agrees that some wolves must be killed, keeping the population to about the 1975-76 level in the accessible part of the Minnesota wolf range. The computer study was publicized by the U.S. Fish and Wildlife Service. It predicted decimation of the deer by the mid-1980s. However, biologists on the recovery team said the study used inaccurate data, did not take into account all aspects of predator-prey systems, and that its predictions become increasingly less probable the farther into the future they go, according to *Water, Woods & Wildlife*.



## Classifieds

**HELP WANTED.** The Idaho Conservation League, a citizens' environmental group, is accepting applicants for a full-time executive director. Skills and knowledge required: political process, general resource-conservation issues, grass roots organizing, speaking, writing, lobbying, administration, fund raising. Job begins April 11. Send resume with references and samples of writing to ICL, Box 844, Boise, Idaho 83701. (208) 345-6933. Please communicate by February 14th.

**FOR SALE:** Three bedroom house in Sunset Addition, Lander. Full basement. One and 1/2 baths. Close to grade school. For appointment call (307) 332-2505 or write 945 N. Lane, Lander, Wyo. 82520.

**NEW MEXICO NATIVE HERBS.** Catalog, 25 cents. Lonely Mountain Herb Co., Box 23A, Radium Springs, N.M. 88054.



Utah — Actual size, 10 1/2 in. x 13 1/2 in., 192 pages, 12,000 words of text, 178 illustrations in full color.

\$25.00

## UTAH

Photography by David Muench  
Text by Hartt Wixom.

The Mormon pioneers of 1847, who called Utah the Promised Land, would have found a fitting testament in this beautiful book. David Muench explores the vastness of this remote and rugged land, pictures the fragile beauty of alpine life, the vistas of mountains, canyons, and deserts. Muench's camera and Wixom's pen record the incredible human achievements exemplified in Mormon temples and the Tabernacle and the communities carved from the wilderness.

Charles Belding and his Graphic Arts Center Publishing Company of Portland, Ore. have generously allowed High Country News to have all the retail profits from the sales of the book described here.

Order from HCN, Box K, Lander, Wyo. 82520



Jan. 28, 1977, High Country News-15

# Congress gives BLM legal clout, responsibility

The U.S. Bureau of Land Management has been operating under the direction of some 3,000 tangled laws which apply to the public domain. The Federal Land Policy and Management Act of 1976, passed by Congress at the end of last session, is meant to free the agency from that legislative tangle and help it do a better job as custodian of 60% of the nation's public lands.

The new law replaces many of the old laws. It also makes it clear that Congress expects the agency to retain its 451 million acres for public use. Provisions in the 1934 Taylor Grazing Act directed the bureau to do just the opposite — to guard public lands "pending ultimate disposal."

Back in those days, it looked as if nobody would really ever want most of the acreage managed by the bureau. Today, the agency is in the midst of conflicting demands made by the mining, timber, and agricultural industries, and by recreationists, conservationists, and other people.

The new law is so comprehensive it will affect the activities of all these groups. It may take as long as five years to translate every section of the law into agency regulations and direct action, however, bureau officials say.

With so many changes ahead, the bureau's priorities will be partly set by deadlines Congress included in the bill. An assessment of the wilderness potential of all roadless areas managed by the bureau must be complete in 15 years. During the same period, the bureau must review all lands formally protected from mineral activity, unless they are part of wilderness, primitive, natural, or national recreation area classification.

The law also calls for comprehensive land use planning on public lands (a project on which the bureau was spending about 20% of its budget, before the implementation of the act).

One provision of great importance to BLM grants the agency power to enforce public land laws and regulations. Previously, BLM had to call in local law enforcement officials to make an arrest on BLM lands. The process was so awkward, many laws just weren't enforced, BLM employees admit.

While making major demands, the bill doesn't do much to assure increased funding to accomplish the legislated goals, cri-

tics point out. In the land use planning section, projects are scheduled to be completed "as funds and manpower are made available."

BLM officials are hopeful, however. "We think further appropriations will come naturally," Pat Korp of the Cheyenne, Wyo., BLM office told HCN.

The act sets one deadline for mineral interests. Within three years of the act all mineral claims on BLM lands must be recorded at BLM offices. If a claim isn't registered, it will be considered abandoned. This provision was aimed at improving the bureau's records on mining and at eliminating inactive claims.

One controversial decision — how much to raise grazing fees on public lands — was postponed by Congress. The act requires BLM to present a study of the issue to Congress by Oct. 21, 1977.

Livestock interests were pleased by two provisions in the bill. First Congress now

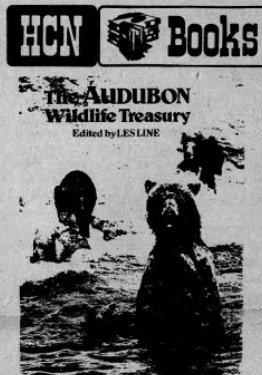
allows 10-year grazing leases and permits on federal lands. Last year, only one-year permits had been allowed. Second, the new law provides for re-establishment of the grazing advisory boards. The grazing boards had been abolished two years ago with the establishment of multiple use advisory boards, which included a broader representation of public land users. Grazing boards, which will operate in addition to the multiple use boards, may now be established at the request of livestock operators. Their power to advise the BLM will be limited to grazing plans and range improvement funds.

Western governments pushed for passage of the act, because, for one thing, it will mean more money in their coffers. The bill increases the state share of mineral revenues on public lands from 37% to 50%. States make their own decision about how the money is to be used, "giving

priorities to those subdivisions (cities, towns, and counties) socially or economically impacted" by mineral development. The act also authorizes the Interior Department to make loans to impacted areas. The three per cent interest loans may be as large as the expected mineral revenues in a state over a 10-year period.

The act does away with the Homestead Act and has raised questions about the legality of disposal of public lands through the Desert Land Entry Act. Disposal of land is still allowed, but the bureau is now required to show "the proposed disposal of BLM land is clearly in the public interest," BLM's Idaho Director, Bill Mathews, says.

Mathews thinks the new law could have a significant effect on Owyhee County, Idaho, where over 800,000 acres of Carey Act and Desert Land Entry projects are proposed. The proposals involve irrigating federal lands and creating private farms.



Les Line, ed., J.B. Lippincott Company, Philadelphia, 1976. \$15.95, hard cover, 191 pages. Drawings by Chuck Ripper and two portfolios of photographs.

Review by Peter Wild

There are two basic ways of looking at a collection of this sort. First, you're a young and able editor, as is Les Line, of a lavish environmental magazine, as is Audubon. It's time to add yet another volume to the several you've edited, to keep your stock up, so to speak — and maybe turn a few coins. You dip into back issues for articles on animals by Loren Eiseley, Joseph Wood Krutch, and Peter Matthiessen — names that are sure to ring bells with even casual bookstore browsers. The calculating designer suggests a cover of frolicking bear cubs bannering by the Audubon name, a name that, again, has instant public recognition. Voila! Without much fuss or expense you're on the top of the heap in the battle of the coffee-table books.

That's one way of looking at it, the way a publisher or a salesman is likely to see things — and someone is bound to bring up the point in a discussion of the slick, oversized tomes rolling off the presses and into America's living rooms. Yet, what astonishes is the continuing high quality of many coffee-table editions. And that's the second way of looking at it: the Audubon Wildlife Treasury as an example of the carefully wrought achievement possible in the format.

So why should a person pay \$15.95 for a

book, when he can dig out the articles himself from dog-eared issues stored in the attic? In the first place, he's not likely to take the trouble. In the second, Les Line has chosen the 20 selections wisely. As an avid Audubon reader, I had at least skimmed the pieces when they originally appeared. However, when released from the ads, the glossy paper, and the innate transitoriness of magazine publication and placed between two solid covers, their power came to the fore — a sure sign of enduring work, as well as, perhaps, of the influence of format on a reader.

The varied pace of the Treasury offers deep pleasure. Line starts off on a whimsical note with "Unnatural History," a good backdrop for what follows. Here Joseph Wood Krutch explores animal mythology through twists and turns from Greek times to the present. Only a virgin can trap a unicorn, as most people know, but Krutch digs further into the legend to find the ancients' proof of the wily beast's existence. Not satisfied to present tantalizing tidbits dredged from the past, he explains their contexts, along with the functions of mythology in classical, medieval, and renaissance times — an enriching excursion.

Corey Ford follows Krutch with a different kind of adventure by telling why the Steller's jay is named after a deserving but star-crossed naturalist. In the 18th century, Vitus Bering spent 10 years preparing his ship, "St. Peter," for a Russian expedition to America. The young botanist

Georg Wilhelm Steller went along for the discovery, but by the time the ship touched Alaska the captain was broken in health and frightened of the coming winter storms. The depressed Bering, "... merely shrugged at the sight of the New World," while Steller ran madly about collecting specimens in the 10 hours allotted him before the "St. Peter" weighed anchor for home.

In contrast, other writers concentrate on individual species, the bobcat, coyote, marten, crow. With a daring bit of anthropomorphism, Jack Schaefer, the author of *Shane*, interviews a shrew — a literary pirouette on a high wire that would end in disaster if attempted by a lesser artist. Loren Eiseley, like a bear with dyspepsia, is his typically morose and metaphysical self in "Coming of the Giant Wasps."

In "Requiem for a Wild Boar" Louis Halle recalls living on the shore of Lake Geneva. Night after night he waits for a specter from the Middle Ages: "... a black silhouette emerged from the reeds and moved rapidly on a diagonal course, across and up the lawn, until it became confused with the spotted shadows of the trees on the other side. Here it remained, a shadow darker than the rest, constantly changing shape." The memory develops into the most hypnotic — and heartbreaking — piece in what is a true treasury of contemporary writing.

What do these three places have in common?

Calgary, Alberta  
Texas  
Salt Lake City, Utah

All three places have HCN in common, that's what. Reader sponsored HCN ads have been (or are to be) printed in publications in the three locations.

Jack Pugh of Green River, Wyo., ran an HCN classified in the Texas Observer, a state-wide newspaper. (Texas is Jack's home state.)

Bridgerland Audubon Society of Logan, Utah, purchased the HCN ad that ran in the Salt Lake City paper that HCN mentioned in the Dec. 31st issue.

And finally, the HCN ad campaign goes international. Dick Pharis, of the Calgary-based Alberta Wilderness Association, will place an HCN ad in the association's newsletter.

Thank you, both organizations and individuals, for the "leg-up" you are giving HCN in helping mount the enormous task of introducing the paper to new readers.

In the May 7, 1976, issue HCN printed some sample ads and asked that our readers publish one of them in their local paper. Thirteen states have responded with ads placed in over 30 publications. If you would care to join the campaign write HCN at Box K, Lander, Wyo. 82520 for sample ads. Or use one of the HCN subscriber ads printed in each issue. If you do sponsor an ad, let HCN know so you receive proper credit.

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16-High Country News — Jan. 28, 1977

## Northern Cheyenne chairman Allen Rowland looking for trouble

by Marjane Ambler

The image of the Northern Cheyenne tribe, especially to Montana Power Co., Peabody Coal Co., and the Federal Energy Administration (FEA), is of a tough people — resilient, uncompromising, and perhaps impractical and insolent.

Much of this image is personified by the tribal chairman, Allen Rowland. A Denver newspaper described him at a recent encounter with FEA as "the Indians' equivalent of John Wayne," a rather unlikely choice for comparisons but in many ways appropriate. Rowland's presence is imposing, especially so as he leans into his crutches, which he has used for years due to diabetes. Although not especially tall, he seems large. His eyes are steady, the kind that could stare down most opponents in movie screen epics.

These qualities, added to his record as tribal chairman for the last eight years, helped push him to an easy re-election last fall when he received 429 votes and his closest opponent 172.

According to Rowland, coal was the key issue of the campaign. Two of his opponents were members of the "Rosebud Society," a group of tribal members promoting immediate coal development on their reservation in Montana.

While Rowland did almost no campaigning, the Northern Cheyenne know well that he is not eager to rush into developing the vast coal reserves which underlie the reservation. They also know that if the majority of the tribe began clamoring for immediate development, he would bend to their wishes. Rowland emphasizes often that the decision on coal development will be left to the tribal members who will be asked to vote in a referendum sometime this year.

Rowland and the tribe first raised the ire of the coal companies and of the U.S. government in 1973 when the tribe discovered violations of federal law in the contracts which the Bureau of Indian Affairs (BIA) had approved between the tribe and the coal companies. The tribe declared all the contracts void. The Interior Department reluctantly recognized the violations and offered to help the tribe sue the coal companies.

"Why should we want to sue the coal companies?" Rowland asked Interior. "The coal companies never did anything to us. You're the ones who should be taken to



**ALLEN ROWLAND:** "The government has never admitted it made any mistakes — not since 1776."

court." Interior accepted the tribe's action voiding the contracts; no suit was ever filed; and there is still no mining on the reservation. "It's kind of an odd thing," Rowland says. "The coal companies haven't called me since 1973. They always call the BIA superintendent."

If there is ever going to be coal development on the reservation, Rowland says the tribe needs more information. The tribe is now conducting extensive research through the Northern Cheyenne Research Project.

In addition to its research work, the Northern Cheyenne are sending tribal members on tours to the Southwest to talk with Navajo and Hopi Indians, who are living with both coal mining and one of the nation's largest coal-fired power plants. Rowland believes strongly that tribes can learn much from each other about how to manage their resources. In 1974, he was instrumental in forming the Northern Plains Federation of Natural Resource Tribes and served as ad hoc chairman for eight months.

### SURPRISING CLOUD — MAYBE

To their surprise, the Northern Cheyenne are finding they may have an effect on the Colstrip power plant 20 miles north of their reservation. In a defiant move last summer, the tribe decided that it wanted clean air over its home — regardless of plans by others outside the reservation for intensive coal development. Their

plan: to seek Class I designation under the Clean Air Act (See separate story this issue.)

While the Northern Cheyenne and Rowland have worked with environmentalists fighting Colstrip throughout the state's deliberations, Rowland can be as brash with environmentalists as he is with anyone else if he thinks his tribe's welfare is at stake. At a meeting held in Billings, Mont., in 1975 which was designed to find common ground amongst Indians, ranchers, and environmentalists, Rowland apparently became impatient after hours of watching everyone gingerly avoiding subjects which might lead to a confrontation.

Surrounded by ranchers and environmentalists, he stood up and asked the others to prove their support by backing his tribe's quest to get Congress to turn over the 550,000 acre Custer National Forest to them. A few environmentalists, still trying to keep peace, tentatively said they might prefer Indian management to the Forest Service's inadequate efforts. However, the ranchers in the room were outraged. They depend upon the Forest Service land for grazing privileges, without which their ranches would be practically worthless.

If the Northern Cheyenne tribe decides in its referendum this year to proceed with coal development, Rowland says the tribe will insist on full authority. "We want our guys to have all the top jobs, such as president and executive director." He also wants \$10 for every ton mined. (Under the voided contracts, they were to get 17 cents a ton in royalties.) Rowland admits that it isn't too likely that coal companies would agree to that. However, because of the extent of the tribe's coal, it has bargaining power.

"There aren't the yes men on the council that there were eight years ago," Rowland says, referring to the period when the coal contracts were signed by the tribe and BIA. "At that time, most of the tribal council members spoke Cheyenne and the interpreter didn't explain to them well what was happening," Rowland says.

Realizing that BIA errors were responsible for the problems with the leases, Rowland says the government was afraid that the coal companies would sue the government for the millions that they say they lost. "I told them I could care less who sues the U.S. government. That's the least of my worries. . . . The government has never ad-

mitted it made any mistakes — not since 1776. They never even admitted Vietnam was wrong," he says. Three Northern Cheyenne boys were lost in Vietnam.

Rowland has served in the Army, earning both a Bronze Star and a Purple Heart. He now proudly displays an American flag on his desk. Recently the flag has been hanging upside down, which startles many visitors who know that as a symbol of the American Indian Movement (AIM). Rowland knows that, too. He explains that his young son was playing with the flag recently and left it that way. While he doesn't brag of allegiance to AIM, Rowland recognizes the aptitude of the organization's symbol for the Indians' plight — a sign of distress on the high seas.

### CALL IN ANDERSON

Testifying at an FEA hearing recently, Rowland called for an investigation of BIA energy policies. To goad the government representatives into action, he threatened to call in Jack Anderson to investigate the situation if they didn't act immediately.

Although he regards the federal bureaucracy disdainfully, Rowland and other tribal leaders know they can't ignore it when they seek to solve a problem. They make frequent trips to Washington, D.C. — recently to meet with President Jimmy Carter's cousin, Hugh Carter, about Indian policy.

Carter seemed quite ignorant about Indian issues, Rowland says, "but he did a lot of writing." Rowland told him he believes a new Department of Indian Affairs should be created at the same level as the Department of Interior, rather than forcing Interior to try to be responsible for conflicting roles. Now it is supposed to serve as the trustee for Indian natural resources while also encouraging development of new energy supplies.

Interior Secretary Cecil Andrus says he would approve of a new, separate Indian Affairs department outside the Interior Department if Indians want one. He also promises "more visibility" for Indians if the Bureau of Indian Affairs stays under his wing, according to Gannett News Service.

Rowland and the Northern Cheyenne will be watching the new president carefully. And Carter can be sure that if they're not happy with his decisions, he'll soon hear from them.

## Dear Friends

We jokingly say that we've written and read so many boom town stories that the shape of one — something like an income tax form — is now in our heads. We just fill in the blanks labeled number of people divorced, depressed, and drunk — and we have a story pretty much like all the rest.

But we couldn't approach Wheatland's boom like that. The facts about this Wyoming town wouldn't allow it. Despite our mental ruts, Wheatland appeared to be a place determined to have a unique boom.

We don't want to steal the drama from Marjane Ambler's front page story. But we will suggest that you look at it if you're curious about what might happen in a place that "plans" a boom and gets industry to foot part of the bill.

Some practical articles are ahead in HCN.

We're busy with a piece on wood stoves as alternative energy sources, including photos of some of the old cast iron beauties in our area.

We also plan a followup on the solar energy companies that we covered for you last year. There are some new ones to add to the list and some old ones to cross off (already). But it will be primarily a report from consumers. We hope to interview people who bought systems and report their triumphs and traumas to you. (If you bought one and would like to share your experience, let us know.)

And very soon, we should also have a report on how the Clivus Multrum (an alternative toilet) is working for

consumers, according to a recent series of articles in Maine Times.

We tried something new in the way of promotional activities this month — a booth at the National Western Stock Show in Denver. The show was reportedly attended by some 250,000 people. Thanks to the efforts of Sally Forbes, Becky Ambler Strouse, Jessie Ambler, Carol Karlin, and Pat, Aimee, and August Dailer, we were able to look a few showgoers in the eye to see if they flinched at the sight of an environmental newspaper booth, and hand those who didn't a complimentary copy of HCN. We'll hope it pays off in new subscriptions from the agricultural community.

—the editors

## In The News

|                                                                 |    |
|-----------------------------------------------------------------|----|
| <b>Wheatland</b><br>planning for the boom.                      | 1  |
| <b>Clean air</b><br>N. Cheyenne protest.<br>Utah plan attacked. | 6  |
| <b>Huston Park</b><br>water, wilderness conflict.               | 7  |
| <b>Bobcats</b><br>mismanaged predators.                         | 8  |
| <b>Allen Rowland</b><br>the Indians' John Wayne.                | 16 |