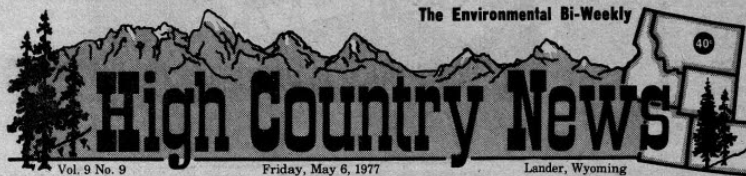
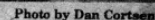


(continued on page 4)



What he said made a good deal of sense. Much of the West was a chaotic treasure house just broken open. Feuds were common, shootings not unusual, as men competed for resources. Viewing the clouds of
(continued on page 15)



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HCN
Letters

ENTERPRISING OFFER

Sen. Frank Church
 Chairman, Senate Energy
 Research Subcommittee
 United States Senate
 Washington, D.C. 20515

NEEDS INFORMATION

Dear HCN:

Our town is required to close its burning dump by July 1st. I am writing to gather information on the feasibility of a recycling-composting, or some kind of recycling-incinerator system, possibly with a small landfill. Our goal is to re-use as much of the material as possible and handle the rest in an environmentally sound disposal method. Because the quantities are small we are also looking for ways to use most of the materials locally. Any information you or your readers could send us on these topics would be much appreciated.

Our town, in the western mountains of Maine, has a population of about 1,000. It is estimated that the town produces 2.5 tons of garbage per day. We also have a sawmill in town which produces some wood waste.

Jim Chandler
 Box 11 R.D. No. 2
 West Paris, Maine 04289

LIFE-SAVING

Dear HCN:

It was the kind of day that the City of (Fallen) Angels is infamous for:

An oppressive layer of brown Made-In-Hollywood air choked the basin, blocking out the encircling mountains and, for that matter, the tall downtown buildings just a half-mile away. My head was hurting and my eyes were burning, yet my local weatherperson insisted it was only "light" smog.

And then I returned home to find waiting for me another God-sent copy of HCN, packed with life-saving information. (I mean that literally) with which I can clear my head and can remind myself that all is not lost.

Thank you for being my link with the High Country. And with Philip White.

Ira Rifkin
 Los Angeles, Calif.

NO REST ALLOWED

Dear HCN,

In reference to Guest Editorials — April 8, 1977 — Carolyn Johnson's comments are so true and so apt that I wish every environmentalist in the country could read and ponder them.

Straws in the wind? The Tenn-Tom dam project has just had its funds restored and there is a partial restoration of the most odious and perhaps potentially disastrous of all these projects — the Central Arizona boondoggle. Carter's not as tough as he seemed to be — obviously. But then how many wrote and supported him when he announced those cuts in funding?

No, we can't let down our guard — not one bit.

Here in California we all thought we would have pretty good environmental sailing under Gov. Jerry Brown. Not so. When the governor reaches the end of his four years in office it may be that we have only done slightly better than under Ronnie anti-environment Reagan. Yet Brown named a one time Sierra Club Vice President to his Natural Resources Dept. Trouble is, he has never backed her up!

And I'm sure that Carolyn Johnson does not need to be told about what happened to a certain governor of Colorado who was supposed to be an environmentalist!

So none of us can take a rest and "let Jimmy (or Jerry) or anyone else do it," because if we are not there cheering or cursing them on, they just won't do anything!

Again, thanks for a wonderful editorial — and a wonderful publication.

Ruth C. Douglas
 St. Helena, Calif.

Open letter to Sen. Church,

A recent newspaper report has come to my attention concerning the testimony of Occidental Petroleum's Armand Hammer. According to this report, Hammer said that his company could build a \$1-billion oil shale processing plant in Colorado capable of producing 200,000 barrels per day of oil, if only the government would give him the money.

I find this proposal very intriguing, and I would like to make a counter offer. If the government will give me the money, I will build the oil shale plant and do it for \$2.36 less than Hammer. Now, I must admit that I have no experience in the commercial production of oil shale, but then neither does Occidental nor anyone else.

Under these circumstances, Occidental and I seem to be starting out even. Consequently, if the government is going to make an investment of this size, I think the money would be better spent on a small businessman like myself, whose industry and independence have made America great. It seems to be that the encouragement of this spirit and enterprise should have some place in the committee's priorities.

Presently, I am a self-employed freelance writer based in Wyoming. Without the government's help, I would never be able to build a plant of this size. A businessman of my capital resources couldn't get the financing. But, with a government guarantee or subsidy, I don't anticipate any further problems in this area. In addition, I won't need as much as Hammer. You can put by all fears of the specter of \$1-billion gift of the taxpayers' money, for I will build the plant for a mere \$999,999.997.64.

I hope that you will consider my proposal. I would be available to come to Washington to testify on the matter, if you wish. At your expense, of course.

Dan Whipple
 Lander, Wyo.



EXPOSE YOUR GREENHOUSE CARTER'S ENERGY MESSAGE

Dear HCN,

We are now working to revise the **Flood and Heat Producing Solar Greenhouse** (see HCN 4-9-77) to include more examples of working solar greenhouses from all parts of the country. The field is growing so fast that it is impossible to cover everyone doing important work.

Here's an offer to your readers: Send me high quality black and white graphics and all hard data on your design before May 30. If you want, include a descriptive passage about the greenhouse. Sign and date a release so I can use your material in a future printing. I'll make no promises, but if the greenhouse is unique and well documented I'd like it in the book. What the contributor gets out of the lopsided bargain is exposure.

By the way, the revisions will be available for \$7.50 from John Muir Publications, P.O. Box 613, Santa Fe, N.M. 87501 after July 1st. (It's nice to work with a publisher who isn't into planned obsolescence of books.)

I was listening to people's reactions to President Carter's energy speech this morning. The hang-dog response of senators and citizens to the "tremendous sacrifices" Americans will have to make is



truly astounding. Imagine me being forced to drive a car that gets more than 18 miles to the gallon. Outrageous!

It seems that low energy living is suffering from a case of bad P.R. Those of us who own or operate solar systems aren't making enough noise. We aren't telling friends, neighbors and congressmen how economically attractive and how esthetically pleasing a lower energy profile can be.

I don't have to worry about increased vegetable prices for my own family very much because we grow 90% of our fresh food year round. If the price of tomatoes jumps 40% in January, we eat more tomatoes because it makes us feel rich. To paraphrase my solar engineering friend, Buck Rogers, "The only sensible way to use a non-depletable resource like the sun is extravagantly." We've all got to push that philosophy harder.

Bill Yanda
 Route 1 Box 107AA
 Santa Fe, N.M. 87501

COUNTERFEIT LIFE

Dear HCN,

Tom Lyon, in his letter to HCN of Feb. 25 (in defense of "the complexity of Edward Abbey's vision") is exhibiting the counterfeit life typical of our American citizen today. His use of "we" and his description of the "writers I like" indicate that his vision is falsified. This is the kind of mental blundering that dooms everyone concerned about quality and life to impotence and despair and to the need for more, ever more essayists like Ed Abbey. The writer's idea is not an action-based concept, with consciousness at its source; contemplation merely runs on, unheeded.

If we are serious about living, we must institute two changes, drastic changes:

1) All productive systems shall be operated by those who are working in them by means of democratic council, one voice, one vote; no hierarchy shall be recognized above us; coordinators between productive systems shall be delegates, revocable at any time.

2) The abandonment of cash flow as a means of human interaction; all exchange to be conducted by direct contact, or through elected delegates, revocable at any time.

Hierarchy and cash-flow are maintaining artificial separation between Tom Lyon and those who have assembled his two cars, ground the pulp for his paper, picked the oranges and papayas which he is eating — and promoted the power plants that are engulfing his state. In all cases the commodities coming off the line have no use value, but exchange value only; the only need satisfied is the hierarchies' — our submission to the process.

Only in direct democracy do ideas ring true and not bounce off canyon walls; only in these councils can we become "complex

enough, diverse enough, strange enough to be humanly true."

For a multi-minded, neither DOGmatic nor CATatonic, unhumoring vision, Tom, please address your correspondence below:

Steve Tabor
 3364-22nd St. Num. 7
 San Francisco, Calif. 94110

NATURE'S PRICE

Dear Editors,

History repeats itself; the burro population explosion in the Grand Canyon of Arizona is a prime example.

President Teddy Roosevelt set up the Grand Canyon National Park in 1906, which resulted in a game refuge for big and small game. The deer herd increased from about 4,000 head to about 25,000 to 100,000 head in the 1920s in the Kaibab Big Game Refuge. It was finally decided that the deer herd must be reduced, which resulted in a heavy kill of surplus deer by hunters and probably park personnel.

While I do not completely agree with the game managers' and biologists' theories on game management, this is one time that they should be listened to and their recommendations followed. The job of killing off most of these burros should start soon, before more damage is done which will endanger the big game animals, too, resulting in increased problems, and deteriorated game habitat in the park.

Facing the facts: what is the difference between killing a deer or a burro? Nature will exact its price sooner or later with starvation.

I will probably never visit the Grand Canyon Park again, but I would like to see it preserved for posterity.

LeRoy Seybers
 Spearfish, So. Dak.

HCN has

Lust in its Heart

That's right, High Country News does have lust in its heart for land, water and other natural resources. HCN has other lusts, too, like its compulsion to tell both sides of the energy story in the West. People problems and the social impact of too-much, too-soon catch HCN's eye, too.

If you have similar lusts perhaps you'd like to join us. Subscriptions are \$12 per year for twenty-five issues.

Send HCN to:

name.....
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 city.....
 state..... zip.....

Send to: HCN, Box K, Lander, Wyo. 82820
 Still not convinced? Ask for a sample copy.

May 6, 1977 — High Country News-3



Guest Editorials

HCN

Urban river has park potential

by Verne Huser

The Jordan River flows northward along the Wasatch Range in the valley of the Great Salt Lake. It is one of the finest urban rivers — potentially — in the West. True, it is badly polluted and seasonally dewatered; it is used as a sewer and garbage dump and trash heap, but it could be the center of the greatest urban park system in the Rockies.

Much of the land along the river remains undeveloped. Initially the area flooded periodically; more recently the effluent from 22 municipal sewer systems and 14 industrial plants polluted it so badly that nobody wanted to live anywhere near it.

But gradually the Jordan River is being cleaned up. One modern sewage plant's effluent up-grades the water quality of the Jordan River, and most of the industrial polluters have curtailed their discharges. Except where it is illegally fenced, the Jordan is a fine canoeing stream. It flows out of Utah Lake through a bucolic scene beneath historic bridges. It flows through the broad valley within sight of Mt. Timpanogos and Lone Peak. It flows through the outskirts of numerous towns and of Salt Lake City itself — past several parks and a few golf courses.

There are beaver on every mile of the Jordan River I have floated, and muskrats abound. It can be a birdwatcher's paradise in spring. The species I have seen include golden eagles, great blue herons, chickadees, mallard ducks, avocets, Wilson's snipes, mountain bluebirds, and great horned owls.

People in the Wasatch Front seemed excited a few years ago when the Jordan

River Parkway Concept was developed. Salt Lake County and the State of Utah appropriated money to match federal funds for purchasing land along the Jordan River for the development of a linear urban park. People upstream in Utah County got the idea, too, and put enough pressure on the state legislature to create the Provo-Jordan River Parkway Authority. Plans were made and the concept was humming; much of the land on the lower Jordan was purchased.

Now the money has, for the most part, been spent, and much of the land has not been acquired. Funds are drying up at the local level, and federal matching funds may go begging.

The feeling of a great many people is that the concept cannot die. But for lack of funding, it is certainly going dormant.

To find out more information or express your support for the project contact Terry Green, director of the Provo-Jordan River Parkway, state capital, Salt Lake City, Utah, telephone (801) 533-6068.

Imagine a series of mini-parks running the length of the Jordan River with bicycle paths and horse trails and hiking routes leading to the surrounding mountains and joining city-wide bike routes. Imagine a continuous canoe route for 50 miles along the Wasatch Front accessible to half-a-million people. Think of the gasoline saved if people learned to use such a linear park instead of driving to the mountains. Imagine a swimmable Jordan River that could also support a trout population — people catch catfish and carp in it today. Imagine playgrounds and outdoor theaters and ski touring and sledding and tubing. Imagine!



POTENTIAL. The Jordan River, which flows through Salt Lake City, could be the center of the greatest urban park system in the Rockies. For lack of funding, plans to make it that have gone dormant, however.

Why Idaho environmentalists care about utility rate increases

by Gary Richardson
Eastern Idaho Field Rep.
Idaho Conservation League

The real issue behind the Utah Power and Light Company's (UP&L's) request for a 29% rate hike is GROWTH. Who is going to control the development of southeast Idaho, and who is going to pay for it?

The people of Idaho have expressed themselves as overwhelmingly opposed to the rapid development of their state. For example, the "Idaho's Tomorrow" survey conducted by former Gov. Cecil Andrus showed that 75% of the people of the state want to see less than a million people here by the end of the century. Current projections show that we will pass the million mark sometime in 1984.

This is just one among many possible examples of the tremendous gap between what Idahoans want and the actual direction their state is being taken in. How have we lost control of our state, and how can we get it back?

UP&L has come before the Idaho Public Utilities Commission (PUC) requesting a 29% rate increase. This is one of a series of rate hikes beginning in January 1975 and averaging about 20% per year. According to James C. Taylor, vice president and commercial manager of UP&L, we can expect these increases to continue into the indefinite future.

Eighty per cent of the current rate increase request is earmarked for building new generating and carrying facilities. In other words, the company is asking the PUC to let them change their customers for company expansion.

Of course UP&L argues that the growth and development of their service area is inevitable. The utilities portray themselves as our humble servants, standing by to meet our needs even before they arise.

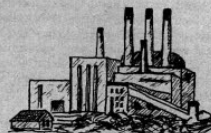
Blather! The projections the utilities give us about our future energy needs are self-fulfilling prophecies. If the majority of people in southeast Idaho decide they do not like the picture of the area's future painted by the power companies, it does not have to happen.

If we decide not to build new power plants, new industry and its accompanying labor force will not be encouraged to move into the area. The rate of growth and development will be slowed down. Conservation of energy we are now wasting (about 50%) and development of alternative energy sources will allow the kind of gradual, "clean" growth the people of Idaho say they want — the kind they can afford

without a radical change in their lifestyles.

Those who control the energy policy of southeastern Idaho also control the direction of the area's future development. The people of the area have got to decide who will handle those controls — we who live here or a utility-industrial complex directed by Eastern investors.

The utility is saying it cannot attract new investors to support its expansion unless the current ratepayers are required to



guarantee those investments. Unwittingly, perhaps, the power company has given people a chance to say NO to the company's plans for the urbanization and industrialization of Idaho.

The Public Utilities Commission is the only handle the people have on the situation. People are realizing that it is their PUC, not the utility's. For the first time, people by the thousands are petitioning the PUC to slow the power companies down.

The rate hike is visible, pocketbook evidence of the economic costs all of us must bear for too rapid growth. People are also realizing that the social and environmental costs, while perhaps more subtle, are even heavier burdens we must share — in the form of overcrowded schools and highways, dirty air, etc.

Soon the utilities will be asking for permission to build two 400-500 megawatt, coal-fired power plants in southeast Idaho. The projected costs of these plants are part of the reason for the current rate request. When the company applies for those permits, people will have another opportunity to let the PUC know how they want the development of Idaho to proceed.

(Editors' note: The Idaho Conservation League is a citizen-based organization supported by members throughout the state dedicated to "Help Keep Idaho IDAHO." ICL is intervening in the UP&L rate increase request and is asking that the PUC consider alternatives to a rate hike, such as a program to conserve the energy we are presently wasting and a change from a rate structure that encourages consumption.)



Editorial

HCN

Colorado needs federal help

While it may have been more fashionable in the West to have been muttering "creeping socialism," we were applauding early this week when the House swiftly passed the federal strip mine bill.

We realize that some states in the Northern Rockies have shown pride, initiative, and good judgment about strip mining regulations. They have done the best they can to protect themselves.

But, on the other hand, we see that some states indisputably need the federal government. Take Colorado, for instance. Its senate seems ready to bend over backwards for the mining industry. As a result, the legislature is spending a long time trying to come up with legislation so weak that the feds, thank goodness, will be forced to ignore it. It's that bad.

Colorado's existing Mined Land Reclamation Act isn't as tough as the federal bill. It will probably be automatically superseded by federal law when the federal bill passes.

Nevertheless, the Colorado Senate passed SB 463 to further weaken it. SB 463 would have reduced the time a company is responsible for reclamation from the present limit of five years to two years. In effect the Colorado bill would have allowed companies to scatter some seeds and, if nothing happened in two years, simply walk away from the mess. The federal bill requires company vigilance for 10 years.

The bill would have also declared an 18-month blanket amnesty from the time of passage of the bill for illegal mining operations in the state. That means that some operators who have been in violation of the law since 1973 would have had until late 1978 to submit a permit application.

Even the mining industry said it could live with existing Colorado law, according to the Rocky Mountain News. But

strange as it may seem, the Colorado Senate felt compelled to make it even weaker.

Fortunately, the Colorado House voted down the measure this week. It is expected to rise again as an amendment to another bill, however.

This incident reminds us that while state legislatures may be closer to the people than the federal government is, they also seem to be closer to some special interest groups. Being human, they sometimes give in to the latter.

In this case we say thank goodness the federal government is stepping in to save us from weak wills in the Colorado legislature. Other states can use some help, too. So we hope the U.S. Senate will act swiftly to make the federal strip mining bill into law.

—JN



High Country News-3

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Box K, Lander, Wyoming 82520

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IPP plant . . .

(continued from page 1)

the future of Wayne County farmers. "Those people really work together. They have a wonderful irrigation system — just sprinklers — and they don't waste a drop. With IPP and the reservoir, everything would be changed."

AIR QUESTIONS

The IPP Board in April 1976 passed a resolution which stated in part that "IPP is an economically and environmentally sound project, having selected a site such that prevailing winds would direct any emissions away from scenic and recreational areas."

Utah conservationists aren't reassured by that statement. If it is true, they believe it means that most pollution will be blown away from Capitol Reef and towards such scenic and recreational areas as the San Rafael Swell, Goblin Valley, the Henry Mountains, and Arches and Canyonlands National Parks.

Project participants expect 90% sulfur dioxide removal and 99.75% particulate removal, using "best practicable control technology" and supplementary control systems.

"Two years ago, you didn't have to put on

"We fear fiscal, social, and environmental impacts we cannot, of ourselves, face."

—South Eastern Utah Economic Development District

90% scrubbers and 99.8% precipitators," Fackrell says. "But we decided to go with what we thought would be best available. We've honestly tried to do what's right and reasonable and fair. But how do you convince people you're trying to do something different when they've seen so much bad?"

Fackrell claims there would be less deterioration from IPP than from the smaller Navajo plant near Page, Ariz. "Even though we'll have four units, we're only using two stacks, so there will be better plume rise and dispersion. There would be few days when you'd be able to see anything at all."

Environmentalists are concerned about air quality in Capitol Reef National Park. Hank Hassell says that "You can't maintain a Class I airshed in Capitol Reef with a 3,000 megawatt power plant 10 miles away."

Indeed, at a 1976 press conference, Jim Anthony, IPP Project Engineer, stated that "the unrealistic standards of the proposed (Clean Air) legislation would prevent construction of the Intermountain Power Project because of its proximity to Capitol Reef."

According to Fackrell, the plant could meet Class I standards in the park "except for about 50 hours a year with sulfur dioxide. We wouldn't exceed Class I with particulates or nitrous oxides. And we would never exceed Class II standards anywhere, at any time."

Hassell wants to see the data. "I just don't believe somebody's going to build a clean power plant," he says. "I'm not convinced it's possible. And any deterioration at all of the air quality in that country would be tragic."

TRANSPORTATION, SOCIAL IMPACTS

Coal for the project is expected to come from underground mines in the Wasatch and Emery fields and will be shipped 50 to 65 miles by rail to the power plant.

Mining and shipping the necessary 10 million tons of coal per year would boost the population in Emery County (pop. 6,700) by approximately 7,300 and in Sevier and Sanpete Counties (combined pop. 26,300) by 8,900. In Emery County alone, which is already staggering from the



JOSEPH FACKRELL, president of Intermountain Power Project, switched the proposed power plant site from the Escalante River to the Fremont River in response to environmentalists' advice, he says.

Photo courtesy of IPP

impacts of the Huntington and Emery power plants, the newcomers would need 2,100 housing units, two new elementary schools, and one new junior-senior high school.

The power plant would also bring large numbers of people into the area. The estimated 11,000 newcomers to Wayne County generated by it would require 3,200 housing units, 90% of them trailers, according to IPP figures.

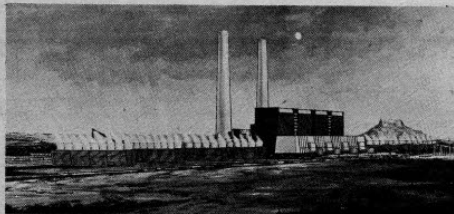
The increased population would need a water supply of 2.58 million gallons per day and produce 1.1 million gallons per day of liquid wastes and 2.58 million gallons per day of solid wastes. The 3,100 new students would need up to three new elementary schools, one new junior high, and one new high school. A new town is expected, occupying 1,000 acres of land and absorbing 85% of the new population.

"I talked to folks in Wayne County last summer," says Hassell, "and they don't realize what's going to happen to their communities. There will be 11,000 new people at the peak of construction, but then most of them will move out, leaving Wayne County high and dry. There will be wall-to-wall trailer houses, and the social and agricultural costs will be staggering. You can't mitigate those impacts, you can't plan for them."

Hassell grew up in Price, Utah, just north of the Huntington power plant site, and laments the changes in that town since the plant came in and construction began on the Emery plant nearby. "I walked down the halls of my old high school and couldn't believe the vandalism. And all the trailers — It's like a different place; it's like a slum."

LEGAL ACTION

The Sierra Club Legal Defense Fund and the Center for Law in the Public Interest are investigating possible legal action against the Intermountain Power Project. The two groups worked together against the Kaiparowits power project. Its downfall



INTERMOUNTAIN POWER PROJECT. The IPP coal-fired plant would be the largest of its kind in the country, producing 3,000 megawatts of electrical power. The proposed site is about 10 miles from Capitol Reef National Park. Drawing courtesy of IPP

was attributed to economic difficulties rather than directly to environmental opposition, however.

But environmentalists aren't the only ones worried about IPP. An association of local governments of Carbon, Emery, and

any major financial commitments until the federal EIS is done and we have a decision from Interior." And, until California requirements are met, the Los Angeles municipal utilities are legally prohibited from making any commitments beyond those for feasibility studies.



Grand Counties — the South Eastern Utah Economic Development District (SEUDD) — have told IPP officials: "We fear fiscal, social, and environmental impacts we cannot, of ourselves, face."

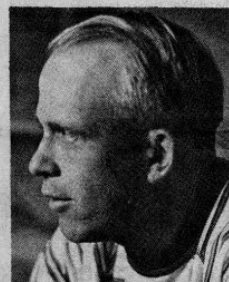
With none of the plant's tax revenues going to Carbon or Emery Counties, the district feels these counties cannot afford the huge population increase. SEUDD executive William Dinehart says that the people already in this area would be subsidizing the project. It would take local money to build the roads, schools, and water treatment plants needed to handle the population surge.

THE SCHEDULE

Already complete is a five-volume "Preliminary Engineering and Feasibility Study" by the Los Angeles Department of Water and Power. In process is a Draft Environmental Impact Report, required by the California Environmental Quality Act. The draft environmental impact statement required by the federal government is to be completed by the Interior Department in January 1978.

Fackrell says that "IPP will not make

Ruth Frear is a librarian at Marriott Library at the University of Utah and a well-known conservationist. She is also a free lance writer and photographer, devoting her efforts to preserving Utah's wild and scenic areas from destruction and industrialization. She is the Southwest Regional Vice-President of the Sierra Club and Legal Coordinator for the Utah Chapter. She has been a leader in efforts to stop the Kaiparowits Power Project and to preserve the Escalante Canyon Country as wilderness.



HANK HASSELL, a Utah environmentalist, fears that local farmers will be left without water in dry years if the Intermountain Power Project is built.

"We've honestly tried to do what's right and reasonable and fair. But how do you convince people you're trying to do something different when they've seen so much bad?"

—Joseph Fackrell, president Intermountain Power Project

OUTDOOR CLASSROOM '77

Grand Teton Environmental Education Center is now offering a Summer Natural History Course Series. The Teton Science School, operator of the Center, will bring highly qualified instructors to teach these non-residential courses. The seminars are available with or without credit from University of California, Davis. The cost is \$60 per 5-day session plus credit (\$10 per unit). The combination of outstanding instructors and the environment of Grand Teton National Park makes these course offerings an educational opportunity of a lifetime.

June 8-10 Teton Wildlife, June 13-17 Birds of Grand Teton, June 20-24 Geology of Jackson Hole, June 27-July 1 The Wilderness Idea in America, July 5-9 Aquatic Ecology of Grand Teton Nat'l Park, July 12-16 Backpacking and Techniques of Wilderness Living, July 19-22 Soils of Jackson Hole and their Relationship to Pleistocene Geology, July 25-29 Vascular Flora of Grand Teton, July 31-Aug. 4 Terrestrial Insects of Jackson Hole, July 18-Aug. 1 Alpine Flora of the Teton Range, Aug. 1-5 Field Identification of Lichens, Aug. 1-5 Human History of Jackson Hole, Aug. 22-26 Field Identification of Mushrooms, Aug. 22-26 Vegetative Communities in Grand Teton National Park, Aug. 22-26 Outdoor Photography, Aug. 29-Sept. 2 Natural History of Grand Teton National Park, Sept. 5-9 Conservation Issues in Jackson Hole. (307) 733-4785

Further inquiries should be addressed to: Director, Grand Teton Summer Seminars, Box 68, Kelly, Wyoming 83001.

May 6, 1977 — High Country News-5

Severed mineral estate haunts Western ranchers

by Dan Whipple

In 1916, Congress took a very popular step to encourage the development of the West — it passed the Stock-Raising Homestead Act. This act re-opened the West to agricultural settlement and, at the same time, reserved the minerals under those agricultural homesteads for the federal government.

In 1906 President Theodore Roosevelt had become disturbed about the government's largesse. Both earth and ore had been free, until Roosevelt decided to halt the giveaway of the nation's mineral wealth by closing the West to homesteading.

The Stock-Raising Homestead Act answered Roosevelt's objections to free minerals, while allowing the agricultural growth of the Western states to regain its former momentum. The wisdom of "severed mineral estate" was hailed from the redwood forests to the Gulf Stream waters.

The legacy of the severed mineral estate is still with the Western rancher. In all, about 62.9-million acres — an area the size of Wyoming — of federal minerals lie under private surface in the West. The ranchers on these lands now face the prospect of the government leasing their land out from under them for the strip mining of coal.

What can the descendants of these homesteaders do about it? Suppose, for instance, that a rancher doesn't want to have his land strip mined. Can he stop it?

The answer seems to be, yes and no. Under current federal law, if a coal lessee wants to mine under private surface, the lessee must either obtain permission of the

staff attorney who has been working on the federal strip mine bill says, "There is a substantial constitutional question whether the state can modify the relationship between the federal government and the individual who homesteaded the land."

As a practical matter, coal companies would rather buy the surface from the landowner than argue with him about his legal rights. The result is that large acreages in the coal-rich basins of the West have been purchased by energy companies. Either these companies already hold a lease on the coal or they hope to get one

first week in May, both the House and Senate versions of the strip bill called for written consent from the surface owner prior to leasing. The bill has passed the House and has passed out of the Senate Committee on Energy and Natural Resources.

Initially, the Senate upset almost everyone involved by insisting on the Mansfield Amendment. Introduced by Montana Sen. Mike Mansfield (D-Mont.) before he retired last year, the section would have prohibited the federal government from leasing any coal that lies under private

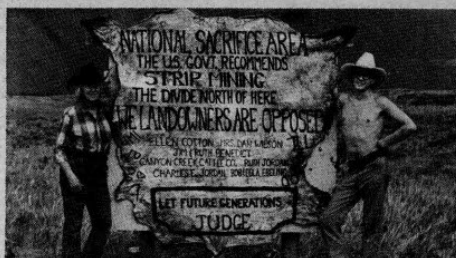
sent may be subject to constitutional questions, however. Several lawyers question whether the extension of protection to only agricultural owners might not deny equal protection under the law to other owners, like coal companies. Ironically, the only Wyoming court dispute between a surface and a mineral owner, which took place before the state's current landowner consent provision was passed, was between two coal companies. One company wanted to stop the other from mining under its property.

There is a further complication, however. Some of the land settled under the Stock-Raising Homestead Act has been subdivided and is now residential, not agricultural property. There is a question about whether these property owners would be protected if the land under their homes was leased. The problem is more than theoretical, because at least two Gillette, Wyo., companies hold leases that extend up to the city limits, according to city government sources.

The complexities of the landowner consent issue also raise a public policy question largely ignored in the current Congressional debate. John Erdman, staff lawyer for the U.S. Bureau of Land Management in Wyoming, aka, "Is it in the national interest to allow a private person, who was given access for agricultural purposes, to have veto power over federal resources or to extract an exorbitant price for his land?"

The counter argument runs that, when the minerals were reserved, strip mining on the modern scale was unheard of. The government gave the land to the homesteader. But, in retaining the mineral rights, the government also retained the power to destroy the land's value by strip mining. In a transaction between two private individuals, this would be illegal. This line of reasoning was recently upheld by the Supreme Court in a case in Kentucky where two different private parties owned the surface and the mineral rights.

In the cases of the rare rancher who won't sell his land under any circumstances, the federal strip mine bill will be better than a vehicle to riches. Boyd Charter, a Montana rancher who has turned down purchase offers from Consolidation Coal, says, "the last thing I'd do is sell my land. Good productive land is getting hard to find. There's just no place to go anymore."



"WE LANDOWNERS ARE OPPOSED." Landowners near Birney, Mont., erected this sign in 1973. At left, Ellen Cotton. At right, Steve Charter.

when new federal lease sales are held. The result of this practice is often windfall profits for the ranchers.

Henry Burgess, a Sheridan, Wyo., lawyer who represents landowners in these types of disputes, says a "reasonable" settlement for agricultural land is about \$500 per acre and a royalty on the coal mined. This royalty can be as high as 50 cents per ton. In a 40 foot coal seam, this would net the rancher about \$32,000 per acre mined.

Occasionally, the coal company will buy the land and lease it back to the rancher for agriculture until it is needed for the mine. Some agreements even have options for the rancher to repurchase the land after reclamation for the same price he was paid.

The law is very unclear on where the homesteader's rights to limit or stop coal mining begin and end. Another attorney who has dealt with these types of cases says, "the surface owner is better off with the current state of uncertainty because the coal companies aren't sure whether they can strip mine without the consent of the surface owner. So, rather than see a multi-million dollar mine go up in smoke, they'll negotiate."

These negotiations produce a lot of money for the ranchers involved, and that issue has been one of the prime points of contention in the proposed federal strip mine bill.

The current legal confusion seems certain to end with some surface owner protection clause in the strip mine bill. As of the

surface. The amendment was meant to simplify federal leasing and to prevent windfall profits from accruing to ranchers.

If testimony before the Senate committee is any indication, most ranchers don't oppose a chance at windfall profits, and therefore opposed the Mansfield Amendment. Not surprisingly, the coal industry also opposed it on the grounds that it would take too much coal out of production. With these objections, the amendment has not survived in the current bills.

In the House, HR 2 would give landowners who live on, work or get a substantial part of their income from the land a veto over development. Originally, the legislation was written so that the Interior Department would determine the amount the rancher would receive for his consent. Recent amendments have been adopted removing this restriction, however, and allowing ranchers and farmers to negotiate their own price.

The House version of the landowner con-



ANNE AND BOYD CHARTER, two Montana ranchers who have turned down offers from Consolidation Coal. "The last thing I'd do is sell my land," says Boyd.

surface owner; and/or determine how damages will be paid; or, failing these, post an acceptable bond to reimburse the landowner for damages.

The damages that a landowner can collect are limited to harm to crops, livestock, agricultural improvements and the value of the land for farming or grazing purposes. All reimbursement is based on the agricultural values of the property and no others. A court has ruled, for instance, that damage to a subdivision is not reimbursable.

If a rancher wants to stop the mining of his land, there is currently no provision in federal law for doing so. But, so far, no coal company has ever tested the rancher's rights in court. On the other hand, very few ranchers have ever tried to absolutely stop coal mining.

Wyoming and Montana have stepped into the gap left by federal law and enacted surface owner protection statutes. They give ranchers an absolute veto over mineral development of their land. However, according to Wyoming Assistant Attorney General Marilyn Kite, Wyoming's absolute veto has never been used, much less tested in court.

Some lawyers believe that the state laws may be unconstitutional. A congressional



STRIP MINING for coal at Decker, Mont. This photo shows the Decker mine in 1972. Photo by Terry Moore

Sneak preview. . .



High Country News

Biweekly, environmental watchdog of the Rockies.
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In The Old Railway Yard

6-High Country News — May 6, 1977

HCN Books



by Charles E. Mohr, J. B. Lippincott Company, New York, 1976. \$3.95, hard cover. 162 pages. Photographs.

Review by Peter Wild

On a moonless night in northern Mexico, a weary rancher lies down by his herd. Hours later shapes flutter out of the sky and alight near his exposed neck and on the backs of his cattle. With their incisors they make quick, painless slices in their sleeping prey, then squat greedily lapping up their own weight in blood. In a few moments they are flying heavily off to their caves, leaving their victims weakened, possibly infected with rabies.

Centuries before Columbus, Eastern Europeans feared ghoulish spirits that flitted from their graves on nightly prowls for human blood. When clouds of bats swarmed from spooky castles in Transylvania, villagers burrowed deep into their caverns, though indeed no blood-drinking bats are found in Europe. Then early explorers found vampire bats in the New World, and the status of all bats reached a new low — at least in the eyes of Westerners.

In China, the word *fu* serves both as the symbol for bat and for happiness, revealing a vastly different cultural perspective. Vampire bats, with their stealthy blood-sucking habits, may seem evil incarnate, but they are perhaps the only species of bat in the world more harmful than beneficial to man — all the other known 846 species doing more than yeoman's service by pollinating flowers and consuming tons of harmful insects. Without them the human race would be in deep trouble. The purpose of *The World of the Bat* is to shift our traditional but unjustified loathing of them to appreciation.

As it turns out, the job is an easy one, for, like most creatures, bats are intriguing, needing only a sympathetic writer such as Charles E. Mohr to lead us into caves and old barns.

Much has been said elsewhere, and much is summarized in this book, about echolocation, the ability of bats to navigate by a "radar" far more precise than any carried in a Boeing 747. Of equal wonder is the mammal's ability to fly at all.

The ancestors of birds "solved" — to use an unscientific term — the problem of flight by losing weight. They gave up stout reptilian legs, scales, teeth, and solid bones and developed strong but hollow skeletons. The bones in the forearms fused to provide a leading edge for the wings, the anchors for feathers.

Bats took a radically different approach. They kept mammalian fingers and teeth and concentrated on the femur. This upper leg bone became slender, accounting for much of the weight reduction. Bats paid for it of course; now they must hang upside down, letting their ligaments take the stress rather than the fragile femurs. Their wings are an aerodynamic breakthrough. The four fingers stretch out to provide a delicate frame for the wings' skin surface — a membrane so thin that a light behind it reveals the blood circulating. Some bats

use this sensitive wing as a baseball glove, scooping insects out of the air and into their mouths.

Mirroring the arms race, a few insects have developed defenses against the agile fliers. When they sense bat radar, they go into erratic evasive maneuvers or dive straight for the ground. Others emit their own radar jamming signals.

And so it goes throughout the book.



LOONEY LIMERICKS by Zane E. Cology

A hawk that soared over the fence
Said, "I don't mind your digging a trench.
Your new strip mine
Makes the swooping just fine.
It's your people who make me feel tense."

WHITE RIVER PUBLIC HEARING

The Utah Division of Water Resources will hold a public hearing on a proposed dam and reservoir on the White River in the Uintah County courthouse in Vernal, Utah, on June 9 at 9:00 a.m. The agency has applied for a permit to build a 125 foot high earthen dam to store 118,000 acre-feet of water. The water will be used for oil shale development, Ute Indian land irrigation water, recreation, and possibly hydroelectric power. A brochure describing the project can be obtained from the Utah Division of Water Resources, 435 State Capitol, Salt Lake City, Utah 84114.

PARKWAY PLANNING

Draft alternatives for the general management plan for the John D. Rockefeller Jr. Memorial Parkway are available for public review and comment from the Superintendent, Grand Teton National Park, Moose, Wyo. 83012. The parkway is the strip of land between Grand Teton and Yellowstone National Parks. Later this summer a general management plan for the area will be available for review.

SOLID WASTE WORKSHOP

The National Wildlife Federation and the Montana Wildlife Federation are sponsoring two workshops on solid waste management in Montana. The workshops are designed to provide a forum for citizen group leaders, state and local government officials, and solid waste management experts from across the state to discuss possible solutions for their states' waste problems. The workshops will be held June 1 at the Holiday Inn in Missoula and June 2 at the Heritage Inn in Great Falls. Both will last from 9 a.m. until 3:45 p.m. Lunch and travel expenses will be provided. To register, contact the National Wildlife Federation immediately at 1412 16th St. N.W., Washington, D.C. 20036 or phone (202) 797-6800.



NEBRASKA SOLAR GROUP

Midwest Energy Alternatives is a Nebraska group set up to promote the use of renewable non-polluting energy resources and energy conservation. This non-profit citizens' organization offers members a newsletter and sets up educational demonstration projects and conferences. For more information write MEA, 2444 E. St., Lincoln, Neb. 68502 or call (402) 477-3101.

There are 40 species of bats distributed across the United States, far too many to be covered in a volume of this size. Those interested in greater detail might turn to the more scholarly *Bats Of America*, by Barbour and Davis. Nevertheless, *The World Of The Bat* is a good general introduction, lavishly illustrated as a help to identification. Librarians might note that it is just one in Lippincott's series, *Living World*

Books, which ranges from the gray squirrel to the grizzly bear.

Lastly, for your sake and theirs, bats should not be disturbed. Though it is not often the case, they can carry rabies. Waking hibernating bats can cause their death, since the heightened metabolic rate may result in excessive caloric demands. As with most wildlife, they are best left alone to do their job as nature intended.

HCN Bulletin Board



FEDERAL LAND TRANSFERS

Regulations covering the transfer of federal lands to states under the Carey Act were proposed in the April 5 *Federal Register*. Comments on the rules will be received until May 31 by the Director, Bureau of Land Management, Washington, D.C. 20240.

ALTERNATIVE ENERGY LIBRARY

If there is sufficient interest and enough money, the Powder River Basin Resource Council (PRBRC) may establish a library and information center to collect and disperse information concerning alternative energy and conservation in Wyoming. The organization has sent out questionnaires asking people's alternative energy interest areas, suggestions for the library, and whether they would be willing to pay \$10 a year for the service. For information, write Rick Clunie, PRBRC, 150 W. Brundage St., Sheridan, Wyo. 82801.

ALASKA FILM

The U.S. Fish and Wildlife Service (FWS) has a 28-minute film called "Age of Alaska" that describes proposed additions to the state's National Parks, wildlife refuges, Wild and Scenic Rivers, and wilderness areas. The film is expected to be in great demand because of the upcoming Congressional hearings on the Alaska proposals. It is available from the FWS offices in Denver, Colo.; Billings, Mont.; Bismarck, N.D.; Pierre, S.D.; and Salt Lake City, Utah. To find the listings in the telephone book, look under U.S. government, Interior Department.

WILDERNESS SOCIETY FILMS

Hang gliding, cross country skiing, kayaking, and mountain climbing are the subjects of four films that will be shown in Denver May 10 for a Wilderness Society benefit. The films will begin at 7:30 p.m. at the Phipps Auditorium. Admission is \$3. There will also be a drawing for a free two-day raft trip in June through Westwater Canyon.

BETTER SOLAR IDEA?

The Energy Research and Development Administration is looking for people who have ideas about simple solar heating and cooling units. The agency is seeking proposals in several areas, including heat pumps, thermal storage, passive and active systems, and collector materials. Mention your interest area and ask for the relevant "Requests for Proposals." Write: ERDA, Division of Procurement, Washington, D.C. 20545, Attention — Document Control Specialist.

WILDLIFE PROGRAM

The Idaho Department of Fish and Game and the U.S. Forest Service have published a five year program for improving fish and wildlife habitat in Idaho's 12 national forests and one national grassland. Copies of "A Program for Fish and Wildlife Habitat in the National Forests and Grassland in Idaho" are available from Forest Service and Fish and Game headquarters at 600 S. Walnut, Box 25, Boise, Ida. 83707.

WESTERN SLOPE RESEARCH CENTER

A new organization has formed to pool information on energy development for the use of the people on the Western Slope in Colorado. Organizers say the Western Slope Energy Research Center was created because of the need for residents to have as much accurate information as possible in order to understand and take part in deciding the future pattern of growth in the area. For more information, contact Mrs. Doris Ellis, Room 3, Hotchkiss Hotel, Hotchkiss, Colo. 81419.

ORGANIC FARMERS ORGANIZE

The Nebraska Organic Agriculture Association organized in March. To contact them, write David Vetter, Route 1, Box 61, Marquette, Neb. 68854.

NATIONAL FOOD POLICY

The Exploratory Project for Economic Alternatives (EPEA) has released a 228-page report entitled *Toward a National Food Policy*. The report investigates agribusiness monopolies, the plight of the family farm, agricultural energy conservation, and other issues. For a copy, send \$5 to EPEA, 1519 Connecticut Ave., Washington, D.C. 20036.



DECLINING FARM POPULATION

The U.S. Bureau of Census and the Economic Research Service of the U.S. Department of Agriculture report that 3.9% of the U.S. population, or 8.3 million persons, lived on farms in 1976. The new data indicate a continuing downward trend of farm population and that the remaining farmers are more predominantly white. Copies of "Farm Population of the United States: 1976 (Advance Report)," Series Census ERS-P-27, No. 48 are available for 35 cents from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

EAGLE-ASPEN IMPACT

A revised environmental impact statement on the Eagle-Aspen Unit in White River National Forest has been completed. A 70,000 acre roadless area in the Hunter Creek and Frying Pan drainages has been recommended for inclusion in the Mt. Massive Wilderness Study Area. A copy of the statement is available for review at the White River National Forest Office, Glenwood, Colo.

DRAFT MISSOURI RIVER PLAN

The Missouri River Basin Commission has prepared a water resources plan for the basin, which is now available for review. The draft comprehensive plan will be reviewed by governors of the 10 states in the Missouri Basin. It presents recommendations for implementing nearly 500 proposed programs and projects for the next 10 years. Copies of the draft are at the water planning offices in each state. In this region, contact: Colorado — Fred E. Daubert, Water Conservation Board, Room 823, 1313 Sherman St., Denver, Colo. Montana — John E. Acord, Department of Natural Resources, Helena, North Dakota — Vernon Fahy, State Water Commission, Bismarck, South Dakota — Vern W. Butler, Department of Natural Resources Development, Pierre, Wyoming — George Christopolus, State Engineer, Cheyenne.

Fish die in scramble for scarce Western water

by Joan Nice

Nature hasn't given Western ranchers and farmers all the water they would like this spring, but they are planning ahead. They are hoarding what they can in anticipation of an arid summer.

Fish and wildlife, on the other hand, may be left completely high and dry. They are losing in the scramble for scarce water, because in most states water in a stream has no legal right to exist.

Water is given by states only to those who have shown they can put it to "beneficial use," which usually includes only domestic, agricultural, municipal, and industrial needs. Of those who established their water rights, those who established their rights the earliest have the right to use it first.

"First in time, first in right," is the law of the West. That means when the water is divided up in a dry year, if you don't have an early date on your water right or if you don't have a water right at all, you don't count.

Colorado, Montana, and to a limited extent, Idaho allow water to be claimed to protect fish, wildlife, and recreation. But even in these states, most streams are still unprotected. For most streams in most states in the Northern Rockies, the situation at Bull Lake Creek in Wyoming last week could be considered typical.

FISH DYING

As anyone who drove between Lander and Dubois last week may have noticed, Bull Lake Creek was almost dry. Midvale Irrigation District was holding the runoff from the east side of the Wind River Mountains in a reservoir upstream.

The result was fish dying by the hundreds on the broad, rocky, five-mile stretch of stream from below Bull Lake reservoir to the Wind River. The surviving fish, under great stress in pools heated by the sun, were re-absorbing their eggs to stay alive. They probably won't spawn this year, according to U.S. Fish and Wildlife Service (FWS) biologist Dick Baldes. The population included ling, whitefish, brown, lake, and cutthroat trout, minnows, and suckers.

The creek has everything it takes to make a blue ribbon trout stream except water, Baldes says. In water-year 1975 the irrigation district abruptly dropped the flow in Bull Lake Creek at least seven times — each time low enough to kill fish, according to USGS records.

This "yo-yo effect," the repeated dropping and raising of the level of the stream,

Tribes allow study on Flathead dams

The Confederated Salish and Kootenai Tribes have given the U.S. Corps of Engineers the go ahead to proceed with a study of five potential dam sites on the Flathead River on the reservation. The dams are part of a million dollar Corps study. Tribal Vice Chairman Vic Stinger said he couldn't understand why anyone would oppose the study since it is the "only way to get hard information on the matter." Another councilman said he was concerned that the tribes get proper payment, according to Char-Koosta, the tribes' newspaper.

Five earthfill dams are being considered, each with concrete spillways and powerhouses. A 265 foot high dam on the boundary of the Flathead Reservation has been deleted from the plans, according to Char-Koosta, because of intense tribal and local opposition. That dam would have flooded out the town of Dixon.

Those opposing the dams at a recent Corps hearing said the rising water temperatures would potentially eliminate an excellent trout fishery. Other critics pointed out that the hydroelectric power supplied by the few dams would make only a small dent in the national need for energy. Uncertainty over tribal water rights could also complicate the projects,



BULL LAKE CREEK has all it needs to be a blue ribbon trout stream, except a regular supply of water, according to a U.S. Fish and Wildlife Service biologist. Fish that died in recent drawdowns by Midvale Irrigation District include a cutthroat trout (the largest shown above), brown trout, ling, minnows, and whitefish.

is devastating to the fishery, Baldes says.

The irrigation district had good reasons for taking the water. The reservoir, which contained 68,000 acre-feet of water at this time last year, now has only about 55,000 acre-feet (or one-third of its capacity). The more than 200 farmers who depend upon that water are worried that unless they store every bit of water they can this spring, they won't have enough to make it through a long, dry summer. Midvale Manager Pete Stevens says that "nature" must take care of the fish downstream.

Downstream, not only the fish were dying, but all the other life within the stream that supports the fish was reduced by about 75%. Most of the caddis flies, stone flies, May flies, and snails were gone. Even if water was returned to the stream bed after a day or two, severe damage was done, according to Baldes. It would take a long time for portions of the stream to be able to sustain life again.

Bull Lake Creek flows through the Wind River Reservation, the home of the Shoshone and Arapahoe tribes. The tribes, which claim ownership of all the waters on the reservation, have asked FWS to establish what minimum flows for all the streams and minimum pools in reservoirs on the reservation should be.

Pressure from the tribes may have been part of the reason some flow was returned to Bull Lake Creek within a few days. But the official reason had nothing to do with life in the stream or the Indians' feelings about it.

Some water was put back into the stream

because people with prior rights downstream on the Wind River needed the water, according to State Water Commissioner Tommie King. While state law does not say anything about fish, it does protect users with prior rights. When all of the priority demands for water cannot be met, state law requires that whoever is managing a reservoir must let out as much water as he is letting in, according to King.

For most of Bull Lake Creek last week, that meant 10 cubic feet per second (cfs) — quite a leap from the little over one cfs that had trickled down the stream for the previous two days.

But after a rain a few days later, King told HCN that the downstream users were no longer demanding water and he was allowing the reservoir to fill again. The result was only six or seven cfs flowing down Bull Lake Creek.

Is that enough to keep the fish alive? Probably not, says Baldes, if the tribe wants to maintain an increasing fish population, as well as producing fish for sportsmen. Baldes says the FWS's research for the tribes on minimum flows will provide a precise minimum flow figure soon. And if the Indians prove their rights to the water on the reservation, Bull Lake Creek may be preserved for its own sake, not merely for the sake of the water users downstream.

The Indian tribes see the situation differently than water commissioner King sees it. They recognize the water rights of fish and wildlife. One way or another, they want to get stable, adequate flows back into the stream.

Most streams in the West aren't so lucky. They have no defenders; their states do not

recognize water in a stream as having a legal right to exist.

The following states have some provisions for instream water. However, none of the states seems well-armed enough to protect streams in the battles coming up this spring and summer.

Montana and Colorado have both recently passed laws that allow the state government to reserve water for instream uses. The Colorado law is considered stronger, since it allows the state to obtain an immutable water "right," while the Montana law only provides for a water "reservation," which is subject to administrative change.

Neither state's law provides any protection for streams in which most of the water is already appropriated, however. In each, the state can stake a claim to water, but its claim will be junior to those that established claims earlier. In other words, in a drought year the state still may not be able to provide for instream needs.

In Idaho a Supreme Court decision indicates that the state legislature can reserve water for instream uses. However, the state legislature has been reluctant to use this decision.

In Wyoming, a bill was passed in 1975 to provide instream flows for stock watering purposes. It is considered weak and probably insignificant by water experts, however. The law says that the state engineer "may be required to meet reasonable demands" for stock.



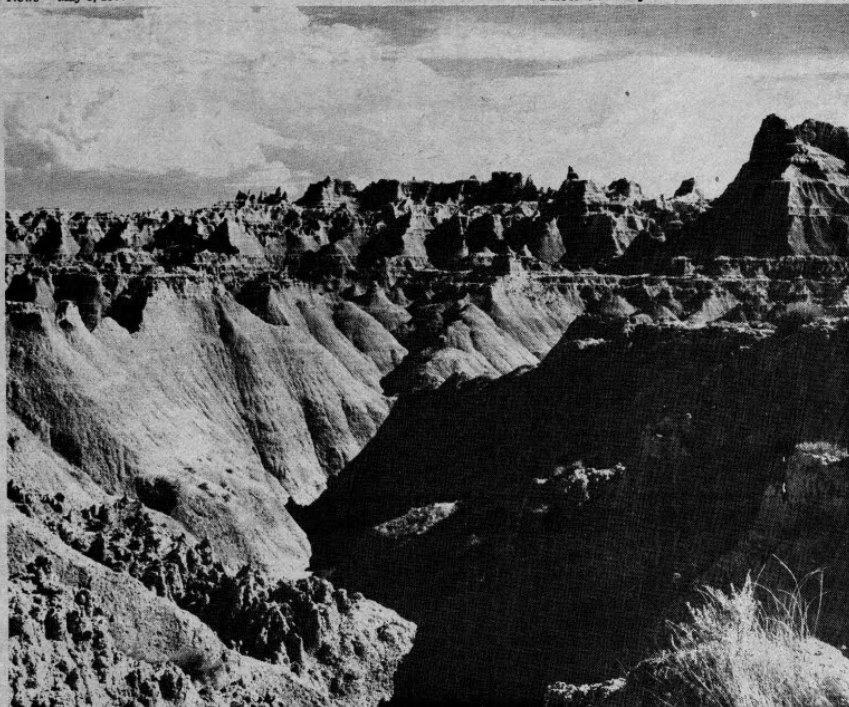
LITTLE THINGS, like caddis flies are vital to the life in a stream. The caddis fly larvae cases shown on the rock were bared to the air and sun by overzealous upstream water users. About three-fourths of the insect population and three-fourths of the fish's food supply died during a recent drawdown.



ONLY A TRICKLE of water made its way down Bull Lake Creek in Western Wyoming last week. State water law protects farmers with prior rights to the water, but it doesn't provide any help for fish. Hundreds of fish, and the insect and plant life that supports them, died here last week.

8-High Country News — May 6, 1977

Photo Courtesy of the National Park Service



Besides thousands of acres of grasslands, Badlands Wilderness contains spectacular scenic formations.

The Badlands Noah's Ark for prairie life

by Norm Nelson

Have you ever walked for miles in an area where the loudest sound was the song of a meadowlark? Where the stillness of the night was broken only by the lonely call of the coyotes, the only lights visible the myriad stars close overhead? Where you could sit in broad daylight and watch a lean gray coyote stalking prairie dogs? Where the solitude was broken only by the waves of the wind through the waist-high grass, while a hawk circled above the crumbling turrets of a fantasy castle sculptured by erosion from pink and gold and gray layers of shale?

Very little prairie is left in the Midwest that does not know the bite of the plow or the geometry of the fence line, where you can walk or ride a horse for miles without seeing a road or other evidence of human presence. The Badlands Wilderness remains one of the few places where we can still see the endless vista, the windswept sea of grass, and perhaps sense the vanished presence that once spanned a thousand miles — the grasslands wilderness.

Most visitors arrive by automobile. Located some 50 miles east of the Black Hills, the area offers a welcome break from monotony for the tourist driving west across South Dakota on Interstate 90.

After crossing all those miles of flat farm and ranchland, the sudden break when the car passes the Badlands wall and descends into the brightly tinted, eroded formations of the Badlands takes the visitor by surprise.

The highway west from Cedar Pass winds through 20 miles of spectacular scenery, with the layered formations in

varying colors carved by countless centuries of erosion into shapes resembling strange animals and crumbling architectural forms. Many bear descriptive names; frequent scenic overlooks, interpretive signs, and foot trails to points of interest lure the visitor to stop. The highway leaves the monument at the Pinnacles Entrance and the visitor returns north to the interstate.

On October 20, 1976, President Gerald R. Ford signed a bill creating America's first large grasslands wilderness, the Badlands Wilderness in South Dakota.

Two large tracts of land were designated. The larger, which includes most of the Sage Creek Basin and surrounding land in the northwestern portion of the Badlands National Monument, is accessible by foot or horse trails from several points along its boundary, and from the Sage Creek Primitive Campground on its north edge. This portion, totalling 54,750 acres, is covered by large expanses of flat to rolling mixed prairie grasslands.

The second tract, with 9,500 acres, lies south of the main monument highway and east of Dillon Pass.

WIND THROUGH DRYING STEMS

The beauty of the grasslands is subtle, not breath-taking. Perhaps this is why most of our wilderness areas until now have been mountains or forests. To know the grasslands, to see what they have to offer, you have to get out into the grass. You have to learn to see the many varieties of grasses and sense their connection with the land they have helped to shape.

Grasses are the dominant feature of the landscape here. From the low, tufted buf-

falgrass to the taller, waving stems of western wheatgrass, they furnish food to animals as large as the bison and as small as the mice who eat the seeds. The birds nest in the grass and feed from its abundance. The grasses of the prairie mature early, storing rich supplies of nutrition. Their colors are soft when ripe, quiet tans and golds and browns, and the rustle of the wind through the drying stems brings ever-shifting bands of light and shadow to vary the picture.

The wildlife of the grasslands, too, is abundant here. More than 300 bison roam the Sage Creek Basin area, sharing the grass with deer and antelope. A few bighorn sheep have been introduced, and can sometimes be seen on the rugged hill-sides. Rodents are everywhere, from the well-fed, gregarious prairie dogs to mice and the darting chipmunks which have adopted the gray color of the Badlands soil for their coats. Coyotes and badgers prey on the prairie dogs and smaller animals; the elusive, endangered black-footed ferret, a little member of the weasel family who wears a bandit's mask, is found there. Ferrets live only in prairie dog towns, where their sleek golden-brown forms may occasionally be seen as they slip into a hole in search of an unwary animal.

Birds seen in the Badlands area include more than 120 species, from common residents such as turkey buzzards and golden eagles to rare visitors like the whooping crane. Cliff swallows build their mud nests on the rugged cliffs, meadowlarks sing from atop small trees.

It is the climate of the grasslands that has shaped both the plants and animals found there. Swept by blizzards and freez-

ing temperatures in the winter, scorched and baked dry in the summer, drenched by cloudbursts or starved by drought, the plants that cling to the soil, and the animals that live on them, have adapted themselves to their special environment. The grass, in all its varieties and shapes and hues, best characterizes that environment.

ONLY HUMANE

Reuben Deutscher, Wall area rancher who fought the designation of Badlands as a wilderness, says that he was not opposed to all wilderness, but was concerned about management policies in the new area. "I don't care who (my neighbors) are as long as their operation isn't costly to an adjoining land owner or neighbor."

As examples of management problems, he cited wildfire, which may be allowed to burn in a wilderness area unless it threatens private land, and the lack of water for wildlife. "We can't lock buffalo in an area and let them thirst to death. I think it's only humane that we make sure they have water. But if we follow (Park Service) policy, they are not supposed to develop water."

Deutscher also asked whether the country could afford to set aside so much land and make it unusable to people. "I would have rather not seen it declared a wilderness area because when you figure out who can use it, it's very few because everything must be done on foot or horseback."

Dave Strom, Rapid City, chairman of the Black Hills Group of the Sierra Club, expressed the club's pleasure at the designation. "Now that it's been designated wilderness area," he added, "there is going to

Photo by Don Domenick, Colorado Game, Fish, and Parks Division

May 6, 1977 — High Country News-9



The prairie dog is among the abundant prey species sought by the coyote in the Badlands.



The rare and endangered black-footed ferret preys on the area's prairie dogs.

Photo Courtesy of the National Park Service



A herd of 300 bison is found in one area of the wilderness.

Photo by Don Domenick, Colorado Game, Fish, and Parks Division



The badger is one of many burrowing species in the area.

There have to be a lot of cooperation on the part of the environmentalists and the ranchers. They do have problems that need to be worked on, and I'm looking for a middle ground. . . . Although we may not always be in agreement with them, we need to listen and recognize the problems."

Strom was asked about the possibility of building additional impoundments to guarantee enough water for the wildlife. He noted that when he has been there, even during drought periods, "I've found water there, possibly because the land isn't overgrazed, so it can retain water. We're very, very reluctant to change the natural state of the area, because any change has the domino effect. One thing changes after the other."

What does he see as the most important result of the new designation? "What we have here in the wilderness area is the last bit of natural prairie grass left. If there were to be a catastrophic drought, this would be the point from which animal life and vegetation could be returned to the rest of the Dakotas. Things like this are necessary. It could end up being a Noah's Ark."

Norm Nelson is the chairman of the Northern Plains Regional Conservation Committee for the Sierra Club. He lives in Rapid City, S.D.

10-High Country News — May 6, 1977



energy news of the Rockies and Great Plains

LAMM REQUESTS IMPACT OFFICE. Colorado Gov. Richard Lamm is asking the federal government to set up an Energy Impact Assistance Office to help boomtowns in Colorado and elsewhere. Lamm suggested that the office be established within President Jimmy Carter's proposed Department of Energy. Its responsibilities would include: evaluating the impact of future federal energy programs; preparing state and federal aid programs for boom towns in advance of impact; and developing policies and programs for the severely impacted areas, according to the Denver Post.

COLORADO GASIFICATION BREATHES AGAIN. President Jimmy Carter's energy policy, calling for an increase in natural gas prices, could revive the Watkins Project, a one billion dollar coal gasification proposal northeast of Denver. The Rocky Mountain News says that Cameron Engineers of Denver, sponsors of the project, believe that with the higher gas prices, synthetic gas could become more economically competitive. The plant would produce 250,000 cubic feet of gas per day from 40,000 tons of coal.

WIND POWER SITE PICKED. The U.S. Bureau of Reclamation (BuRec) has chosen Medicine Bow, Wyo., as the site for a 98 megawatt wind power generating facility. The Casper Star-Tribune reports that the project will use 49 windmills, each providing two megawatts of power. BuRec scientists say that extremely high winds funnel through Medicine Bow because it is a low point, bounded by mountains. The turbines will be designed to shut down automatically at wind speeds of 50 miles per hour to prevent the blades from snapping off. The project will supply power at a cost of about four cents per kilowatt hour. The total cost of the project, according to the Star-Tribune, will be \$77.8 million.

JACKSON POWER LINE DENIED. The U.S. Bureau of Land Management has denied Lower Valley Power & Light's (LVP&L) application for a right-of-way to build a power line across the Snake and Gros Ventre Rivers near Jackson, Wyo. BLM said that the line conflicted with Teton County's land use plans and that the electrical needs of the area could be supplied without endangering the scenic value of Jackson Hole. The route was LVP&L's second choice. They had earlier been denied right-of-way across the National Elk Refuge.

MINE WATER FOR FISH. The U.S. Fish and Wildlife Service (FWS) will attempt to use coal mine effluent to establish breeding grounds for a fish, the northern pike. FWS, Montana Fish and Game, and Decker Coal will experiment with waste water from the Decker Coal mine in Montana to create a 26 acre marsh, which would provide a spawning area for the pike and a waterfowl nesting area for Canada geese.

URANIUM SHORTAGE. A government energy official says that the U.S. will have to find 400,000 tons of uranium by 1990 to fuel nuclear plants because of President Jimmy Carter's decision to ban breeder reactors, according to the Rocky Mountain News. U.S. Geological Survey's chief of the office of energy resources Charles Masters says that this amount is almost equal to total current U.S. reserves.



SLURRY PIPELINE CREEPS ALONG. Oklahoma has passed legislation that would allow slurry pipelines eminent domain to construct a line through the state. Energy Transportation Systems, Inc. (ETSI) has lobbied hard for the legislation and, according to the Sheridan Press, the company now has the option of rerouting the line from Wyoming coal fields through Colorado, Oklahoma, and Arkansas. This line would be longer than the original proposal, that went more directly from Wyoming to Arkansas. However, it would still be an economically competitive way to move coal, according to ETSI President John Lynch.

PIPELINE UP TO CARTER. The Federal Power Commission (FPC) split its vote between two routes for the natural gas pipeline from Alaska, leaving the final decision to President Jimmy Carter. He has until September 1 to choose and then Congress will have the final say. Both routes chosen by the FPC cross Canada. Two of the commissioners supported the Arctic Gas route, which environmentalists oppose because it crosses the Arctic National Wildlife Range and much more virgin territory than the other two proposed routes and because it depends upon unproven, high-risk technology. None of the four commissioners supported El Paso Alaska Co.'s proposal that would follow the Alaska oil pipeline to the coast where the gas would be liquefied and taken to the U.S. West Coast. However, if the Canadian government doesn't agree to either of the routes across Canada, the El Paso proposal will be a "viable option," according to one of the FPC staff members, as quoted in a United Press International story.

IN SITU GASIFICATION. The production of synthetic gas from coal deposits that remain in the ground, known as in situ gasification, "looks increasingly promising" according to the Wall Street Journal. A process being tested in Hanna, Wyo., produced gas with constant heating value for 24 consecutive days. The U.S. Energy Research and Development Administration plans three more tests at Hanna, possibly resulting in a demonstration plant sometime in 1978. The chief environmental problem with the process, says the Journal, is subsidence after the coal is burned underground.

Environmentalists can't count on Malcolm Wallop

by Lee Catterall

Wyoming Republicans who worried about sending a maverick environmentalist to the Senate can rest easy, if Malcolm Wallop's leanings on his committee work so far are indications of things to come.

Since early this year, the Senate Environment and Public Works Committee has been working on amendments to the Clean Air Act. Wallop is not voting on those amendments the way environmentalists would like him to. On virtually every important issue, Wallop has opposed Sen. Edmund Muskie (D-Maine), author of the act and the chief proponent of rigid clean air standards.

Bills either ripen or rot in such committee sessions, where senators descend from their stage seats in the committee room to gather around a more austere table, roll up their proverbial shirt sleeves and chisel.

They get help. Packed before them are lobbyists from assorted special interests who are willing to pass on their expertise to whichever senator will listen. You can often tell what a senator really thinks about a bill by which lobbyist he is listening to.

"He'll listen," said Rafe Pomerance, coordinator of the National Clean Air Coalition, an environmentalist group, said of Wallop, "but he's not someone we can count on the important votes." On most of those, he added, Wallop has voted against the environmentalists.

"He hasn't sponsored any major weakening amendments," Pomerance added, "but when those amendments come up, we don't know where he's going to stand."

Wallop is voting like the conservative Republican he is, not wanting a burdensome government to interfere with the

workings of free enterprise. In casting the only vote against an amendment requiring a company that shuts down a smelter while installing clean air equipment to keep paying its laid off employees, Wallop said, "Why is this the business of Congress to operate this at an impossible economic level? Philosophically, I have to express some reservation."

Wallop opposed efforts to ban the use of a manganese substitute for lead in gasoline that environmentalists complain is as harmful as lead, and was able to work out a compromise with Muskie that would allow use of the manganese at its present concentration.

When an attempt was made to increase the number of car models sold at high altitudes that are required to have special anti-pollution equipment, Wallop opposed it. When Sen. Gary Hart (D-Colo.) offered a compromise that would require the number of models having such equipment to stay the same, Wallop again would not go along.

"It is unfair," Wallop said, "to a population that really isn't significant enough to be affecting it (air quality) in terms of the other traffic that exists to prohibit them of the ownership of the line of cars that exists (elsewhere)."

Wallop supported an amendment that would allow aging power plants to use taller stacks rather than install anti-pollution equipment, an amendment Pomerance described as "an attempt to poke a very large loophole through the act."

Wallop also voted against an amendment that would have required pristine air quality in National Monuments of more than 10,000 acres.

Later this month, the committee is expected to begin hearings on extension of

and amendments to the Water Pollution Control Act, which expires this year. That law has been as controversial as the Clean Air Act.

After that, the committee will begin work on legislation to replace two locks and a dam at Alton, Ill., said to be the "bottleneck" of barge traffic up the Mississippi River. Environmentalists strongly oppose the kind of enlarged setup advocated by barge operators. Not incidental to the issue is the reason for the proposed enlargement — what the barge operators hope will be a greatly expanded movement of Western coal to Eastern markets.



Malcolm Wallop

Senate committee reverses vote on further dirtying of air

The Senate Environment and Public Works Committee May 6 passed two strengthening amendments to the Clean Air Act, one affecting Indian tribes in the West and one primarily protecting city dwellers in the East and on the West Coast.

Sen. Mike Gravel (D-Alaska) sponsored an amendment assuring Indian tribes the authority to reclassify their air as Class I, which allows only small changes in air quality. The Northern Cheyenne tribe in Montana has applied for this change, and tribes on the Crow, Fort Peck, and Fort Berthold reservations have discussed similar action.

An amendment offered by Sen. Pete Domenici (D-N.M.) would protect areas of the country that now have air that is more polluted than national health standards. The committee adopted Domenici's amendment 13-1 after charges that its previous vote on an amendment by Sen. Lloyd Bentsen (D-Tex.) made it impossible to protect the health of the people in the so-called "non-attainment" areas.

Domenici's amendment, pushed by environmentalists, sets a deadline for meeting federal air quality standards. The Bentsen amendment said only that states must require "reasonable further progress toward attainment" of the air standards. The National Clean Air Coalition says states could get by with any plan that showed an annual reduction, no matter

how gradual, and could in fact never reduce pollution to the level required to protect their residents' health.

Sen. Malcolm Wallop (R-Wyo.) was not present when Bentsen's weakening amendment was originally proposed, and it won by a vote of 7-6. When Bentsen saw that Domenici's amendment was getting committee support, he proposed an amendment to weaken it, and Wallop backed him up, according to Rafe Pomerance of the Clean Air Coalition. Wallop did join the majority for the final vote favoring Domenici's strengthening amendment, however. (See separate story on Wallop.)

Pomerance says the chances for both amendments surviving Senate floor action are "very good," and he's not aware of any plans to try to weaken the significant deterioration portions of the bill that protect the "clean air" regions of the country, primarily the West. Last year, attacks by two Utah Senators on that section of the bill blocked Senate action on the entire bill.

Floor action in both the Senate and the House is expected by mid or late May. The biggest fight is expected on auto emissions, Pomerance says. Sen. Gary Hart (D-Colo.) has consistently fought to keep the standards and deadlines now in the Clean Air Act. Sen. Donald Riegle (D-Mich.) and Sen. Robert Griffin (R-Mich.) are sponsoring weakening amendments for the auto industry.



Reckoning from Washington

by Lee Catterall

President Jimmy Carter and western politicians agree on one thing about water: it is, as the President puts it, "not free; it is a precious resource."

Beyond that, they can find little in common about how that "precious resource" should be treated. The disagreement throws question marks over not only the targeted Saverly-Pot Hook Project along the Wyoming-Colorado border but utility company plans for a power plant at Wheatland, Wyo., Bureau of Reclamation designs to irrigate the Folecat Bench in Park County, Wyo., and just about any other plans to build some new structure to tap any water that now runs free.

"The review process I started during the first day of my administration is not going to stop here," Carter warned in revealing



his final "hit list" of projects he wants deleted from next fiscal year's budget. "Further work needs to be done and fundamental improvements need to be made in our water policies and programs."

Carter's major complaint seems to be the way benefits and costs of proposed water projects are determined. Benefits often are exaggerated, he contends, to include "questionable claims of recreation value, fish and wildlife enhancement or area redevelopment" when the projects would result in actual harm to those values. Too many projects, he says, are built for the benefit of too few people, and at a cost that escalates with inflation. Those who do benefit, he adds, "do not bear a fair share of the enormous capital and operating costs."

Meanwhile, he says, the formula for comparing benefits and costs fails to account for that inflation, so "we are pretending that the cost of capital is still the same as it was many years ago."

Western congressmen point with pride to the once-desert area where vegetables now grow; those vegetables benefit us all. As for the benefits and costs, they argue that no other public works projects are even judged by the intricate formula applied to water projects, nor are they paid for even partially by the direct beneficiaries.

At Saverly-Pot Hook, the Interior Department told Carter the \$71.3 million project would benefit only 106 farms at an average investment of \$695 per farm. Irrigators would repay only \$170 for each acre, although investment would amount to as much as \$4,000.

Among the projected benefits of the proposed Narrows Dam in Colorado — also on the "hit list" — are nearly a million dollars for fish and wildlife enhancement. However, in recommending it for the hit list, Interior Sec. Cecil Andrus cited "possible downstream impacts on wildlife habitat and endangered species." The impact would be on the flow of the Platte River System, a portion of which is a favorite stopping point for migrating whooping cranes, an endangered species.

Environmentalists plan to keep an eye on the Narrows Dam, because they say a dam and reservoir proposed on the Laramie River to supply water for a 1,500 megawatt generating plant planned near Wheatland by the Missouri Basin Power Project would, at that size, also threaten the whooping crane.

If Congress approves the dam, environmentalists plan to cite the Andrus letter as a reason for not adding to the burden of the Platte with the Wheatland project. If Congress goes along with Carter and corks the Narrows project, environmentalists plan to cite that action as a reason for limiting the Wheatland plant.

"We can whipsaw it," a National Wildlife Federation lawyer explained, "and we intend to do that." At the least, environmentalists want the building of either project to await completion of a three-year study of the Platte River system.

House passes strip mining bill

Last week, the House passed a tough federal coal strip mining regulation bill by a 241 to 64 vote. A similar measure cleared the Senate Committee on Energy and Natural Resources this week and could come to a Senate floor vote as early as next week.

Congress passed similar legislation in its last session, but the measure was vetoed twice by President Gerald Ford. President Jimmy Carter has promised to sign the bill and his administration has been working diligently to make this year's bill stronger than the compromise legislation Ford vetoed.

MAJOR PROVISIONS

The bill, as passed by the House and proposed by the Senate committee would: —Set uniform minimum mining and reclamation standards for all states. States wishing to administer and enforce their own strip mining regulations are required to adopt laws at least as stringent as the federal government's.

—Require the written consent of a surface land owner before federal coal beneath his land could be leased for strip mining. (See separate story on page 6.)

—Ban new mines from alluvial valley floors in the West.

—Prevent strip mining where reclamation as required by the law is not feasible.

—Set up a fund, financed by a fee on both surface and deep mined coal, to reclaim areas previously mined but abandoned without being reclaimed.

—Require restoration of the "approximate original contour" of the land after mining.

—Give states the power to declare certain areas unsuitable for strip mining.

DELAY SOUGHT

The bill's opponents argued that it would hamper coal production during a period when the nation was trying to increase its dependence on coal. Carl Bagge, president of the National Coal Association, called the House bill "a 138-page catalog of ways to hamper coal output, not increase it."

Rep. Teno Roncallo (D-Wyo.) disagrees with Bagge. He says the bill "by finally setting basic standards... clears the way for an increase in coal production."

Industry backers, notably Rep. Bob

Bauman (R-Md.) tried to delay the bill by having it referred to the House ad hoc energy committee. The ad hoc committee will be considering Carter's energy package. This move was defeated by a 228 to 83 vote.

ALLUVIAL VALLEYS

By a vote of 170 to 149 the House approved a ban on stripping Western alluvial valleys sponsored by Rep. Max Baucus (D-Mont.). An earlier version of the House bill and the present Senate version would ban mining of alluvial valleys in agricultural production, but would have allowed mining in such valleys on "undeveloped rangeland" and where mining did not interfere with agricultural operations. Baucus argued that a total ban was needed, regardless of present use, because mining in these fragile valleys could prevent future agricultural use of the mined area and could disrupt the ground water system that makes alluvial valleys vital to Western agriculture.

Both the House and Senate versions allow existing mines and operations with

state permits that haven't started mining to strip mine in alluvial valleys. The Senate bill also exempts proposed mines from this provision, where there have been substantial legal-financial commitments to mine in alluvial valleys.

PRIME AGRICULTURE LAND

Conservationists and the Carter Administration also hoped to have a five-year moratorium on strip mining of prime agricultural land. During the moratorium, studies would have been conducted to determine if prime farm land could be returned to its original productivity. The moratorium, sponsored by Rep. James Jefferson (R-Vt.) and Rep. Larry Pressler (R-S.D.) was defeated on a voice vote.

The Senate has not considered the prime farm land moratorium and such an amendment is expected on the Senate floor.

Differences between the House and Senate bills will be ironed out in conference committee before the bill is sent to the White House for Carter's signature.



MINING PROHIBITED. Under the terms of the strip mining bill passed by the House, mining would be prohibited on the fragile alluvial floors of the West. Above, an alluvial valley in the Powder River Basin.



The HCN Hot Line

energy news from across the country

LOOPHOLES IN STRIP LAWS. Most state strip mining laws look inadequate to the Environmental Policy Institute of Washington, D.C. Of 28 states with strip mining laws, Ohio came out first and Oklahoma and Georgia last in the amount of protection their statutes afford the environment, according to the research group's recent study. Even the most comprehensive laws, such as those in Ohio, Pennsylvania, and West Virginia "are seriously weakened by loopholes and variance mechanisms," according to the report.

Wyoming, Alabama, and Missouri were cited in the study as the only states that place the burden of proof on the operator during permit reviews and hearing procedures.

CENTRAL CITY HEATING. A Swedish company and the governments of St. Paul, Minn., and the United States will undertake a study to determine whether district heating is practical in St. Paul. District heating involves the direct transfer of heat from a central plant with either hot water or steam to heat all of the buildings in a city or section of a city. A paper prepared for Science magazine says that this method could save billions of dollars of foreign exchange and the equivalent of 3.3 million to 3.6 million barrels of oil a day. The method is widely used in Europe. According to the Chicago Sun-Times, six per cent of the population of West Germany is heated by hot water from central sources and 20 to 25% of the residents of Sweden use district heating.

HOME INSULATION CREDIT KILLED. The Senate U.S. has failed to pass a proposal for \$225 tax credit for home insulation. The measure was defeated because Democrats argued that the Congress must pass an overall energy bill, not just the "popular" parts. United Press International reports. The bill had been offered by Sen. Clifford Hansen (R-Wyo.).

ENERGY CRISIS? A Gallup poll reports that a majority of Americans, 51%, believe that the energy problem is only "fairly serious" or "not serious at all." Four times as many people think that economic problems are the "most important" issue facing the country as those who cited energy. Among suggestions to decrease energy use, the public ranked "better public transportation at lower prices" the highest, car pools next, and then less recreational driving. President Jimmy Carter's proposals for higher taxes on gasoline and large cars were ninth and tenth on the preference list.

ENERGY CRISIS? PART II. A United Nations report says that the world has enough oil and natural gas to last at least one hundred years, according to the Associated Press. The report says that the fuel will be available "albeit at a substantially higher cost." This apparently contradicts a Central Intelligence Agency report warning of shortages that President Jimmy Carter used to underpin his energy plans. In addition, Republican opponents of the Carter plan are now citing a 1975 U.S. Geological Survey report that says the U.S. has enough oil and gas to last for the next 20 years without relying on imports, the Rocky Mountain News reports. Senate Republicans plan to use this study to argue that the country doesn't need a crash energy diet, the News says.



12-High Country News — May 6, 1977

California leads the West in water saving ideas

by Dan Ray
Department of Water Resources
State of California

More than any other state in the West, California has based its development on the dam, the canal, and the irrigation ditch. The state's 22 million people and its agriculture industry use over 38 million acre-feet of water annually. Major dams trap the flow of every named river in the state's Central Valley, and water from north coast rivers can be pumped and piped hundreds of miles south to San Diego to irrigate avocados and grapes.

However, now, when most Western states are clamoring for federal help building more dams, California is concentrating on making do with less water. Its conservation program sets standards requiring low-water-using appliances, uses state grant programs to encourage it, and pushes new water rate structures.

The state's first step toward a water conservation program was publishing a 94-page pamphlet that outlined potential water savings on a region-by-region basis and proposed an ambitious program for state, local, and private action. The Department of Water Resources also sponsored several two-day conferences on water conservation at locations around the state. Information on water conservation in homes, outdoor gardens and landscapes, businesses, farms, and industry was de-

veloped, based partially on research by the University of California.

In May, the Department of Water Resources and the Office of Appropriate Technology will join to plant a drought-tolerant demonstration landscape near the state capitol in Sacramento. The landscape will feature native trees and shrubs and water conservation gardening techniques. Other demonstration projects may follow.

The Department of Water Resources has also begun to work with the State Department of Education to develop water conservation materials to be used in classrooms in grade schools and high schools.

ONLY LOW-FLUSH

Other states are also considering educational efforts. However, California's program includes several innovative incentives combined with a few requirements that state officials hope will guarantee a dramatic reduction in water use.

First, the state is encouraging the use of water-saving devices. A law passed in 1976 requires that only low-flush toilets be sold in the state after 1978. This spring, the state considered water efficiency guidelines for new showerheads and clothes and dishwashers. The state is developing a program that would lead to the installation of water conservation devices in every home in California. Under the proposed plan, the state would provide low-flow toilet and shower water conservation devices free to all Californians.

Second, the state has used its water rights, water quality, and water development financing programs to encourage water conservation. Water conservation may be required as a condition for approval of new water rights applications, and for grants and loans for water treatment facilities. In addition, the state's Public Utilities Commission has instructed utilities under its jurisdiction to begin water conservation programs.

Third, the state has supported water pricing programs that will encourage conservation. In urban areas, the Department of Water Resources has shown television ads supporting water rates that reward water conservation and encouraging the installation of water meters. Last summer, Water Resources Director Ron Robie testified against artificially low water rates set by the U.S. Bureau of Reclamation.

As the ultimate "incentive," where necessary, notorious water wasters have been taken to court. The state's authority to require water conservation comes from an amendment to the California Constitution which prohibits waste, unreasonable use, or unreasonable methods of use of water. Based on these requirements, the California Court of Appeals, in the case *Environmental Defense Fund v. East Bay Municipal Utilities District*, ruled that the district must consider waste water reclamation and other water conservation measures before it develops new water supplies.

SAVE OIL, TOO

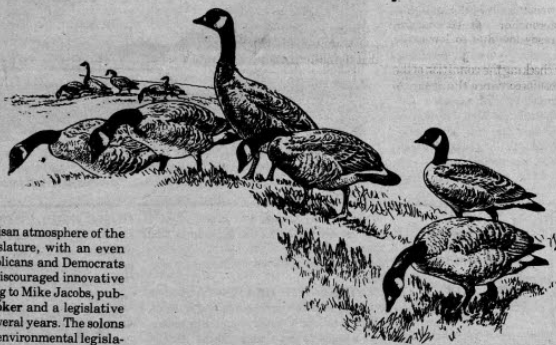
When the effects of each part of the program are added together, state planners estimate that California could save up to 365,000 acre-feet of water a year. In addition, 5.7 million barrels of oil that would have been used for hot water heating and water pumping and treatment could be saved. With the cooperation of the U.S. Environmental Protection Agency and other state agencies, the Department of Water Resources designed a pilot program to test the water conservation program in San Diego and four other areas. Many local water agencies have launched similar conservation programs of their own. If they prove successful, legislation already introduced in the state senate may carry the program statewide.

Voluntary action by local agencies, coupled with state coordination and financial help where needed, should see California through the rest of 1977, according to state officials.

But the state considers water conservation as much more than an emergency measure to get through the drought. Even in wet years, water conservation can save Californians millions of barrels of oil used in pumping, heating, treating, and disposing of water. It can postpone the day when expensive new dams and canals will be built. And it means more water for in-stream uses — recreation, fish and wildlife preservation, and water quality.

Attack wetlands protection

N.D. solons interested in politics — not environment



The strongly partisan atmosphere of the North Dakota Legislature, with an even split between Republicans and Democrats in the state house, discouraged innovative legislation, according to Mike Jacobs, publisher of *The Onlooker* and a legislative news reporter for several years. The solons didn't consider new environmental legislation, much less pass it, he says.

The big issue of the session to most legislators was the severance tax. Although some young, urban Republicans voted with the Democrats on some environmental issues, only two House Republicans consistently voted with the Democrats on the tax. Democrats, led by Gov. Arthur Link, pushed hard throughout the session for a 33-and-a-third per cent severance tax on the sales price of the coal, which would mean the money coming in from the tax would fluctuate with the price of the coal.

The Republicans, who dominated the state senate, succeeded in passing a flat rate tax instead. The bill finally passed at dawn on Good Friday after an all night session of haggling. It calls for a tax of 65 cents per ton, with an escalator that will push the tax upward one cent for each one point rise in the wholesale price index.

The tax will bring in at least \$24 million, which is to be divided among the State Coal Impact Office, the state general fund, counties where coal is mined, and the state trust fund for the future, in that order.

Democrats argued that Montana's tax will raise twice as much money as North Dakota's would. "Would you sell your tractor or your labor at that price? Why should we be the dummies of all those Montana jokes?" Rep. Dick Backes asked.

The United Plainsmen, a landowner-environmental group that pushed for the percentage tax and for other coal development controls, said, "We feel all our efforts have been for nothing."

Randolph Nodland, president of the group, charged in his legislative report that the influence of the energy companies had kept the Republican majority in the senate from passing the percentage tax and from passing a "decent" reclamation bill, a surface owners protection bill, or good air pollution laws.

The legislators did pass a bill that requires companies to set aside and replace five feet of topsoil to reclaim mines. Previously, only two feet were required. In addition, they gave the Public Service Commission the power to levy fines against mining companies of up to \$5,000 per day for violations of the state reclamation act. Previously, the commission had infuriated several miners when it told them it couldn't penalize their employer for reclamation violations.

A FEW LOSSES

Environmentalists fought hard for a bottle bill, but it was defeated.

Legislators also ruled that easements sold by a landowner for wildlife wetland refuges would end as soon as the land was

sold or the landowner died. They also said counties could have veto power over any refuges. The combined impact on the wetlands program will be "devastating," U.S. Fish and Wildlife Service Area Director

William Aultfather told the *Onlooker*. The state will also open a hunting season on moose since 27 somehow wandered into the state last year.

Nevertheless, Jacobs says there is some hope in the fact that the number of individual "yes" votes on environmental issues, such as the bottle bill, rose slightly over previous years. "There were a lot of young people elected. Many of them accept the environmental philosophy as a matter of course — they don't have to be taught," he says.

A multi-million dollar rural water aid bill created mixed feelings among environmentalists. Some of them opposed transporting water miles from its source while others said they recognize the need for getting water to many rural families who still don't have good water in their homes. The bill passed.

The *Onlooker* covers North Dakota politics, natural resources, agriculture, and "life on the prairie." Subscriptions are \$12 per year. Write to Mike Jacobs, The *Onlooker*, Drawer 10, Mandan, N.D. 58554.

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Western Roundup



ORV ban scare nets 30,000 protests

Despite the Carter Administration's attempts to clarify its intentions regarding off road vehicles (ORVs), the government has received between 30,000 and 40,000 telegrams, letters, and calls about the "ORV ban." Most of the messages spoke against ORV restrictions although there was strong support for control efforts sent from California and Wisconsin.

The rumor that all ORVs would be banned from all federal lands was started by William Jobe, vice president of the International Snowmobile Industry Association, according to the ORV Monitor. The proposed regulations actually said federal agencies should bar ORVs from specific areas that were suffering irreversible environmental damage from ORV use.

However, Jobe said he interpreted the proposed ban to imply a total ban since, he said, damage was always a possibility. A source in the Council of Environmental Quality, which first proposed the rules, called his interpretation a "willful misconstruction." A National Wildlife Federation attorney doesn't believe the proposed regulations give any significant new leverage over ORV use.

President Jimmy Carter's decision on

the CEQ recommendations won't be known until Carter gives his environmental message, which is expected this month.



ORVs ARE ON PUBLIC LANDS and would remain there under proposed regulations.

BLM considers cutting off some grazing

Bureau of Land Management (BLM) officials are considering closing several range units in the Shoshone District in Idaho to grazing due to lack of water. Initial surveys show less than five per cent of the perennial grasses have germinated, according to the Idaho Statesman. In addition, the reservoirs that normally provide a large percentage of livestock water are almost 100% dry, Terry Costello, BLM spokesman for the district, says.

Severe grass conditions had already forced many ranchers to voluntarily remove their livestock from the public range, which they lease from the federal government. Some of the ranchers are fattening heifers and steers in feedlots instead with plans to sell them this spring — at lower

weights — rather than next fall. The summer season's weight gain is normally the source of the ranchers' profit margin, which was already low due to low cattle prices.

BLM is now checking the condition of the range. If the results convince the agency to close certain units, it will likely cause friction between the users and BLM, according to the Statesman — especially since many ranchers have no private range land.

City dwellers don't seem to be aware the situation is this serious, according to Idaho State Drought Committee Chairman Steve Allred. "Water consumers in the cities and villages don't seem to be well informed or concerned to the point where they are conserving a lot of water," he says.

EDF fights Colorado R. salinity with suit

The Environmental Defense Fund (EDF) has announced that it will file suit against the U.S. Environmental Protection Agency (EPA) to force the agency to take stronger steps to protect the Colorado River from rising salinity levels. The suit potentially could affect proposed reservoirs in the Colorado River Basin, oil shale development, the city of Denver's expansion plans, and any other water users in the basin. The basin reaches from Wyoming through Colorado, Utah, New Mexico, Arizona, Nevada, California, and Mexico.

U.S. Bureau of Reclamation figures show that current salt levels already cause some \$53 million in damage each year to crops and plumbing, according to the Denver Post. Each part per million of salt added to the water in the upper reaches of the river will do at least \$230,000 in dam-

age by the time it reaches the Mexican border. However, instead of evaluating new projects according to the costs of desalinization, benefits, BuRec is attacking the problem with giant desalinization plants.

EDF advocates both a salinity approach to cost-benefit analysis and an innovative "salinity rights" allocation system. Under this system, each state would be allowed only a certain amount of salinity increase within its boundaries. It then would allocate "rights" to add salts. Any existing salt sources that wanted to expand their operations would have to first reduce the level of salts they added to the Colorado River. The rights could be bought and traded like today's water rights.

George Pring of EDF said the suit would be filed in June in U.S. District Court in Washington, D.C.

Metcalf: agency led official into 'ambush'

Sen. Lee Metcalf (D-Mont.) has accused the Forest Service of leading a Carter Administration official into an "ambush" by giving him out-dated and one-sided information about a wilderness bill Metcalf is sponsoring (S 393). Assistant Secretary of Agriculture M. Ruppert Cutler testified for boundary adjustments that would reduce the wilderness area, as recommended by the Forest Service, according to the Missoulian.

Metcalf said that boundary adjustments had taken care of many of Cutler's objec-

tions years ago. Forest Service figures for timber value in the areas were based upon old acreage figures and were more than two times higher than figures calculated by the dean of the School of Forestry at the University of Montana.

In other action, however, Cutler did halt a timber sale planned by the Forest Service for one area included in Metcalf's bill. His order said the Forest Service had not given adequate consideration to wilderness alternatives. The sale had been the subject of litigation brought by seven environmental groups.

Alaska wants biodegradable bottles

The Alaska Legislature is considering a bottle bill that requires not only that all pop and beer containers be refundable and reusable, it also specifies they must be biodegradable. The state house passed the bill by an "overwhelming" margin, according to the Alaska Advocate, after exempting the very remote areas of western

and northern Alaska.

If the bill is passed by the senate and signed by the governor, it would go into effect January 1. A co-sponsor of the bill, Rep. Clark Gruening, says that if a can of beer costs a few cents more as a result of the bill, it is worth it to all the state.

CAP funding depends on changing law

President Jimmy Carter is apparently trying to influence state water law through the conditions he imposed on funding for the Central Arizona Project, according to the Los Angeles Times. Carter has announced that he will approve funding for 85% of the project, one of the two largest on the original "hit list" of questionable water projects.

However, the funding is contingent on Arizona reforming its groundwater law. There are now virtually no controls on

water wells. Tucson, Ariz., for example, is one of the largest cities in the U.S. that depends entirely upon groundwater. The water table in the area has been dropping by 10 feet or more a year.

Brent Blackwelder of the Environmental Policy Center says, "If Arizona were to reform its groundwater laws, the need for the whole Central Arizona Project would evaporate," because the groundwater resource, carefully used, could fill the state's needs.

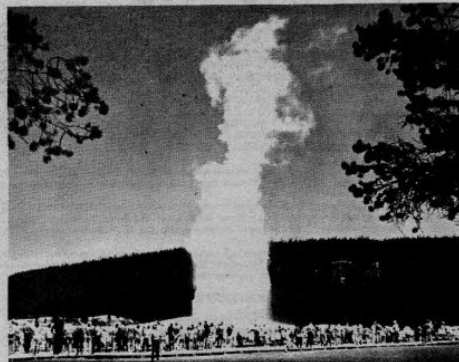
Plutonium shipments hidden from locals

Plutonium, an extremely dangerous radioactive material, has been consistently flown into a county airport in the Denver area without local or state officials being notified. What's more, officials at the Rocky Flats nuclear weapons plant refused to acknowledge that plutonium was being transported in a particular shipment until the airport manager closed the airport to find out, according to the Denver Post.

Dr. Anthony Robbins, director of the Colorado Health Department, is not satisfied with the plant officials' assurances that the shipments were guarded and pac-

kaged in safe containers. He said there is a preoccupation with the danger of the fuel being stolen and used by terrorists for nuclear weapons. However, he is concerned with the potential for accidents and health problems. Inhalation of microscopic particles has been shown to increase the risk of cancer deaths and of birth defects.

"Our state jurisdiction over that plant and the transportation of things like plutonium is simply non-existent," Colorado Gov. Dick Lamm says. However, he hopes to persuade the government to take added precautions.



SCENIC WONDER attract thousands of tourists to Yellowstone National Park. A recent study says the facilities that serve them once they arrive are dilapidated. Photo courtesy of Wyoming Travel Commission.

Study says Yellowstone's in it for \$

Officials of Yellowstone Park Co. have denied that the company's emphasis on profits has resulted in unpleasant and possibly unhealthy conditions at Yellowstone National Park facilities. The allegations were made in a New York Times story on an unreleased report by a National Park Service study team. The report was commissioned after the Park Service received many angry letters about the facilities at Yellowstone and before the Park Service was scheduled to renegotiate its 30-year contract with the company, which is a division of General Host Corp. The study team said sanitation standards in restaurants and employee cafeterias are low, poorly-paid employees are rude or indifferent, many buildings are decrepit, and rooms and baths are dirty.

A vice-president of Yellowstone Park Co., Robert Boyd, says the charge of pro-

fiteering is untrue, as evidenced by the millions of dollars the company is spending on remodeling and repairs. He says the company has been reluctant to remodel some of the facilities because the Park Service has been recommending phasing them out, according to the Billings Gazette. "We're making a halfway reasonable profit but not as reasonable as we would like," Boyd said. Although he wouldn't specify exactly how much the company makes, he indicated it is about one million dollars per year.

Critics of Park Service policies have advocated removing concessions from national parks. They say the situation at Yellowstone indicates that under current policies, the Park Service can't insure that concessioners meet their contract obligations.

Gifford Pinchot, when conservation was king . . .

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(continued from page 1)

dust rising over the eroding Western mountains, the public began to realize that prosperity could not come without order. Still, though its sympathy grew, Congress shied from the concept of effective government regulation.

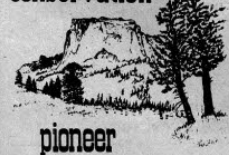
An assassin tipped the scales. On September 14, 1901, President McKinley died from a gunshot wound at the Pan-American Exposition in Buffalo, N.Y. Robust Theodore Roosevelt assumed the office on the same day — already a budding folk hero with his derring-do in the West as a cowboy and his somewhat exaggerated prowess in the Spanish-American War. Furthermore, the nation was tired of the ravages of the Gilded Age — its land grabbers, its blatant pork barrels, its medieval corporations. Even before it read Sinclair Lewis, it was ready for general reform. Furthermore, Teddy Roosevelt shared many of the forester's utilitarian ideas about the need for conservation and its link with the welfare of the common man.

Before the new President could move his hunting trophies into the White House, his old friend, Pinchot, was on his doorstep talking about the transfer. The President helped mend the remaining political fences, and Pinchot got his victory from



Gifford Pinchot
U.S. Forest Service photo

Conservation



Congress in 1905. The Bureau of Forestry became the U.S. Forest Service, now responsible for 86 million acres of reserves, renamed national forests.

Predictably, Pinchot bent himself to put the new bureaucratic giant on a sound business footing — thus establishing the principles which, for better or for worse, are the legacy of the present Forest Service. He predicated policies on the vague, if high-sounding, nostrum: "the greatest good of the greatest number in the long run."

Graziers found themselves regulated as to the size of their herds eating federal grass; and they had to pay fees for the

privilege. He fought to curb the monopolistic electric industry, greedy for water-power sites. Rangers in the field, instructed to consider the long-term yield of the forests, told lumbermen what they could cut — also for a fee — and how to cut it. Ignoring the fact that forests had thrived for millennia without assistance from man, the foresters took up Pulaski and McLeod in a holy war against all fires. There were mistakes in applying the new science, and people making a living on the forests grumbled.

Pinchot stood his ground; he summed up regulations in a text for rangers — significantly known as the *Use Book* — sometimes called the *What's the Use Book* by the locals. As to the lumber magnates, some of them, such as F. E. Weyerhaeuser, realized who held the cards; they proclaimed themselves conservationists — while hoping for better days and continuing to lobby Congressmen for less strict regulation.

Whatever the varying views of the new service in other respects, it was a model of efficiency. Perhaps necessarily, its chief administrator was a benevolent despot. In order to encourage prompt paper shuffling, he once toyed with the idea of nailing desk

drawers shut in the Washington office. Dashing around in the field, the forester fired corrupt or lackadaisical rangers, while assuring faithful servants that they were engaged in a patriotic crusade.

As has since become obvious, environmental issues need the combined efforts of concerned citizens, bureaucrats, and — foremost — a sympathetic President. Pinchot had the first element in the Progressive climate of the early century. As to the second, James Garfield, son of a former President and Roosevelt's Secretary of Interior, W. J. McGee, a geologist who had served under John Wesley Powell; F. H. Newell of the Reclamation Service; and James Wilson, Secretary of Agriculture, all championed forestry.

Despite their near messianic drive, however, their efforts would have fallen short without Teddy Roosevelt's power and panache. TR had a fatherly liking for the foresters and made him a member of his "tennis cabinet" — a collection of advisors who discussed politics while the hefty Roosevelt, not an outstanding player, slammed tennis balls at them.

For his part, the admiring Pinchot glowed in his status as the "unofficial crown prince" of the Administration. The head of the Forest Service rode, ran, swam, and schemed with the Executive. When Congress bolted at Roosevelt's bluster and growing power — and at the size and number of new national forests — Pinchot

(continued on page 16)

DISTAFF CORNER

by Myra Connell

On Sunday following the date of this issue of HCN the tiny town of Dubois, Wyo., in the Wind River Mountains will celebrate "Mrs. Olsen's Swedish Dinner," a smorgasbord extraordinaire, if you will forgive a French word to describe a Scandinavian feast. The entire community participates in the nostalgic and traditional memorializing of the days of the tie-hacks.

For the beginnings of the story we have to go back to 1906 when the young state



A tie drive on the Wind River

was building railways, digging mines, and establishing homes. Millions of railroad ties were needed as well as mine props, building logs, and lumber. The lodgepole pine forest near Dubois was seen as a prime

source for these materials. The main drawback was transportation to the nearest railway over more than 100 miles of rough winding roads, little more than trails. But logs had been floated down the waterways of the East long before, so little imagination was needed to see the Big Wind River as the logical highway to the rail head.

Skilled woodsmen from the Scandinavian countries established crude camps in the woods and worked at hewing ties to exact dimensions by hand. Although they were extremely skilled craftsmen they earned only \$3 per day, \$1.50 of which they paid the timber company for board. Ample meals were supervised by Mrs. Olsen, wife of the woods boss, in whose honor the annual dinner has been named.

The fun-loving Scandinavians were fine musicians, especially with the "squeeze-box," and they lived up to the isolated community with gay dances and merriment. It was a grand interval, an era to be remembered. Most of the tie-hacks who worked in the woods through the winter worked on the tie and log drives in summer. When the drive reached Dubois there was a super-celebration.

Nothing that man does in his struggle for survival is without its consequence upon the land.

The first log drive was in 1906, the first tie drive in 1914, and the last tie drive in 1946. During the peak year, 1927, 700,000 ties were floated from the forest above Dubois to Riverton.

Poor old Wind River really took a beating during those 40 years. In its natural state it had many oxbows and meanders. It frequently overflowed its flood plain during spring run-off, depositing a layer of rich silt that nourished the vegetation.

During the tie drives, millions of heavy ties slammed into the banks where the stream bed curved, loosening the earth. The river took the course of least resistance. Oxbows were straightened out and the stream bed was deepened, as the river ate its way into its flood plain. Good farm land was transported from Wyoming to the Mississippi Delta.

I have this information from an elderly person who spent much of his life near the Wind River. He remembers one cottonwood



grove where a rookery of herons nested every year. The river claimed the grove and the herons had to go elsewhere for a home. Actually, in his words, "the river got to going on rampages." One farm lost all its buildings excepting the house.

Recalling the romance and excitement of the tie-hack days gives the people of the little mountain town a time of happy reminiscence. Alas, there is also cause for regrets for things that were done to the river.

Classifieds

"CANYON COUNTRY HIKING AND NATURAL HISTORY." Barnes, 176 pages, illustrated, \$3.95ppd. Hiking trails and routes in southeastern Utah. F. A. Barnes, Box 963, Moab, Utah 84532.

POSITION. The Idaho Conservation League, a citizens' environmental lobby, is accepting applications for a full-time executive director. Skills and knowledge required: political process, general resource-conservation issues, grass roots organizing, public speaking, writing, lobbying, administration, fund raising. Job description will be sent to interested persons upon request. To apply, send resume with references and writing samples to ICL, Box 844, Boise, Idaho 83701. (208) 345-6933. Deadline for application is May 20, 1977.

FOOTRACE. High Country News is sponsoring the First Annual Lander Citizens' Footrace to be held on June 5, 1977. The five-mile race will be run over a course to be announced later. Classes of competition will be announced when the amount of interest has been determined. A \$1 entry fee will be collected, and the winners of the various classes will divide the proceeds. If you are interested in entering, please call Sarah Doll at 332-3929 or Joan Nice at the HCN office, 332-4877. (A pro class, with appropriate fees shall be added if the need arises.)

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OF Democracy, Truth and Courage

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When conservation was king ..

(continued from page 15)

and TR delighted in carving out 16 million acres of new reserves before a bill to limit such Presidential power went into effect. Congress stormed; the conservationists chuckled up their sleeves. The relationship between the two men had its side effect, however. As Nelson McGeary puts it in his study of Pinchot: "... Pinchot was almost spoiled for any future work under a superior who did not have full and implicit faith in his every move."

Proof of the observation was not long in coming. Taft became President in 1909, and in Pinchot's eyes he couldn't fill TR's shoes. In fact, Taft was a strict constructionist, believing that he shouldn't go beyond the letter of the law for the sake of conservation, even if it were for the public good. The petulant Pinchot, stung and his ire up, picked a fight with Taft's Secretary of the Interior, Richard Ballinger, implying that he was corrupt in dealing with coal leases on Alaskan forest lands. Taft finally lost patience with the head of the Forest Service, who had been tattling about Presidential shortcomings to Roosevelt off in Africa on safari, and fired him early in 1910. Pinchot saw himself as a martyr to the cause.

Soon after that, Gifford Pinchot's life becomes almost another story, as his conservation beliefs blossomed into liberal politics. He broke a bachelorhood of 49 years to marry a sophisticated and politically active woman. Pinchot applauded while his wife affronted public decorum by running for Congress. Twice he himself campaigned for senator, but twice lost.

He did serve two terms as governor of Pennsylvania — where he fought corruption, pushed for social reform, and relieved unemployment during the Depression. Older Pennsylvanians still remember the "Pinchot roads" of his public works projects — the paved roads that made life easier for the state's farmers. He was one of the best governors the state had.

Martin Fausold summarizes the wide contribution of the forester's later life: "Gifford Pinchot transferred the struggle for scientific conservation of natural resources from a government bureau to the national political scene as a great plan to

ameliorate man's condition. Thus, two of the 20th century's significant tenets of federal government — conservation of natural resources and scientific government planning — became firmly imbedded in the American political tradition."

For all that, forestry remained Pinchot's first love, and over the decades, while supporting liberal candidates, he served on conservation commissions and used his considerable political power for conservation reform.

Even as an aging war horse, however, he was short-tempered and prone to squabbling — he called Harold Ickes, a former friend and Franklin Delano Roosevelt's Secretary of Interior, "the American Hitler" and often alienated potential supporters with similar overstatements. Because of his inability to compromise and a penchant for interpreting disagreement as hostility, he never achieved one lingering dream — to become President on the model of TR. In 1946 Pinchot died at the age of 81, soon after completing *Breaking New Ground*, an enthusiastic record of his forestry career.

As its first head, Gifford Pinchot left an indelible stamp on the Forest Service, which now manages 10% of the nation's land. Since its founding in 1905, the agency has generated controversy. Environmentalists charge the service with a long list of specific abuses, though basically the problems revolve around one issue: increasing scarcity. Seventy-five years ago, supporting a population less than half its present size, the largely rural nation could harvest trees scientifically, with minimum harm to the ecosystem and with no end in sight. In order to satisfy today's enormous demands, however, the service promotes monoculture on the public's woodlands, sacrificing wilderness, watershed, and wildlife values for production of the most economically valuable trees. Pinchot couldn't envision the day when a society based on waste would outstrip the capabilities of its resources — as is becoming evident not only with trees, but with minerals, oil, even air.

Neither did the agency's first and most progressive head imagine the day when the Forest Service would be accused of falling under the influence of his old enemies in



Theodore Roosevelt and Gifford Pinchot

U. S. Forest Service photo

The head of the Forest Service rode, ran, swam, and schemed with the President.

the timber lobby. In *The Forest Killers*, Jack Shepherd sums up the way many critics see the present situation:

"While America became distracted by an economy of excess after World War II, the Forest Service... adopted the basic goals and philosophy of the industry it was supposed to police. A few of its officials modeled themselves — and some still do — after Gifford Pinchot, but others became vain and grew less vigilant. Slowly, but perceptively, the Forest Service turned

from guardian of our national forests into an arm of the timber industry."

Given his understanding of silviculture, perhaps today Pinchot would realize that his principles, rigidly applied in a different time and under vastly different circumstances, are anachronistic and environmentally destructive. And because to him the good of the country came before profit, it is likely that he would be on the forefront of those urging a holistic approach and belittling as antidotes for diminishing resources.

M. Nelson McGeary's *Gifford Pinchot: Forester-Politician* is a comprehensive overview of the forester's career. Other books deal separately with the two interests of his life, forestry and politics: *Gifford Pinchot: Private and Public Forester*, by Harold T. Pinkett, and *Gifford Pinchot: Bull Moose Progressive*, by Martin L. Fausold.

In the last decade of his life, the crusty forester looked back on his early conservation campaigns and wrote *Breaking New Ground*. The partial autobiography crackles with Pinchot wit, but, laced as it is with Pinchot bias, the book needs to be read with caution.

Dear Friends,

Out of the frying pan and into the fire? Why would anyone want to leave a job as news editor of *High Country News* to go work for everybody's favorite scapegoat — the Sierra Club?

I don't have a good explanation. But as you know, when the job of Northern Great Plains regional representative became available, I applied and was selected.

—It was impulsive. I admire the club, its staff, and its long history of working diligently to preserve the things I value most in life. The club's motto, "Not blind opposition to progress, but opposition to blind progress," matches my own philosophy.

—It was selfish. I saw the new position as a chance to stay active in the environmental movement in the region and yet have more resources (travel budget, legal services, etc.) at my disposal.

—It was challenging. I believe the Sierra Club is one of the most effective forces in the country in the drive to protect our nation's natural resources. With a sympathetic administration in Washington, these next few years are

going to be vital ones in determining major environmental policies. Already we've witnessed a major reevaluation of federal water projects, the unveiling of a proposed national energy policy, and other bold conservation proposals. It is going to require strong support from the environmental community and the



Bruce Hamilton

general public if anything lasting ever comes of these opportunities for action.

It seems to be a critical time for everyone to assume as active a role as possible. With the club, I'll be speaking at public hearings, lobbying Congress, reviewing administrative decisions, and attempting to influence policy in other ways. I know HCN will continue to play its vital role, too, by covering the

environmental drama as it unfolds.

—It represented the best of both worlds. When I accepted the job, I told the club that I planned to continue a close relationship with HCN. I will stay in Lander and I plan to continue to write for HCN as well as Sierra Club publications. I hope to spend more time traveling with my wife. HCN managing editor Joan Nice, instead of having to take separate business trips while one of us helps cover the HCN office.

I don't feel I'm leaving HCN in the lurch. I have full confidence in the ability of the entire staff, and I'm impressed with the talent of the candidates that have applied for the opening at HCN.

—It was a change. I wasn't eager to leave HCN, but when an ideal job became available, I decided to apply for it. It was an opportunity to try something similar, but new.

So, it's not goodbye. I'll still be in close contact. You'll hear from me through the pages of HCN and perhaps we'll meet at hearings or other events. HCN staff and readers form a tight community, and I plan to remain a part of it.

If you ever need to get in touch with me, please call or write. My new office address is P.O. Box 1078, Lander, Wyo. 82520 or call (307) 332-9824. My region includes Wyoming, Montana, North and South Dakota, and Nebraska.

Thank you all for the notes and good wishes.

Long live the pupfish, the furbish housewort, and the snail darter.

Bruce Hamilton



In The News

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the latest Utah coal burning giant.

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benevolent despot.

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California's conserving fish are dying.

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a Noah's ark.

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