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11-79

BLM, back in the spotlight after years of neglect

by Bernard Shanks

"The eastern portion of the United States is supplied with abundant rainfall for agricultural purposes...but westward the amount of aqueous precipitation diminishes in a general way until at last a region is reached where the climate is so arid that agriculture is not successful without irrigation."

With these words John Wesley Powell opened his classic report on the arid lands of the United States. It was April 1, 1878. Sensing the coming problems of the homestead legislation, Powell proposed an alter-

native settlement pattern based on the limits of the land. An optimistic Congress treated Powell's report as heresy. Millions of acres of the West were claimed for agriculture; thousands of homesteads failed. By ignoring Powell, leaders in public land policy assured that vast areas of the West were unsettled and remained in public ownership.

Today the public still owns over 350 million acres of these lands. They include dramatic red rock canyon country, sweeping desert and rolling grasslands where a hint of the frontier remains. Increasingly valuable and cherished, the lands, from the Missouri Breaks to the Sonoran Desert, are

nevertheless a legacy of land policy failure. From them an agency emerged almost by default — the Bureau of Land Management.

The least known and most maligned pub-

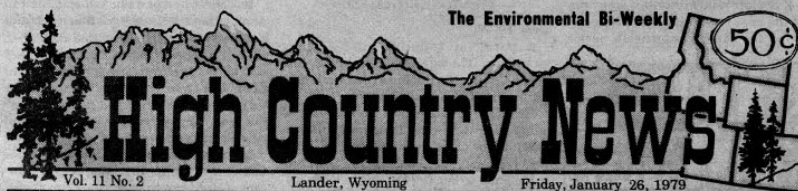
**WHO'S TAKING CARE
OF
YOUR
PROPERTY?**
a series on the
federal land managers

lic land agency, the BLM is as full of contradictions as the West. While it harbors some of the most archaic of the public land managers, it also has hired some of the best and brightest. While it is the least-known land agency, it manages the most public land. It is also evolving faster than the other agencies, making rapid strides to protect and manage the scattered and diverse lands it administers.

Virtually unknown in the East, the BLM owns more than half of the land in Alaska and Nevada and has substantial land holdings in the remaining Western states. But scattered land holdings complicate the task of management. The concentration of these lands in a few states has also made the bureau vulnerable to the few congressmen with a direct stake in its operations.

Many Western elected officials simply and honestly hate the BLM. Nevada's Congressman Jim Santini (D), upset over proposed BLM mining regulations, has called for "solutions" to the BLM "short of assassination." Other federal agencies scorn the casual dress and cowboy-orientation of many BLMers and regard them as poor and distant cousins. Conservationists generally are distrustful of the BLM because of its past orientation toward ranchers and miners.

A director heads the organization from Washington, D.C. Most of the Western states have a state director who historically has been development-oriented and



Air, taxes top lawmakers' agenda

As legislators across the Rocky Mountain region convene, chances for additional progressive environmental legislation vary widely. The region's most urbanized states, Colorado and Utah, will deal with their major environmental problem — air pollution. Most of the others will focus on energy issues, particularly mineral taxation and facility siting.

Wyoming and North Dakota will discuss raising their mineral severance taxes, while Montana will re-examine its tax, the highest in the nation.

Two states — Montana and Wyoming — may backslide on environmental issues, particularly their industrial siting laws. Legislators in both states are expected to launch a strong campaign to loosen siting restrictions.

Idaho's environmental issues will be overshadowed by implementation of their recently-passed one percent initiative, which limits property taxes. Idaho is pushing for a state water project fund, as is Colorado.

Some progress may be made in the area of alternative energy. Several legislatures will consider varying forms of both tax and non-economic incentives to encourage development of alternative energy technologies.

COLORADO

The Colorado legislature's top environmental issue will also be its single most important issue — air pollution.

Another major issue, and the only other environmental issue of major proportion, is creation of a state fund for construction of water storage projects.

Both issues have been discussed in the Colorado General Assembly before, but both appear to have a special urgency this year.

Air pollution control is back at the top of (continued on page 6)



Photo by Mike McClure

WATER will be a big issue in Idaho, where the governor is recommending several state water projects. A similar bill will be considered in Colorado.

News analysis

closely allied with mining and livestock interests. Each state has several districts, each headed by a district manager.

Many of the old district managers look like the stockmen whom they view as their major clients. Cowboy boots, rodeo belt buckle and a prominent can of Copenhagen in the shirt pocket remains the standard BLM district manager stereotype. Occasionally one of these classic types is seen in the halls of Washington's Interior building conversing in authentic Western ranch twang. But only occasionally. Most are found in the small towns like Tonopah, Elko, Lewistown, Moab or Canon City. But this is changing. A glimpse at the current staff of a BLM office often reflects the national changes in life style.

The agency has inconsistencies in management as well as style. In part, this is due to differences in state directors, who have more autonomy than their counterparts in other agencies, and in the education and experience of their staffs. Required conformity, such as a dress code, is not as important as in the Forest Service. In general, BLM employees are allowed more independence and individuality than other agencies' workers. As a result Montana, for example, has been environmentally-minded on many BLM issues, while Utah has been backward and slow to change.

Few agencies can match the rich and exciting history of the BLM. Following the War of 1812, the General Land Office was organized to dispose of millions of acres of federal land won by the war, purchased by gold or earned over the negotiating table.

Early in this century the GLO was rocked by coal and other energy leasing (continued on page 4)

2-High Country News — Jan. 26, 1979



JUST ONCE IN A LIFETIME

by Mary Back

"Wind River never freezes in our part of the valley," we Dubois people brag. We explain, "Too many warm springs feed the river: Big Warm Springs Creek, Geyser Creek, Little Warm, and a lot of unnamed springs. There's a 15-mile stretch of river that never freezes over." But the great cold this year made us liars.

So it was a once in a lifetime experience for me today when I walked all the way

across Wind River on the ice. In front of our house I saw a narrow channel where the river roared; just upstream a wider, calmer stretch; and just above it another jagged wild channel. At one place it looked as if it might be bridged over. I walked out carefully, my forward foot testing the ice at each step. There was not a single warning snap.

The bridge was 10 feet or so wide, made of ice cakes piled across the channel, cemented with splashed frozen water and smoothed with yesterday's snow. The upper channel, about two feet wide, threw around little ice cakes the size of saucers that landed along its edges and against the bridge. It was building up levees on both icy edges and on the bridge, so the water ran higher than the level ice, and the bridge was a foot higher than the water.

The lower channel started hardly three inches wide, and all of Wind River tried to get through it. It snorted and bellowed and choked. It threw up long strings of water with drops on top. It was building levees



with its vomit. I edged back as a drop bounced off my overshoe. The drop was not water — it was solid ice.

Mary Back is an artist and naturalist who has lived in the upper Wind River Val-

ley for over 40 years. She is married to Joe Back, artist and author of several books on Wyoming life (See HCN 12-15-78). They live on the banks of Wind River in a log house—studio full of artwork and surrounded by birds.

VISITS WOULD HELP

Dear High Country News:

After living on the Navajo Reservation for several years, I am somewhat familiar with this most gorgeous and unique part of our country. I also am painfully aware of its fragility. If more people could spend a little time in the Escalante canyons, I'm certain they would be won over immediately to the cause of preserving it and the area around it.

It is a land of steep-walled canyons, lush canyon floors with streams, arches, Anasazi ruins, dripping springs and waterfalls. An integral part of the area is the still reasonably clear air, which proposed energy developments would degrade. Even one drive from the town of Escalante to the

town of Boulder would convince many people of the need to preserve it. I believe it deserves the same recognition as the



Grand Canyon or Yellowstone Park. But the threats are mounting, and time is running out.

Kevin A. Stover
Coulee Dam, Wash.

MCVICKER TRAGEDY

Dear HCN,

A personal tragedy has hit Gary McVicker. Through Bob Buffington and Frank Gregg, the BLM has been hit a harder blow. (HCN, 12-29-78).

McVicker got the boot because three permittees (who even then were in trespass, if the prestigious National Wildlife Federation's Tom Kimball can be believed) bellyached to Senator DeConcini and Congressman Bob Stump—and BLM Director Frank Gregg caved in.

I've known Gregg since the 1940s. He succeeded me as executive director of the Izaak Walton League. I'd have sworn on a stack of Bibles as high as a giraffe's knee that he'd never do that.

But McVicker is a marked man; he can never go back to field work that might put him crosswise with a permittee. And what about all those environmental impact statements that are being forced out of BLM? Is anyone naive enough to believe they will be meaningful or, if so, enforced? Not now! Three permittees and two elected officials have spoken.

Meantime, the land, too, is speaking—and there are tears in its voice. Eighty percent of BLM range overgrazed, much of it depleted—a term that has a specific and critical meaning to a federal range man and other professionals. Kiss it goodbye, for BLM has caved in.

William Voigt, Jr.
Blackshear, Ga.

Dear Friends

Theoretically scholars can't make up history. They have their footnotes to keep them honest. Journalists, in a faster-paced world, use a condensed form of the same sort of discipline—attribution.

Most of High Country News, except for opinion pages two and three, is attributed news. But occasionally, in stories such as Bernard Shanks' piece on the Bureau of Land Management on page one, we read like an opinion journal. Why the apparent inconsistency?

Most of our copy is straight news style, in which attribution is essential. Only the barest facts are reported without it. For instance, one can safely say that coal is being mined in the Rockies without adding a phrase about who said so. It is a fact with widespread corroboration and doesn't need the qualification provided by such phrases as: "Sources within the coal industry say," "according to the Bureau of Mines," or "in a visit to Gillette, Wyo., this reporter witnessed..."

However, most interesting stories quickly become more speculative. The reporter may wish to go on to tell the reader whether mining is adversely affecting the lives of the local people. If he asks enough different people the "facts" about this question, he'll get several different answers. Awkward as it sometimes is, he must tell the reader where every such statement came from. For instance, "Preservationist Roger Goodbody says that the coal mining town people are leading lives of quiet desperation," or "The Big Scoop Co. says that the coal it is supplying the nation is worth

some minor inconvenience to the town."

Here, attribution not only allows the reader to weigh the opinions. It also allows the reader to see if some critical perspective is missing. In the case above a hole is obvious. No one has asked the people of the town how they feel about mining.

Occasionally, a reporter is forced to use some form of vague attribution such as "sources say." This is generally used to protect people who don't want to be quoted by name. But such a phrase is almost useless to the reader, and it is avoided where possible. A person's name and title is the most solid form of attribution.

When the facts are laid out in a comprehensive fashion, the reader may be confused about what conclusion to draw. He may not be able to decide unequivocally whether coal mining is good or bad for the town. But hopefully he will have a feel for reality. In this case he should get some idea of what it's like to live in a coal town.

Somewhere in between the extremes of an indisputable fact and a personal impression are statements that occasionally cause reporters and editors to squabble about whether attribution is necessary. Sometimes attribution is difficult because the information has been gleaned from the reporter's general knowledge or pieced together from the comments of many different people. Phrases such as: "A week in the coal town gives an observer the feeling that..." or "It appears that..." or "Apparently..." alert the reader to the pos-

sibility that the reporter may be his own source.

If the reporter is an intelligent, fair person who has become well-versed in the field he is writing about, his judgments may be well worth reading. In fact, they may be the key element in making a difficult story comprehensible. But the reader should weigh such statements as opinion and not fact. Does the reporter have an ax to grind, has he been lazy about research—or is he providing a well-researched judgment about what the facts mean that couldn't have been gleaned from any other source?

One step beyond this kind of interpretive reporting is the "news analysis" journalism that you'll find in many magazines and that you'll occasionally find in High Country News. In the case of the BLM story on page one for instance, we don't have a reporter trying to tell all sides of an issue. Neither do we have an editorial writer telling you what to do about an issue. Rather, we present an expert who lays down the facts from a particular point of view. The quality of the piece is dependent upon the breadth of vision of its author.

The BLM story would have been different had we chosen a rancher, a miner, an environmentalist or a bureaucrat to tell it. Instead we chose Bernard Shanks, a university professor with years of training in the land management field and environmentalist leanings. He has worked at one time or another for all the land management agencies. He's the first to admit he has his biases. In fact,

we imagine that parts of this piece will be questioned by all the above-mentioned groups. But not many of them will be able to match Shanks' broad experience in the field. We think it's worthwhile to vary from our straight news reporting style occasionally, to open up debate on an issue by looking at the facts through an interesting individual's eyes.

— the staff

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Stewart Brand

Proud he didn't join the Sierra Club

No one seems too upset when Lewis Lapham, editor of *Harper's*, says that environmentalists are all part of an "equestrian class." We've come to expect anti-environment invective from *Harper's* lately. It's no longer interesting.

And besides, everyone knows an exception to Lapham's rule. People who feel a kinship with the land come in all shapes, colors and sizes and have pocketbooks of varying thicknesses.

But when Stewart Brand, the environmentalist-sympathizer behind *Coevolution Quarterly*, dumps environmentalists into one distasteful heap, that calls for attention. Since his first *Whole Earth Catalog* in the '60s, we have followed and enjoyed Brand's unorthodox work. We consider him a good thinker and thought provoker. Recently, however, he has decided that people concerned about the land belong in two bags. Some of us, he says, are "ecologists" — the good guys. "On good days, I hope to be one," he says. Others are narrow-minded, carping "environmentalists."

In his words, in the winter-1978 CQ, "The Environmentalist has a familiar precious vision that he wants to protect from all change. His primary activity is erecting and defending barriers. The Ecologist wants to both preserve and explore, to exclude nothing out of our ever subtler understanding of how life works."

Brand is torturing two useful words, environmentalist and ecologist, by attaching meanings that don't fit. To us (and to *Webster's*) an environmentalist is a person working to solve environmental problems. An ecologist is an expert in the branch of biology that deals with the rela-

tions between living organisms and their environment.

What provoked Brand's outburst? He may be trying to generate some letters to the editor. He's acted as a catalyst for discussion before. If environmentalists were debating the idea of space colonies a couple of years ago, it was because Stewart Brand's magazine drove them to it.

Or perhaps he is so worn by the effort of setting up the Whole Earth Jamboree this



fall that he can't see clearly. An environmentalist named Amy Meyer questioned his choice of a site near San Francisco in Golden Gate National Recreation Area for what was expected to be a 10,000-person gathering. In a forceful, determined manner she asked him to move the event from an undeveloped valley to a nearby rifle range. Meyer is a leader in several environmental groups in the San Francisco area, including the local Sierra Club. Although the club took no formal action against Brand's huge celebration, he was irked by Meyer and her fellow critics.

"Where before I have not been a member of the Sierra Club out of laziness, now I am

glad to be not a member out of conviction," Brand wrote. "And I'm sorry I gave them \$7,000 a couple of years ago....And I'll call 'Environmentalist' any sometime ally (against nuclear energy, development, or whatever) that I don't trust and whose ideas don't interest me. Naturally, Ecologists are those I consider fascinating because unpredictable because perpetually curious, thereby more deeply responsible thereby more trustworthy."

Brand goes on to compare environmentalists to the followers of Reverend Moon.

If this is your first taste of Brand's work, you may find it hard to believe that he has become something of a hero in back-to-the-land circles. He is also an advisor to California Gov. Jerry Brown. But does his broadening influence make his jamboree so sacred that it is not open to the same kind of questioning he has promoted on other issues? Does he despise Amy Meyer because she reminds him of the constructive "out-law" that he says he used to be?

At first Brand's outburst appears to be pure petulance. If it were solely that, however, it would hardly be worth mentioning here. If we can forget the jamboree, Amy

Guest editorial

The public, the last to know about fed's leasing

by Brad Klafehn

It is a curious fact that when the federal government sets about to formulate a coal leasing program, the public is often the last group to find out what is really going on. Impact statements are issued that are supposed to provide for an open debate on the merits of the leasing proposals. The Department of the Interior (stoically) maintains that it will not reach a decision on a leasing program until the environmental impact statement process has been completed. Yet, somehow, things don't seem to work out that way.

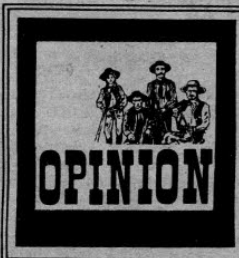
The last time Interior tried to develop a leasing program, ranchers and environmentalists had to take the department to court. They did so partly because Interior had failed to follow a basic rule: that a government agency can't decide on or start to implement a proposal contained in an EIS before the final EIS is published and reviewed. In that instance, the court enjoined Interior from taking any further steps to put the leasing program into effect, saying that "the program... was the result of a decision apparently made long before and apart from the preparation of the draft EIS."

As a result of that decision, Interior is now proposing another leasing system and has issued another draft EIS. But has the department learned from its past mistakes?

Apparently not. Although the final EIS will not be published until April 30, Interior is already implementing part of the preferred alternative described in the draft by applying "unsuitability criteria" to determine which coal lands should not be leased for mining.

A September 21 Bureau of Land Management memo stated: "To be ready for a

Jan. 26, 1979 — High Country News-3



Meyer and some odd definitions for a moment, Brand's message may be worth thinking about.

To us it seems that Brand is not talking about environmentalists and ecologists but about two impulses within each human being: the inclinations to defend the natural order and to explore its mysteries. We've defended that order at times without much mental exploration. That's what Brand's commentary makes us determined to avoid. But that's no worse than the other extreme — exploring, isolated from action. We think we can and should do both. It takes conviction about values and flexibility of thought. Brand's picture of a free-wheeling intellectual who acts on sound thinking is really not so far from our ideal of an environmentalist, a thoughtful activist. — JN

We'd like to join them

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Brad Klafehn is director of the Colorado Open Space Council Mining Workshop in Denver.

Guest editorials do not necessarily represent the opinions of the staff of HCN.

BLM...

(continued from page 1)

scandals. It had become a haven for worn-out political hacks. The GLO creaked along after the final homesteading rush just before World War I. Clearly outdated by the time of its demise in 1946, the agency meekly governed 450 million acres of Alaskan and Western lands. By the time of its demise in 1946, old age, senility and other infirmities were clearly evident.

The younger taproot of the BLM was the Grazing Service, a product of the 1934 Taylor Grazing Act. A small, Western organization, the Grazing Service gave nominal supervision over the Western livestock grazing districts. The Grazing Service had only one reluctant client, the Western stockmen.

Post World War II attempts by the Grazing Service to reduce overgrazing and raise grazing fees incited the wrath of Nevada's reactionary Sen. Pat McCarran. The agency's funds were reduced, workers were laid off, and in June, 1946, the president merged the Grazing Service and the General Land Office into the Bureau of Land Management.

For many years the BLM appeared to be a self-liquidating agency, with a mandate to manage lands "pending ultimate disposal." Many Westerners felt that "the Bureau of Land Management's business is to get out of business."

Land ownership patterns compounded difficulties. Riparian lands in the West were claimed in a haphazard pattern under the Desert Land and Homestead acts. The land grants to states resulted in isolated sections of state school lands. Railroad grants left a legacy of checkerboard land patterns.

Aggressive leadership under BLM Director Charles Stoddard in the early 1960s led to the 1964 Classification and Multiple Use Act. Stoddard reorganized the field offices, and with the new law's mandate for multiple use management and land use planning, he started the agency moving.

The cowboy ancestry of the Grazing Service continued in many field offices in part because the agency was primarily a Western land agency and because the Taylor Grazing Act was one of its few effective legal supports. More than any other agency, the BLM's staff has had a Western, rural perspective on the world.

As the environmental movement grew in the 1960s the BLM cowboy image was indelibly impressed on a generation of young environmentalists in Washington, D.C., and elsewhere. The BLM in turn remained hostile to environmentalists longer than many agencies. The livestock mission of the agency — providing fences, water developments and converting wild lands to cattle habitat — appeared to many to be the major program of the BLM. Many felt that only lip service was paid to the recreation, wildlife, watershed and historic values of the public lands. In many cases the impression was correct, and the BLM earned the nickname: "Bureau of Livestock and Mining."

Although livestock programs appeared to be dominant, other programs were gaining in importance within the bureau. In Oregon and Alaska, timber management was a major program, particularly on western Oregon's checkerboard lands. Postwar energy development increased the size and importance of the BLM. Off-shore oil leasing and other energy programs became increasingly significant within the agency until many were recently transferred to the new Department of Energy. (The BLM retains some administrative author-

ity over non-energy minerals, including gravel, phosphate and sulfur.) Public land surveys were also important programs, especially in Alaska. As other federal land agencies' responsibilities increased, so did the BLM's.

By the 1970s, the BLM was undergoing rapid change. It was successful in securing new appropriations and staff positions at a time when other agencies, such as the National Park Service and Fish and Wildlife Service, were hiring few new employees. Many of the best natural resources students of the Earth Day era ended up employed by the BLM. The 1971 Wild Horse and Burro Act brought it even more attention.

It was not until the 1976 Federal Land Policy and Management Act (FLPMA), as it is known to the BLM, that the agency received a clear directive to retain, manage and protect the public lands. Congress directed the BLM to protect land for its "scientific, scenic, historic, ecological, environmental, air and atmospheric, water resource and archeological values" and "where appropriate... preserve and protect certain public lands in their natural condition.... At the same time the public lands are to provide food and habitat for fish and wildlife and domestic animals and provide for outdoor recreation, human occupancy and use." Certainly that is a major task, perhaps an impossible one.

BLM is by federal standards a small agency, with 6,000 employees. It is a uniquely Western agency, and true to tradi-



Defenders of Wildlife photo by Dick Randall

WILDLIFE and other environmental values have traditionally been second to mining and grazing activities on public lands managed by the Bureau of Land Management, according to conservationists.

tion in recent years the director, Frank Gregg, is a former Westerner. But unlike some of the political appointees in the past, Gregg is an experienced conservationist, with respectable credentials as a planner, author and professional resource manager.

One of the stabilizing effects of FLPMA was the requirement for four-year funding. The \$2.1 billion four-year budget approved last year assures growth and increases from \$479 million in 1979 to nearly \$600 million in 1982. Relative to other federal agencies, the BLM has enjoyed considerable funding increases. However, its manpower and budgets still lag behind the other agencies.

THE NRDC SUIT

It was not the increased budgets or even FLPMA that initiated the biggest change in the BLM, however. A recent court decision had a staggering impact on the agency and on public land policy and continues to change its operation.

In 1973 the Natural Resources Defense

rotation grazing systems are expensive, with large expenditures for fences and water developments that become subsidies to one user of the public lands. BLM justifies these with a questionable benefit-cost formula.

Other questions surround rest-rotation grazing. If used extensively, the scheme could change the character of the open rangelands of the West. On most of the grazing statements the bureau has completed, the agency advocates rest-rotation systems that allocate 85 to 95 percent of the forage that can be grazed to domestic livestock. With that emphasis, impacts of the system on some wildlife species are potentially very large. The impact of sheet erosion and water pollution are still not understood. Rest-rotation's fences and other impacts may possibly adversely affect recreational activities and discourage areas from being considered for wilderness designation. The bureau's passionate support of rest-rotation grazing is bound to be a source of conflict in the future.

A fundamental issue in the

Its feet mired in the unsavory history of a "Bureau of Livestock and Mining," the agency is undergoing stress and ferment within.

Council challenged BLM's environmental impact statement on its national grazing program. As a result, a federal court ordered the BLM to prepare site-specific grazing EISs to comply with the National Environmental Policy Act. The court was highly critical of the BLM, stating, "The agency has shown relatively slow progress in implementing a thorough management planning system which would assist in protecting the environment." By filing 212 EISs over a 13-year period, for the first time the agency is revealing the local impacts of livestock grazing. The low priorities of wildlife, wild horses and other land uses compared to domestic livestock are becoming obvious.

BLM's first attempt at a site-specific EIS was the Challis, Idaho, statement. The agency planned the Challis EIS as a model for the other 211. Instead, the statement was regarded as a failure outside the agency. It was criticized by stockmen, environmentalists, the NRDC and others. The Challis EIS stressed rest-rotation grazing and livestock production over other land uses.

Rest-rotation grazing is the most intensive grazing management system used on the Western rangelands. Based on often three, but sometimes four, five or more pastures, livestock are concentrated on one area for part of the grazing season. The livestock are then moved to another pasture and the first area is "rested." This rotation continues through the other pastures.

The attraction of rest-rotation grazing, as it is applied by the BLM, is that the livestock owner does not have to reduce his herd while the range improves. In theory, the plant community will become more diversified and the total usable forage will increase under a rest-rotation system. BLM employees have promoted rest-rotation grazing with an almost religious fervor, exaggerating its benefits and minimizing its costs.

Unfortunately, rest-rotation grazing is almost always a single use plan. Livestock grazing and the conversion of the land to cattle habitat is most often the BLM's primary objective. Other uses of the public lands are secondary. Second, the system has been researched only in a few favorable locations. Some range scientists doubt that rest-rotation will work in arid plant communities such as the Great Basin or during periods of drought. And finally, rest-

management of BLM lands has been the role of grazing fees and permits on the BLM lands. Grazing on the public domain was not regulated in any fashion until the passage of the Taylor Grazing Act in 1934, some 30 years after the Forest Service initiated a permit and fee system. The basic purpose of the Taylor Act was the protection of soil and the range resource, development of new grazing facilities and the stabilization of the Western livestock industry. Stabilization was initiated by favoring those permittees who owned base lands or private lands and ranches adjacent to the public lands.

The bureau's passionate support of rest-rotation grazing is bound to be a source of conflict in the future.

Initially the grazing fee was only five cents per animal unit month (AUM). The Grazing Service's attempt to raise that after World War II resulted in the "McCarran reduction," the cut-back of funds that crippled the agency. Over the years, many conservationists have been critical of the low grazing fees on the public lands, arguing that this is essentially a subsidy for the Western stockmen. A 1976 study compared the BLM fees at \$1.51 per AUM to \$7.06 per AUM for similar private grazing lands.

The best indication that BLM permits are a subsidy for stockmen is the fact that the permits have a market value. (Although technically the permits can't be sold, in fact they are.) The permits are used as collateral for banking loans, and any attempt to raise fees lowers the market value of the permit and in turn the net worth of a ranch. Most conservationists don't understand that it is the lowering of the market value of the permit, not the actual fee, that is bothersome to most ranchers.

Because of the persistence of the Western stockmen and what may prove to be the naive acquiescence of the conservation community, the Public Rangelands Improvement Act of 1978 was passed by Con-

(continued on page 5)

(continued from page 1)

gress this past October. After years of struggle the stockmen now have, on an experimental basis, a flexible pricing system for their grazing permits that will be based on cost of production. Essentially, the stockmen have assured the market value of the grazing permits by congressional action, which includes not only artificially low fees but also longer permit terms, usually for 10 years. In addition Congress agreed to provide \$360 million for range improvement over the next 20 years, with at least an additional \$10 million per year allocated from grazing fees for range improvements. While these funds could be used to improve the range for both wildlife and stock, the bill will more likely strengthen the stockmen's hold on BLM lands and assure that increased funds will be available for rest-rotation grazing systems and other changes in the rangelands.

At a time when more attention is focused on the BLM by wilderness and wildlife interests, the range management program and probably the stockmen's programs are being strengthened. In doing this, Congress has accelerated the future conflict between the stockmen and other users of the public domain. It will undoubtedly be a source of future troubles and problems for the bureau.

More land is used for livestock grazing than any other public land use, some 273 million acres in the 11 Western states. But only three percent of the nation's livestock forage comes from the BLM. The land involved is arid, low in productive capacity and often in poor shape. BLM lands provide about 13 million AUMs for cattle and sheep and bring in about \$15 million in revenue. Historically, the livestock use has been declining, in sharp contrast to other uses of the public lands. Domestic grazing stood at 33.5 million AUMs in 1935 and has declined to less than 15 million today. BLM hopes to stabilize and eventually reverse that trend with its new range appropriations, and with rest-rotation grazing and other programs.

Handicapped by the archaic 1872 mining law, BLM has never controlled miners on the public lands. Unlike the other federal agencies, BLM has never been able to get miners to accept restrictions. And no group of public land users is as hostile to the bureau as are the small miners and prospectors. BLM's conflicts with miners remain potentially the most explosive and dangerous side of public land management.

Given the hostility toward the BLM in much of the West, no greater challenge faces the agency than Section 603 of FLPMA, which requires a wilderness inventory, review and recommendation. After two years of internal struggle, the agency launched its wilderness review program on Dec. 1, 1978. Debbie Sease, a wilderness affairs specialist for the Wilderness Society, says, "Wilderness was an unfamiliar and confusing concept to the BLM, and the agency consequently dragged its feet in backing the program, leaving it understaffed and without adequate direction." However, in recent months the agency has hired 100 wilderness specialists to initiate work on the districts.

Wilderness supporters are well aware that the Organic Act wilderness review requirements are considerably stricter than those of the other public land agencies. The BLM was given a narrow definition of a road which served to clarify the original definition; this in turn qualified more areas as "roadless" for wilderness consideration. Also, once an area is deemed worthy of wilderness study, the BLM must manage it as wilderness until Congress decides its fate. A widespread review and release program such as the Forest Service's

Defenders of Wildlife photo by Dick Randall



"THE OVERRIDING INFLUENCE, the force that shapes more things in the West than all else, is the desert, that is its true unifying force."
— Walter Prescott Webb

RARE II study is impossible. These factors will sharpen the conflicts among stockmen, miners and environmentalists over the 13 years of the study.

BARRIERS

The lands managed by the BLM suffer from a number of barriers to change, which are social and institutional rather than technical or biological. The lands are

detrimental to wildlife and not meeting the Organic Act (FLPMA) definition of land management for multiple use." But the agency remains on the horns of a dilemma. When one area manager had proposed reductions in domestic livestock to benefit wildlife in the same area, Jack Artz, a Nevada range extension specialist, defended the stockmen. "I am convinced that, if these actions are implemented as indicated, the range livestock industry and re-

wanted to prove that it was capable of managing wildlife, environmental strategists eyeing the upcoming Alaska lands issue were bent on avoiding a precedent that would leave prime wildlife lands with the bureau. The past history of the agency was a haunting refrain that stymied ambitious plans and kept the bureau from expanding.

DESPITE THE ODDS — REVIVAL

If a government agency can have a renaissance, the BLM is becoming one of the best examples. Starting in the 1960s with the rise in environmentalism, the agency began to discard its lethargy. Now revitalized by FLPMA, the agency is enjoying larger budgets and new responsibilities. While its programs, and many of its line managers, reflect the cowboy and miner orientation of the agency, many of its new wildlife, recreation and wilderness specialists are challenging it from within. Its feet mired in the unsavory history of a "Bureau of Livestock and Mining," it is undergoing stress and ferment within.

Increasingly valuable and cherished, BLM lands are nevertheless a legacy of land policy failure.

More than any other agency, the Bureau of Land Management has failed to gain a national audience and a national perspective of its lands. The bureau's many range specialists suffer as severely from the perpetual Western mirage as any of the West's historic victims. As the late Western historian Walter Prescott Webb explained, "The overriding influence, the force that shapes more things in the West than all else, is the desert, that is its true unifying force. One reason we do not understand the West is that we will not face a fact. We do not want the desert to be there."

Even the range-oriented professionals in the bureau have failed to fully appreciate

While it harbors some of the most archaic of the public land managers, the BLM has also hired some of the best and brightest.

widely scattered and interspersed with private and state lands as well as numerous claims and leases for mineral rights. Many BLM field offices are in small Western towns that are isolated from national social change and served by conservative newspapers and radio stations. In addition, the traditional rangeland publics have been narrow, circumscribed and resistant to changes.

Most BLM employees are similarly isolated. A recent Utah State University survey of over half the managers of the BLM revealed that more than any other agency, the bureau's managers were from small towns and communities in the West. The agency's staff graduated largely from Western universities. Only about a third of the line managers surveyed belonged to the Society of Range Management. In contrast, 60 percent of the Forest Service line managers belonged to the Society of American Foresters, which keeps them in touch with advances in the field. Forty percent of BLM line managers did not belong to any professional organization, and 75 percent did not belong to any conservation organization.

The bureau's tendency to allow domination by local stockmen and miners has upset conservationists.

A Nevada Fish and Game Department official commenting on a BLM grazing plan, said, "There is no alternative for the Nevada Fish and Game Department except to heartily condemn the proposal as being

labeled life style of Surprise Valley and Northern Washoe County will be destroyed."

As has been the case many times before, stockmen organized a letter-writing campaign against the proponent of the plan. The area manager, one of the few in BLM trained in wildlife management rather than range management, was transferred to the California state office.

One of the major factors blocking change in the BLM is the agency's reputation. From the 1930s until 1975 the BLM had its opportunity to manage areas for wildlife. Four Western game ranges, Charles Russell in Montana, Kofa and Cabeza Prieta in Arizona and Charles Sheldon in northern Nevada were jointly administered by the Fish and Wildlife Service and the BLM. Constant, unsavory bickering went on between the two agencies over each other's roles and responsibilities. Generally, the Fish and Wildlife Service favored wildlife and the bureau domestic livestock and mining interests.

After years of interagency squabbling, the secretary of Interior transferred three of the ranges — Kofa, Sheldon and Russell — to the BLM to be managed as wildlife refuges. Essentially, the bureau was given a major new thrust and program. Distrustful and incensed conservationists created a storm of protest which culminated in an act of Congress, reversing the Interior secretary's order and prohibiting such transfers in the future. Although BLM

(continued on page 15)

6-High Country News — Jan. 26, 1979

States tackle air, tax laws...

(continued from page 1)

everybody's legislative agenda, this year because of the Denver area's continuing pollution problems and because Democratic Gov. Dick Lamm and the Republican-controlled legislature failed to reach agreement on the matter in 1978.

The state already has a law requiring automobiles in the 10 largest counties to have annual emissions inspections and requiring owners to get their cars fixed if they don't meet state emissions standards. But that law won't go into effect until Jan. 1, 1980.

The 1978 legislature attempted to move the effective date up to Jan. 1, 1979, but Lamm vetoed the measure, to the relief of most environmentalists, because it would have transferred some pollution-fighting powers from the Air Pollution Control Commission to the Department of Revenue, which already has jurisdiction over the state's safety inspection program. Lamm said the bill would have meant the end of state enforcement of air rules, because Colorado's wouldn't have met federal standards.

Lamm survived a bitter re-election campaign in which his veto was a major issue, and he and Republican leaders now appear ready to come to an agreement. Both sides are now behind a bill that would start the inspection program on July 1 of this year.

However, some legislators are expected to raise questions about the value of inspection and maintenance, and one group of lawmakers is backing a proposal that merely would require drivers to have annual tune-ups — not inspections.

Other pollution-fighting ideas, such as tax incentives for car pooling, also are under discussion. But at least one idea, an Air Pollution Control Commission suggestion for voluntary-now, mandatory-later "no-drive" days in Denver, already has been rejected informally by most legislators.

The Colorado state government's continuing fight with President Carter over water policy has stirred legislative interest in state construction of water projects. Both Lamm, a persistent critic of Carter's attempts to cut back Western water projects, and Republican legislative leaders feel that if the federal government won't help build dams, then the state better start doing it.

Though all involved admit that the state can't afford the massive reclamation projects the federal government has built in the past, both the governor and the legislature want to start saving money for water development. State officials believe that the funds could be used to provide 10 percent participation by states in the cost of federal water projects, as Carter has proposed in his water policy. Or, the state could use the water funds as seed money for the issuance of bonds covering construction costs of smaller state projects.

The money could come from a number of sources. Lamm has suggested taking \$5 million to \$10 million annually from sales tax revenues. Some Republican leaders want to use the state's severance tax trust fund for water project loans.

Colorado will also consider a package of solar energy bills. The proposals "concentrate on removing barriers to the widespread utilization of solar energy and on providing non-financial incentives," according to its authors at the state Office of Energy Conservation. Legislation includes: exemption of solar heating and cooling devices from property taxes until 1990; authorization for local governments to allow solar energy use in all land use

regulations; creation of a solar energy office in the state; and preferential natural gas hook-ups for solar energy users. The last proposal, says the conservation office, would permit "a limited amount of gas to serve more customers as well as encourage energy conservation."

The legislature is considered unlikely to tackle any other major environmental initiatives on mining, severance taxes or land use. Coal mine reclamation will come up, chiefly because of the state's need to conform with the federal surface mining law and regulations. There also may be a concerted attack on the state's two-year-old litter control act. The present program, funded by a special tax on business, is strictly a public information, "please-don't-litter," effort, and some legislators have criticized it as inefficient and unnecessary.

However, Lamm is expected to veto any attempts to weaken existing environmental protection laws in Colorado, and the Democrats have enough strength in the legislature to uphold those vetoes.

UTAH

In the other major urbanized western state, Utah, air pollution is also high on the environmental priority list. Like Colorado, the state is considering a bill to require motor vehicle emissions inspections. The requirements would apply only to the state's four urbanized counties.

The legislature's second environmental priority is to amend the state reclamation law to conform with the federal standards. Like Montana and Colorado, Utah must alter its current law somewhat to avoid federal takeover of its reclamation program.

The state must also meet federal standards for water pollution, safe drinking

water and radiation control to keep enforcement out of federal hands.

Also before the legislature are a number of alternative energy and energy conservation measures. They include bills to encourage van pooling and to provide state matching funds to communities for capital improvements promoting energy conservation, especially for schools and hospitals. In addition, tax credits for alternative energy devices and a number of bills promoting geothermal energy are in the works.

Utah is one of the states with abandoned uranium mill tailings. Recent federal legislation provides for the cleanup of the Vitro tailings site near Salt Lake, if the state funds 10 percent of the cost. Legislation will be considered to provide this money.

WYOMING

Wyoming's biennial legislative session faces what has become the state's biennial issue — an increase in the mineral sever-

taxes. House of Representatives Speaker Warren Morton (R) said in a recent speech, "You can tax (the mining companies) out of business." Morton warned of the danger to the state's economy if an increased severance tax damaged the mineral industry.

Lynn Dickey, legislative liaison for the governor, says, "It seems clear that a majority of the people in the state want a severance tax increase, but the Republicans have a stronger majority in both houses this session."

Nevertheless, Herschler has been publicly confident about the chances of his tax proposal.

The second major issue of environmental concern in Wyoming is attempts by some legislators to restrict the power of the industrial siting law. According to Bill Sperry of the Wyoming Outdoor Council, "There is an attempt afoot to put the industrial siting council under the environmental quality council, which is already overburdened. We want to insure the indepen-

Wyoming's biennial legislature faces what has become the state's biennial issue — a proposed increase in the mineral severance tax.

dence and integrity of the ISC." Dickey says concerning the siting law, "We'll be spending as much effort trying to defend what we have now as pushing new initiatives."

Another state source says that the siting act may be in real trouble. "The siting council has not gone out after some of these companies to help the communities they are supposed to protect. And the companies have never liked the law. So, it hasn't got any support at all, and it's going to be tough going," according to the source.

Another proposed amendment would raise the minimum cost of facilities that qualify for scrutiny by the ISC, thus removing most strip mines from the council's jurisdiction.

Cheyenne observers say one bill that



Photo by Kent and Donna Danner

ALTERNATIVE MODES OF TRANSPORTATION may be encouraged by the Colorado legislature as part of its anti-pollution fight. Pictured are bicyclists on the Trail Ridge Road in Rocky Mountain National Park.

does stand a good chance for passage is legislation to protect the increasingly rare bobcat. Legislation has been introduced to change the bobcat from a predator to a fur-bearer, so that the Wyoming Game and Fish Department could limit hunting by setting a season for the animal, though troublesome animals could be taken at any time.

Other bills proposed by environmentalists are: a bottle bill, backed by the Wyoming Outdoor Council, which would require a deposit on all beverage containers; and a restriction of a utility's right of eminent domain for power line routes until the utility has obtained right-of-way from 75 percent of the landowners along the route. Tom Throne of the Powder River Basin Resource Council, which is pushing this bill, says, "Presently, the utilities do not have to bargain in good faith with the landowners because they know they can get eminent domain. Also, the public service commission is reluctant to grant route changes to farmers and ranchers."

Other proposed legislation would grant tax breaks for landowners placing undeveloped land into scenic or conservation easements, provide tax incentives for alternative energy development, and allow private citizens to sue companies for violating pollution standards. Currently, citizens can only bring action against state agencies to prosecute polluters.

MONTANA

Montana environmentalists are "holding the line against threats to weaken several of our environmental laws," says Torian Donohoe of the Environmental Information Center.

Environmentalists expect an attempt to weaken the revegetation provision of the Montana reclamation law by eliminating the requirement that native plant species be used. Pat Smith, lobbyist for the Northern Plains Resource Council, a rancher-conservationist group, says, "We'll fight hard to retain the native species provision, because we believe it is the only way we can be sure that reclamation has occurred."

Like Colorado, Montana must revise its reclamation law to meet the new federal strip mining standards. Smith says that a bill has been drafted to upgrade the state law to federal standards while retaining

environmental groups will take some initiatives in the legislative session. They plan to push a measure encouraging, but not requiring, the use of re-usable beverage containers in the state. Several groups are supporting a state Fish and Game Department proposal for funding nongame wildlife management. The bill would add a box to state income tax forms so that taxpayers could earmark part of their tax money for non-game management.

IDAHO

Nearly all issues in the Idaho legislature will be overshadowed by the state's recently-passed "one-percent" initiative, Idaho's version of the property tax cutting Proposition 13 in California. Most of the legislature's time is expected to be taken up with budgeting for government services that must be cut to match the reduced revenue.

However, a bill proposed by Democratic Gov. John Evans may become a major environmental controversy. The administration has recommended the merger of the Department of Health and Welfare with the Department of Water Resources as part of a cost-saving reorganization effort.

Environmentalists oppose the move. Although Evans says a totally new agency will be formed—called the Department of Air and Water Resources—critics fear that the developmentally-oriented Department of Water Resources will take control of the new agency. One conservationist likened the merger to placing the federal Environmental Protection Agency under the Corps of Engineers.

One major problem is that much of the water pollution in southern Idaho comes from agricultural activities. Water pollution is monitored by the Health and Welfare Department's Environment Division, which would, under the merger, come under the Water Resources Board. This board is seen as being controlled by the agricultural interests. Six of the eight members have strong agricultural ties, while only two members can be called environmentalists.

Evans is also recommending a Water Resource Conservation and Development Act in response to President Carter's call for more state participation in the funding of water projects. Evans says, "Revenues in

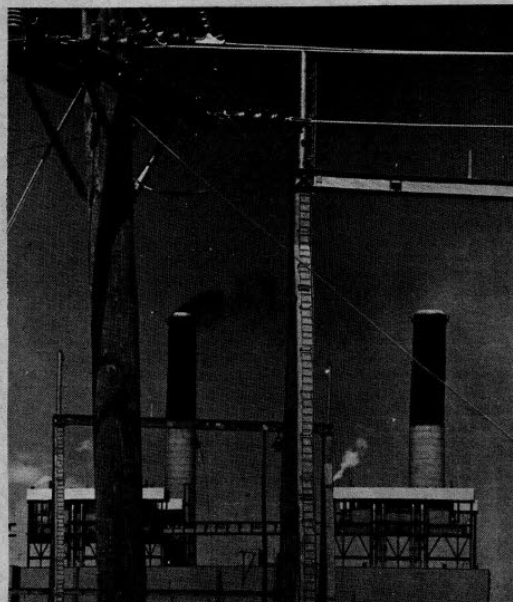


Photo by Jack McLellan

TRANSMISSION LINES and industrial siting both are expected to be important issues in the Wyoming Legislature. Photo of the Jim Bridger plant in Wyoming.

programs to control rapidly increasing air pollution. Evans said in his state-of-the-state speech, "The problem is so serious that the Treasure Valley (which contains the towns of Boise, Nampa and Caldwell), fails to meet the minimum air quality standards established by the Environmental Protection Agency."

The Idaho Conservation League expects anti-wilderness memorials to crop up in the legislature. These carry no force of law, but, if passed, would place the state government on record as opposed to more wilderness. In Idaho the Forest Service studied 7.8 million acres in RARE II (the Second Roadless Area Review and Evaluation) and suggested to Congress that 2.8 million become wilderness. Congress is also considering Idaho's River of No Return Wilderness bill in the current session.

The league is hoping for legislation encouraging donations of scenic easements, which would provide financial benefits to landowners who agree to leave their property in an open-space, undeveloped state.

Many environmentally-oriented votes are expected to split along party lines with Democrats favoring the environmental position, the Republicans opposing it. The state Senate has 19 Republicans and 16 Democrats, the House 50 Republicans and 20 Democrats.

NORTH DAKOTA

Like Wyoming, North Dakota will discuss mineral severance taxes at its legislative session. For the past few years, Democratic Gov. Arthur Link has supported charging a percentage of the sale price of mined coal. Currently, there is a flat rate tax, which moves upward in relationship to the wholesale price index.

The current tax is 88 cents per ton, representing 15 percent to 20 percent of the price of the coal—depending on individual contracts. Link wants a 33.33 percent tax, but has said that he will compromise on a 25 percent level. However, the percentage tax is strongly opposed by the

Republicans, who hold a majority in both houses.

The Republican tax bill would provide an 85 cents per ton base tax, with a one cent rise in the tax for every increase of three points in the wholesale price index.

A second major piece of environmental legislation could be an appropriation for a 10,000 acre Cross Ranch State Park. The state needs \$2.5 million for the purchase. The seller is taking \$1 million off the price of the land as a gift to the state. The ranch is near the coal fields about 40 miles northwest of Bismarck, so it could serve as a recreational outlet for miners and their families.

The appropriation will be considered at the end of the session, when the legislature can determine if money is available. However, Link has indicated that he supports the proposal. Several Republican leaders have indicated their support as well.

North Dakota is one of several Western states that must alter their mine reclamation law to meet federal standards. However, a prominent Republican legislator has introduced a resolution asking that the federal government exempt North Dakota from compliance with the strip mine law for two years.

The legislature must also address an unusual environmental problem—a raid on their frog supply. Pollution in Minnesota and Wisconsin has reduced those states' frog populations and forced suppliers of frogs for biology classes to look elsewhere. North Dakota has suddenly become a frog supply center. Several bills have been introduced to regulate frogging.

Bills have also been introduced to ban nuclear waste dumping and to regulate the siting of nuclear facilities in the state.

The legislative preview was researched by HCN contributors Dale Burk (Montana), Phil White (Wyoming), Todd Engdahl (Colorado), Mike Jacobs (North Dakota), Glenn Oakley (Idaho) and Sara Michl (Utah) and compiled by Dan Whipple.

Montana environmentalists expect an attempt to weaken the revegetation provisions of the state reclamation law.

Montana provisions that are tougher than the federal requirements.

Environmentalists cite three areas in which they expect major problems in the 1979 session. They are: weakening amendments to the state's Subdivision and Platting Act; weakening amendments to Montana's tough Major Facilities Siting Act; and an assault on the reclamation act and the 30 percent state coal severance tax.

The Environmental Information Center's Donohoe says that seven bills have been introduced to amend the state's subdivision law. Opponents are particularly anxious to drop provisions in the law aimed at protecting the public interest.

Bob Kiesling, also of EIC, says that his group supports efforts to streamline the major facilities siting act, as long as it is not weakened. One major point of contention involves setting a limit on the amount of time allowed for government review of siting applications. Kiesling says, "What's so wrong about taking the time to do a good review job when the facility will affect the state for many years?"

While most of their plans are defensive,

the fund will generate approximately \$13 million annually."

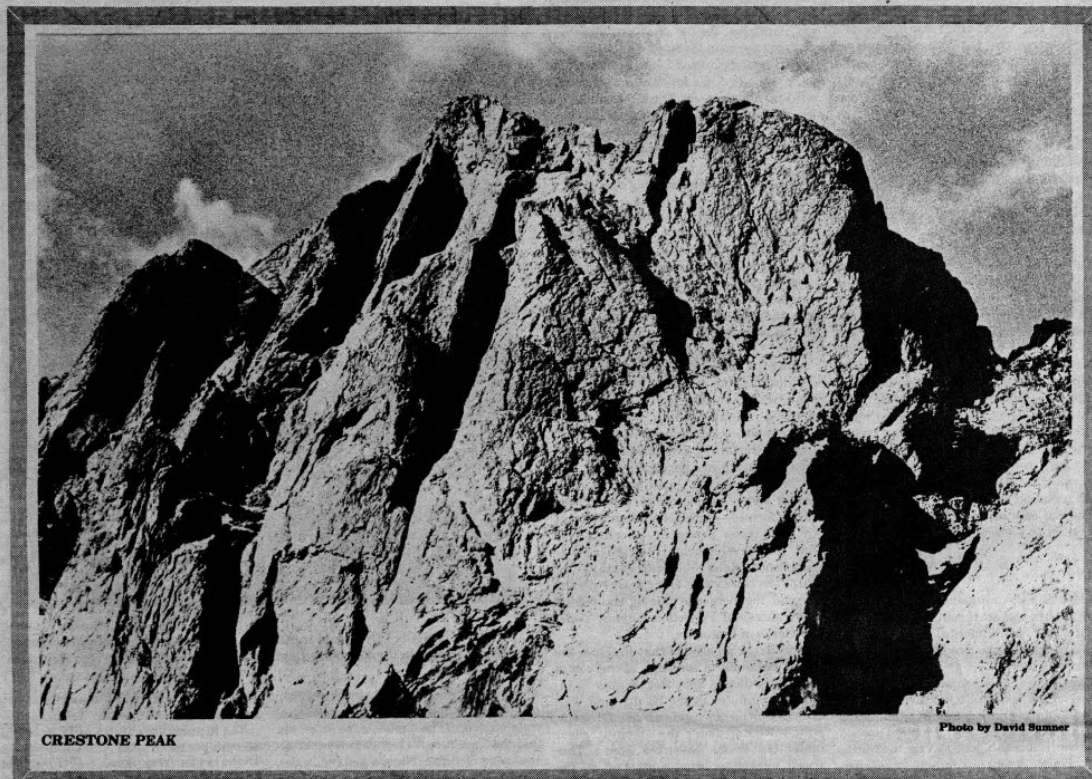
In addition, Evans is recommending authorization of eight state water projects. These projects would provide "municipal and industrial water supplies, recreational opportunities, new irrigation development, flood control, energy development, watershed protection, water for instream flows and so on."

One of Evan's appointees may have trouble gaining approval of the Senate because of his past environmental stands. Bob Lenaghen, activist president of the Public Utilities Commission, is up for reappointment, and opposition is expected.

Mark Ingram, Idaho Conservation League lobbyist, says that since Lenaghen has headed the commission, the utilities "haven't had it all their way, which is new to Idaho." Ingram says that the commission used to be a "rubber stamp" for the utilities' requests.

On the bright side for environmentalists, Evans has promised legislation that would allow cities to establish mandatory automobile inspection and maintenance

8-High Country News — Jan. 26, 1979



CRESTONE PEAK

Photo by David Sumner

by Thomas M. Jenkins

What about this business of mountain climbing? Are the mountaineers trying to reach those dizzy summits all mad with ozone? What are they trying to prove to themselves or to the puzzled world? Here is a mountain that gives the answers.

It exists in the Sangre de Cristo mountains of southern Colorado. On the crest of the longest continuous range on earth, this 14,196 foot peak is inaccessible enough to discourage many and inspire some to investigate its mystery and beauty. Once considered unclimbable, each year only a few persons traverse its access roads and trails. Even fewer overcome its serrated ridges and spectacular cliffs to reach its summit.

This is the Crestone Needle.

The towns of Westcliffe in the Wet Mountain Valley to the east and Crestone in the San Luis Valley to the west are nearby. Westcliffe is the most popular departure point for climbers. It is about 22 road miles from the South Colony Lakes at the base of the needle, 8½ miles of which is a jeep trail passable only during a few months of warm weather. Deep snows, frigid temperatures and mighty winds prevail during the remaining months of the year.

Although most of its technical climbing

challenges are not as severe as Yosemite's vertical, granite walls or the north faces of the Alps, the Crestone Needle possesses some incredible demands for climbers. Known for its hard conglomerate rock, it is magnetic in its appeal.

One of its challenges was met by Cody Smith, Flint Smith and Dick Dudley, who in August of 1973 climbed from the South Colony Lakes to the summit of the needle, traversed the difficult mile-long ridge to the Crestone Peak and returned to the lakes in the amazing time of less than seven hours.

Only rarely does any snow mountaineer or backpacker make it through the usually deep powder snow to the base of the Crestones. Those few are rewarded by the pure beauty en route to their campsite near the frozen lakes. Remote and quiet, deep swirls under the pines and aspens, filling the ravines and washes. For days, sometimes weeks, there are no human footprints or ski tracks. Except for the wind, there is only cold silence.

Records indicate that the first winter ascent of the needle wasn't made until February 1960 by L. Patterson, E. Goes, D. Isles and S. Krebs. Later, on March 2, 1968, Spencer Swanger, Art Porter and Bill Arnold snowshoed to the base of the needle to camp before ascending by the steep couloir

via the south ridge.

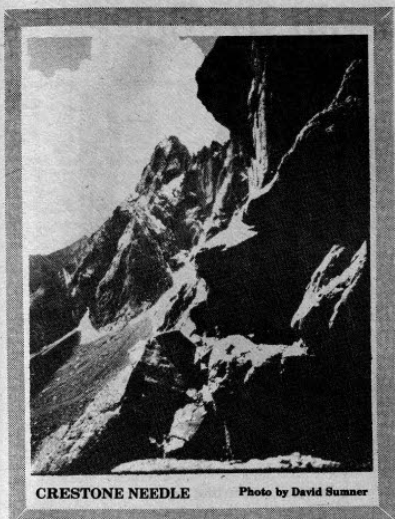
Then in March of 1973, Charles Campbell, Pat McCrane and John Rehmer skied nine miles to their camp at the base of the Crestones, and the next day went on to make the first known winter traverse of the ridge between the needle and the peak. Such are some of the known winter feats. Albert Ellingwood, a Rhodes scholar, has a unique and remarkable personal history as an early Colorado climber. The rope climbing techniques he introduced to Colorado made some impossible climbs possible. He was one of the first three men to climb all of Colorado's 54 mountains over 14,000 feet high and was the leader of the first ascents of Kit Carson Mountain, Crestone Peak and the Crestone Needle. He made other pioneering ascents, including two now bearing his name: the Ellingwood Ridge (in 1922), a difficult route along the rugged northwest ridge of 14,340 foot La Plata Peak in the Sawatch Range; and the Ellingwood Arête (in 1925), a technical climb up the precipitous east face of the Crestone Needle. Mt. Ellingwood, one-half mile from Blanca Peak, was named in his honor.

A meticulous note keeper even while climbing, Ellingwood's accounts, published in the journal of the Colorado Mountain Club, *Trail and Timberline*, are eloquent and fascinating. He describes the Crestone Needle as a central part of the

rock formation of mass, a superb array of seams, seamed by time from each other by means that probably ice since the glacial period. Published in 1925, the ascent of the "uncle of the Crestone Needle" ascending a great miles long, with dardmes and hell. Bueler expresses it. *Rockies*, "The pr over 1,000 feet in h segment being the drops at an overall rectly from the su Needle."

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CRESTONE NEEDLE

Photo by David Sumner

Climbing the unclimbable

rock formation of "the east of the whole mass, a superb array of formidable buttresses, seamed by tempting cracks and set off from each other by steep-plunging chimneys that probably have not been free from ice since the glacial era. . . ." In an article published in 1925, he describes his first ascent of the "unclimbable" eastern arete of the Crestone Needle. The feat involved ascending a great rocky battlement two miles long, with awesome spires, gendarmes and hellish gaps. As William Bueler expresses it in his book, *Roof of the Rockies*, "The precipice averages well over 1,000 feet in height, with the highest segment being the 2,000 foot buttress that drops at an overall angle of 55 degrees directly from the summit of the Crestone Needle."

Ellingwood's accomplishments and his subsequent writings showed the climbing world that Colorado possesses climbs of Alpine proportions. Since then, there have been numerous ascents of the Ellingwood Arete, as well as new routes on the east face of the needle.

One Crestone Needle summit register entry of particular interest is a crumpled Teksun grapefruit juice can label with the name, R.W. Ellingwood, and the date, August, 1949, scrawled on it. Fifteen years after the death of his father, Albert Ellingwood's son stood on the same spot his

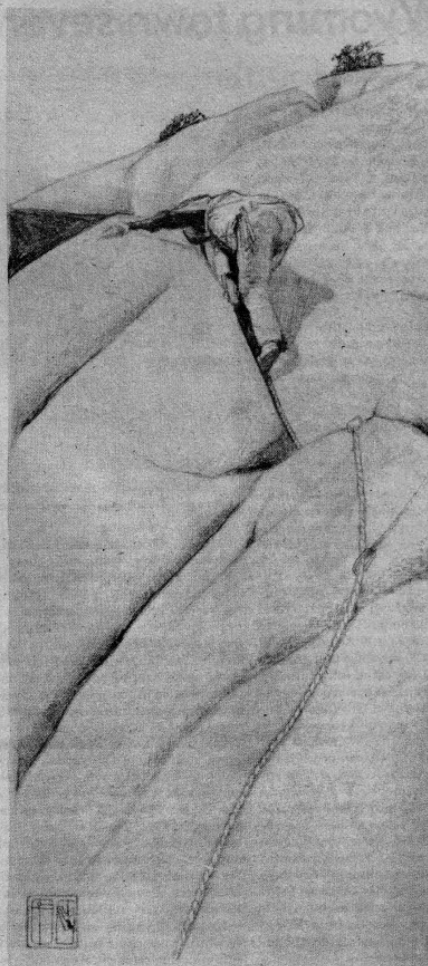
father had made famous with the first ascent in 1916.

In 1970, 86 people climbed the Crestone Needle. Only three years later 200 persons made its summit. The same register remained on the summit of Crestone Peak for 37 years, from 1922 to 1959, before its pages were filled. Its replacement lasted only 12 years. The mystery of the Crestones is becoming known and recorded.

From its summit one can see the Collegiate Range to the north; the Great Sand Dunes to the south; Pikes Peak to the east; and the ridges, spires and peaks of the Sangre de Cristos surrounding the needle itself.

On the summit, the universal metaphor of the mountain is no longer a metaphor; it is living rock beneath the feet. It is perhaps as simple and as beautiful as any mountain on earth.

Thomas M. Jenkins is director of the division of communications and arts at the Red Rocks Campus of Community College of Denver.



Remote and quiet, deep swirls and mounds of snow drift across the trails, under the pines and aspens, filling the ravines and washes.

10-High Country News — Jan. 26, 1979

Wyoming town severed by coal train traffic

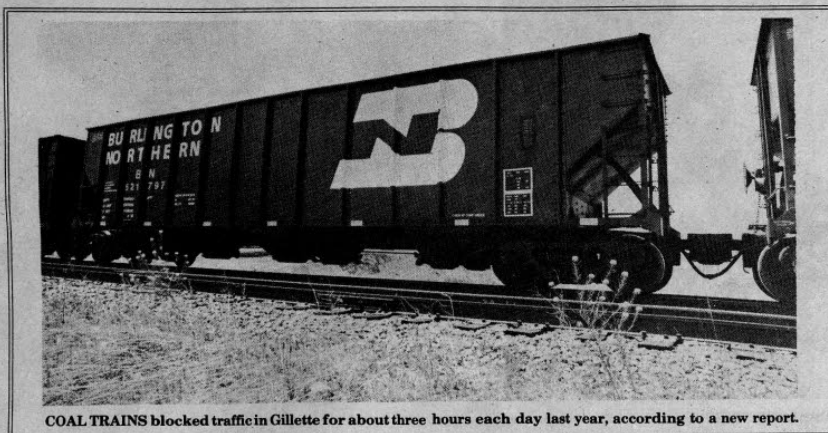
by Louisa Willcox

As coal production escalates in Northeastern Wyoming, more coal-carrying trains are roaring through downtown Gillette each year. En route to the Midwest and South, an average of 12 trains blocked traffic for about three hours each day in 1978, according to a letter from Burlington Northern Railroad to the Wyoming Highway Department. By 1985, the number is expected to increase to 16 to 31 trains a day, which could sever the city for as long as nine hours a day.

Citizens of Gillette and the railside communities downline are concerned about the increasing safety and health hazards, noise, and general disruption from these coal unit-trains. A study requested by Gillette Mayor Mike Enzi could be the first step in an effort to resolve the problem.

The Los Alamos Scientific Laboratory study, completed in September, assesses the impacts of increased rail movements on these communities, and presents various alternatives. However, it makes no in-depth study of the agricultural and environmental impacts.

In 1978 Campbell County, which includes Gillette, produced 34 million tons of coal. By 1985 that output could increase to 178 million, according to Keystone Coal Industry. About 20 percent of that production is expected to pass directly through Gillette. According to the report, two-thirds of the citizens of Gillette who responded to a 1977 community policy survey indicated that even the 1977 level of rail traffic was a hazard to both pedestrians and vehicles. As coal train traffic increases, so does the probability of accidents at crossings, as well as delays of essential hospital, fire, and police services, according to the Los Alamos researchers. The report says that while the Environmental Protection Agency recommends 70 decibels as the maximum noise level to avoid hearing loss, trains range from 80 to 98 decibels at a 50-foot distance from the train. Visual disturbance, vibration, and coal dust pollution could also become major concerns for citizens of Gillette and downline communities, the report says. While Western coal is not as dusty as Eastern coal, a Montana biologist recently showed how cattle near the Colstrip, Mont., mines may be suf-



COAL TRAINS blocked traffic in Gillette for about three hours each day last year, according to a new report.

fering from black lung.

Although alternative methods exist for shipping coal from Campbell County, the coal unit-trains will probably remain the dominant mode through 1985, according to the report. Truck transportation is far more expensive, and plans for coal gasification plants have been shelved for the moment. Even building coal-fired power plants near the mines would not eliminate rail congestion in the area, the study says, because huge amounts of coal would still be shipped out to distant markets.

Coal slurry lines may provide some solutions, according to the report. However, problems with large water requirements and rights of way have not yet been resolved. The Department of Transportation reported in 1978, "The lead times for assembling rights of way and constructing large-scale pipelines are such that, under the most favorable circumstances pipelines are likely to play only a minor role in the transportation of coal through 1985."

So coal unit-trains will probably have very little competition until then. And Gillette residents seem likely to suffer with more delays, noise, and air pollution. City officials would like to reroute all through-rail traffic to a corridor north of the city, but Burlington Northern has been dragging its feet. This solution may be ulti-

mately cheaper than the alternative: the construction of overpasses in Gillette. One overpass has been proposed for the center of town, and may cost \$3.5 million to \$5.5 million.

Mayor Enzi says that the city isn't moving on either proposal, because of a lack of funds. "Burlington Northern or other people benefiting from the increased shipment of coal ought to shoulder the costs of the overpasses," Enzi says.

City officials have been meeting with Burlington Northern representatives for the past four years, with no results, he says. The city may ask the Public Service Commission to require that railroad companies pay a percentage of the construction costs of the overpasses.

One reason that Burlington Northern may be reluctant to make massive investments in such improvements is that alternative modes of transportation may be available by the year 2000, or even earlier, the Los Alamos report says. Also the development of competing technologies, such as solar, geothermal, and nuclear fusion, may level off the Western coal boom, according to the report.

Copies of the report are available from: National Technical Information Service, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, Va. 22161.

Decision may lead to suit

In what may lead to the first major test of alluvial valley floor restrictions of the federal surface mine law, the Wyoming Department of Environmental Quality has rejected the application of Peter Kiewit Sons to open a coal strip mine along Tongue River north of Sheridan, Wyo. The application was officially rejected because it was "incomplete," but the major issue in the 30 page rejection is the alluvial valley problem.

According to the rejection notice, the DEQ staff has determined that the proposed Whitney Mine lies in an alluvial valley and that the valley is significant for farming. Under the federal surface mine law, mining cannot occur in an alluvial valley unless the operation would not "interrupt, discontinue or preclude the use of the alluvial valley for farming" or disrupt groundwater quality and flows. DEQ said in its notice that information was lacking in the mine plan to determine this.

In addition, DEQ sent a letter to Interior Secretary Cecil Andrus advising him the state believes that the company is eligible for a coal lands trade because of the alluvial valley problem. Under a provision of the strip mine act, a company that is prevented from mining because the coal is located in an alluvial valley can trade its minerals there for federal coal located elsewhere.

Sources at DEQ say that they hope the debate over the permit will be over the alluvial valley floor issue and not over the other procedural matters raised in the rejection notice.

Peter Kiewit Sons apparently anticipated the problems with its mine plan when the application was originally submitted. The Whitney application read "almost like a legal pleading," according to one state official, and it was apparent that the company planned some sort of a challenge to the strip mine law if its application was denied because of alluvial valley constraints.

However, the company says that it has not decided what to do about the rejection as yet. It is allotted 30 days from receipt of the rejection to contest the matter. Some action is anticipated by mid-February.

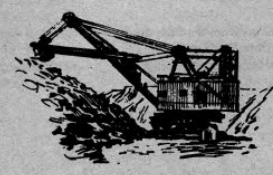


SECOND SLURRY PIPELINE PROPOSED. Texas Eastern Corporation is requesting a water allocation of 45,000 acre-feet annually from near Sheridan, Wyo., for use in a coal slurry pipeline from Decker, Mont., to the Texas Gulf Coast. The pipeline, which would carry a mixture of finely crushed coal and water, would move about 25 million tons of coal annually. This would require 20,000 acre-feet of water annually and the remainder would

be used, "as the state sees fit," according to Texas Eastern. The water would be diverted from the Little Bighorn River during peak runoff periods. The proposal is already hitting opposition from the Burlington Northern Railroad and the Crow Indian Tribe, which opposes using Little Bighorn water for the project. The Little Bighorn crosses the Crow Reservation in Montana. Wyoming Gov. Ed Herschler, who has vigorously opposed a coal slurry pipeline already proposed by Energy Transportation Systems, Inc. in his state, has not taken a position on the Texas Eastern proposal, though he says that the new pipeline looks "more palatable."

NEW FALLOUT STUDIES. Ten Western states were covered with relatively high doses of radiation from open air nuclear tests during the early 1950s, according to a 1966 study by the Lawrence Radiation Laboratory in California. The *Deseret News* reports that the study indicates that radiation exposure was more widespread

than originally believed, with radioactive iodine-131 levels found in Utah, Colorado, Nebraska, Texas, Oklahoma, New Mexico, Arizona, Idaho, Nevada and Kansas. The fallout is suspected of causing several diseases, including leukemia and thyroid disease. There has been a statistically higher incidence of leukemia among residents of southwestern Utah, which received the brunt of the radiation from the weapons testing. Evidence of the relationship between low-level radiation and cancer is not conclusive, however.





The HCN Hot Line

energy news from across the country

NUCLEAR RISKS. What used to be the government's "most comprehensive risk assessment of nuclear plants" has fallen from favor. The Nuclear Regulatory Commission has withdrawn its endorsement of the 1975 Rasmussen Report on nuclear reactor safety because it "greatly understated" the range of chances for a nuclear accident. A review team headed by Dr. Harold Lewis of the University of California said that the report's executive summary left the reader "with a misplaced confidence in the validity of risk estimates and a more favorable impression of reactor risks in comparison with other risks than was warranted." Rep. Morris Udall (D-Ariz.) called the agency's policy reversal "a hopeful sign that the NRC is becoming the objective regulator the Congress had sought."

STATES COULD SAY 'NO.' An amendment that would give states the right to approve or disapprove the siting of radioactive waste dumps within their borders is expected to come before the Senate in February as a part of the 1979 Department of Energy Authorization bill. The amendment's sponsor, Sen. George McGovern (D-S.D.), says that the bill would make the federal nuclear power program more accountable to the interests of states and their citizens. The Department of Energy, which opposes the amendment, argues that such a law could leave the country without a waste site, if all 50 states vetoed the idea, or force it to use a second-rate site. Without the McGovern amendment, the legal authority of states in the waste siting process is unclear.



Atlantic Richfield Hanford Co. photo
NUCLEAR WASTES are encased in this insoluble rock-like material shown above. The product is held by a manipulator in a hot cell operated by the Atlantic Richfield Hanford Co.'s chemical technology laboratory at Hanford, Idaho.

Interior plans to end 'management paralysis' that has crippled coal-mining since 1971

The Interior Department has released a draft environmental impact statement that could pave the way for a resumption of federal coal leasing in the West by mid-1980.

The Federal Coal Management Program impact statement attempts to address two main questions: 1) Should there be a resumption of federal coal leasing? 2) If so, when, where and how should it take place? After a moratorium in 1971, the Ford administration attempted to resume federal coal leasing in 1975, but its impact statement on the action was ruled inadequate by the courts in the September 1977 *Natural Resources Defense Council v. Hughes* case.

"Our objective in developing this statement is to ensure federal coal provides a fair share of national needs," Interior Secretary Cecil Andrus told a news conference in mid-December when he released the latest impact statement. "The Carter administration is ending the management paralysis which for years made it impossible to rely on federal coal as a dependable energy supply."

The impact statement describes a "preferred alternative" that asks the secretary of the Interior to determine whether there is a need for coal lease sales before resuming leasing. The courts had ruled that the 1975 impact statement failed to adequately address the need question. Under the new program, the secretary would study Department of Energy projections of coal production and coal demand. Regional targets of coal production would be established.

Interior's preferred alternative calls for identifying tracts that could be considered for leasing through the Bureau of Land Management and Forest Service land use planning process. Environmentally sensitive areas, such as eagle nesting sites and alluvial valley floors, would be declared unsuitable for leasing, unless an exception was granted by the BLM. Tracts that could be "most productively developed with the least social, economic and environmental damage" would be selected for sale, according to Interior.

Jonathan Lash, the NRDC attorney

handling the Hughes case, says that Interior has attempted to develop a comprehensive resource management policy, but the preferred alternative is "seriously flawed."

"First, coal policy is outrunning resource policy, and coal decisions are dominating resource decisions. Second, in order to begin leasing quickly, the department will short-circuit the new planning process, relying on data and industry nominations developed under the old leasing program. Third, all this is done in the absence of any evidence of need for new leasing, or of an effective program for managing historically misleased and under-managed leases. Fourth, the department has not designed adequate public participation programs and has completely ignored tribal input."

"We support the goals stated by Interior," says Lash, "but we feel the depart-

ment can better meet those goals."

Bill Hynan, senior vice-president of the National Coal Association, says that the draft statement "looks like a program not to lease. While it's not impossible that it could work, the procedural and management difficulties appear to be enormous." Hynan says, "One of the most critical areas is the generous and complex modification of the land use program that the system requires." NCA, which is the major national coal industry spokesman, is still in the process of analyzing the draft and preparing detailed comments on it.

Copies of the draft impact statement are available from BLM offices. Comments should be sent to: Director, Bureau of Land Management, Department of the Interior, 1800 C St., NW, Washington, D.C. 20240.

Written comments are due Feb. 13. A final impact statement is due in April and a final decision will be announced by Andrus on June 30.

Groups say Interior's actions premature

Several environmental groups may take the Interior Department back into court for prematurely implementing its new coal leasing program. The groups contend that by initiating rules regarding "lands unsuitable for mining" in the Dec. 8, 1978, *Federal Register*, the agency is in violation of the agreement reached in *NRDC v. Hughes*, a court suit that struck down the Ford Administration's coal programmatic environmental impact statement.

The new draft environmental impact statement for the coal leasing system published for public scrutiny on Dec. 15, 1978, includes criteria to determine lands that are unsuitable for mining. Congress required Interior to establish such criteria. While environmentalists generally favor this approach, there are some objections to specific criteria established in the EIS.

A week before the draft statement was released, Interior published the unsuitability criteria as a separate entity in the *Federal Register*. The rules were published to prepare for some coal leasing by 1980, the notice says. Interior says that by

beginning the unsuitability analysis now, the agency can get a head start on implementing the leasing system. The final EIS is not due until June 1979.

Environmentalists say, however, that this conflicts with the agreement reached in *NRDC v. Hughes*. That agreement stipulated that Interior was prohibited from taking any steps "direct or indirect" toward the implementation of a coal leasing system until a final EIS has been approved. Jonathan Lash of the Natural Resources Defense Council says, "The way the criteria are being used, in accelerating the start-up time, is violating the court order."

Interior contends that they are not starting up the leasing system because if they decide not to lease anything, they simply won't proceed any further. Lash says, however, "Under that guise they could do anything."

NRDC must submit a letter to Interior stating its objections to the actions 21 days before any action is taken in court. The letter will go out "in a few days," Lash says, and the group will await Interior's response before taking any further action.

Public comment will be accepted on the proposed unsuitability rules until Feb. 13. Comments should be addressed to director, BLM, U.S. Interior Department, Washington, D.C. 20240.

CLASSIFIEDS

1979 WIND POWER ACCESS CATALOG. Most comprehensive listing available anywhere; includes lists of manufacturers, distributors, plans and publications. Complete wind machine specifications and wind energy primer included. \$6.00. Cost includes a one year (four issue) subscription to WIND POWER DIGEST magazine. Write: Wind Power Digest, Box 489, Bristol, IN 46507.

PHOTOS SOUGHT. HCN needs clear black and white photos of foxes to illustrate an upcoming article. We'll pay \$4 to \$10 for those we use. Please accompany all submissions with a self-addressed, stamped envelope.

POSITION. The Wyoming Energy Coordinator of the Region VIII Community Action Agencies Association is offering a contract for managing the Association office in Cheyenne. Skills required are: typing, financial management, file maintenance, and an interest in seeking changes in existing laws and administrative regulations which discriminate against the poor in the areas of rate structures, protective requirements, fuel allocation policies and fuel-energy prices. The contract will require a 20 hour flexible work week, January through August, at \$280.00 per month. Send resume to:

Lorna Wilkes, Wyoming Coordinator, CAA Association, Bell Building, 1603 Central Avenue, Cheyenne, Wyoming 82001. CAA Association is an Equal Opportunity Employer.

SKI TOURING PHOTOGRAPHS NEEDED. New, richly illustrated ski touring book to be published. We are searching for unique, creative B&W photos. Published photos will be credited. Send submissions to: Ron Waters, Box 9024, ISI, Pocatello, ID. 83209. For sample of work see recently published *Ski Trails and Old Timers' Tales*: Solstice Press.

ORGANIZERS WANTED. The Powder River Basin Resource Council, a citizens' resource conservation group concerned about energy development in eastern Wyoming, wishes to hire field organizers immediately. Energetic people with leadership potential and simple tastes are desired. Invaluable experience. Send resume to: PRBRC, 48 N. Main, Sheridan, WY 82801 (307) 672-5809.

WANTED IMMEDIATELY. Working partner in greenhouse, Lander, Wyoming area. Help to build presently small operation into big one. Terms negotiable. Geothermal greenhouse and market already established. Write Betty Countryman, Box 30, Lyons Valley Route, Lander, WY 82520.



Nyctea scandiaca

Ghost-like designs of the lovely arctic owl, soaring only once upon the tundra's ground. They are dependent on lemmings & arctic hare for food. When lemmings & hare are scarce, the snowy owl abandons their arctic homes & often migrates nearly a thousand miles south to survive.

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12-High Country News — Jan. 26, 1979

Colorado, Wyoming river studies

Encampment River should be wild, statement says

by Phil White

The U.S. Forest Service and the Colorado Department of Natural Resources have recommended that the Encampment River in Colorado be protected as a "wild river" in the National Wild and Scenic Rivers System.

Citing outstanding fish and wildlife values and the absence of serious resource conflicts, the Routt National Forest in Steamboat Springs, Colo., made the recommendation in a draft environmental statement released in January.

According to Milt Robinson of the regional foresters' office in Lakewood, Colo., several draft environmental statements on Rocky Mountain rivers will be released by

April. Reports on the Piedra and the Conejos in Colorado and the Clark's Fork River in Wyoming are due in February. Draft statements on Colorado's Los Pinos and Elk rivers will be out in March and on the Cache la Poudre in April.

The reports are being prepared under terms of a 1975 amendment to the Wild and Scenic Rivers Act that requires reports on a number of rivers to be completed by Oct. 2, 1979.

The U.S. Park Service will be releasing studies on the Green and Yampa Rivers in Colorado's Dinosaur National Monument and on the Colorado and Gunnison Rivers along the Colorado-Utah border.

If Congress acts favorably on the Forest Service's recommendation for the Encampment River, a 20-mile river corridor

one-half mile wide would be protected from timbering and water development projects. The Encampment rises in the northern part of Colorado's Park Range, flows north through part of the Mt. Zirkel Wilderness Area and into Wyoming.

Unlike most of the rivers that have been designated by Congress as wild rivers, the upper reaches of the Encampment are too small and too steep to be enjoyed by watercraft.

However, 500 elk use the area in the summer, and deer, mountain lion, black bear, big horn sheep and 69 species of birds are found there. Timbering, water development and any roads that could be built if the river weren't protected could affect their habitat.

Although the Encampment flows

through a spectacular canyon in Wyoming before entering the North Platte near the town of Encampment, the Wyoming portion of the river was not included as a study river by Congress. There was a lack of support from the Wyoming congressional delegation. Because of the natural values of the Encampment canyon, the Medicine Bow National Forest will "manage it as a de facto study river at this time. We may ask Congress to make it a study river formally in the future," according to Milt Robinson of the Forest Service Regional office.

Comments on the Encampment River study are due by April 15. They should be sent to Routt National Forest, Steamboat Springs, Colo., 80477.

Forest Service has 6 options for Snake River

by Jill Bamburg

A 50-mile stretch of the Snake River in Wyoming is eligible for Wild and Scenic River designation, according to a draft environmental impact statement released Jan. 10 by the Bridger-Teton National Forest.

The portion of the river included in the study runs through the heart of Jackson Hole, extending from the southern boundary of Grand Teton National Park to the highwater mark of the Palisades Reservoir near Alpine, Wyo.

The draft statement does not include a recommended alternative or specify a proposal for the river for Congress to consider, it says the river's maximum classification potential (Alternative F) would qualify 23 miles — including the famed "Grand Canyon of the Snake" — for protection as a "scenic river" classification, while the

remaining 27 miles would be eligible for "recreational river" classification.

The obstacles to maximum classification are many.

The study divides the river into four sections and examines six alternatives designed to address potential conflicts, including bridge construction, water and energy development projects, and private landowner's opposition due to fears about public access and condemnation.

The first section of the river, a 10-mile stretch from the south boundary of Grand Teton National Park to a point about 1.5 miles north of the Wyoming Highway 22 bridge to Wilson, could qualify for a "scenic river" classification, according to the study.

Such a designation would preclude construction of a bridge that would be part of an often-proposed road linking the Jackson Hole Ski Resort at Teton Village with the Jackson Hole Airport. The bridge could be built, however, if Section 1 were placed in the less restrictive "recreational river" classification or if it received no classification.

Section 2, a 14.5-mile stretch running from the end of Section 1 to the South Park Bridge of U.S. Highway 89-26, would qualify for "recreational river" classification, according to the study.

The draft statement identifies a potential classification corridor along the Snake River of 23,880 acres, 54 percent of which is publicly owned. Private landowners near both sections 1 and 2 are expected to resist "maximum classification" on these stretches, according to the study.

Landowners are concerned about condemnation and public access although an understanding of the law would allay their fears. The Forest Service cannot condemn private land if 50 percent or more of the acreage within the river corridor is publicly owned. Instead, the agency would buy scenic easements, which affect future changes in use of the land. The landowner could post his land against trespassing, but the easements would limit subdividing, commercial development and clearing of vegetation.

Section 3, running from the South Park Bridge 12.5 miles south to a point about a mile below Astoria Hot Springs, links the meandering river of Sections 1 and 2 with



Photo by Bob Woodall

LUNCH COUNTER is the name for this stretch of white water in the Grand Canyon of the Snake. This area would be inundated if a dam proposal becomes a reality.

the canyon-walled whitewater of Section 4. The study says that this section would qualify for "recreational river" status.

Land ownership in the corridor is primarily federal. The only major proposal affecting the river's future is an Alpine Narrows dam project that was considered in a 1967 study but apparently faded away for lack of public support.

The final section, running 13 miles from the end of Section 3 to the highwater mark of the Palisades Reservoir, faces a more serious water development threat.

This section, which has "scenic river" potential according to the study, includes the best and most popular whitewater stretches on the river. In 1977, it received an estimated 60,914 visitor days of use, much of it from Jackson Hole vacationers taking advantage of the commercial whitewater float trips offered by the area's 13 outfitters.

In 1977, however, Lower Valley Power and Light, a local utility, suggested another use for the lower portion of this stretch of river: a dam at the Palisades highwater mark that would inundate roughly 2.4 miles of prime whitewater.

Enlargement of the Palisades Reservoir as a combination water storage-electrical generating project has also been given some consideration. The draft statement says that the two "general elevational increases" that have been mentioned would

create a slack water pool extending two to four miles into the lower portion of Section 4.

Copies of the draft statement may be obtained from the forest supervisor, Bridger-Teton National Forest, P.O. Box 1888, Jackson, Wyo. 83001. Comments on the proposal, due March 21, should be directed to the same address.

Public hearings on the draft statement are scheduled for 7 p.m., Feb. 5, at Lower Valley Power and Light, Afton, Wyoming; 7 p.m., Feb. 8, at the Intermountain Science Experiment Center, Idaho Falls, Idaho; 7 p.m., Feb. 15, at the Virginian Motel, Jackson, Wyo.; and 7 p.m., Feb. 21, at the Hathaway Building, Cheyenne, Wyo.



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Western Roundup



Jan. 26, 1979

13

Official cautions would-be deer feeders

Whether or not to feed deer wintering around Jackson, Wyo., has pitted locals against the Wyoming Game and Fish Commission. Proponents of the "Feed the Deer" program contend that because of deep snow, the deer are unable to find enough food to survive. Tom Toman of Game and Fish says the situation is not desperate yet; the snow is not crusted, so the deer can easily make their way through it, and winds have cleared ridges, leaving much food available. Toman discourages

feeding of the deer, which he says may make the animals too dependent on people. In addition, he says feeding of the deer draws them close to traffic and raises the number of road kills.

Last year the deer received hay not needed by the elk at the National Elk Refuge outside of Jackson. The extremely hard winter this year, however, has prompted refuge officials to save extra hay in case the elk need it later.

Moly — Crested Butte's cursed blessing

Citizens of Crested Butte, Colo., have been aroused by the discovery, more than a year ago, of the world's third largest molybdenum deposit under nearby Mt. Emmons. Located in Gunnison County in southwestern Colorado, Crested Butte was a prosperous mining town in the early 1900s. It went through a "bust" cycle in the early 1950s when Colorado Fuel and Iron closed its mine. In 1962 a ski area was opened, and prosperity returned. Many of the town's oldtimers welcome the possibility of jobs in a molybdenum mine, and resent the opposition to the mine that is coming from newer residents.

More than 1,700 claims have been filed by more than 20 mining firms since the molybdenum discovery. However, AMAX,

the company responsible for the Climax mine at Leadville, Colo., and the discoverer of the Mt. Emmons deposit, is the focus of environmentalists' attacks. Besides the estimated 4,000 acres needed to accommodate the tailings from AMAX's proposed mine, Crested Butte citizens fear the social impacts of an influx of 10,000 people into a community of 1,200. Citizens of the town, where only one murder has been committed this century, fear a situation like that of Craig, Colo., which has experienced a 900 percent increase in crimes due to pressures created by energy development.

The Forest Service has begun an environmental impact study on the Mt. Emmons project.

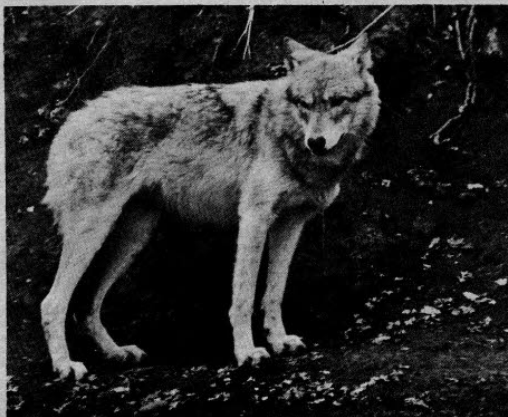
Speedy consideration of Alaska bill likely

Rep. Morris Udall (D-Ariz.) has introduced legislation in the House to protect 116 million acres of federal land in Alaska. Eighty-five million acres of this would be wilderness. House Speaker Thomas ("Tip") O'Neill has set a six-week deadline for committee consideration of the bill, H.R. 39, insuring speedy passage to the floor. Sen. Henry Jackson (D-Wash.) is expected to introduce a more pro-development bill in the Senate.

By executive order President Carter set aside 56 million acres as national monuments in December. Many development-oriented Alaskans are eager to see passage

of a bill which would be less restrictive than Carter's order. Both opponents and proponents of wilderness feel the president's move will make the job of conservationists easier. "The burden has shifted drastically," says Udall. "The lands are locked up; they're safe. Now it's up to the opponents to try to get in what they want."

An orderly anti-wilderness crowd, estimated at around 1,500, converged Jan. 13 on Cantwell, Alaska, a tiny town on the new Denali National Monument border, to protest the president's action. The state of Alaska has brought suit in federal court to overturn Carter's order.



THE GRAY WOLF

Photo by Robert Hilgenfeld



Photo by Robert Hilgenfeld

LAST YEAR Jackson residents fed deer hay to help them through the winter.

Push for bigger Teton, Yellowstone parks

As a result of the Forest Service's non-wilderness recommendation for parts of the West Slope of the Teton in Wyoming, conservation groups are proposing a westward and northward expansion of Grand Teton National Park. The area was originally proposed for wilderness by the Wyoming Wilderness Coalition in its RARE II (roadless area review and evaluation) recommendations. According to Phil Hocker of the Sierra Club and Howie Wolke of the Friends of the Earth, wilderness would still be the preferable status for the area, as it would allow grazing and hunting to continue. In the absence of wilderness protection, however, they say that expansion of the park is necessary to protect wildlife habitat between Yellowstone

and Grand Teton National Parks. The conservationists fear roadbuilding and logging in the 175,000-acre West Slope area would threaten many species, including moose, elk, lynx, bald eagles, grizzly bears, wolverines and trumpeter swans.

Both Targhee National Forest Planner Bob Williams and Park Superintendent Bob Kerr oppose the expansion. The Forest Service's RARE II proposals, according to Williams, were partially a result of local opposition to wilderness. The loss of present livestock allotments, which would come with park status, also concerns Williams. He also says, according to the Jackson Hole Guide, that "wildlife habitats can be maintained with a certain amount of timber harvesting."

Hunting could cull 'nuisance' grizzlies

In spite of the grizzly bear's "threatened" status, pressure is being brought by Wyoming's Game and Fish Commission to reopen a grizzly hunting season. A species defined by the U.S. Fish and Wildlife Service as "threatened" is one that is likely to become "endangered" in the future. The 1973 Endangered Species Act allows hunting of a threatened species only in extraordinary cases where population pressures within an ecosystem demand relief through hunting, and only in areas outside the animal's previous boundaries. In this case, licenses to take grizzlies would be issued for areas surrounding Yellowstone National Park, if the Secretary of Interior

and the U.S. Fish and Wildlife Service grant the state's petition. According to the Game and Fish Commission, nuisance bears that threaten public safety and livestock in settled areas are increasing in number.

Biologist John Weaver of the Bridger-Teton National Forest, who specializes in threatened and endangered species, takes issue with the Game and Fish's stand, according to the Jackson Hole Guide. Weaver says the grizzly population has declined since 1974, as has the bears' reproduction rate. Weaver also says that the notion that nuisance bears have increased lacks documentation.

Researchers seek wolves in Montana

Two separate projects are afoot in Montana to determine the status of wolves in that state. The Wolf Ecology Project, now in its sixth year, is funded by the U.S. Fish and Wildlife Service. It is aimed at assessing wolf population, habitat, and distribution in the Northern Rockies. The study team, directed by Dr. Robert Ream, associate professor of forestry at the University of Montana and director of the Wilderness Institute, is presently doing field work near East Glacier. Ursula Mattson, who is conducting the Glacier research, says photographs of wolves, alive or dead, are needed for documentation of wolves' pres-

ence in the area.

The "Gray Wolf Study," also directed by Ream, with UM student Randy Rogers, centers in the Anaconda-Pintlar Wilderness in west-central Montana. Rogers is using both ground and aerial surveillance of deer and elk winter ranges to search for wolf sign. Although several wolves have been reported in the area, only one has been photographed.

Anyone with information regarding wolves in the Northern Rockies may contact Dr. Robert Ream, School of Forestry, University of Montana, Missoula, Mont. 59812, or call (406) 243-5361.

14-High Country News — Jan. 26, 1979

DEPRESSION DAYS

by Myra Connell

The experts who keep their fingers on the nation's economic pulse have been predicting a recession. The word starts a trembling in the pocketbook of worker and merchant alike, since the next step after recession is depression.

I think the people who are too young to remember the 1930s may be more fearful of a depression than we older ones who struggled through the last big one. We are confident that if necessary we could do it again, even without unemployment insurance or public assistance.

In the case of my own family, and many others, one element to our advantage was land — being able to live off the land.

Our breadwinner became unemployed soon after the stock market crash of 1929. It happened that 20 acres and a cottage in central Michigan were available to us. So we left the city for the country, and this move enabled us to weather the Depression. But we had to work at it.

About half the land was a swampy woods; the other half very sandy soil. Huge stumps



six or seven feet across were eloquent evidence of the white pine forest that earlier settlers had harvested, blithely ignoring the needs of future occupants. Apparently, the trees had depleted the soils of nutrients. They refused to produce any but the least demanding crops. Weeds, both noxious and benign, competed with our plantings. It was only by a supreme effort that we managed to grow a supply of vegetables and berries. A few scrawny fruit trees added a little variety. I searched the brier patches for wild blackberries and blueberries, which I canned for winter, along with vegetables and other fruit, sometimes working far into the night. There were no home freezers.

Very early after our move we realized the need for a cow to supply milk and dairy foods. A little cash could be had by raising cucumbers. Harvesting them meant day

after day of back-bending work from chilly dawn through torrid noon. Money from our "cow-cumbers" was carefully hoarded; that fall a nice milk cow was proudly led home.

Our fuel came from the woods; it took a lot of hard work to get it (without benefit of chain saw). I learned to pull one end of a cross-cut — a matter of skill, not strength. In March the woods also furnished a small amount of sap for maple syrup, a rare treat.

I did all our laundry in a galvanized tub on a washboard, heating the water in a boiler on the kitchen range. I dried the clothes outdoors or in bad weather by the fire. An automatic washer doing the work while I sat scribbling wasn't even a dream.

Much clothing was remodeled from garments donated by slightly more affluent people. My husband had a work jacket that I made from two old bathrobes and a

shabby top coat. The neighbor women passed around a pattern for mittens made from legs of worn socks.

Our water supply was a well in the yard; our light two or three kerosene lamps; our refrigeration non-existent.

I could make a long list of things we didn't have that are now felt necessities. A farm woman that I know tells her city guests, "Let me know if there is anything you need, and I'll tell you how to get along without it."

If another depression hits our country it will obviously be impossible for families to

"Let me know if there is anything you need and I'll tell you how to get along without it."

move to the land as we did. But I believe the same principles that got us through would serve again: Make the most of what is at hand; learn to do without.

The challenge of surviving those hard years furnished some of the most satisfying memories of my life.

STATE OF WYOMING PUBLIC NOTICE

PURPOSE OF PUBLIC NOTICE

THE PURPOSE OF THIS PUBLIC NOTICE IS TO STATE THE STATE OF WYOMING'S INTENTION TO ISSUE WASTEWATER DISCHARGE PERMITS UNDER THE FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1972 (FWPCA), P.L. 92-500 AND THE WYOMING ENVIRONMENTAL QUALITY ACT (35-11-101 et. seq., WYOMING STATUTES 1957, CUMULATIVE SUPPLEMENT 1973).

IT IS THE STATE OF WYOMING'S INTENTION TO ISSUE WASTEWATER DISCHARGE PERMITS TO (2) TWO INDUSTRIAL DISCHARGES AND (1) ONE OIL TREATERS DISCHARGE, AND TO RENEW (1) ONE WATER AND SEWER DISTRICT AND (2) TWO INDUSTRIAL DISCHARGE PERMITS WITHIN THE STATE OF WYOMING.

APPLICANT INFORMATION

(1) APPLICANT NAME: NORTH ANTELOPE COAL COMPANY

MAILING ADDRESS: 12015 EAST 46TH AVENUE
SUITE 800
DENVER, COLORADO 80239

FACILITY LOCATION: NORTH ANTELOPE MINE, SEVERAL SECTIONS IN T4N, R70W, CAMPBELL COUNTY, WYOMING

APPLICATION NUMBER: Wy-0028177

The North Antelope Coal Company plans to construct an open pit coal mine in Southeastern Campbell County, Wyoming. Discharge wastewaters will include coal pit water, shop well water, runoff from disturbed areas, runoff from undisturbed upstream surface areas, runoff from the plant site and load-out facility, and runoff from the alternate scoria pit. There are a total of nine sedimentation ponds which will discharge to Porcupine Creek (Class IV stream) or into one of the following tributaries of Porcupine Creek which are also Class IV streams: Jodi's Draw, Sandee's Draw, Middle Porcupine Diversion Ditch, Dam Bypass Ditch, Porcupine Bypass Ditch, and Rogers Draw.

The proposed permit requires all discharges to meet effluent limitations considered to be "best practicable" for the coal mining industry. Runoff from disturbed areas must be controlled and self-monitoring of effluent quality is required with reporting of results quarterly.

Due to uncertainties concerning future federal limitations on toxic substances, a short term permit with an expiration date of December 31, 1980, is proposed.

(2) APPLICANT NAME: AMF TUBOSCOPE, INC.

MAILING ADDRESS: P.O. BOX 808
HOUSTON, TEXAS 77001

APPLICATION NUMBER: Wy-0028169

AMF Tuboscope, Inc. plans to install an oil field truck and equipment washing facility near Reliance, Wyoming. The effluent from the washing facility will discharge to an unnamed tributary of Killpecker Creek (Class IV stream).

It has not been finally determined what method of treatment will be used, however, the discharge will have to meet effluent standards considered to be "best practicable" for this type of industry. The proposed permit includes limitations of the parameters total suspended solids, chemical oxygen demand, oil and grease, and pH.

The proposed permit requires self-monitoring of all limited parameters plus the phosphorus and flow on a regular basis. Monitoring results must be reported quarterly.

The permit is scheduled to expire January 31, 1984.

(3) APPLICANT NAME: BUTTES RESOURCES

MAILING ADDRESS: P.O. BOX 121
OSAGE, WYOMING 82723

FACILITY LOCATION: TAYLOR GOVERNMENT LEASE, SW.3, SECTION 12, T46N, R64W, WESTON COUNTY, WYOMING

APPLICATION NUMBER: Wy-0028142

Facility is a typical oil treater located in Weston County, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. The discharge is to Turner Creek (Class III stream) via an unnamed drainage.

The discharge must meet Wyoming's Produced Water Criteria effective immediately. Chapter VII of the Wyoming Water Quality Rules and Regulations infers that as long as the Produced Water Criteria is met, the water is suitable for beneficial use. There is no evidence to indicate that limitations more stringent than the Produced Water Criteria are needed to meet Wyoming's Water Quality Standards. The Department will continue to evaluate this discharge and, if necessary, will modify the permit if evidence indicates that more stringent limitations are needed.

Semi-annual self-monitoring is required for all parameters with the exception of oil and grease which must be monitored quarterly. The proposed expiration date is December 31, 1981.

(4) PERMIT NAME: SOUTH CHEYENNE WATER AND SEWER DISTRICT

MAILING ADDRESS: 908 DREW COURT
CHEYENNE, WYOMING 82001

PERMIT NUMBER: Wy-0021725

The wastewater treatment facilities serving the South Cheyenne Water and Sewer District consist of a bar screen, grit chamber, splitter box which feeds two activated sludge package plants, each plant has two aeration basins and a final clarifier, a single chlorinator serves both plants and is followed by a contact chamber and flow measurement device. The discharge is to Crow Creek (Class IV stream) via an unnamed irrigation ditch (Class IV stream).

The proposed permit requires compliance with National Secondary Treatment Standards and Wyoming's In-Stream Water Quality Standards effective immediately. In the past, the District has had some difficulty meeting these requirements due to operation and maintenance problems, however, it now appears that these problems are being solved.

Self-monitoring of effluent quality is required on a regular basis with reporting of results monthly. The permit is scheduled to expire March 31, 1984.

(5) PERMIT NAME: LOUISIANA PACIFIC CORPORATION

MAILING ADDRESS: P.O. DRAWER 1
COEUR D'ALENE, IDAHO 83814

PERMIT NUMBER: Wy-0001708

The Louisiana-Pacific Corporation operates a lumber mill located in Dubois, Wyoming. The only wastewater discharge associated with the mill is a discharge of non-contact compressor cooling water which totals approximately 25,000 gallons per day. Past monitoring of this discharge indicates that it is of very high quality.

The proposed permit includes effluent limitations considered to be best available treatment for non-contact compressor cooling water. Limited parameters include total suspended solids, pH, oil and grease, and temperature. The permit also states that no corrosion or biological inhibitors may be added without written approval.

Self-monitoring of effluent quality is required with reporting of results quarterly. The permit is scheduled to expire March 31, 1984.

(6) PERMIT NAME: BASIN ELECTRIC POWER COOPERATIVE

MAILING ADDRESS: 1717 EAST INTERSTATE AVENUE
BISMARCK, NORTH DAKOTA 58501

FACILITY LOCATION: LARAMIE RIVER STATION
PLATTE COUNTY, WYOMING

PERMIT NUMBER: Wy-0024074

The Basin Electric Power Cooperative is constructing a large coal-fired electric generating plant known as the Laramie River Station near Wheatland, Wyoming. Numerous wastewater holding ponds have been constructed at the site including ponds for boiler ash, scrubber waste, sewage treatment plant effluent and sludge, water treatment plant wastes, and plant site runoff. Of all these ponds only the plant site runoff control pond has the potential to discharge and is, therefore, the only pond covered by the discharge permit.

The plant site runoff pond was created by damming a natural drainage and installing manually controlled outfall pipes at two separate levels. To date this pond has never discharged, however, if a discharge did occur it would flow into the Laramie River (Class II stream) via an unnamed drainage.

The proposed permit requires any discharge to meet effluent standards for total suspended solids, pH, and oil and grease which are standard for runoff control ponds in Wyoming. Since it appears that discharges at this location will be very infrequent the self-monitoring report schedule has been changed from monthly to semi-annually. The proposed permit will expire on March 31, 1984.

STATE — EPA TENTATIVE DETERMINATIONS

Tentative determinations have been made by the State of Wyoming in cooperation with the EPA staff relative to effluent limitations and conditions to be imposed on the permits. These limitations and conditions will assure that State water quality standards and applicable provisions of the FWPCA will be protected.

PUBLIC COMMENTS

Public comments are invited any time prior to February 26, 1979. Comments may be directed to the Wyoming Department of Environmental Quality, Water Quality Division, Permits Section, Hathaway Building, Cheyenne, Wyoming 82002, or the U.S. Environmental Protection Agency, Region VIII, Enforcement Division, Permits Administration and Compliance Branch, 1860 Lincoln Street, Denver, Colorado 80202. All comments received prior to February 26, 1979, will be considered in the formulation of final determinations to be imposed on the permits.

ADDITIONAL INFORMATION

Additional information may be obtained upon request by calling the State of Wyoming, (307) 777-7781, or EPA, (303) 327-3874, or by writing to the aforementioned addresses.

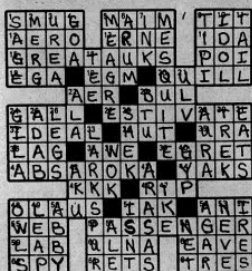
The complete applications, draft permits, and related documents are available for review and reproduction at the aforementioned addresses.

Public Notice No. WY-79-001

BLM is back in the spotlight...

(continued from page 5)

the limitations of Western lands. Environmental constraints and the resulting low productivity relative to humid agricultural regions have been largely ignored. Meat production and economic returns from these lands are of marginal importance nationwide, yet "red meat" production remains a major focus of many BLM range professionals. While livestock grazing is an appropriate use of some of these lands, the growing support for other uses—including wildlife, wild horses, wilderness and recreation—is too often ignored.



THE SOLUTION for the Eclecticity Crossword published in our Jan. 12 issue is shown above.

A reflective BLM employee seeing the excitement over President Carter's action reserving 56 million acres of national monuments in Alaska and the secretary of Interior's intent to establish over 40 million acres of wildlife refuges must have a sense of irony. Almost all of Alaska's new monuments and refuges have been carved out of BLM lands. Such a person must wonder what might have been if the BLM had changed earlier, if conservationists trusted the agency, or if many of the Western states had not been so oriented toward cattle production.

Certainly BLM could be emerging as the leading conservation agency of the 1970s. Instead, although it is changing and improving rapidly, BLM continues to lose land and responsibility to other agencies. As long as this trend continues and as long as its political base of support is largely in the West, the survival of the BLM as a separate agency remains in doubt.

Bernard Shanks, an associate professor at Utah State University, worked for the Bureau of Land Management as a smoke jumper in Alaska for three summers. He has served on a multiple use advisory board and as a consultant for the agency and has conducted research on BLM land. He has a doctorate in resource development from Michigan State University and teaches in the department of forestry and outdoor recreation at Utah State.



Photo by Tom Treik

THE 1971 WILD HORSE AND BURRO ACT is among the laws that have put the spotlight on the Bureau of Land Management recently.



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WYOMING
Order through High Country News, Box K, Lander Wy. 82520. Graphic Arts Center Publishing Co. is sharing the profits from this book with HCN.

QUARRELS AHEAD OVER REORGANIZATION. President Carter will face opposition in Congress if he decides to push for a Department of Natural Resources. Interior Secretary Cecil Andrus backs the idea because there are "a lot of different entities in the same business, and there isn't adequate coordination between them." The new department would include much of the Interior Department, parts of the Army Corps of Engineers and Soil Conservation Service and the Forest Service. But critics oppose taking the Forest Service and other programs out of the Department of Agriculture. Such a shift would "reduce the effectiveness of government service to the people and hamper efforts to meet the nation's growing needs for food," Sen. Herman E. Talmadge (D-Ga.) and Rep. Thomas S. Foley (D-Wash.), chairmen of the Senate and House agriculture committees, have told Carter. The president is expected to decide whether to proceed with the plan in a few weeks.

MONEY POWER. A federal research team can turn old money into sugar. They go on to ferment the sugar into ethyl alcohol, which can be blended with gasoline to stretch the country's limited fuel supplies. The process could also cut down on solid waste disposal problems, the researchers claim. "The problem right now is that the economics aren't good enough, but the process does have promise for the long run," says a spokesman for the Department of Energy which is funding the project. The U.S. Army Research and Development Command in Natick, Mass., uses worn-out currency and food stamps in its experiments with the conversion process.

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16-High Country News — Jan. 26, 1979

Center prepares Indian lawyers to face Exxon

by Dede Feldman

ALBUQUERQUE, N.M. — One of the biggest problems now facing Indian tribes throughout the country is the lack of trained professionals capable of defending Indian people.

Nowhere is this problem more apparent than in the field of law. In spite of the pressing need for Indian lawyers to defend tribes against giant corporations and untangle the web of special relations between tribes, states, and the federal government, there are now only about 300 Indian lawyers nation-wide.

Of these, 280 are products of the American Indian Law Center.

Operating out of a large modern office at the rear of the University of New Mexico Law School in Albuquerque, the American Indian Law Center offers training and financial aid to Indian law students throughout the country and research services to various tribes and government agencies.

In addition, the law center provides training to Navajo prosecutors and advocates, develops materials on legal topics for both lay people and the National American Indian Court Judges Association, assists tribes with federal domestic assistance programs, and, this year, runs a paralegal training program.

The center is funded by government contracts, foundation grants and contracts with individual Indian tribes and organizations.

Indian students in the program undergo the same type of legal training as white students.

"We don't concentrate on 'fried bread law' here," says Sam Deloria, the long-haired Sioux who is the director of the American Indian Law Center.

What Deloria means is that students in the law center's scholarship program are not trained in tribal law.

"At one time our program was criticized for this approach," Deloria says, "but you must decide what you are training people to do. If it's going back to the reservation to deal in reservation law, that's one thing, but if it's training people to protect Indian

Bureau of Indian Affairs solicitor's office, the tribes themselves, in private practice or through a wide variety of other channels. However, there is a marked lack of Indian attorneys employed by law firms representing Indian tribes.

Funded through the Comprehensive Education and Training Act, the center's paralegal program is the first of its kind in the country. The seven month program is designed to train Indians with a high school diploma or the equivalent to assist their tribes in overcoming barriers to economic development.

Toby Grossman, director of the program, says, "We provide training in civil law, management theory, the handling of grants and contract administration. We

teach people how to act as a system analyst — the system is the governmental bureaucracy."

Deloria is fond of musing about some of the larger questions behind problems facing Indian tribes.

"There are debates that are not held in Indian society that should be," Deloria says. "In this business, there's a constant pressure to be doctrinaire about certain kinds of questions."

One example that Deloria gives is the assumption that the exploitation of non-renewable resources is always destructive to Indian culture.

"There's an open accusation that if you don't agree with this, you don't care about Indian people," he says. "But this state-

ment should be the beginning, not the end of the discussion about resources."

"It's simply a mistake to say that any use of nature to benefit humans is counter to Indian culture. We've got to eat and, for years, the balance of nature has been disturbed by Indians to plant corn, to survive. So then why is digging up the earth for minerals to sell them in order to survive morally wrong?"

"We're not talking about absolutes," Deloria says.

"What are the real options?" asks Deloria. "If one of the options is no development then someone must explain how Indian people are going to survive economically without it. Until recently, this explanation has been lacking."

Another assumption that Deloria takes issue with is the assumption that this is a racist society in which corporations and states are deliberately thinking up ways to cheat Indians.

"If we continue to operate on the assumption that we're enemies, we're missing opportunities and we're being politically naive. Many handicaps faced by Indian tribes are a result of oversight, not a deliberate choice of, 'Let's be mean to Indians.'"

"The whole thing is a political question, and the truth is somewhere in between."

As to the accusation that the American Indian Law Center is creating dark skinned white lawyers and bureaucrats, Deloria admits that the emphasis at the law center is not on tribal ways but on how to beat the system at its own game.

"You have to know what you're up against in order to survive and get what you need," Deloria says.

"It's not the business of the government or a school to perpetuate Indian culture," Deloria says. "The government should be neutral. It's up to Indian people themselves to keep the culture and the language alive in the family and in the community. If the only way Indians can survive is in isolation, then we must question whether they can or should survive at all."

Reprinted from the NAVAJO TIMES.



SAM DELORIA: "It's simply a mistake to say that any use of nature to benefit humans is counter to Indian culture."

HCH Bulletin Board

LOONEY LIMERICKS
by Zane E. Cology

A lively young woman named Lily
Thought BLM should be willing
To guard all the bees
And flowers and trees
And grasses. Wasn't she silly?

ANIMAL DAMAGE CONTROL
The U.S. Interior Department's U.S. Fish and Wildlife Service has extended until Feb. 12 the comment period on a draft environmental impact statement regarding the agency's program to control livestock damages caused by predators. The draft statement examines the environmental aspects of the current program of predator control as well as several options for changing the program — including the re-introduction of predator poisons. Written comments and requests for information should be sent to the Director (ADC), U.S. Fish and Wildlife Service, Washington, D.C. 20240 or call (202) 632-7463.

THE SEARCH IS ON

If you or your community-based organization ran a successful public program on solar energy or energy conservation recently, someone is looking for you. The Solar Energy Research Institute is trying to prepare an organizer's manual on solar energy and energy conservation programs for community audiences. If you would like to share your organizing wisdom with SERI, contact Rebecca Vories at (303) 231-1346 or Coreen Young (805) 962-8267 no later than March 1.

ENERGY EFFICIENCY STANDARDS

Public input is being sought on energy efficiency standards for refrigerators, freezers, clothes washers and dryers, water heaters, room air conditioners, home heaters, kitchen ranges and ovens, central air conditioners and furnaces, dishwashers, televisions, humidifiers and dehumidifiers. Written suggestions are needed by March 5. Write to the Department of Energy, Consumer Products Efficiency Branch, Room 2248, 20 Massachusetts Ave. NW, Washington, D.C. 20461.

AIR QUALITY COMMISSION HEARING

The National Commission on Air Quality is required by law to submit recommendations for changes in national air quality objectives. At a hearing in Los Angeles scheduled for Feb. 12, the commission will take testimony on the effects of air pollution on health and health care costs, the impact of air pollution and pollution controls on regional economic development, the costs of compliance with the Clean Air Act, appropriate automobile emission standards and other related issues. The testimony is supposed to influence the commission's final plan. Persons wishing to testify should notify Paul Freeman at (202) 634-7138 by Feb. 5 and send at least 25 copies of their testimony to the Office of the Mayor, Room 305, City Hall, Los Angeles, Calif. 90012 before Feb. 9. The hearing will be held Feb. 12 in the auditorium of the California State Building, 107 South Broadway, Los Angeles, Calif. at 9:30 a.m.

Many handicaps faced by Indian tribes are a result of oversight, not a deliberate choice of, 'Let's be mean to Indians.'

tribes, help them survive and respond to the threats they are facing today and tomorrow, then they must understand the American legal system.

"If an Indian lawyer has studied the Cheyenne way or traditional Indian law, then he's going to be in big trouble when he gazes across the table at Exxon's lawyer — who is the best that money can buy," Deloria says.

"We're concerned with how to be better white lawyers than white lawyers," Deloria says.

But while the law center does not advise or require students to use their degrees in certain ways, a list of the center's graduates and their jobs reveals that most are serving Indian people — either through the Environmental Protection Agency, the

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