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11-79

States ponder: who should pay to keep air clean?

by Marjane Ambler

When Congress passed the Clean Air Act amendments in 1977, it apparently intended to allow people living in clean air regions to keep their air pristine. At least the amendments provided for such protection if the people wanted it, but one essential factor was overlooked: money.

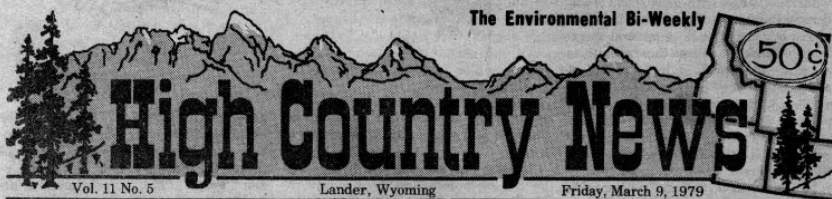
Congress didn't provide federal funds or require states to provide funding for the studies required before air can be desig-

nated Class I — pristine. As a result, it appears that some Indian tribes will succeed in getting legal protection for their high air quality, but non-Indians in most of the Northern Plains and Rocky Mountain states won't. So far, Montana is the only state that has provided a process that could be within the financial reach of most of its citizens.

Congress designated all of the air in the West as Class II except for national parks and wilderness areas over a certain size, which were designated Class I. The

Northern Cheyenne Reservation has also been designated Class I at the tribe's initiative. Class I allows almost no degradation of air quality. In Class II areas, substantial heavy industrial development is allowed. Class III permits twice as much pollution as Class II, in many cases allowing air quality to deteriorate to the minimum federal health and welfare standards.

The problem first surfaced two years ago when a group of ranchers in Dunn County, N.D., tried to get Class I protection for their



Bob Marshall, last of the radical bureaucrats

©1979 by Peter Wild

The woodsman undressed, cranked up his record player, then leaped into bed. He lay there listening to Schubert's *Unfinished Symphony* while watching the northern lights twinkle in the arctic night outside his cabin window. Before drifting off to sleep, the millionaire thought about his Eskimo and sourdough friends and reminded himself that he had again returned to "the happiest civilization of which I have knowledge."

Years later hikers in the Lower Forty-eight remembered that their famous companion preferred riding to trail heads on the running board of a car — the better to awaken his senses to the coming experiences. A romantic indeed, some might conclude — one of those exuberant and wealthy few who can afford to indulge occasional whims for rustic adventure.

On the trail, however, Robert Marshall quickly proved to be more than that. A typical day for him was 40 miles over rugged terrain with a full pack, and he was known to do 70 miles cross-country — no pace for a dilettante.

He was indeed a millionaire, a man of culture with a Ph.D. in plant physiology, who could quote as easily from the Latin poets as from Bertrand Russell and who could build a boat with an axe to cross an arctic river. He was a best-selling writer, a radical and for all that, one of the government's most effective bureaucrats.

(continued on page 1)

Photo courtesy of The Living Wilderness
A TYPICAL DAY for Marshall was 40 miles over rugged terrain with a full pack. The photo above shows him in 1925 with Ward Shepard (at right) in Montana's Mission Mountains.



county, primarily to prevent pollution from a coal gasification plant proposed there. However, the state health department told the ranchers that their group would be responsible for an analysis of the effects of such a redesignation. Environmental Protection Agency regulations require the analysis to include environmental, social, health, economical and energy effects.

This presented an impossible hurdle, according to Randolph Nodland, a spokesman for the group. The ranchers didn't have the money to finance such a study, which the Northern Cheyenne Tribe estimates costs more than \$100,000. Nor did they have the technical expertise that the tribe had available.

EPA officials say the Northern Cheyenne figure is probably inflated and that it should cost \$20,000 to \$50,000.

"Whether it's \$20,000 or \$100,000, it's too much for a citizens' group to pay," says David Gardiner of the Sierra Club.

However, North Dakota says the state can't pay for it either, and Wyoming and Colorado agree. Wyoming has adopted and Colorado is drafting regulations that say whoever applies for redesignation will have to pay for the analysis.

Idaho, South Dakota and Utah have not adopted regulations yet. Utah air quality official Brent Bradford says the staff's preliminary recommendations allow either local governments or companies to initiate redesignations and assume the state would conduct and pay for the studies. Idaho air quality official Bill Daneworth says his state is watching to see what happens in other places.

Gene Christianson of the North Dakota Department of Health argues that the state must rule on whether or not the redesignation should be allowed, and therefore, it shouldn't be involved in preparing the evidence. In effect, it would be acting as the attorney and as the judge. "We'd be accused of conflict of interest," he says.

Wyoming air quality official Chuck Collins says, "We don't have the manpower or in the case of the economic study the capability to complete the analysis...If we were saddled with this, something else would have to suffer."

In addition, he says that the state couldn't conduct studies for redesignation from Class II to Class I unless it was also going to conduct studies for redesignation from Class II to Class III, which would normally be sought by an industry. "Obvi-

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HCN Letters

WE LOVE LETTERS!

We are eager to hear your comments on issues raised in news stories or letters in HCN. Letters should be typed, double-spaced, and limited to 500 words.

IN THE EYE OF THE BEHOLDER

Dear HCN,

I look forward to reading HCN letters for they offer additional insights and differing perspectives regarding previously published articles. The letters of Feb. 23 offered even more. Numerous letters, pro and con, regarding Dr. Bernard Shanks' article in the Jan 26 HCN served to illustrate a fact of human nature, as well as a caution to writers and speakers, i.e. all of us.

Regarding human nature: we tend to judge others based on our own experience. It is commonplace to consider those who agree with us to be right, and those who do not to be wrong. However, to be willing to explore other possibilities with an open mind before deciding, is to be wise. The result is better understanding and further growth.

The second lesson regards published writers and others who air their views. The broader and more generalized the subject matter being addressed, the greater the likelihood is that an error will be made in the specific case.

Few, if any of us, qualify as absolute authorities regarding anything. However, that in itself is not cause for silence or inaction. Rather, it is merely cause for realization and admission of our limitations. Someone has to open the forum — to initiate action — if anything is ever to be accomplished.

Steven G. Douglas
Jeffrey City, Wyo.

MISUNDERSTANDING OF THE LAW

Dear HCN,

Bruce Hamilton's recent guest editorial (HCN, Feb. 9) reflects a serious misunderstanding of the law and an unwillingness to recognize clear Congressional intent and explicit statutory language.

Mr. Hamilton asserts that the Bureau of Land Management interim management guidelines for wilderness study areas "make a mockery of the law" because no mining facilities are permitted in wilderness or wilderness study areas. He implies that even temporary impacts are forbidden.

Mr. Hamilton should take a few minutes to read the Wilderness Act and Federal Land Policy and Management Act (FLPMA) in their entirety — not just the parts that support his notions about wilderness.

The 1964 Wilderness Act contains a section which expressly allows oil, gas and hardrock mineral exploration and development in wilderness areas, "notwithstanding any other provisions" of the act. It says "reasonable" regulations and stipulations may be imposed to protect surface values. However, those regulations

and stipulations must be "consistent with" the purposes for which the lands are leased or claimed and with the use of the land for mineral exploration and development.

The Wilderness Act specifically allows "transmission lines, water lines, telephone lines or other facilities necessary in exploring, drilling, producing, mining and processing operations." It says the land must be restored "as nearly as practicable" as soon as the mineral operations are completed. These provisions apply until midnight, Dec. 31, 1983.

When Congress wrote the FLPMA wilderness provision (Section 603), it said mineral leasing was to continue. "Leasing" does not mean issuing pieces of paper. It means allowing exploration, development and other rights granted by the lease.

This is made abundantly clear by Section 603(C), which says mineral development is permitted in BLM wilderness study areas. Mineral operations are not forbidden in wilderness study areas, as long as they do not cause "unnecessary or undue degradation."

Mr. Hamilton confuses impairment of wilderness values with impairment of wilderness suitability. "Suitability" is not impaired by the presence of mineral operations, which is the reason those operations are expressly permitted. In the case of oil and gas, the Forest Service has completed numerous before and after studies of geophysical and wildcat drilling activities which show the impact on suitability for wilderness is essentially negligible up to subalpine levels.

Mr. Hamilton claims the "substantially unnoticeable" language was intended only to "allow consideration of tracts where past signs of human activity have become insignificant with the passage of time." He is incorrect.

The author of this language, former Rep. Wayne Aspinall (D-Colo.) summarized congressional intent in these words: "We are not trying to ruin the wilderness bill, as had been asserted by some of the advocates of the wilderness system. We are not trying to do anything more than preserve the right, under existing laws, to be able to continue the exploration of these areas, to determine whether or not the mineralized areas are more valuable to the country for mineral purposes."

Mr. Hamilton does not like the BLM guidelines because they attempt to follow the law the way it was written and not the way he thinks it should have been written. He apparently believes BLM should follow the Forest Service approach of virtually prohibiting all but foot activities in wilderness study areas until a decision is made for or against non-wilderness. Just because the same federal offices and hard line preservationist groups have chosen to ignore explicit mineral provisions does not mean they have been dropped from FLPMA and the Wilderness Act, or that they are no longer legally binding.

In view of this country's severe import problems, the massive scale of the current wilderness programs and the high mineral potential of many of these wilderness study area, it is high time we began following these laws.

Sherod A. Harris
Arvada, Colo.

Bruce Hamilton responds:

I never said that mining facilities are banned from wilderness areas and wilderness study areas. I implied that where a federal agency has the ability to keep major disruptive mining facilities out, it should do so.

I never said that even temporary impacts are forbidden by law in wilderness study



areas. Some temporary impacts are acceptable and specifically allowed by the law.

Leasing does not necessarily mean allowing exploration and development, as Mr. Harris says. A lease with a "no surface occupancy" stipulation is accepted by a lessee with full knowledge that he may never be able to develop the lease.

Mr. Harris says section 603(c) of FLPMA allows all mineral operations in wilderness study areas as long as they do not cause "unnecessary or undue degradation." This is only half true. FLPMA distinguishes between pre-FLPMA mineral activity and those activities that were initiated after

passage of FLPMA. Pre-FLPMA activities are allowed to continue in "the same manner and degree" only as long as they do not cause "unnecessary or undue degradation." Post-FLPMA proposed mineral activity, according to the Interior Solicitor, should only be allowed if it does not impair the wilderness suitability of the area.

The "substantially unnoticeable" language of the Wilderness Act is found in the definition section of the act — section 2(e). Mr. Harris' quote from former Rep. Aspinall was not referring to section 2(c). It was referring to section 4(d), which allows for the continuation of mineral exploration, leasing, and mining.

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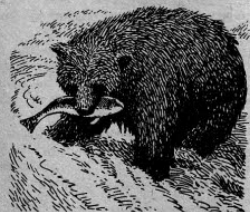
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'Strangers from distant places' still run the West

Guest editorial

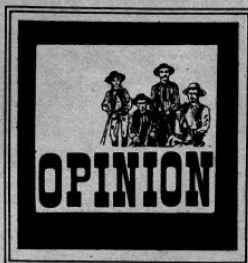
by R. Newell Searle

"We hardly ever see them," the rancher lamented, speaking of the forest rangers who administered his grazing allotment. "Federal men are transferred so often," he said, "that they never get to know us." And that summed up the most common complaint I heard from Westerners about the federal resource agencies.

As I hiked along the Oregon Trail across the breadth of Wyoming, ranchers repeated variations of the themes of federal domination, indifference, high-handedness and incompetence. Many of them had slight respect for the Bureau of Land Management and the Forest Service as institutions. Few Westerners complained outright about environmental policies, most objected to the methods of administration. They felt the agencies' staffs do not know much about the land and people in their districts, and that policies are shaped by an indifferent bureaucracy beyond ranchers' reach.

Since colonial times the public domain has been a source of controversy. The Homestead Act of 1862 attempted to dispose of such problems by giving away the public lands. Western states with extensive public lands are still, in some respects, colonies. The old tensions remain. Forest and range administrators have had the slippery task of trying to tailor national policies to fit local circumstances without "going native" and nullifying overall objectives in favor of local interests. Resource agencies have tried to reduce this risk by frequent transfers of rangers and land managers. The national policy persists, but at a price.

Mark Twain shed light on the tensions between Washington, D.C., and the West in *Roughing It*, his hilarious account of an overland trip to the Nevada silver mines. Miners detached Carson County from Utah territory, and Congress created Nevada in 1861. When President Abraham Lincoln appointed an Eastern politician as governor in place of the locally chosen "chief magistrate," Nevadans were not pleased because "they did not particularly enjoy having strangers from distant places put in authority over them." They thought the governor should be a Nevadan, one "who would be in sympathy with the populace"



and know their needs first-hand. Twain (whose brother was territorial secretary of state) slyly professed agreement with the sentiment because "the new officers were 'emigrants,' and that was no title to anybody's affection or admiration either."

Like Nevada's territorial governor, forest rangers and land managers are frequently "emigrants" from distant states who represent agencies that seem beyond the reach of local people. In a region with few institutions, individual relationships remain paramount. Knowing the district ranger is more important to daily life than knowing the congressman. In Wyoming, as in much of the West, federal lands exceed the amount of private property, and much daily activity is affected by federal regula-

tions, not state laws. It is easy for many Westerners to feel disenfranchised.

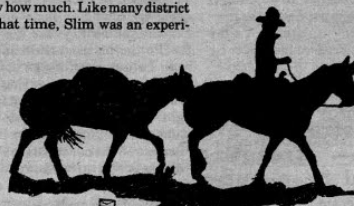
A man I shall call Ed Cather elaborated on that point as he sat in a lawn chair under a cottonwood and recounted his career as a saddle-horse ranger on Wyoming's Bridger National Forest. He was born in Afton, Wyo., grew up on a sheep farm, herded woolies awhile, then joined the Forest Service. Until he retired in the late 1950s, "Slim" Cather and other district rangers had a large measure of authority to make policy for their districts.

"Reducing grazing was always a touchy issue," he said. Reducing grazing touched pocketbooks and the ranger had to have the confidence of the herdsmen if he wished to make the reduction peacefully. Slim approached the problem by laying it before the sheepmen in his district and letting them decide who among them would reduce their flocks and by how much. Like many district rangers of that time, Slim was an experi-

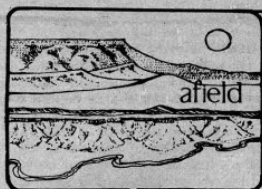
enced local man; a knowledgeable sheepman who was known and respected by graziers as far away as Rock Springs. As long as the stockmen were full partners in effecting forest policy, none of them complained.

"My supervisor used to tell me, 'My job is to assist you,' but now it's all different," Cather went on. District rangers make fewer policy decisions on the districts. Instead, "they just follow the policies made in regional or national headquarters."

A few days before our visit with Slim, a young, college-educated sheepman related how a district ranger planned to change grazing practices for the district. When the ranchers challenged the plan, the man defended it by saying that was how it was done on national forests in Missouri. As Slim Cather said, rangers are now trans-



Diane Reese



by Hannah Hinchman

One of the privileges of living in the West is that we still share the land with wild creatures whose patterns we have not yet fully disrupted. Because remote areas remain all around us, high country animals can follow their migration routes; birds can travel "flyways" they have used a million years," as poet Gary Snyder puts it. Their presence lends dignity to our lives, a counterpoint to the absurdity that attends human busyness.

People who go afield in the West watch with fascination the grace of wild animals as they move over difficult terrain, their bodies conditioned by its demands. We can also observe the peculiar habits of animals dealing with trying circumstances, such as the presence of humans. Sometimes we can sense from these observations which species will adapt to our activities and which will not.

"Salvage logging in the forest nearby has held a few whitetails in this area, deer that may have otherwise have moved out as the snow depth increased this winter," writes Ed Foss from the Swan River Valley in Montana. "These deer, attracted by the sound of chain saws in operation, come in to browse on moss hanging from branches and tops of the felled trees."

Foss remembers that in an earlier period of intensive logging, deer also made use of the cut-over areas. "The deer seemed to do much of their browsing at night. When the sawyers appeared in the morning, it was not unusual for me to see 30 to 40 deer

walking across my meadow to the salt block or heading for the timber in the east where they spent many of their daylight hours.

"One Sunday when there were no loggers about, I walked the skid trails in the area being logged and found small groups of deer browsing.

"When I came to the area where trees had been cut the previous day, I found the main herd. Although these deer spooked when I came upon them suddenly, I was told by the operator of a cat used on the job that deer had become accustomed to him as he worked among them. When a tree was to be moved, the deer browsing nearby stepped aside just far enough to avoid injury, flicked their tails, then returned to their browsing."



Golden eagle and shadow

From Lander, some vignettes of a recent drive across the southwestern corner of Wyoming: Two deer lying down observing us, motionless, exactly the color of the barren hillside, visible only because their giant ears stick up above the horizon. Golden eagles soaring low over the plain or beside cliffs where their shadows leap along the broken cliff face behind them. Golden eagles alighting on rocky prominences. Prairie dogs emerging near Fossil Butte, uttering jay-like cries, looking fairly fat and healthy, a delicious sign of life to the eagles.

ferred so often that "you might as well order them from Sears & Roebuck."

Given the amount of public land, the need for national resource policies, and the bureaucratic structure of the nation, the tensions between Westerners and Washington, D.C., will probably remain; they are part of the political culture. But it might be possible to ease the strain. Longer tours of duty might erase the taint of being an "emigrant," restore personal relationships and a sense of partnership, and give managers time to know their districts as the ranchers do. This in turn might restore to the federal resource agencies the capacity to tailor national policies to fit local circumstances without impairing the overall objectives. Until that happens, it is likely that Westerners will continue to regard federal rangers as "strangers from distant states put in authority over them."

R. Newell Searle is a historian and writer who lives in Minneapolis, Minn. He made the interviews for this article in the summer of 1977 on a hike from Scottsbluff, Neb., to Soda Springs, Idaho, along the Oregon Trail.

Guest editorials do not necessarily reflect the opinions of HCN.



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Bob Marshall, bureaucrat. . .

(continued from page 1)

Historian Roderick Nash calls him "one of the most colorful figures" in conservation. Shortly after his death, an unusual accolade to a bureaucrat appeared in the *New Republic*. "Cap in the Front Lines" testified to his abilities to move others: "He was an unwearied, unsentimental, common-sense radical who never supported any movement without participating in it wholeheartedly and responsibly. He was the one guy who could always pull you out of the squirrel-cage and make you feel again the excitement, importance and opportunity in what you were trying to do." Little wonder that Eskimos, Washington socialites, and fellow bureaucrats — whether or not they agreed with his politics — enjoyed Marshall's company.

The movement that Robert Marshall crystallized had a long but disconnected history. In 1864, Frederick Law Olmsted and other Californians persuaded the government to set aside the Yosemite Valley as a scenic preserve. Prodded thereafter by

"He exuded a restless, dynamic strength of purpose — strength which had been nurtured in the remote arctic wilderness."

various citizen groups, Congress added units over the years and in 1916 brought them together under the National Park Service. In the 1920s a hesitant Forest Service began a policy of creating primitive areas when a young ranger, Aldo Leopold, convinced the agency to forbid exploitation on one-half million acres of New Mexico's Gila National Forest.

The concept of keeping part of America as wilderness was slowly taking hold, but by the 1930s it still lacked a spokesman to consolidate the often vague notions of preservation into national policy. Aimed at moving citizens both inside and outside government, Robert Marshall's articles in the *Nation*, the *New York Times*, and *Nature Magazine* pressed that wilderness "is melting away like the last snowbank on some south-facing mountainside during a hot afternoon in June."

Uniquely talented and well-connected, Marshall became the pivot on which the country turned toward a firm wilderness commitment. The legislation implementing his ideas, however, came 25 years after his death, and since history often is slow to sort out individuals responsible for change, he has yet to receive full credit for the accomplishment.

"As a boy," reflected this founder of the Wilderness Society, "I spent many hours in the heart of New York City, dreaming of Lewis and Clark and their glorious exploration into an unbroken wilderness which embraced three-quarters of a continent. Occasionally my reveries ended in terrible depression, and I would imagine that I had been born a century too late for genuine excitement."

Pioneers straining to hack and hoe a livelihood from the wilds rarely thought of their awesome surroundings in such wistful terms. But the city boy's dreaming, an intensified version of America's yearning for a lost past, formed the mainspring for Marshall's future activism.

The son of a Jewish immigrant, Robert Marshall's father remembered family

stories of repression and hardship in European ghettos. As did other newcomers' sons, he strove to make the most of the opportunities America offered. A legal genius who completed Columbia University's two-year law course in half the usual time, Louis Marshall became a wealthy and internationally famous lawyer. But though he spoke half a dozen languages and frequently appeared before the U.S. Supreme Court, he never forgot his humble origins. To him, as to immigrant Carl Schurz, America represented a liberal dream for humanity not yet fulfilled, and he spent much of his life arguing for the civil and religious liberties still denied to many Jews, Blacks, Roman Catholics and American Indians.

As part of his vision of America as a land of potential justice and plenty, he also shared George Perkins Marsh's concerns about the country's hasty dismantling of her natural heritage for the benefit of a few. Putting his legal skills and prestige to work for conservation, he supported bird protection reforms and during New York's constitutional convention of 1914 led the fight against lumbermen to retain the "forever wild" guarantee for the immense reserve of Adirondack State Park. For 20 years he served on the board of trustees of the New York State College of Forestry. Friends summed up his career by praising his victories for civil rights and "his championship of the American forests and of all America's natural resources."

A lover of what he defended, the lawyer built a vacation home in the heart of the Adirondacks. His son grew up, then, not only among the refinements of wealth and the reformist commitments that shaped his outlook but also with opportunities to indulge his wilderness reveries. Still yearning for the days of Lewis and Clark, the boy backpacked through the mountains around the summer retreat. It came as no surprise to his family when he decided to become a forester. The choice of profession was motivated by the incipient strivings for reform reflected in lines he wrote at the age of eight after a trip to Lake Champlain: "Where once the Indians used to dwell, From the steamboat comes a smoky smell."

Robert Marshall's professional life can be capsulized in one paragraph. After receiving a Bachelor of Science degree in 1924 from the College of Forestry at Syracuse, N.Y., he went on for advanced degrees from Harvard and Johns Hopkins University. With the exception of four years as director of forestry in the Office of Indian Affairs, he spent his entire career with the U.S. Forest Service. Various positions involving field work, laboratory research and administration took him to the state of Washington and to the Northern Rocky Mountain Experiment Station in Missoula, Mont. In 1937, the head of the Forest Service, Ferdinand Silcox, appointed him chief of the Division of Recreation and Lands, a post created especially for Marshall.

Such an outline might summarize the careers of many bureaucrats who leave behind little more than undistinguished legacies of dutifully performed functions. It gives little idea of Marshall's influence both inside and outside government, of the hard-working yet essentially artistic personality responsible for major shifts in public policy.

As a millionaire, Robert Marshall didn't have to work at all. But having made a commitment that involved his entire outlook, he threw himself into work with a



Photo by Sigurd F. Olson, courtesy of The Living Wilderness

ROBERT MARSHALL became a pivot on which the country turned toward a firm wilderness commitment.

drive, daring and creativity that most men with families to support and bills to pay would not have risked. His exploits as a hiker, his father's reputation as one of the nation's foremost constitutional lawyers and his credentials as a researcher and a best-selling author allowed him to move somewhat with the aura of a wunderkind among hidebound government bureaucrats.

But many bureaucrats weren't as hidebound as might be supposed. The Depression was on, with millions of people out of work and listless in the world's richest country. Obviously, some traditional ways of doing things had gone wrong, and the New Deal administration of President Roosevelt made Marshall's socialist approach to resources seem far less radical

than they would have appeared in more prosperous times.

Though the profit-hungry timber industry continued to wreak havoc on privately-owned forests, it hadn't as yet begun to eye the public domain. With notable exceptions, the Forest Service, responsible for most federally administered timberlands, protected them with much of the progressive zeal inspired by Gifford Pinchot when he founded the agency in 1905.

Added to that, the traditional rivalry between the preservation-oriented Department of Interior and the use-oriented Department of Agriculture flared again under Interior Secretary Harold Ickes. It played directly into the hands of a small but earnest and politically sophisticated

"He could always pull you out of the squirrel cage and make you feel again the excitement, importance and opportunity in what you were trying to do."



band of wilderness advocates led by Marshall. Temperamental Ickes pointed to abuses on Agriculture's domain and demanded that the national forests be transferred to his own department, brought "home" under the protective wing of Interior. His repeated campaigns, launched with nearly the fervor and acerbity of a religious fanatic battling the heretics, were unsuccessful, but they jolted Secretary of Agriculture Henry A. Wallace into action.

Publicly railed at by Ickes from without and gently prodded by liberals Silcox and Marshall from within, Wallace strained to

make his Forest Service seem the model of conservation. Among other changes, he consented to wilderness expansion in order to placate both factions.

As for Marshall's techniques, friends recalled his diplomatically-tempered chutzpah at work in an atmosphere ready for change. "Bob had the nerve to get all kinds of people together — Congressmen, prima-donna braintrusters, professional civil servants, promoters of this or that — hand them a dubious drink, and then insist that they debate the public ownership of resources."

He backed up his lobbying efforts with an array of alarming statistics, all pointing to one central fact: 20 percent of the nation's forests enjoyed conscientious stewardship from the U.S. Forest Service, but the other 80 percent remained in careless, private hands. Driven by the necessities of the capitalistic system, the timber companies were competing to see who could cut the fastest on the major portion of the

The New Deal administration made Marshall's socialist approach to resources seem far less radical than they would have appeared in more prosperous times.

country's forest resource — with profits, rather than the future, in mind. As George Perkins Marsh had predicted, the results of the profligacy were beginning to show: timber shortages, floods, erosion — the loss of America's once scenic and bountiful woodlands.

In short, despite their efforts since the latter years of the 19th century, conservationists had failed. "The proof," warned Marshall, "is the condition of our forests: unbelievably worse than before the conservation movement started." Supporting his judgments were the writings of such professional foresters as Gifford Pinchot and George P. Ahern. In 1929 Ahern had

published a documented account of abuses, bleakly entitled *Deforested America*.

Basically, Marshall offered a twofold solution. Since private enterprise was not working for the nation's good, he wrote in *The People's Forests* (1933), timber lands should be nationalized, placed under control of the federal government to insure rational, long-term use. This, Marshall reassured Americans, was not a radical step: "Most of the older countries have public control of private forests, from the well-nigh complete control of Sweden, Japan and Switzerland, to the partial control of France and Germany. In most countries, public control of forests needed for protecting mountain and river systems is taken for granted." Despite the precedents, the suggestion was branded "communistic" by many, and it failed to take hold, though it did result in some nominal changes in forest regulation.

Closest to Marshall's heart was the preservation of wild America, and in this effort he enjoyed a nearly phenomenal success. From his vantage point as a high official within the Forest Service, he prepared inventories of roadless areas. By skillfully playing on interagency rivalries, he singlehandedly added the immense figure of 5,437,000 acres to the government's preserve system — all of which was to be kept as pristine as when the first white man laid eyes on it.

Still, a shadow of instability hung over the coup. The new reserves, set aside by administrative decree, could just as easily be opened again to exploitation by the pen of a future head of the Forest Service not sympathetic to wilderness. The solution lay in protecting the gains under the far more permanent sanction of Congress. To accomplish the feat — and to add further units to the wilderness system — Marshall, for all his talents, clearly needed the broad-based political backing that could come only from a national organization. Yet at the time, remembered one of his

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hiking cronies, "there was no strong body of wilderness sentiment in existence." Marshall, it seemed, was standing alone.

The organization came about almost by happenstance. In 1934 Marshall joined Benton MacKaye and Harvey Broome for a jaunt into Tennessee's Great Smoky Mountains. There they witnessed the negative side of the New Deal. While many of Roosevelt's public works projects served useful ends, others did irreversible damage by extending unneeded roads into the hinterlands. Partly the upshot of the hikers' grouching, The Wilderness Society was founded in 1935 to save the remaining remnants of wild America from all technological invasions.

The society began with eight dedicated and politically active members. Besides Marshall, who provided the financial backing, they included lawyer Broome; MacKaye, the planner of the Appalachian Trail; wilderness celebrant Aldo Leopold; wild-

Since private enterprise was not working for the nation's good, he wrote in 1933 that the timber lands should be nationalized.

life specialist Olaus Murie and Robert Sterling Yard, an editor with a long career of publicity work for conservation that went back to the early days of the National Park Service.

The organization, one of the most effective lobbying groups of its kind, has served its purpose well, today boasting tens of thousands of wilderness supporters. Without their combined efforts, which resulted in passage of the Wilderness Act of 1964, the nation would not have the splendid and still expanding wilderness system envisioned by Marshall nearly 50 years ago.

Behind Marshall's successes in the political arena lay one central ability. Through his personality and his writing he was able to make people feel his deep love of wild lands. Author Paul Schaefer recalls his first chance meeting with the bureaucrat on an Adirondack peak: "As we spoke he seemed to be chafing at the bit. A strong, cool wind whipped his hair. He exuded a restless, dynamic strength of purpose — strength which had been nurtured in the remote arctic wilderness."

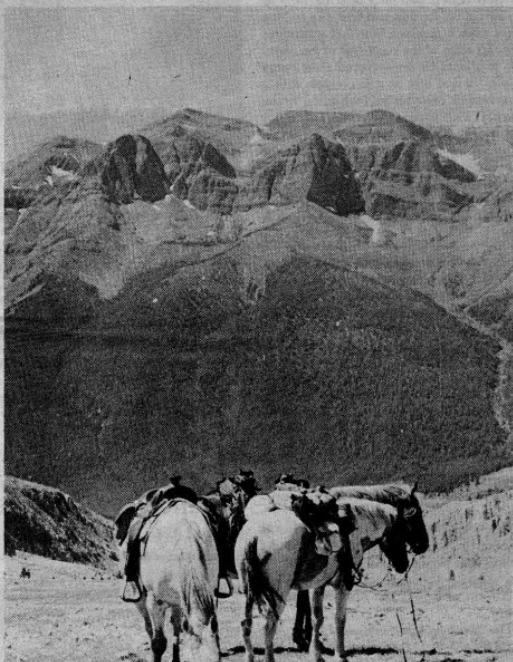
Marshall's books and articles projected the same simple power. They spoke about the need of wilderness preservation, but they emphasized the author's own explorations, adventures infused with personal thrills and spiritual enrichment. "He seemed," testifies one admirer, "to personify the limitless sweep of mountains, the ancient rocks, the unbroken forests..."

In brief, Marshall reawakened people to what for many is a fundamental, if at times dormant, love of nature.

Realist that he was, Marshall didn't gloss over the complexities of preserving wilderness in a society that glorified the machine. In a time when such questionings had not yet become fashionable, he asked whether adding more technological gadgets to the gross national product each year was bringing the fulfillment to people that should be the goal of a truly humane society. In fact, while giving the scientific and economic benefits of preservation their due, he used the psychological necessity of wilderness as the pivot on which his arguments turned.

Echoing psychoanalyst Sigmund Freud,

(continued on page 6)



Photos copyright 1979
by Ann and Myron Sutton
THE MONTANA WILDERNESS
named for Bob Marshall.



Bob Marshall, bureaucrat. . .

(continued from page 5)

he pointed to the "horrible banality" of an over-civilized society that repressed rather than encouraged diversity and creativity. In contrast, he suggested that wilderness not only made badly needed physical demands on a sedentary society but it also provided a retreat to the freedom of the primitive. "It is," he said, "the last stand for that glorious adventure into the physically unknown that was commonplace in the lives of our ancestors and has always constituted a major factor in the happiness of many exploratory souls. It is also the perfect esthetic experience because it appeals to all of the senses."

Thus Marshall combined conservation with social theory, for in his mind untrammelled nature served the public good. He advocated not only great swaths of wilderness preserved for the exhilaration of the backpacker but summer camps for ghetto children and rustic facilities for the less hardy among the general public. The stance placed him in line with America's pastoral conservationism espoused by such diverse thinkers as Thomas Jefferson, Henry David Thoreau and John Muir — and continued today by such environmental leaders as David Brower and Edward Abbey.

For all that, Marshall didn't lose his readers in social theory. Instead he enlivened his writing with anecdotes, humor and curious facts. He once made an analysis of loggers' parlance based on 10 conversations. His report informed the public, "Of this record it transpired that an average of 136 words, unmentionable at church socials, were enunciated every quarter hour by the hearty hewers of wood."

He drew on his wide-ranging knowledge to entertain and inform with such pieces as

"Lucretius on Forest Fires" and "Precipitation and Presidents." The latter made a statistical, and only partly tongue-in-cheek, case for predicting the outcomes of presidential elections on the basis of annual rainfall.

His turns of phrase went far beyond statistics and formal argument to drive a point home. Once challenged to state the specific number of wilderness areas the country should have, he countered, "How many Brahms' symphonies do we need?"

The wilderness ideal that Marshall held up — as well as his effectiveness in stating it — can best be seen in *Arctic Village* (1933). As an adult still haunted by the exploits of Lewis and Clark, he made several trips to map the unknown territory of the Koyukuk River drainage near Wiseman, Alaska, a tiny village just above the Arctic Circle. There he found a self-sustaining hunting and mining society of 77 whites, 44 Eskimos, and six Indians spread over an area as large as the combined states of Massachusetts and New Jersey. His book included more than the reveals of standing on peaks to survey arctic vistas never before seen by any human.

With a thoroughness reminiscent of the classical sociological study, *Middletown*, he analyzed the economic, communal and sexual activities of the hardy wilderness dwellers. Despite the demands of their harsh surroundings, they knew almost no crime, racial strife or poverty. Instead, "People in the Koyukuk realize that they are living together in an isolated world, sharing its work, its dangers, its joys, and its responsibilities. They recollect countless personal associations of the most intimate character imaginable. Such factors seem to furnish them with an urge to act decently which in most cases is sufficient to obviate

any necessity for the more usual compulsion of law," he wrote.

After reading *Arctic Village*, even H.L. Mencken couldn't contain his amazement. "How peacefully they live together, how easily they escape most of the evils that go with the Outside, and how content they are to remain in their remote isolation," he marveled. Reviewers in the *New York Times*, the *Nation*, and the *Saturday Review* praised the world of *Arctic Village* with similar enthusiasm. The book quickly climbed to the best-seller list. Caught in the malaise of the Depression, the public was questioning the validity of its highly urbanized, crime-ridden and often lackluster culture. And Marshall, while not suggesting that people strike out for the arctic wilds as a solution to their ills, had proved his point. He had shown alternatives, values that might be found and fostered through experiences in the wilderness areas he was fighting to preserve.

When Robert Marshall died in 1939 at the age of 38, friends said that his sudden heart attack resulted from his strenuous pace. In spite of the successes of his short life, it should be remembered that many people viewed him as a maverick within government, one who, as Nash says, "broke sharply with existing government policy and marked (himself) as a radical, especially among foresters." He was among the last innovative conservationists in the federal bureaucracy who had hope that the government could be flexible and idealistic enough to make changes for the public good.

Though his tactics worked in his own time, in this belief he was wrong. After World War II the growing corporations that came to dominate America's economic system also gained decision-making powers in the federal agencies designed to regulate them. Wilderness advocate Michael Frome reflects on the present Forest Service, now dominated by the interests of the timber industry: "Innovative thinking like that of such figures as Robert Marshall is



Photo by Mable Abercrombie Mansfield, courtesy of The Living Wilderness
ROBERT MARSHALL: best-selling writer, radical, and one of government's most effective bureaucrats.

not encouraged." Since the days of Marshall, activists, such as Rachel Carson and Ralph Nader, have had to take up bitter adversary positions outside government, depending on massive public outcries to move the bureaucracy toward environmental reforms. ☛

Who should pay for air. . .

(continued from page 1)

ously we shouldn't do it for a company, so why should we do it for a group of people?" he says.

WHAT TO DO?

The Wyoming Environmental Quality Council, which makes policy decisions for the department, is now considering a petition from the Wyoming Outdoor Council, a statewide environmental group, that would change the redesignation requirements.

WOC argues that when someone petitions for Class I redesignation, the benefits of maintaining high air quality go to the public. But when someone petitions for a change to Class III, the benefits would usually go to a company.

The group also argues that the department shouldn't worry about being both the advocate and the decision-maker on redesignation decisions. WOC says that the state already uses a similar process for other decisions: a paid staff makes recommendations, and a citizen council — in this case the Environmental Quality Council — makes the decisions.

To protect against redesignation requests that have little popular support, WOC proposes accepting petitions only if they are signed by 1,000 registered voters

or come from the state legislature or a local government.

The Montana Board of Health has adopted a similar screening process and agreed to fund studies on a case-by-case basis. This decision followed protests from several rancher groups, the Montana As-

sociation of Churches and the League of Women Voters, who objected to the applicant being required to fund the study.

Now a local government in Montana is required to request a redesignation study if it receives a petition signed by 15 percent of the voters within its boundaries. The department of health can also initiate the study.

The Montana Environmental Policy Act requires the state to conduct studies similar to the federal environmental impact statements whenever an action is proposed that has significant environmental effects.

"You can do a study for peanuts, but will it stand up in court?"

Consequently, the state would have to do such a study for an air redesignation proposal. Michael Roach, chief of the air quality bureau, says the MEPA requirements are more than adequate to meet the EPA analysis requirements.

(continued on page 7)



BADLANDS NATIONAL PARK. Representatives of the Oglala Sioux Tribe in South Dakota would like to work with the National Park Service to get Class I air protec-

tion. However, the park service has made a preliminary decision to keep the air Class II.

National Park Service photo by Bill Keller

Asked how the department will decide who to charge and who not to charge, Roach says it will be determined by whether the state can absorb the costs and by "political considerations." Roach says an air redesignation study might cost about the same as the impact study the state and the Forest Service did on an ASARCO mine near Troy, Mont., which cost the state \$140,000, and the Kootenai National Forest \$30,000. Asked about the political considerations, Roach says, for example, that the governor might ask the department to pay for some studies.

The Montana Environmental Policy Act results in another difference between Montana and other Western states. Since the

"Whether it's \$20,000 or \$100,000, it's too much for a citizens' group to pay."

state has a large staff on hand to conduct MEPA studies, people with technical expertise are available for the air studies.

The state has already helped with one redesignation study; it did the computer modeling for the Northern Cheyenne Tribe's study free of charge. By predicting air pollutant dispersion, the computer made it possible for the tribe to predict effects of Class I redesignation on development.

The state has offered the same help to the tribes on the Fort Peck and the Flathead Reservations, which are also studying redesignations to Class I. Jim Gelhaus of the Montana Air Quality Bureau estimates the computer modeling would cost about \$5,000 if it were done by private consultants.

Even with the free assistance from the state, the Northern Cheyenne analysis was expensive — more than \$100,000, according to the tribe. Tom Osborne of the Northern Cheyenne Research Project says the biggest expense in preparing the 231-page analysis was salaries. He says four people worked half-time for a year to prepare it.

Most groups would also have to pay for legal help, and for private consultants, he says. However, before deciding to apply for Class I, the tribe had already hired a staff with technical training at its Northern Cheyenne Research Project. The research project is funded by grants from several federal agencies and private foundations.

COULD DO FOR PEANUTS

Butch Rachal of EPA in Denver says the air studies should cost \$20,000 to \$50,000. He doesn't think the Northern Cheyenne study was too detailed. In fact, EPA hands it out as a model for others doing redesignation analyses. However, he figures the costs of the Northern Cheyenne study may have been higher because it was the first ever done and because of legal costs associated with the tribe's fight against Colstrip units 3 and 4. Applications for the two coal-fired power plant units were turned down by EPA because of the tribe's Class I status.

Asked about the costs of their study, Osborne says the controversy over Colstrip no doubt added to the costs. "The cost of a study depends upon how controversial it is and who's going to challenge it. But maybe Class I will be controversial anywhere. I don't know....You can do something for peanuts, but will it stand up in court?" Osborne asks.

"Twenty thousand dollars would barely

pay for one person's salary, overhead and secretarial services for a year, and one person couldn't do it in that time," he says.

Dave Johnson, land use planner for the Assiniboine and Sioux tribes of the Fort Peck Reservation, says the studies are expensive, but the tribes have been able to get enough federal and tribal money to proceed. They are concerned about potential pollution from coal development projects proposed near the reservation.

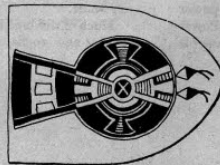
Johnson and two other people are working on the redesignation study. Their salaries are paid by federal CETA (Comprehensive Employment and Training Act) funds and Bureau of Indian Affairs planning district funds. The tribes also have a tribal research project, similar to the Northern Cheyenne's, funded by federal agencies and foundations.

In South Dakota the Oglala Sioux Tribal Council passed a resolution in June to enable the tribe to develop its own air quality standards, which would be comparable with the federal Class I and II standards, according to Charlotte Black Elk, whose ad hoc group is working for the clean air protection. They are concerned about potential pollution from iron ore mining; a large taconite deposit has been discovered just north of the Pine Ridge Reservation.

However, the tribe has no research project and no technical help is available from the state, which now contracts with private consultants for its own air pollution studies, she says.

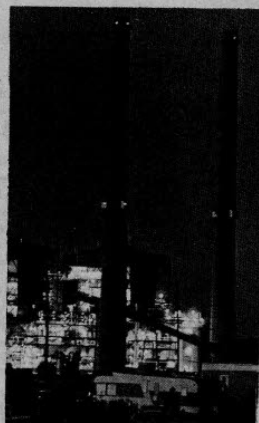
Because Badlands National Park is near the reservation, she has tried, unsuccessfully, to work with the National Park Service on a Class I study. Badlands was changed from a national monument to a national park after Congress passed the Clean Air Act amendments, so it was not included in the mandatory Class I list.

Now Black Elk's group is trying to arouse the people of the reservation about the importance of air quality, but they feel stymied from other efforts because of the lack of funds.



In addition to the monetary hurdles, the Fort Peck tribes are facing opposition from non-Indian local governments in the area, and Black Elk's group doesn't have enthusiastic support from the tribal officials.

Rachal of EPA says states have better tools, such as growth projections and computer models, than the tribes have. Rachal says, however, he can sympathize with the



EPA photo
CLASS I air over the Northern Cheyenne Reservation in Montana has so far prevented construction of two additional units on the Colstrip power plant.

states' argument that they don't have money for the studies. If a state were to specifically ask for redesignation study funds in a grant application to EPA, EPA would have to turn them down. EPA also will not fund tribal studies.

National environmental groups haven't developed a strategy for attacking the problem yet. They are waiting to see what happens in this region, according to Bruce

Tribes to establish own air controls

The Northern Cheyenne Tribe in Montana is making history in air pollution control again. The tribe is setting up its own air pollution control agency, the first such tribal agency in the country. Two years ago, when the tribe's application for Class I air was accepted by the Environmental Protection Agency, the Cheyennes became the first political entity in the nation to earn the protection.

The Crow Tribe in Montana and the Navajo Tribe in New Mexico are also establishing their own air pollution control agencies, but their applications for funding aren't as far along.

Tribes that establish such agencies have the same powers as state governments to control pollution sources within their boundaries.

Control of pollution from outside the reservation will still depend upon coordination with state agencies, according to Ken Alkema of the EPA in Helena, Mont. How-

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Hamilton, Northern Plains representative for the Sierra Club.

Hamilton questions whether the expensive, lengthy studies are even necessary for redesignating air from Class II to Class I. He points out that such a classification doesn't pose major negative impacts; it merely protects the status quo, including income from agriculture, tourism and hunting. In addition, a Class I redesignation can be reversed, but air that is polluted under a Class III designation is difficult if not impossible to clean up without shutting down existing industries.

EPA says that now, it is actually harder to redesignate an area Class I than Class III. "You have all the growth mongers looking over your shoulder. You have to know what you're doing," Rachal says.

Another way to solve the present impasse would be to find a funding source for the studies. Nodland's group in North Dakota tried unsuccessfully this year to get a bill introduced into the North Dakota legislature that would have allocated impact funds for redesignation studies.

Most coal-producing states get money from severance taxes or other sources to help communities deal with problems caused by coal development. Hamilton says that the money is now used to prevent "people pollution" problems, and he thinks it would be reasonable to use it to prevent air pollution.

"It's ridiculous that citizens have to go through such expensive and time-consuming hoops just to keep their air at its present quality. Those who would profit from dirtying our air should pay. Why should anyone have to pay for the right to breathe clean air?" Hamilton asks.

ever, with the new agency, the tribe will have the technical capability to evaluate the potential effects of new sources, and so it will be able to contribute more meaningful input to state decisions, according to Elliot Rockler of the Northern Cheyenne Research Project.

Alkema says a tribe's ability to prevent pollution from sources outside the reservation will still depend on its air designation, whether it's Class I or Class II. EPA will not grant permits to power plants or other polluters that will degrade air more than the increments allowed under each designation.

EPA authorized funds for the tribal agencies earlier this year. EPA will pay 75 percent of each year's budget for tribes that qualify. This decision could lead to increased Indian regulation of other tribal resources, such as water and minerals, according to The CERT Report.



Photo by E.L. Frost

INDIAN TRIBES may now apply for grants to help them safeguard their air quality. Photo taken near the Northern Cheyenne and Crow reservations in Montana.

by Doug Hulmes
Drawings by Hannah Hinchman

Few other regions can claim such scenic splendor and natural diversity. Lush alpine meadows give birth to crystal fresh streams that wind their way down forested slopes and disappear into red sandstones, only to reappear as small seeps and springs offering life to hanging gardens of monkey-flower and maidenhair fern. For thousands of years these streams have carved and shaped ancient sands into a labyrinth of canyons that finally converge on the master river — the mighty Colorado.

Standing on top of Mt. Tukuñkivats, a 13,000 foot peak in the La Sal Mountains, one can pick out the geographic features that bound this region. To the north rise the Book Cliffs. To the south stands the monolithic silhouette of Navajo Mountain. In the east the snowclad peaks of the San Juan Mountains stretch across the horizon. Looking to the west one can see the forested slopes of the Aquarius Plateau, and the jagged peaks of the Henry Mountains. On a clear day one can see as far north as the Uinta Mountains, and south to Shiprock, N.M. — a distance of over 300 miles. Within this country are three national parks: Canyonlands, Arches, and Capitol Reef; five national monuments; and the Glen Canyon National Recreation area.

Geographic names such as Spanish Bottom, Six Shooter Peak and Dead Horse Point reflect the region's colorful and intriguing past. This is the canyon country of southeastern Utah — a land of incredible contrast and intense controversy.

Until recently this wild and hostile land was known only by the few who could survive its rigors. The cliff-dwelling Anasazis mysteriously disappeared from the canyons over 500 years ago. Various Indian cultures traversed the region through the ensuing five centuries, but the country remained largely void of human inhabitants

until the coming of the Mormon pioneers. Later, the canyons harbored small settlements of cattlemen and lone Basque sheepherders.

The 1950s brought a sudden change to the canyon country. The discovery of uranium opened the region to thousands of prospectors. Months and years were spent, often in vain, in a dry, hot, barren land. The few whose efforts were worthwhile left their mark and their money in the boomtowns scattered across the region.

The 1960s raised a new value to prominence. The land was beautiful. National parks were created. Highways were conceived with the hope of attracting cash-laden visitors to the heart of this remote country. Some roads were constructed, and previously unknown reaches of land were laid open to man.

By the 1970s the stage was set for people with yet another set of values. They were a younger generation, who were rejecting the densely populated cities, rank air and polluted waters. Most enjoyed a middle class background of security and educational opportunities that instilled a new awareness of environmental concepts. Some came to canyon country because of jobs provided by the newly established parks or the challenge of running the wild rivers. Others came to join small communities in pristine and awesome surroundings.

Within the past 20 years people have made more changes in the canyon country and the air above it than were made in the entire 400-year stay of the Anasazis. Most of the development has taken place to provide for the energy needs of cities distant from canyon country: Los Angeles, Phoenix and Las Vegas. Five large coal-fired power plants operate in the region now. Several additional plants have been proposed, including a large nuclear power plant near Green River. The Navajo Power Plant at Page, Ariz., is partly responsible

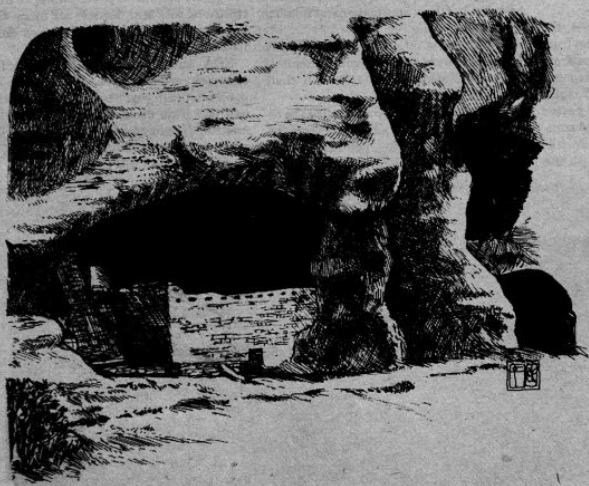
CANYON COUNTRY CHAIR

... REFLECT

for decreasing the air visibility to 15 miles in Grand Canyon National Park on some days. The Kaiparowits Plateau is no longer being considered as a power plant site, but it is still destined for intensive strip mining and a 237-mile railroad to transport the coal out of the area.

The boomtowns constructed to serve the Kaiparowits Plateau mines alone could exceed 40,000 inhabitants. Jobs and money will flow to the communities near these projects, but so will social decay and corruption. After the completion of the projects, the locals will inherit the responsibility of dealing with unemployment, substandard housing and increased demands on water.

Much of the land is already being dissected by new roads constructed by oil and



SOUTHERN UTAH'S FATE

The Interior Department's draft Southern Utah Environmental Impact Statement details energy developers' plans for canyon country. Among them:

- a 30 to 40 million ton a year underground coal mining complex on the Kaiparowits Plateau. The complex would include 20 or more large deep mines. The mines would be linked to Cedar City, Utah, by a new 237 mile-long rail line.

- two large strip mines in the Alton Hills near Bryce Canyon National Park that would supply 10.5 million tons of coal a year via slurry line to two power plants, one in Utah and one in Nevada. The proposed site for the Utah facility, the 500-megawatt Warner Valley Plant, is 23 miles upwind of Zion National Park.

- a strip and deep mining operation in the Paria Amphitheatre that would produce 5 million tons of coal a year.

- a strip mine in the Henry Mountains, four miles east of Capitol Reef National Park, that would supply two million tons of coal a year.

The draft statement was issued in August. A final version is expected next month.

YON NTRY NGES

CT SHIFTING VALUES

mining companies who are exploring the wild country for mineral potential. These roads will remain as scars upon the land for decades, inviting access to off-road vehicle drivers and trail bikers who may disrupt or destroy thousands of acres.

The swiftness of change in this area has not allowed for a graceful transition from the values of one generation to those of another but instead has forced the various groups into direct conflict. The result has been an intense, unaviable and often emotional controversy over a land to be inherited by generations yet to come.

Doug Hulmes is director of environmental education at Prescott Center College in Prescott, Ariz.

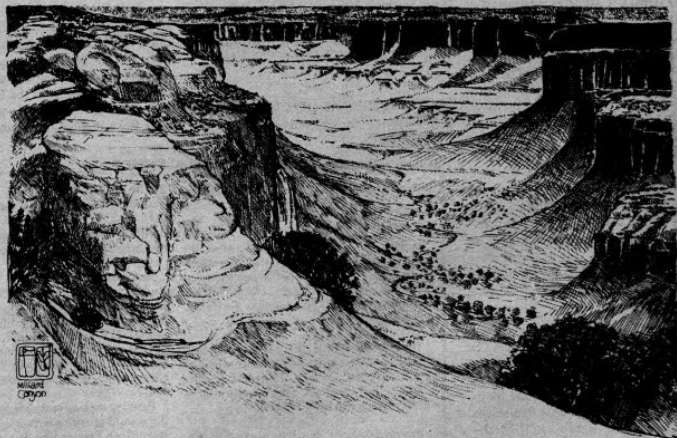


 raven
buckskin
canyon

The swiftness of change in this area has not allowed for a graceful transition from the values of one generation to those of another.



Drawing by Doug Hulmes



 Prescott
College

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Papago village transformed by quiet revolution

by Dede Feldman

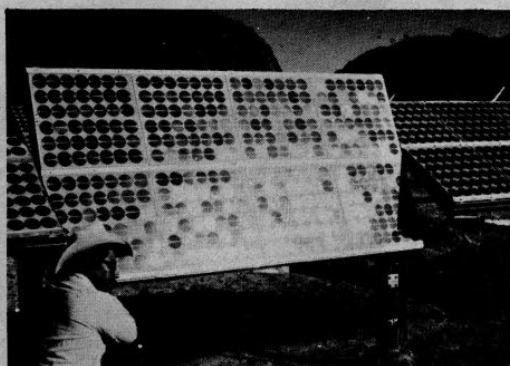
In the small village of Schuchuli on the Papago Indian Reservation in Arizona, women have washed their clothes by hand and made do without refrigeration for years. At night, the only light has come from kerosene lamps.

But this year, the 75 people in the village stepped into the modern age with an array of photovoltaic cells, which convert sunlight into electricity. The sun now supplies power for the village's water pump, 16 homes and a domestic services building.

In the building there are 15 refrigeration units, a Maytag wringer washing machine and a sewing machine—all powered by the solar cells. The system is a cooperative project of the Papago Tribe, the Indian Health Service and the National Aeronautics and Space Administration (NASA).

Components of the system, estimated to cost a total of \$100,000, were paid for by the health service and NASA. Wiring and construction work were completed by the Papago Construction Co. The Papago Tribal Utility donated telephone poles and wires.

The solar-powered water pump at Schuchuli began operating in December when the tribe dedicated the solar system at a traditional ceremony that included state and federal dignitaries. In January, the tribe hooked up the lighting system,



PHOTOVOLTAIC ARRAY on the Papago Reservation.

Photo by Sal Reyes

providing each Schuchuli home with two lights.

"The initial reaction has been great—people are thrilled to have lights and relieved not to have to put gas in their cars every time they want water," says Ralph Hogg, chief of sanitary facilities construction for the Indian Health Service in Tucson, Ariz.

The health service has been active in solar projects both at Papago and on the Navajo Reservation. In many areas of the Southwest where there is no electricity, water is hauled to isolated Indian villages in 55-gallon drums and left outside for use by the village. Gastro-intestinal diseases often result.

Last year at Sweetwater, where another health service photovoltaic pumping pro-

Sun may electrify other reservations

The federal government has set aside almost \$3.5 million to bring solar-powered electricity to Indian villages in Arizona, New Mexico, Colorado and Utah, according to **The CERT Report**.

If the allocation wins final approval from Congress, the tribes will get about a third of the total \$10 million the government can spend this year on photovoltaic cells, which convert sunlight into electricity.

The CERT Report explains that the money is allocated where it is the most cost-effective. Since many Indian villages are isolated from power grids, solar electricity is often cheaper than electricity from other sources.

The money will be distributed by the Indian Health Service. More funds could be available to electrify villages on reservations in next year's budget.

The CERT Report is published by the Council of Energy Resource Tribes in Washington, D.C.

ject was constructed in a remote area of the Navajo reservation, solar arrays were damaged by high-powered rifles and other vandalism. The devices were not built or understood by the Navajos.

At Schuchuli, however, tribal leaders are enthusiastic and knowledgeable about solar electricity, Hogg says. They have been involved in planning the project for over a year.



The HCN
Hot Line

energy news from across the country

STATE'S NUKE LAWS CHALLENGED. California's three statutes limiting nuclear power development in the state are facing a court challenge. Pacific Legal Foundation, a conservative public interest law firm, is arguing in U.S. District Court in San Diego that the laws should be declared null and void because they invade a federal jurisdiction, protection against radiological hazards. The foundation also argues that the laws block Congress' alleged desire to develop nuclear power. The laws make nuclear power development in the state contingent on a federal approval of technology for reprocessing fuel, a "demonstrated technology or means for the disposal of high-level nuclear waste," and a state study of "undergrounding and berm containment of nuclear reactors."

NUCLEAR ACCIDENTS INCREASING. The number of accidents involving nuclear shipments is increasing, according to a report by the Critical Mass Energy Project. The average of 1.2 mishaps a week in 1974 has risen to 1.9 in 1978, the report says. Of a total of at least 328 transportation accidents in the last five years, one-third involved spillage into the environment, according to the Transportation Department statistics analyzed by the group. Critical Mass is the energy arm of consumer activist Ralph Nader.

A FLOP? Paper is the major product of the 19-month-old, federally funded Solar Energy Research Institute, according to an article in the Feb. 18 *Denver Post*. The article, based on 60 interviews with past and present SERI staff, indicates that little other than reports and plans have been produced by the organization. "I was recruited to do research," says one former SERI employee. "Then I got here, they had me answering letters and writing reports—everything but what I came here for." Many of the institute's most ardent supporters consider SERI "a flop," according to *Denver Post* Staff Writer Bill Ritz.

NEW WORRIES ABOUT WASTES. The Department of Energy's favorite method of

nuclear waste disposal may not be as safe or permanent as was hoped, according to several scientists. For nearly 20 years DOE has worked to develop a safe way to encapsulate radioactive wastes in glass and bury them in salt formations. But recent experiences in Sweden, Australia and the United States have shown that heat, water and pressure deep inside the earth cause such glass capsules to leak. "Glass is soluble and it's leachable; it's what you would do if you wanted to maximize activity in the geologic environment," William Luth, a Stanford University geochemist, has told DOE. As to using salt mines as waste repositories, "Salt is not dry and it's not OK," said David Stewart of the U.S. Geological Survey in a copyrighted story by the *Denver Post-Washington Post* news service.

PUBLIC NOTICE

Wyoming Department of Environmental Quality

A public hearing will be held before the Wyoming Environmental Quality Council on Wednesday, March 28, 1979, beginning at 10:00 A.M., in the Auditorium located in the basement of the Hathaway Building, Cheyenne, Wyoming.

The purpose of the hearing is to receive public comments on proposed modifications to Wyoming Water Quality Rules and Regulations Chapter I entitled, **Quality Standards for Wyoming Surface Waters**.

The proposed modifications are restricted to the following specific items, and the Council will consider comments which pertain to these particular items only:

1. Modification of the list of Class I Waters (Section 8a);

2. The classification, identity, and location of Fish Creek near Wilson, Wyoming (Section 8a (14)).
3. Minor modifications of wording, language, and emphasis (various sections).

Any person wanting more information including a copy of the existing Chapter I regulations, the list of proposed Class I waters, and the proposed wording modifications should contact Mr. John F. Wagner, Water Quality Division, Wyoming Department of Environmental Quality, Hathaway Office Building, Cheyenne, Wyoming, 82002 (telephone: 307-777-7781).

Persons making oral statements at the hearing should provide a written copy for the hearing officer. Persons who do not wish to make oral statements may submit written statements at the hearing or may send their written statement to: Mr. David B. Park, Chairman, Wyoming Environmental Quality Council, Hathaway Office Building, Cheyenne, Wyoming, 82002.

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Removed from Idaho utilities commission

Solons vote down consumer's friend

by Glenn Oakley

Robert Lenaghan, the controversial Idaho Public Utilities Commission president, lost his bid for renomination by a straight party-line vote — 19 Republican senators opposed him and 16 Democrats in favor.

The Feb. 9 vote culminated debate that questioned not only the professional ethics of Lenaghan but also some of the Idaho legislators involved in the hearings. A month before the hearings, Mark Ingram, former Idaho Conservation League lobbyist, predicted a fight over Lenaghan. Ingram said that since Lenaghan became president of the PUC, the utilities "haven't had it all their way."

Although the utilities did not testify during the hearings, at least one Republican senator was accused of conflict of interest because of his legal firm's business with the utilities.

During the 10½ hour hearing on Feb. 5 — the longest in Idaho history — Lenaghan

was charged by Gary Montgomery, a former PUC attorney, of telling PUC staff to pressure utility lawyers to lobby for a bill that would have raised the salary of the PUC commissioners.

Lenaghan in a 15-minute rebuttal said, "I believe I most probably did make the remarks he said I did," but added, "that mission was never carried out."

It was later reported in the press that Montgomery's law firm has represented Intermountain Gas Co. for 25 years, receiving more than \$270,000 from that utility in the last five years alone.

Arthur Hadley, a former PUC director, charged that Lenaghan "rules by coercion, not organization." He added that eight PUC decisions had been overturned by the state Supreme Court.

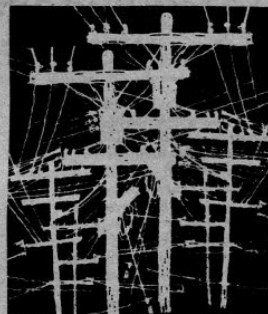
"I think he lacks the judicial temperament to serve in a quasi-judicial position of this nature," Montgomery said.

The Idaho Association of Commerce and Industry, the lobby for most of the largest

corporations in Idaho, opposed Lenaghan, saying he wasn't allowing Idaho Power Co. to expand rapidly enough. Lenaghan served on the PUC when it turned down Idaho Power Co.'s proposal for the Pioneer coal-fired power plant. Pioneer would have increased rates by 12 percent, and without it they have risen only seven percent. During Lenaghan's term, the PUC also enacted rate structures that encourage conservation. One of the people who opposed Lenaghan was a large irrigator who objected to the new rates because he has to pay nearly the same amount per kilowatt hour as farmers who use less electricity.

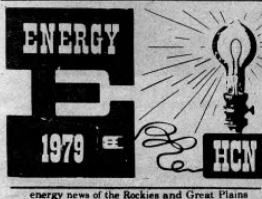
Among the pro-Lenaghan forces was Mildred Howard, vice-president of the Idaho Council of Senior Citizens, who said, "We are the common people, and there's a lot of common people in the state of Idaho. We appreciate what he has done for common people."

Gov. John Evans, a Democrat, called Lenaghan's defeat "the people's loss because he was a consumer's advocate."



Senate Majority Leader Jim Risch of Boise was charged with conflict of interest by Gary Richardson, also of Boise, because Risch's law firm has represented and received legal fees from Idaho Power Co.

Risch defended his vote against Lenaghan, saying, "My law firm represents many clients, among those is Idaho Power. Their position is neutral on Lenaghan's appointment."



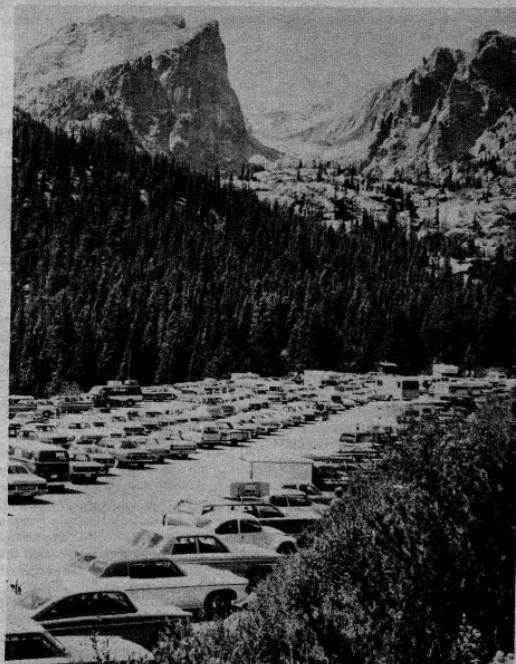
MONTANA RESPONDS IN COAL TAX SUIT. Montana Attorney General Mike Greely has filed a response to the lawsuit brought by several state coal companies and midwestern utilities challenging Montana's 30 percent coal severance tax. Greely says that the companies have misunderstood the interstate commerce clause of the U.S. Constitution. The companies claim that the 30 percent tax is exorbitant and restricts interstate commerce. Greely contends that the clause imposes no restrictions on states regarding tax levels. Greely also says that the companies have ignored several U.S. Supreme Court decisions that favor Montana's position. He says, "The federal government lacks constitutional power to interfere with or prohibit state taxation of property located within state borders." Greely's brief was filed in response to written arguments submitted by the protesting companies.

NEW COLORADO COAL BURNER? Public Service Company of Colorado is looking to southeastern Colorado for a site for a new 500-megawatt coal-fired power plant, according to *Straight Creek Journal*. For the past year the utility has been evaluating five sites near Las Animas, Colo. Work on the plant is not expected to begin until 1980 at the earliest, according to Richard Walker, president of the company.

GOODBYE TOURISTS? Weekend gas station closures — the rumor that frightened the tourist industry — may not be imposed on Western states, Secretary of Energy James Schlesinger told a National Governors' Association meeting in Washington, D.C., at the end of February. He said that the weekend closings, if necessary, probably would not be imposed nationwide. "Some governors with heavy tourism have indicated they would like the opportunity of finding other ways to conserve than weekend closing, or Sunday closing, which would hit them very hard," Schlesinger said. Both measures are being considered in response to a cutoff of oil supplies from Iran, which had provided about five percent of U.S. needs.

INDIANS, RANCHERS FIGHT URANIUM. The Black Hills Alliance, a coalition of Indians and ranchers in western South Dakota, claims that the 1868 Fort Laramie Treaty between the Lakotas and the United States could serve as the legal basis for stopping all mining in the Black Hills. The group is planning a conference in Rapid City March 30, 31, and April 1 to bring together people interested

in preserving the Black Hills from impending uranium development. "The Black Hills Alliance is the ranchers and the Indians finally getting together and realizing that if they don't, then this bigger monster (the real enemy) will destroy us both," says Russell Means of the American Indian Movement. For more information, contact the Black Hills Alliance, P.O. Box 2508, Rapid City, S.D. 57701.



IN DEFERENCE to the tourist industry, weekend gas station closures may not be imposed on the West this summer — even if they are necessary in other parts of the country, according to Energy Secretary James Schlesinger.

NORTH OF THE BORDER. Rep. Ron Marlenee (R-Mont.), no friend of environmentalists on most issues, has taken a strong stand against a Canadian coal development project on the grounds that it would pollute Montana water. Marlenee says the project, which would include a coal mine, a coal-fired power plant and related facilities on the Poplar River just north of the Montana border, would be in violation of the Boundary Waters Treaty. In a letter to U.S. Secretary of State Cyrus Vance, Marlenee said, "High boron levels in the Poplar River... could have a disastrous effect on alfalfa, barley and wheat in Montana. The entire economy of that region, and perhaps the health of its people, could be placed in jeopardy unless adequate safeguards are insisted upon by the IJC (International Joint Commission) and the Canadian government."

NORTH DAKOTA COAL FUNDS INADEQUATE. North Dakota's conversion and coal severance taxes now in effect will not be adequate to meet coal development's overall impact costs, if continued at current levels for four more years. North Dakota's Regional Environmental Assessment Program shows that a deficit of \$29.7 million will occur in relation to the total cost of coal development. REAP's projections show that the state will raise \$146.6 million through its severance and conversion taxes over an eight year period. Of that amount, \$20.1 million would be placed in a permanent mineral trust fund, leaving \$126.5 million to cover impact costs. This would fall almost \$30 million short of anticipated impact costs, the study says. However, the North Dakota legislature is considering bills that would actually reduce severance taxes, which currently stand at 88 cents per ton of coal.



Western Roundup

HCN

Many radioactive sites discovered in Denver

Health officials in Denver are testing workers in some Denver businesses that inadvertently were built over abandoned radioactive waste disposal sites. In Denver, 13 sites recently have been found.

Radiation readings at one of the sites are three times higher than the exposure levels that have been determined to be safe for people not trained and equipped to handle radioactive materials. Although these levels aren't expected to produce immediate health problems, long-term effects, such as cancer, may occur. Fetuses of

pregnant women are particularly sensitive to radiation.

The first site was discovered when an Environmental Protection Agency employee in Nevada who was reading old publications of the Bureau of Mines read a reference that indicated the National Radium Institute had been located in Denver. He called EPA in Denver and found it was unaware of it. Other sites have been discovered by EPA employees carrying radiation survey meters home from work and by long-time residents who re-

member such sites from 50 or more years ago. The half-life of gamma radiation is 1,620 years, meaning it will lose half its radioactivity in that period.

Health officials say the radioactive materials may have been dispersed throughout the city by people who took contaminated building materials from abandoned radium processing plants years ago. Officials are concerned that groundwater might have been contaminated, too, although they say only private wells and not the city water supply would have been af-

ected.

The Colorado Department of Health says some buildings may have to be vacated. The state is seeking federal funds to find more sites and to start the cleanup. The department is also trying to learn who might have been exposed to the contaminated sites in the last 30-40 years.

The National Radium Institute, which was located at one of the 13 sites, was processing radium for use in the treatment of diseases, including cancer.

Montana may ban phosphate detergents

Information from a river researcher in Montana has prompted introduction of a bill in the state legislature to ban phosphate detergents.

"Man can reduce the lifetime of a lake from tens of thousands of years to a few years through the addition of phosphorus," says Chris Hunter, director of the Flathead Drainage 208 Water Quality Project, according to the *Missoulian*.

While all lakes go through a natural aging process called eutrophication, this process can be speeded up with the addition of phosphorus, which increases the growth of algae and plant life in water. Eventually, the lakes turn into bogs or marshes.

Hunter says about 50 percent of the phosphorus entering treatment plants or septic tanks comes from phosphate-based detergents. Other sources are fertilizers and runoff from feedlots, which are more expensive to control. He says a phosphate ban is very inexpensive to administer and that all major detergent manufacturers market more than one type of phosphate-free detergent.

Popular brands of phosphate detergents include Dreet, Fresh Start, Tide, Cheer and All. Those without phosphate include ERA, Dynamo, Purex Liquid, Sun, Ivory, Diaper Sweet and those available through Amway and Shaklee.

Committee passes weakened Alaska bill

Perhaps because of the unrest in Iran and the specter of gasoline rationing, the House Interior Committee has approved what environmentalists call a "drastically weakened" Alaska lands bill.

The bill, introduced by Rep. Jerry Huckaby (D-La.), mandates oil exploration in the calving grounds of the Arctic National Wildlife Range and could allow roads and pipelines across the Gates of the Arctic National Park and Misty Fjords National Monument.

Huckaby says development and wildlife can co-exist. "This is an extremely high stakes poker game," he says. The wildlife range is a nesting area for much of the hemisphere's waterfowl and a calving ground for the largest remaining herd of free-roaming caribou.

The Native village of Kaktovik, which lies within this area, doesn't believe oil development can be compatible with the continuing existence of the caribou herd. In a letter to Congress, the village leaders said, "Why the exploration? Previously, Governor (Jay) Hammond and Secretary (Cecil) Andrus have stated that this is a critical habitat and should be the last place in

Alaska to be explored."

The Alaska Coalition, composed mainly of environmental groups, says "The committee has reported a bill that is totally antithetical to what was supported by last year's Congress by a vote of 277-31 and to this year's bill that is co-sponsored by 140 members of the House."

The Huckaby bill is referred to as HR 39, even though it bears little resemblance to the bill introduced in January by Rep. Morris Udall (D-Ariz.). Huckaby deleted 29.6 million acres of park and refuge wilderness designations and 20 million acres of national wildlife refuges.

The coalition is now concentrating its efforts on the House Merchant Marine and Fisheries Committee, where the bill is now being considered.

3-week expedition to aid wilderness

A group of Idahoans are skiing across the largest stretch of wild land in the lower 48 states to draw attention to congressional hearings on the proposed River of No Return Wilderness Area.

The nine-member party will spend three weeks on the trip, which will take them across two mountain ranges and the main fork of the Salmon River.

Congressional hearings will be held in May on the wilderness bills which contain proposals ranging from 1.4 million acres to 2.3 million acres.

The expedition will trace the route of the turn-of-the-century Thunder Mountain Gold Rush. It is sponsored by Mountain Folk, a backcountry sporting goods store in Pocatello, Idaho, and Solstice Press, a publishing firm in Moscow, Idaho.

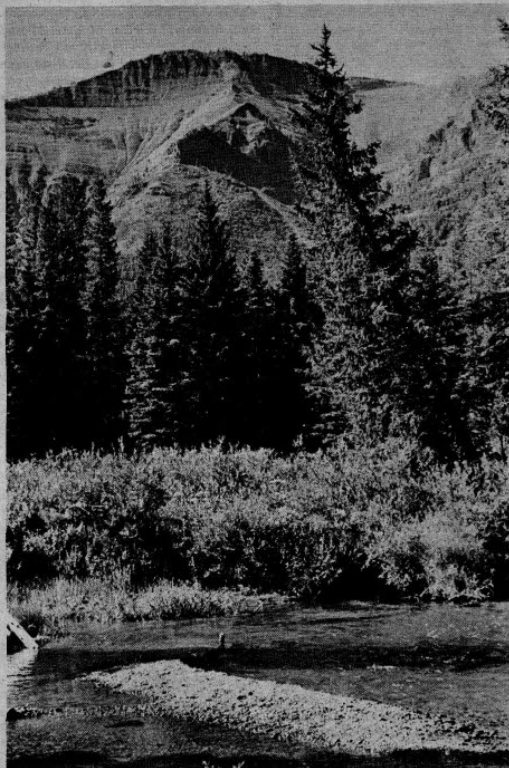


Photo by Dale Burk

MIDDLE FORK OF THE FLATHEAD. A Flathead River researcher wants Montana to ban detergents with phosphate because of the damage they do to lakes.

RARE II figures 'put in perspective'

Brant Calkin, southwest representative of the Sierra Club, has released figures that he says put environmentalists' recommendations for wilderness in perspective. His figures show that in four Western states, the largest environmentalist recommendation for wilderness was in Colorado, and it equals only 6.7 percent of the state's acreage. The states he included in the survey are Arizona, Colorado, New Mexico and Utah.

The recommendations were part of the Forest Service's RARE II process (second Roadless Area Review and Evaluation).

In Utah, environmentalists recommended three percent of the state's acreage for wilderness, in New Mexico two percent and in Arizona one percent. (These percentages will increase when environmentalists submit their recommendations for Bureau of Land Management wilderness areas.)

Figured as a percentage of the total Forest Service acreage in each state, environmentalists recommended 31 percent in Colorado, 20 percent in Utah, 18 percent in New Mexico and seven percent in Arizona.

Curb Colo. groups

The Colorado Legislature is considering a bill that could make anyone who "maliciously" requests an environmental impact statement liable for legal damages.

Sen. Ralph Cole (R-Littleton) says his bill is designed to "curb the irresponsible actions of environmental groups," according to the *Rocky Mountain News*.

Colorado Assistant Attorney General Hubert Farbes says, however, the bill would be pre-empted by federal law, which encourages citizens to notify federal agencies when they believe an impact statement is required.

14-High Country News — March 9, 1979



HCN Bulletin Board



SOLAR NETWORK

The Solar Lobby in Washington, D.C., wants to establish a telephone chain in each congressional district. The group is looking for people in each state who will call other solar activists during legislative emergencies. To volunteer, contact: Solar Lobby, 1028 Connecticut Ave., N.W., Washington, D.C. 20036.

ALASKA REP

Friends of the Earth has named Benjamin A. Shaine its new Alaska representative. Shaine, a former planning consultant, will work out of the Alaska Center for the Environment, 1069 West Sixth Ave., Anchorage, Alaska 99501. He replaces Jim Kowalsky of Fairbanks, who is now running a guiding service in the Brooks Range.

EMERY POWER PLANT

The proposed addition of two 430-megawatt units to the coal-fired Emery, Utah, power plant is discussed in an environmental impact statement recently released by the Bureau of Land Management. The new facilities would consume about 14,000 acre-feet of water and about 2,500,000 tons of coal annually. They would provide about 1,610 permanent jobs. Public hearings on the proposal will be April 17 in Price, Utah, and April 18 in Salt Lake City. Written comments are due by April 30 to Donald Pendleton, District Manager, Bureau of Land Management, 150 East 900 North St., Richfield, Utah 84701. Copies of the draft statement are available at the same address.

MONEY

Money is available from the Wyoming Energy Extension Service for Wyoming high schools and colleges with projects in energy conservation, alternate energy or energy conservation curriculum development. The deadline for submitting proposals is April 16. More information can be obtained from the Specific Technical Assistance Endowment program, WEES, Box 3965, University Station, Laramie, Wyo. 82071 or call, toll-free: 1-800-442-6783.

WYOMING URANIUM

The status, impacts and future activities of the uranium industry in Wyoming are examined in a recent report by the state's Department of Economic Planning and Development. Wyoming has more uranium exploration activity than any other state. The report, commissioned in July 1978, is available from: Mineral Division, DEPAD, Barrett Building, Cheyenne, Wyo. 82001.

CRESTED BUTTE CONFERENCE

The first annual Mining and Resource Management Conference, a workshop on the legal aspects of mining on public land, will be March 22 and 23 in Crested Butte, Colo. The town of Crested Butte's experience with a proposed molybdenum mine will be used as a focus in answering general questions such as: "If public analysis suggests that a particular venture would not serve the public's interest, what legal tools are available to support the public's interest in the face of federal and state mining laws?" For more information contact Susan Cottingham, Crested Butte Town Hall, P.O. Box 39, Crested Butte, Colo. 81224. The conference is sponsored by the town of Crested Butte and the High Country Citizens Alliance, Inc., a "public interest resource management advocate."

APPROPRIATE TECHNOLOGY

The U.S. Department of Energy's **Appropriate Technology Bulletin**, which includes information about government grants, research and demonstration projects, is available from: Appropriate Energy Technology, San Francisco Operations Office, U.S. Department of Energy, 1333 Broadway, Oakland, Calif. 94612.

THE SOLAR FRONTIER

The Solar Frontier is a film showing how homes in the North American snow belt can be heated with solar energy. Several architects discuss their homes, telling about the designs and the importance of insulation. The film is for sale for \$350 or for rent for \$30. Order from Bullfrog Films, Oley, Penn. 19547 or phone (215) 779-8226.



by Myra Connell PRAIRIE DOG DILEMMA

Often while busy with household tasks I get just a fragment of an item on TV. This was the case with a news story about prairie dogs in one of the Dakotas. Ranchers were demanding an intensive poisoning campaign by the federal government against the prairie dogs that were destroying their range.

During the first 25 years of the century my father operated a farm-ranch in central Wyoming. Prairie dogs were a common part of the scene — fun to watch but a detriment to the farmer. Irrigation water flowing over a field of hay or grain would find its way into a prairie dog tunnel and disappear "down to China," to the great annoyance of the irrigator. The inhabitants of the burrow evacuated, of course, only to meet another deadly hazard — the irrigator's shovels.

The drowning-out method failed to furnish sufficient control, in father's opinion, so poisoned grain was prepared and placed at the mouths of the tunnels. Some ranchers attempted to control only the rodents in the irrigated fields, ignoring those whose burrows were above the ditch.

I saw about 25 big black birds feeding at one prairie dog town where Dad had placed poison. I crept up close to get a good look at them. They were turkey vultures. That is the only time I ever saw any of that species in the area and I wonder whether the poison campaign wiped them out.

Natural enemies of the prairie dogs existed but they were hunted and harassed by the invading people. With their food supply diminished, they harassed the people in turn. Red-tailed hawks were shot out of the sky as they swooped down over the farmyard to try for a chicken; coyotes risked their lives to raid turkey and sheep flocks. There were also badgers, bobcats and rattlesnakes — all enemies of the prairie dog. I don't know whether there were any ferrets; I never saw nor heard of any.

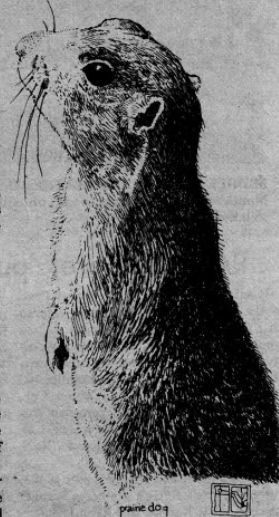
When Grandmother came from Utah for a visit and learned that the irrigators were drowning out prairie dogs, she requested

(over Mother's objections) a few freshly killed and dressed ones. She made a fine big meat pie. As a child she had crossed the plains with the Mormon migration and survived the hard years during which she recalled that prairie dogs were used for food. Fresh garden vegetables and cooked prairie dog meat baked in an oven-sized pan with a flaky crust on top made an ample meal for our big family (except Mother, who was squeamish).

This was a one-time thing, but we couldn't have diminished the numbers of the creatures appreciably if we had eaten them as a steady diet.

My father and the other farmers were well-meaning but short-sighted in the relentless war on wildlife. They remind me of the Greek hero who killed one enemy only to have a hundred spring up in his place. The more species those early settlers killed, the more they had to kill. From the vantage point of the years it appears that a less drastic approach might have served their purposes.

I plan to say more about prairie dogs in the next issue of HCN.



FAT EXPANDING

A group called FAT (Friends of Appropriate Technology) hopes to expand. The Washington, D.C.-based group hopes to start a sister group in the West through a meeting in San Francisco. It members are interested in decentralized, humanistic, small-scale, environmentally sound and socially acceptable technologies. Persons interested in FAT-West should contact Carole Gates, U.S. Department of Energy, Conservation Division, 1333 Broadway, Oakland, Calif. 94612.

OUTDOOR WRITERS

An Intermountain Outdoor Symposium for people "who make their living using nature" will be held in Jackson Hole, Wyo., April 1-4. The meeting is designed to improve communications between governmental agencies, news media and freelance outdoor writers and photographers. Registration is \$15. For more information contact the Wyoming Game and Fish Department, attention: Bill Brown, Cheyenne, Wyo. 82002.

OIL PIPELINE REPORT

The Department of Energy has published a draft report assessing the various ways to bring Alaskan North Slope and foreign crude oil to the Northern Tier and inland states. Hearings on the document will be held in April in Seattle; Billings, Mont.; Minneapolis; Chicago; and Washington, D.C. The report is available from the DOE Region VIII office, P.O. Box 26247, Belmar Branch, Lakewood, Colo. 80226.

BLM WILDERNESS

Two workshops on Bureau of Land Management wilderness will be held in New Mexico this month. Both meetings will feature representatives of The Wilderness Society, the BLM and the Sierra Club. A meeting in Las Cruces will be held March 17 and in Albuquerque March 24. Registration is \$3. For more information contact Jean Herzog, 2401 12 St., N.W., Albuquerque, N.M. 87102.

ENERGY HOUSE CATALOG

A 280-page catalog is now available listing energy-conserving products that can be ordered by mail from over 150 manufacturers. It lists kits and components for do-it-yourselfers as well as ready-to-use systems for solar, wind, wood, water, weatherizing and conservation. Send \$3 to Energy House, Box 5288, Salem, Ore. 97304.

THERMOSTAT TIMER

Simple, do-it-yourself instructions for building an automatic thermostat setback device are now available from the National Center for Appropriate Technology. The device, which can be built for less than \$10, automatically lowers the nighttime temperature in a home or business, which could result in dramatic savings on utility costs. Single copies of the four-page pamphlet describing how to build the device are available free from NCAT, Box 3838, Butte, Mont. 59701. Send for a complete list of NCAT publications, including consumer publications, bibliographies in alternative energy, policy analyses and technical publications.

The Big Drops

TEN LEGENDARY RAPIDS

Color photographs by John Blaustein

ROBERT O. COLLINS and RODERICK NASH



by Robert O. Collins and Roderick Nash, Sierra Club Books, San Francisco, 1978. \$18.50, cloth, 215 pages. Color photographs by John Blaustein.

Review by Peter Wild

Picture brown, ugly waves towering two stories over you, churning with the roar of locomotives. Every move you make with the oars is critical as your flimsy boat shoots through the maws at 25 miles per hour. This isn't a nightmare; it's a Big Drop. One such river rapid bears a name

that might be appropriate to them all — Satan's Gut.

After a few hair-raising seconds you find yourself miraculously safe, collapsed over the oars in quiet waters. You congratulate yourself or give thanks to the river gods who let you through — only to see worse rock gardens and dragon's teeth rushing toward the boat. Approaching rapids like these, some people, being reasonable, simply toss up the oars and hike out; others feel their adrenalin flowing and plunge into the thrill of a lifetime.

Mind you, Robert Collins and Rod Nash are not talking about the tourist bumps in rivers that elicit screams from passengers while their paid guides yawn. They describe the wildest rides in America, the 10 really Big Ones on the rivers of the West. The prospect of running them "leaves even the most hardened boatmen stunned."

Their list for this distinction: Clavey Falls, Tuolumne River (California); Rainie

Falls, Rogue River (Oregon); Hell's Half Mile (Utah) and Warm Springs (Colorado), both on the Green River; Satan's Gut, Colorado River (Utah); Redside and Big Mal-lard, both on Idaho's Salmon River; Granite Creek, Snake River (Oregon-Idaho border); Crystal and Lava Falls, both on Arizona's portion of the Colorado River.

Collins and Nash got me over Clavey and Rainie Falls without too much trouble. But the experience stirred old memories. As I vicariously approached Hell's Half Mile, visions from my younger, less wise days, when running rivers scared the bejezies out of me, came flooding back. So I have to admit that I kept my eyes closed over the next eight rapids — the descriptions and John Blaustein's color photographs are that graphic. This book definitely is for thrill seekers, not for reviewers with weak stomachs.

But there's much here even for the faint-of-heart: the Indian tales, conservation battles, and often preposterous characters who make each of the Big Drops a focal point in history. There's the prospector James White, who, legend has it, was the first to make it through the Grand Canyon — clinging to a log. Then there are the green college students out for a lark, who also somehow blundered through, accompanied by their dog — and a bear. Then the stories of Cougar Dave, Buckskin Billy, Andy the Russian....

With this lively writing the authors — Robert Collins, dean of the graduate division at the University of California, Santa Barbara, and Roderick Nash, professor of history at the same institution — belie the old stereotype of pipe-smoking, tweedy academics.

classifieds

Classified ads cost 10 cents a word; they must be prepaid.

POSITION ANNOUNCEMENT. The Idaho Conservation League, a citizens' organization, is accepting applications for a Bookkeeper and a Volunteer Coordinator. Both positions are half-time. Job descriptions are available on request. Submit resume with references to ICL, Box 844, Boise, Idaho, 83701, as soon as possible. Telephone (208) 345-6933.

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Yellowstone Country

Review by Kent Dannen

Compiled, photographed and published by Richard Phillips, P.O. Box 1281, Midland, Mich., 1977. \$3.95 paperback. 95 pages.

I speculate that HCN readers, more than some other segments of the population, have cultivated a taste for fine black and white photography. Never have I seen a finer collection than the 36 photos taken in and around America's first national park. Some pictures are panchromatic, showing a wide range of tone. Others are high contrast with middle tones dropped out. One photo is solarized. All are well reproduced on heavy glossy paper.

Interspersed among the photos is an anthology of Yellowstone quotations by Indians, explorers, trappers and commentators from the period when Yellowstone was beyond the frontier. The quotations are tied together by Richard Phillips' well-written narrative.

This book is a gem and amazingly inexpensive. It may be overlooked by many Yellowstone visitors who are drawn to flashier color publications. But Phillips' book is a treasure.

WANTED. Writers and photographers in North Dakota to cover resource news. Pay is 2 cents to 4 cents per word or \$4 to \$10 per photo. Contact Marjane Ambler, High Country News, Box K, Lander, Wyo. 82520. One-sided diatribes unacceptable.

FOR SALE. One ion-powered Cosmo model (1990) time-traveling machine. Good condition. Will accept currencies produced before 1987. Call 332-4877 today between 8-10pm, or any time yesterday.

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 82901 (307) 672-6809.

WILDERNESS ADVENTURE with an environmental twist

Friends of the Earth's Wyoming Representative, Howie Wolke, announces a new idea in wilderness travel: backpacking mountaineering, and cross country ski trips featuring high quality guiding and instruction in the use of safe, low impact wilderness travel techniques. Also, we offer two intensive field courses focusing on public lands and wilderness, designed for the environmental activist, but valuable for anyone who shares our concern about the management of our public lands. We supply food, equipment, and the opportunity for a quality wilderness experience. All in the spectacular, yet threatened mountain wilderness of northwest Wyoming.



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Timber Wolf by Rod Arbogast

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16-High Country News — March 9, 1979

First in the National Wildlife Federation's 'archipelago'

Resource law center defends Rockies' environment

by Kent Dannen

Protecting endangered species, monitoring big game herds, watching over vast areas of public lands in prairies, forests and mountains—these are romantic-sounding tasks. But managing natural resources is not all communing with nature and riding off into the sunset. Just as important is the work of attorneys well-versed in environmental law.

Blending law and science to protect the environment is a goal of National Wildlife Federation lawyers Bob Golten and Oliver Houck. Houck is general counsel for NWF at its headquarters in Washington, D.C. Golten supervises the NWF Natural Resources Clinic, which opened last fall at the University of Colorado's school of law. The clinic helps train future lawyers and wildlife biologists to solve environmental problems.

Part of the training involves putting students to work seeking solutions to natural resources controversies in Colorado, Wyoming, Utah, Arizona, New Mexico and Montana, thus helping public interest organizations and private citizens in these states.

A graduate of Harvard Law School with a cum laude bachelor's degree in economics from the University of Michigan, Golten joined the NWF Resources Defense Division four years ago. He specializes in transportation, land use and endangered species issues. Before working for NWF, Golten was a trial lawyer in the Washington, D.C., public defender's office, an assistant general counsel for the U.S. Office of Economic Op-

portunity and a tax litigation lawyer for the U.S. Department of Justice. Before his transfer to Colorado, Golten also was an adjunct professor at the George Washington University department of forensic science.

With over 3 million members, the NWF is the largest private conservation group in

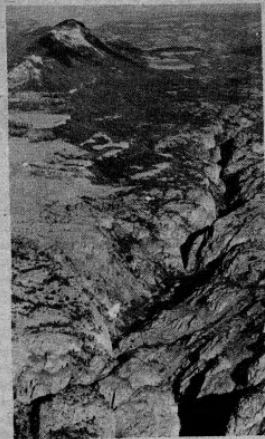


Photo by Jack Richard
THE CLARK'S FORK RIVER is being considered for wild or scenic river status.

the United States. It has a full-time staff of eight lawyers—including Golten—in its resources defense division. In addition, it receives volunteer help from attorneys in private law firms and from law students. The Colorado clinic, an extension of these activities, is a first attempt to mix science into an environmental law program by enrolling students from both the law school at Boulder and the graduate school of forestry and natural resources at Colorado State University in Fort Collins.

Although NWF discourages filing lawsuits in environmental disputes except as a last resort, Golten's clinic was ready to defend environmentalists against the Denver Water Board. Controversy over the board's Foothills Water Treatment Plant and associated dam had raged for 10 years. Finally NWF and five other environmental groups filed suit in Washington, D.C., declaring the environmental impact statement for the water project inadequate. They sought to stop the defendants, the Bureau of Land Management and U.S. Forest Service, from issuing permits necessary to begin construction on Foothills.

Meanwhile, the Denver Water Board sued the BLM, Forest Service and U.S. Environmental Protection Agency in Denver District Court for delaying the Foothills project permits. Later the water board amended its suit to include NWF, other environmental groups and various individuals for damages resulting from their protest of the water project.

Both the Washington and Denver suits were dropped after a recent out-of-court settlement in which the water board promised to include public participation in the

early stages of planning future projects, to minimize environmental harm in its activities and to compensate for unavoidable damage. It also acknowledged that it was improper to sue the environmentalists for protesting the dam.

The Colorado clinic is a pilot program. NWF has funded a second clinic at the University of Oregon. Teaming up with the National Wildlife Federation has advantages for the law schools. Dean Courtland Peterson at the University of Colorado estimates that his school is spending between \$10,000 and \$13,000 a year on the program. In return, it receives from \$50,000 to \$75,000 annually in educational benefits.

NWF legal efforts for the last eight years have focused on resource issues of national significance, such as protection of vast public lands in Alaska, or on issues that set guidelines for federal actions nationwide, such as issuing of ocean dumping permits. However, federation lawyers also see a need to "get closer to cases in the field" for two reasons. First, they want a better early-warning system where environmental problems are brewing. Second, they want to be able to help environmentalists who cannot get legal help in any other way.

In addition to the Denver water litigation, the clinic is involved in controversies over coal development in Colorado, Wyoming and New Mexico; uranium mining in Wyoming; and molybdenum mining in Colorado. Other water projects in Colorado and Wyoming, wild and scenic rivers protection in Arizona and highway battles in Colorado also have gained clinic attention.

A second lawyer soon will be added to the clinic staff.

Within five years, NWF hopes to have what Houck views from Washington as an "archipelago" of environmental law clinics serving regional needs across the country. He hopes that such a mixing of law and science students with university faculty and outside lawyers will create a long-lasting and stable force seeking solutions to regional environmental problems.

Dear Friends,

POSTAL PROBLEMS

Some of you haven't been getting your HCNs on schedule, and an explanation is in order.

According to the Lander postmaster, Rod Desmond, the Denver Post Office has been backed up since Christmas, and has been sending some of the excess to a bulk mailing center in Utah. This obviously slows things down, especially since the center is operating at only 35 percent capacity. Things should be on an even keel now, but if the problems continue, write to us and we'll talk to Rod again.

Also, a reminder to you reclusive types: we are in the process of exchanging mailing lists with various groups. If you don't want to be included, please let us know. If there's a "Q" in the corner of your address label, you've already notified us and won't be included on the list exchanges.

EXPANSION SCHEMES

We've gotten several letters from you recently full of good advice on how to expand our circulation, widen our influence—and give us the financial stability to put out the liveliest, most informative newspaper around. Our thanks for the effort you have given to that cause.

A number of you have also asked

what else you can do, so we're printing some suggestions.

Send us names of friends and colleagues who would like to see a sample copy of HCN. Send us the name of your favorite politician or bureaucrat (or anyone else you think needs HCN). We'll send them each a sample copy and ask them to subscribe. Or if you want to be sure that they read the paper, send them a gift subscription.

Let us know if you'd like to take a stack of sample papers to a conference or meeting. We'd be glad to send you enough to distribute to your coworkers, ski club, environmental group, faculty or board. Or send us your organization's mailing list and we'll send a sample paper to each of its members. (If you can send names on mailing labels, we can send the paper much more promptly and cheaply.)

Are we interviewing you for a story? Let us know when we talk if you want extra copies of that issue.

If you are a professor, especially in environmental studies, use HCN as reading material in your courses. We have special rates for classroom subscriptions, available on request. If you are a college student, think about applying to be our campus representative. The job entails putting up posters, contacting newsstands, and selling subscriptions on a commission basis.

NEWS TIPS?

Right now we have more stories than we can handle, but if you have news tips for us, we're eager to hear about them. If it sounds promising enough, we'll divert our energies from other projects to tackle it. Also send us clippings if there's environmental news of regional import in your area.

Contact us about free-lancing if you are a writer or photographer. We'll send you a guide to writing for HCN.

Also, if you know of a cheap, solid source of office furniture, let us know. Or if you have any old chairs, file cabinets or desks you'd be willing to donate to our cause, write; if it sounds like what we need, we'll pay the freight.

We could also use a few volunteers, local or long distance, to type labels for our sample mail-outs. We provide names and labels, plus postage both ways.

BE CONSPICUOUS

If you don't mind being conspicuous in our behalf, wear an HCN T-shirt. Put up an HCN poster in your workplace. Read HCN on the bus, in the cafeteria, on the trail, at your next public hearing. You are our most effective advertisers (and we appreciate it).

One final thought: if each of you persuades just one friend to subscribe, you will double our circulation.

— the staff

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