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High Country News

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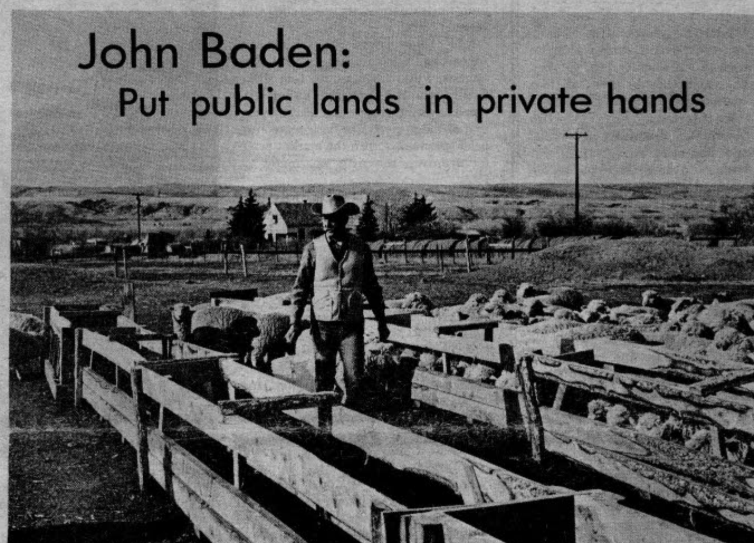
Friday, March 6, 1981 Lander, Wyoming Vol. 13 No. 5

In the News

John Baden:
Put public lands in private hands



by Ken Western

BOZEMAN, Mont. — On a warm winter afternoon, John Baden paused to watch two carpenters nail the last wood shingles to the roof of a new lambing barn. "We're on the edge of putting the ranch together," Baden said. Later that day the carpenters would begin fitting a series of windows on the barn's south wall for passive solar heat collection. Designed by Baden, the barn is a blend of new and old ideas, some of them forgotten or discarded over the years.

The shake shingle roof, for example, is an old and proven way to enhance ventilation and reduce the possibility of pneumonia among newborn lambs. A similar roof graced a barn owned by Baden's grandfather, Harmon Frederick Baden, a Midwestern farmer who barred tractors from his land until 1952, when he was 76.

Several tractors are in evidence on Baden's ranch, but he reflects some of his grandfather's strong will, having literally built the ranch from the ground up. Baden acquired the land in 1970 after a succession of tenant farmers had left parts of it eroded into deep gulleys.

Baden, 41, has worked for a decade to restore the land. In the process, he has built a thriving sheep ranch. "There are different ways to use land. I feel a responsibility to myself to get the highest production reasonable," he said.

Baden, whose full mustache would do any frontiersman proud, has mixed his ranching with hiking, logging and intellectual pursuits. He holds a doctorate in political anthropology from Indiana University and has taught at Indiana, the University of Oregon, Oregon State University, and Utah State University. He has taught forestry and political science, lectured in economics, and directed an environmental studies program.

Baden has also written many articles and co-edited with Garrett Hardin a book called **Managing the Commons**. He has been a consultant for the U.S. Forest Service and Environmental Protection Agency, among other governmental bodies.

But he is best known now as director of the Center for Political Economy and Natural Resources at Montana State University. He established the Center in 1978 with Richard Stroup, professor of economics at MSU, to apply a free market economic approach to critical issues of resource policy.

BRASS AND PROWESS

Although relatively young, the think tank is attracting national attention with its unusual conferences, books and papers for environmental issues. It has aroused the ire of conservation activists, and has met with local criticism for closing the doors of its conferences to the public. But while Baden, who at times has all the brass of a contingent of 76 trombones, has offended some of his colleagues at MSU, few dispute his intellectual prowess.

Under his guidance the Center has attracted more than $500,000 of outside funding, mostly from private foundations. Among the major contributors are the Liberty Fund in Indianapolis, the conservative Heritage Foundation in Washington, D.C., and the libertarian Cato Institute in San Francisco.

Studies and papers emanating from the Center have dealt with timber and agricultural management, wilderness preservation, coal, mineral and energy development, and the management and mismanagement of public lands. Its conferences have featured distinguished scholars from throughout the United States. Among the guests at a conference last summer exploring the Sagebrush Rebellion was James Watt, who is now Secretary of Interior.

"Clearly Montana State may be the worst place in the world to locate a center focused on international inflation and labor economics," Baden said. "But it is almost surely the best place in the world to locate a center whose concerns involve the increasingly important issues of resource management and utilization. We are where the resources are and the people aren't."

SUBSIDIZED DESTRUCTION

Essentially, the Center advocates private ownership of rights to most as-

(continued on page 10)

Dear Friends,

A note here about a new approach to reporting the news in HCN is somewhat redundant, placed on the same page as Western Roundup. The new format speaks for itself: three pages of short news items, a column of even shorter items, and a few lighter subjects thrown in to boot.

The change was prompted by suggestions from long-time readers and our growing sense that we should be doing a more thorough job of covering the region. So what we've done, essentially, is take our energy pages, our old one-page Western Roundup, and the medium and short-length stories that we used to put wherever we found a hole, and condense them all in a "digest" at the front of the paper.

We still expect to run at least two feature length stories per issue, and often more. Though there will be no more energy pages per se, the material will still be here. Trackings, also, will be absorbed into the new Roundup pages.

When we first began discussing the change, one of the more prescient members of the news department noted with some distress that it will often entail doing the research for a 2,000-word piece but only writing 150 words. Well, we brought him around by arguing that any extra pain he encounters will be offset by the readers' pleasure at having to read fewer of his words for the same substance.

Kathy, our production wiz, was easier to win over, until she realized designing the new format as fast as we wanted it would mean foregoing some fine spring skiing. But she's done it, and managed to sneak in a few hours of skiing at the same time.

Marjane Ambler is back this issue with another story written as part of her year-long study of Native Americans and energy, funded by the Alicia Patterson Foundation. This time she tackles the Council on Energy Resource Tribes, the controversial organization which has been called "unrepresentative" by some and "an Indian OPEC" by others.

Ambler found herself in a sensitive position researching CERT. Strong egos exist within the organization, and within some tribes, and it became difficult to know who was using whom. In addition, "One of the things I found frustrating was that a lot of non-Indians assume no real Indians would exploit their resources at all."

— the staff

Western Roundup

More uranium miners laid off

Federal American Partners is shutting down its uranium mine and mill in Gas Hills, Wyo., and laying off 320 workers. The shut-down, added to previous lay-offs by Jeffrey City uranium mines and the recent suspension of an in situ uranium mining operation near Buffalo, Wyo., leaves the state's uranium industry at its lowest ebb in 25 years.

FAP is a partnership between American Nuclear and Federal Resources, which operates the Gas Hills facility, and the Tennessee Valley Authority, which owns the other 50 percent of the project. The decision to suspend operations until the market price for uranium improves was made by TVA.

"We're in a state of shock," FAP personnel manager Alex Cortez said last week. "Just recently we were making plans to double our capacity. Then — boom. On Tuesday, I was notified that the whole place was shutting down. It was really terrible breaking the news to the employees that there was no more work."

Although the decision appeared sudden, "actually it had been under study for some time," said TVA's Gary Harmon. According to Harmon, the shutdown came in reponse to a number of factors, such as delays in the licensing of several new TVA nuclear power plants in the Southeast, the depressed uranium market, and the increased cost of production due to regulation.

For now TVA plans to rely on several million tons of stockpiled yellowcake to fuel its four nuclear facilities in Alabama and Tennessee. The Gas Hills operation is intended to remain in "standby condition," awaiting the time when TVA's stockpile dwindles, and the price of uranium rebounds.

The lack of notice was a sore subject among many former FAP employees. "It really blew everyone's mind," said Paul Edmonds, who has worked as a mine electrician for five years. "At 3:29 we all had jobs. At 3:30 we were on our own."

— Louisa Willcox

Montana air standards breathe easy

Rep. Joe Quilici (D-Butte) surprised fellow legislators in Montana with a proposal to postpone indefinitely a major challenge to the state's air quality standards, deflating an effort by Rep. Joe Kanduch (D-Anaconda) that many thought would undo the tough standards instituted last year by the Montana Department of Health and Environmental Standards.

Quilici, who headed a special legislative committee looking into the closing of Anaconda's copper smelter last year, said that "a few months ago I would have been right along side Joe Kanduch pushing for this bill." But the committee's investigation, he said, convinced him the Anaconda shut-down was not merely a matter of bad breath.

Quilici's move appears to have killed efforts to make all Montana air quality regulations that go beyond federal standards subject to legislative review. Legislators are, however, expected to approve a bill to loosen the state's standard governing flouride, for which there is no federal standard. The Anaconda Aluminum Co. and Stauffer Chemical told legislative committees they cannot comply with the existing standard.

Flathead log sale

Regional U.S. Forester Tom Coston has announced plans to take a $1 million loss on a timber salvage sale in the North Fork of Montana's Flathead Valley.

The "North End Salvage Sale" is designed to remove 22 million board feet of lodgepole pine killed by the mountain pine beetle in the Ketchikan, Thoma, Trail Creek and Frozen Lake areas of the Flathead National Forest. These areas include portions of three RARE II roadless areas recommended for non-wilderness, and essential habitat for the threatened grizzly bear, endangered gray wolf and bald eagle.

A coalition of groups, including the Defenders of Wildlife, Montana Wilderness Association and The Wilderness Society filed an administrative appeal to the Regional Forester late last year, calling for a comprehensive Environmental Impact Statement. These groups claim that the Forest Service's "single-event" approach to environmental review does not address the long-term effects on wildlife and wilderness resources. The appeal was denied. A further appeal to the chief of the Forest Service is underway, and court action is possible.

Analysis of the sale indicates benefits of only 27-72 cents for each taxpayer dollar invested. Nearly $1 million dollars would be spent on roads and administration in excess of timber values extracted.

Border Grizzly Project studies indicate the Ketchikan area alone supports about 12 grizzlies, among the densest populations in the lower 48. Wolves have been sighted repeatedly in the North Fork, and the University of Montana Wolf Ecology Project has had one female radio-collared just five miles from the Ketchikan site. Biologists generally agree that road construction and logging would displace these species, and others such as elk, deer, bald eagles and moose, as long as men and machines are present. The U.S. Fish and Wildlife Service, however, claims the Forest Service has adequately scheduled activity to avoid substantial overlap with critical seasonal use by the animals, and planned the sales to avoid critical habitats.

Options rejected by the agency included harvests from only existing roads, salvage from non-permanent roads with no future entry, and no entry at all. Each of these alternatives, according to the environmental assessment, would be less detrimental to wildlife, but would produce less timber.

— C. Peter Nielsen

High Country News

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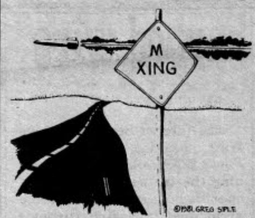


NM nixes MX

Legislation sharply restricting the use of productive farmland for siting the proposed MX missile system passed a New Mexico legislature panel this week.

Sponsored by State Rep. James Martin (D), the bill would ban the federal government from acquiring farmland for the MX unless several requirements are met, including the approval of county commissioners.

Placing the MX in the High Plains of New Mexico and Texas is one siting alternative being considered by the Air Force. But doing so, ranchers told the New Mexico legislature last week, would turn their farmland into a "giant prairie dog colony," disrupting agricultural operations.

In other MX developments, Rep. Dan Marriott (R-Utah) has taken to the Reagan administration petitions signed by some 5,000 Utahns opposing the siting of the MX in Utah. And the General Accounting Office now estimates that a final MX bill would double the Air Force's current guess of $34 billion.

Uranium firms okay Wyo. way

Wyoming State Tax Commission chairman Rudolph Anselmi says the state has no plans to change the method used for assessing uranium ore, even though undervaluation of the mineral has cost the state millions in revenue. Anselmi said the commission has considered changes in the past, but the industry vetoed the idea. Anselmi said, "They like the formula the way it is." Anselmi also said that there is nothing the state can do to collect money lost by the assessment procedure (see **HCN** 2-6-81).

In a related development, the tax commission asked the state legislature for an additional $35,000 to hire two auditors to conduct spot audits of mineral companies. Although the state collects hundreds of millions of dollars annually from mineral companies in mineral severance taxes, the state has never audited the payments. Tax Commissioner Doran Lummis said, "There are cross-checks with the free enterprise system, plus the reports to the federal government and cross-references to reports filed with other state agencies. From a professionally-trained auditor's poing to view, however, we are not doing it."

Lummis says the state may change this policy because "if you spot audit different minerals, the companies may be a little more careful."

GAO cites military land lock-up

According to a Department of Interior memo accompanying President Ronald Reagan's recent budget message, "The president plans to accelerate the leasing of mineral resources on federal lands...The major emphasis is upon leasing land for energy minerals."

Reagan's program will accelerate on-shore mineral leasing by offering two oil and gas lease sales in the National Petroleum Reserve in Alaska in 1982; beginning a regular, permanent oil shale leasing program no later than 1984; and will "achieve significantly expanded leasing" of coal by 1983.

Ironically, two of Reagan's top priorities — energy and defense — may have an unhappy collision. Despite cries of lock-ups of mineral-rich land by wilderness designation, a recent General Accounting Office study of land withdrawals showed that one of the two largest categories of land withdrawn from oil and gas exploration is military property. About 20.2 million acres of a total 64.1 million acres of federal land unavailable for petroleum exploration falls under this category. Another 20.2 million acres is within national parks. An additional 12.3 million acres lie within national wildlife refuges.

The study was requested by Rep. Richard Cheney (R-Wyo.). A Cheney aide said the congressman is studying the GAO's recommendations and will introduce legislation to open some of these lands. One option that will almost certainly be considered is allowing oil and gas exploration in congressionally-designated wilderness areas past the current 1984 cut-off of this activity.

The GAO said that minerals information on military lands was "scarce." The Defense Department told the GAO it would promote development of energy resources, but disagreed with the agency's recommendation that it provide more information about minerals.

Slurry dries up

What might have been the state's second legislature-approved coal slurry pipeline proposal, a plan to export water from the Little Bighorn River in northeastern Wyoming, died last week in the Wyoming House Agriculture Committee.

Legislators also voted to hold up any slurry of the Little Bighorn water until the state could study alternative in-state uses. Rep. Rory Cross (R-Douglas), chairman of the agriculture panel, said: "I'd like to see that water put in the Parkman Reservoir, but I'd like to see it stay in Wyoming, and that's where you lose me." Presently, the water flows north into Montana unused.

NPS

Bighorn Canyon

Members of the Sheridan-Little Horn Water Group, which sought the export permit but did not have a particular slurry project lined up, said they were "disappointed". John Jenkins, president of the Sheridan-Little Horn Water Group, said they would examine other options for using the 34,000 acre-feet of water on which it holds rights. The group has apparently been contacted by potential power plant and synthetic fuel plant-builders who want to locate in Wyoming.

A member of the Sheridan-Little Horn group said the group was split on whether immediately to sell the water to in-state users or keep the export option alive.

No leaks in Central Utah project

Federal spending on water development projects, including the controversial Central Utah Project and other western dams, would remain largely undiminished under the Reagan administration's proposed budget.

Interior Secretary James Watt, in fact, has promised western governors that he'll ask for increased funding levels. "This administration is committed to water-resource development," he said recently.

Reagan's proposed 1982 fiscal year budget calls for a $95 million reduction in water project spending by the Army Corps of Engineers, the Water and Power Resources Service, and the Soil Conservation Service. Most of those cuts would involve project "extras," such as boat ramps and other recreation programs.

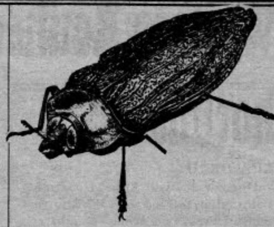
The Bonneville Unit of the Central Utah Project would be trimmed by $4 million, causing no major delay in construction, said Sen. Orrin Hatch (R-Utah).

Ed Osann of the Coalition for Water Project Review in Washington, D.C. said the proposed Reagan cuts "barely scratch the surface.

"They've completely missed the boat," said Osann, whose group is advocating that an additional $600 million be cut from projects it feels are unnecessary or would damage the environment.

Congress may view even Reagan's limited spending cuts as excessive, said Sen. Pete Domenici (R-N.M.). Head of the Budget Committee, Domenici says the need for water in the West will mean more federal spending is needed, not less.

An aide to Sen. Alan Simpson (R-Wyo.) predicts the new administration will "downplay" water policy reforms advanced by the Carter administration. But Osann thinks that the president's preference for block grants — funds doled out to states without spending restrictions — could be a mechanism for forcing states to pay a larger share of project costs. That would mean more careful analyses of projects by states, and less waste, Osann believes.



Parks halt sprays

Following up on his order banning the use of 2,4-D, in national park areas, National Park Service Director Russell Dickenson has clamped down on the use of all chemical pesticides and herbicides in the park system.

"If we err, we shall err on the side of caution," said Dickenson on the use of chemicals, and instructed his field managers to first evaluate alternative mechanical, cultural and biological weed and pest controls, regardless of their "financial or staff costs."

Dickenson, who will remain agency director in the Reagan administration, will approve or reject all requests for using chemicals.

Uranium ban recall

Initiative 84, the measure banning uranium waste disposal in Montana that was a surprise winner in last fall's election, is considered likely to die on the operating table of the Montana legislature.

A bill introduced by Rep. Thomas Conroy (D-Hardin) would dump Initiative 84 and set up a nuclear materials disposal system modeled after the federal Nuclear Regulatory Commission standards. Conroy, whose bill is supported by the Montana Mining Association, claims the voters didn't understand the measure they approved by an extremely close vote in 1980.

Ed Dobson, who led the campaign for Initiative 84, told the **Great Falls Tribune** his initiative was doomed after the Montana House passed Conroy's bill. The measure is now before a Senate committee.

An amendment to put Conroy's proposal before the voters in a referendum was defeated in the House last week.

Sagebrush reverse

In what sounds like a Sagebrush Counter-rebellion, a Colorado county official is giving the federal government two square miles of county land to keep the area from being developed.

Pitkin County Commissioner Michael Kinsley told the **Denver Post** that the U.S. Forest Service plans to accept the county's offer of more than 1,300 acres. The land is a scattering of 164 mining claims within the White River National Forest that reverted to county ownership through property tax default.

Kinsley said the land would be worth "multimillions" of dollars if sold for residential development, but added, "We already have more development than we know what to do with."

The acreage is not being given to the state, Kinsley said, because Colorado does not have the funds to adequately manage the land, especially for recreation.

Western Roundup

hotline

EPA HEAD

Denver lawyer Anne Gorsuch's nomination to head the U.S. Environmental Protection Agency caught one influential Republican senator by surprise. Robert Stafford (R-Vt.), chairman of the Senate Environment and Public Works Committee, said he's reserving judgement, but noted that she's "had no experience in depth in the operations of the clean air program." Stafford's panel will hold hearings on her appointment this month. Gorsuch, who calls herself an environmentalist, says she will implement President Reagan's regulatory reforms. As a state representative, Gorsuch received a "good" rating from the Colorado Open Space Council, an environmental lobby group, and supported the controversial EPA-required vehicle emission control program for Colorado.

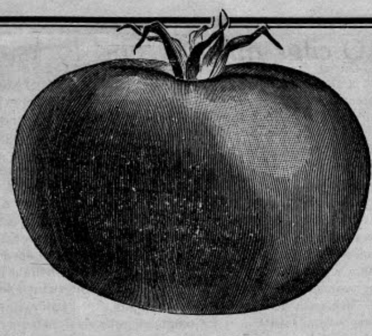
SITING COUNCIL

In a last minute move, the Wyoming legislature last week approved legislation bringing large natural gas processing plants and synthetic fuel plants under the jurisdiction of the state Industrial Siting Council. Sen. Neal Stafford (R-Buffalo) tried to remove gas processing plants from the bill, saying the Siting Council "inhibits free enterprise" by often burdening companies with covering the cost of development impacts on local communities. Legislators supporting the bill, and Gov. Ed Herschler (D), were particularly concerned about impacts in the southwestern corner of Wyoming, where two plants are presently under construction to process large quantities of "sour" (sulfur-laden) natural gas, and more are expected.

Ron Wolf

WATT'S FIRST SWAT

James G. Watt evidently believes in burning his bridges behind him. In one of his first budget-cutting acts as Secretary of Interior, Watt did away with the Heritage Conservation and Recreation Service — one of Watt's first sinecures in the federal government, though it was known as the Bureau of Outdoor Recreation in those days (1972-75). Some Heritage programs will die, others will shift to the Park Service, and the agency's funds for park and recreation lands acquisition will be spent on improvements at existing parks.



Oil tax feeds Alaskan cabbages

Alaskans are becoming increasingly creative in defending the state's vast oil wealth. Gov. Jay Hammond (R) recently went to Washington to promote the state's infant farm industry. Hammond said agriculture could insure a prosperous economy for the state after the oil riches are depleted.

Alaska's 20 hours of summer sunshine are apparently producing bumper crops in the state. A 50,000-acre farm project near the Arctic Circle is producing barley at the rate of 100 bushels per acre, about twice the productivity of Midwestern farms. Japan, Korea and Taiwan are already placing orders for Alaskan barley and rapeseed, a plant of the mustard family used to produce cooking oil.

However, Hammond's real mission in Washington was to defend the state's oil taxes. Like a number of other Western energy producing states, Alaska is being criticized for the large revenues it gains from taxing its energy exports. Hammond said the blooming agriculture industry would not be possible without the helping hand of state oil revenues.

Last year, the Northeast-Midwest Congressional Coalition estimated that Alaska will earn $128 billion in oil severance taxes and royalties between 1980 and 1986. In its brief, intervening in a current Supreme Court case challenging Montana's 30 percent coal severance tax, the congressional group said, "A few states rich in mineral deposits foresee overflowing coffers...all by reason of state exploitation of energy resources through the device of exported taxes."

Hammond admitted that such assaults on "states' rights" were the major reason he was promoting Alaskan agriculture. Alaska has also used its energy tax revenues to eliminate the state income tax and return per capita cash payments to state residents.

MELCHER LETTER

A letter from the Montana Wildlife Federation and other Montana environmental groups to Sen. John Melcher (D-Mont.), telling him to support the proposed Lee Metcalf Wilderness bill because "our patience with the slow process is ended," provoked an angry Melcher to reject such "threats." The letter said the five groups (including the Wilderness Society and the American Wilderness Alliance) would negotiate with possible Melcher opponents if he did not support the wilderness. A spokeswoman for the Wilderness Society said the letter was not meant for the press.

James Benfield

Sen. John Melcher (D-Mont.)

NEEDLESS DAM

The oil shale consortium Paraho has told the **Deseret News** it doesn't need water from the proposed White River Dam in eastern Utah. Backers of the dam were anticipating Paraho's involvement, but consortium officials say they have other sources.

CABINETS IN THE COURTS

Environmentalists, led by the Defenders of Wildlife, have brought suit in the U.S. District Court in Washington, D.C., to block further oil and gas exploration by the American Smelting and Refining Co. (ASARCO) in the Cabinet Mountains Wilderness-Scotchman's Peak area of the Kootenai National Forest in Montana. The suit contends that there should have been an environmental impact statement prepared on the drilling, and that federal agencies have failed to protect grizzlies in the area under the requirements of the Endangered Species Act.

PIPELINE RIPE

Powder River Pipeline, Inc., has announced its plans to build a coal slurry pipeline from the Powder River Basin of Wyoming and Montana to the Great Lakes area. Like the proposed southbound pipeline of Energy Transportation Systems Inc., the new slurry would use water from the Madison Formation which underlies eastern Wyoming, and parts of the Dakotas and Nebraska. The $1.5 billion pipeline would serve utilities in the vicinity of Lake Michigan.

TEPEE STAKES

John Sawyer, who set up a tepee last June in an exclusive Steamboat Springs, Colo., subdivision, has won a round in his fight to stay. Disagreeing that other residents were suffering irreparable harm from the tepee's presence, a judge declined to issue a restraining order. Whether the tepee violates the subdivision covenants remains unresolved.

barbed wire

U.S. Interior Secretary James Watt, speaking to the **Denver Post**'s Bill Hosokawa: "We're running the (national) parks under outmoded concepts. We can learn a great deal from Walt Disney's crowd management principles."

Friends of the Earth's Montana representative Ed Dobson has been given the Montana Wilderness Association's Art Sedlack award for his dedication to the environment. Dobson won the honor for authoring and promoting an initiative to prohibit the disposal of radioactive wastes in Montana. The initiative passed 172,909 to 172,493, but only after a controversial recount. Dobson's committee spent $1,000 to push the initiative, while opponents spent about $100,000. The award is named for Glacier National Park ranger Art Sedlack, who shot and critically injured a snowmobile that was violating park regulations.

Marching smartly against the tide of history, a Wyoming state senator introduced a bill this year that would have repealed the popular election of U.S. Senators. The proposed constitutional amendment was withdrawn by its author, Sen. Gerald Geis (R.- Hot Springs-Washakie), after it drew little support. Geis told the **Casper Star-Tribune**: "If (U.S. Senators) were elected by the (state) Senate, the state's rights would be protected."

Sixteen-year-old cross country skier Tim Westerman, after being buried up to the neck in an avalanche in Idaho's Boulder Mountains: "It's something you don't want to do every day."

If you're tired of hearing about the x number of dollars legislators are designating for this water project or that tax cut, Warren Wilson of the **Casper Star-Tribune** has compiled one of the more interesting statistics for a Rocky Mountain legislature in 1981. The Wyoming House, according to Clerical Supervisor Pat McIntyre, consumed 7,050 cups of coffee, 4,608 doughnuts, 3,486 pints of milk and 22 pounds of sugar. How much coal can you slurry with 7,050 cups of coffee?

Under federal scrutiny

Cocky CERT courts controversy, loses 4 tribes

by Marjane Ambler

The Council of Energy Resource Tribes emerged in 1975 with the bravado of a homegrown OPEC. Now, more than five years later, most member tribes are proud of CERT's performance, saying the staff of 60 — predominantly non-Indians — and their Indian board have boosted the tribes' capacity to manage wisely their vast reserves of coal, uranium, oil, gas and oil shale.

At the same time, one can hear rumblings in the ranks. Four of CERT's 25 member tribes recently withdrew— the Cheyenne River Sioux of South Dakota, the Colville Confederated Tribes of Washington and the Shoshone and Arapahoe Tribes of the Wind River Reservation in Wyoming. Respectively, they were: worried that CERT would force them to mine their uranium, upset with the organization's abrasive public relations tactics, and skeptical that it had any special expertise to offer.

While other tribes have joined to take departing members' places, the defections have hurt CERT. They come at a time when the organization is undergoing close scrutiny by the federal government, which supplies most of its funds. The General Accounting Office, Congress' investigative arm, is investigating funding of Indian energy development, including how CERT spends its money, how effectively it serves Indian energy resource owners, and what other sources of income it has.

Some outsiders criticize CERT for courting controversy with inflammatory comparisons to OPEC, attacks on the Bureau of Indian Affairs, and interference with a Carter administration appointment to the Interior Department. And CERT has had to sidestep internal criticism from Indian groups that oppose development, from advocates for individual Indian mineral owners, and from former employees.

With an investigation by the U.S. Congress' General Accounting Office now underway, CERT is being forced to face some of its problems. Whatever the results of the study, it is bound to bring some changes, if only in the Indian board members' tendency to leave leadership of the organization up to the CERT staff.

FEDERAL FINANCES

A favorite target for critics is CERT's financial base. This year the organization is seeking $2.9 million from four federal agencies and $1 million from member tribes and other contracts. This $3.9 million represents 0.2 percent of the total Congress appropriated for Indian programs for Fiscal Year 1981.

Critics question whether CERT should depend so heavily upon federal funds, largely because of the effect on its credibility. Since a large share of the money comes from the U.S. Department of Energy, some critics and staff members think CERT is biased toward development of nonrenewable energy, such as fossil fuels and uranium. CERT's funding proposal to DOE lends credence to this argument, since it highlights accomplishments favoring development of synthetic fuels, coal-fired power plants and mines on reservations, sometimes exaggerating their actual likelihood.

Ken Fredericks (Mandan-Hidatsa), national director of real estate for the Bureau of Indian Affairs, thinks CERT is crippling the Bureau. In effect, he said, the BIA is abdicating its responsibility to serve energy-rich tribes to a private organization that serves only its members. Fredericks admitted that the BIA, which has been trustee for the Indian resources for 150 years, "obviously" has not done a good enough job. But, he said, with more money the BIA could improve.

On the other hand, if the BIA had been providing technical services to the tribes, they would not have needed CERT so much. CERT cannot depend upon money from energy companies when it is reviewing contracts and negotiating for tribes, and the tribes don't themselves have the money now to support CERT. The money must come from somewhere.

Some past employees have suggested giving the federal money directly to the tribes, who could then choose between CERT and other consultants for technical services. However, the tribes generally disagree with this approach. Hugh Baker (Mandan-Hidatsa), director of energy for the Three Affiliated Tribes on the Fort Berthold Reservation in North Dakota, said CERT has helped the tribes realize the need for comprehensive government planning and find federal money for it. CERT has also helped establish tribal energy offices on several reservations, which will gradually be taking over many of the functions CERT now provides. The organization also is finding funds for a national training institute for Indian science and business students.

But until such attempts to improve tribal management capacity succeed, most CERT tribes believe federal funding is best. Ed Gabriel, executive director of CERT, said he expects federal funding to be needed until 1987, when CERT hopes to scale down its operation.

> **"They told the tribes that every company in the United States was trying to rip them off."**
>
> **— former CERT staff member**

REPRESENTATION

As for the question of representing energy tribes adequately, Gabriel said CERT tribes control 95 percent of the Indian energy resource base.

But virtually ignored throughout the debate are the individual Indian mineral owners. These individuals, known as allottees, may actually own from 40 to 75 percent of the energy CERT is claiming in the northern states, according to recent BIA figures. These allottees inherited land and mineral rights as a result of the General Allotment Act of 1887, when parcels of land were signed over to individual tribal members. Congress hoped at that time to end the Indians' special relationship with the federal government. Although the policy was later reversed, more than 80 percent of some northern CERT tribes' reservations is allotted.

According to the BIA, the tribal councils have no authority to negotiate for minerals on these lands. And as many as 100 individuals may share ownership of one 160-acre parcel, making it impossible to reach a consen-

(continued on page 6)

"In three years, CERT has established a better track record than the whole history of the BIA."

— Caleb Shields (Sioux)

CERT...

(continued from page 5)

sus on development questions.

Gabriel, however, said his staff is glad to serve allottees and even tribes who do not belong to CERT upon request, even though allottees' interest sometimes conflict with member tribes'. "How can we turn them down when their only option is going through the BIA?" Gabriel asked.

Such a jab at the BIA is typical of CERT — and the feeling is mutual. The animosity between the two has created problems for some tribes which must work with both. Ernie Clark, a councilman for the Colville Tribes in Washington, said his tribe withdrew from CERT because of the group's verbal attacks on the BIA and comparisons of itself to OPEC. "It looked too much like propaganda," he said.

BIA officials' resentment of CERT seems to be partly a reaction, partly a genuine concern for tribes who are not members, and partly jealousy of CERT's accomplishments.

One of the CERT board members, Caleb Shields (Sioux) of the Fort Peck Tribal Council in Montana said, "In three years, CERT has established a better track record than the whole history of the BIA."

In 1977 the BIA decided to open a minerals technical assistance center in Denver. Three years later, only five of 17 positions had been filled. In about the same amount of time, CERT had developed a staff of about 40 at its technical assistance center in Denver, including many people with doctoral or masters degrees in natural sciences or economics, as well as extensive industry and government experience.

While the BIA center staff allows about a year to respond to a request for a mineral inventory, CERT claims its staff can begin work within six weeks on most big projects. On at least one occasion, a tribe has turned to CERT for help interpreting a BIA mineral inventory.

Defending CERT, Rick Stone, assistant to former Secretary of Energy Charles Duncan, said CERT had helped tribes get millions of dollars. "The money goes to those who produce good paper describing what they want to do. The paper CERT has produced on behalf of the tribes has been of consistently good quality," he said.

Gabriel said CERT has landed $17 million in loans and grants from federal and private sources that would not have otherwise been available.

SQUANDERING FUNDS?

Beyond the question of where CERT's money comes from are questions of where it goes. Five former staff member — Paul Epley, Barbara Nagel, Bill Roberts, Bill Nagle, and Mahmood Rana, who worked for CERT in 1978 and 1979 — feel the organization was squandering public funds.

They told of a three day staff retreat held at the Keystone resort in Colorado in 1979 where little work was accomplished. Meals and lodging in condominiums were provided for staff and at least one spouse by CERT. They said when Gabriel came to Denver for meetings, he frequently stayed at the Brown Palace, a luxury hotel.

In reply, Gabriel said the retreats were management training seminars, that the Washington staff who attended were in Denver for other business, too, and that a banking institution contributed $3,300 to cover the lodging, meals and conference rooms.

CERT abides by federal per diem limitations on food and lodging, Gabriel said, even though it is not legally required to do so. He does sometimes stay at the Brown Palace and other luxury hotels across the country, he said, adding, "It's my lifestyle....But I pay the difference out of my pocket."

The five former staff members, who gave up more lucrative jobs to work for CERT, are bitter. They were excited about the prospect of being involved in development of the biggest unexploited energy reserves in the country and upset that CERT advocated an "anti-corporate attitude" among the tribes. "They told the tribes that every company in the United States was trying to rip them off," one said.

They said that when their technical reports were reviewed by non-scientists on the Washington, D.C., staff, they were changed to "justify certain preconceived notions "before being given to the tribes.

One said that as a scientist, he was upset when CERT distorted facts for political purposes. Figures on the size of tribal resources are "Grossly exaggerated," he said, since many are not commercially attractive or won't be developed for philosophical reasons.

However, representatives of most of the CERT tribes who were contacted had not noticed such problems. Of 10 tribes contacted, six expressed unequivocal satisfaction with the technical assistance they had received.

Cheyenne River Sioux energy director Joe Troisi, a non-Indian, said he was very pleased with CERT's help preparing a draft oil and gas agreement. He thinks the organization fills a vital role. His tribal council might not have withdrawn from CERT if the members had consulted with Troisi, who was one of the two official representatives to CERT board meetings from the reservation. The tribal council thought CERT was trying to force them to develop their uranium, but Troisi said it was not. In fact, the tribe doesn't have a developable reserve of uranium, he said.

Troisi found CERT less helpful on a geothermal project, saying the staff has more expertise in oil, gas, coal and uranium. However, he thinks this bias is understandable since the tribes, who feel pressure from the BIA and the energy companies, have emphasized management of nonrenewable resources.

INEFFECTIVE BOARD?

The Assiniboine-Sioux Tribes of the Fort Peck Reservation in Montana considered withdrawing from CERT following an article in a national Indian newspaper saying the organization was not accountable to the tribes. The full board of tribal chairmen meets less than twice a year, and resolutions pass with little or no discussion.

As an example of the organization overstepping the board's direction, sources in several agencies and congressional offices claim that CERT helped block the confirmation of Tom Fredericks (Mandan-Hidatsa) as assistant secretary of Interior for Indian affairs although at least five of CERT's members had endorsed Fredericks' nomination. The confirmation was blocked until the presidential election, when it became moot because President-elect Ronald Reagan was expected to appoint someone else. While Gabriel has been feuding with Fredericks for years, he swears "on a stack of Bibles" that neither the CERT staff nor the board interfered.

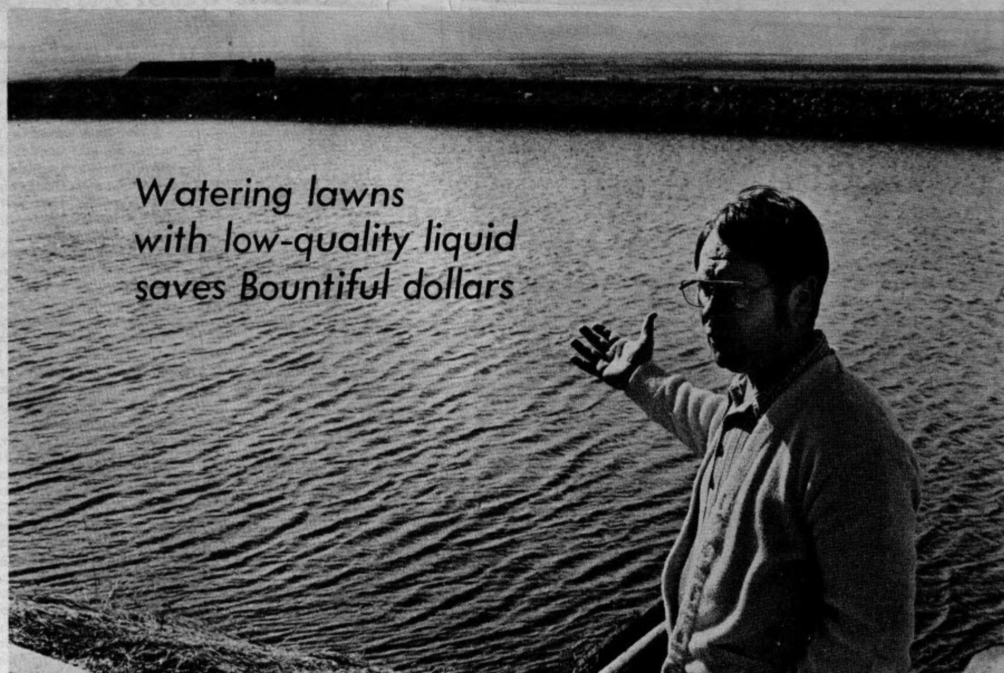
Hugh Baker of the Fort Berthold Reservation said that tribal involvement is the best way to make the organization work. "People who have problems with CERT should think of the concept behind forming it. I continually remind the CERT staff, 'You're here to put yourselves out of business by teaching me. When we get rich on oil and gas, maybe you can come to work for us. Until then, help us get rich.'

"Some tribes are losing sight of why CERT was set up. They think of CERT as another desk of the Department of Energy. That's wrong. You can't just hand over an assignment and forget it. Your responsibility is to stay on it, to learn," he said.

Most of the tribes hope the GAO investigation won't turn into an excuse to eliminate CERT's funding. They do not view CERT as a savior on a white steed; but they do think it offers better advice than the BIA.

Marjane Ambler is a former managing editor for **High Country News**. She is studying Indian energy development as a fellow for the Alicia Patterson Foundation.

Watering lawns with low-quality liquid saves Bountiful dollars



BOUNTIFUL'S DUAL SYSTEM operator, Merrill Tuttle, takes pride in his low-quality water.

by Michael Moss

BOUNTIFUL, Utah — Just below the giant letter "B" emblazoned on the Wasatch foothills to announce this Salt Lake suburb, there sits a small rectangular reservoir.

You wouldn't drink its water; it might discolor your stomach. But if you were one of this town's 40,000 residents, you would be feeding this still-precious liquid to your peach tree and roses. In doing so, you'd be participating in a unique water conservation scheme that holds promise for the entire West.

The 20-year-old Bountiful scheme is known as pressurized irrigation, or a dual water system, and the theory is simple:

Low quality water, relatively cheap and plentiful, is used for irrigating lawns and gardens, while the high quality stuff, expensive and scarce, is reserved for drinking, cooking and other domestic uses.

The system was built in 1960 with a $3 million grant from the Bureau of Reclamation. Today, each morning operator Merrill Tuttle checks the gauges monitoring his reservoirs and orders from 600 to 3,200 acre-feet of water. The water runs down through the sloping city under several hundred pounds of pressure through 135 miles of piping to arrive at thousands of red-painted outdoor faucets.

Of the 17,000 acre-feet delivered yearly, only 3,000 acre-feet is potable water. The balance is of a lower quality that, while probably drinkable without a health risk, has a high content of minerals and other dissolved solids.

Because Bountiful's lawns lie dormant during the winter, the dual system operates only from mid-April through mid-October.

Bountiful's dual water system makes ecological sense. Vast sums of water in this irrigated desert land would otherwise run unused into the Great Salt Lake, and new dams for collecting high quality water become unnecessary.

The clinching argument, however, and the cold fact that is bringing water managers from throughout the Rocky Mountains to Tuttle's door for advice, is that Bountiful water users are saving money — lots of it.

Without the dual system, says Tuttle, homeowners irrigating with high quality water could pay for the month of July four times their total year's bill in the dual system. Even if the system was built today without a federal grant, Tuttle is convinced consumers would still be saving money.

DUALS

There are 26 such systems in Utah today, as well as dozens of private homeowner operations. Four such systems, ranging from 80 to 130 houses, have been built in Salt Lake County by housing developer Cy Simon of Orton Estates.

Buyers of Simon's dual water houses, through their homeowners associations, are responsible for maintaining the system on their lots, including periodic cleaning and backflushing. "It's worked very well," according to Simon, who says his motive for installing the systems is profit.

Retrofitting existing homes with a dual system can also prove cost-effective. During the 1977 drought, Simon's own 100-family devlopment formed a homeowners association specifically to install a dual system. The retrofit cost an average of $600 and Simon said his will be paid for in lower *water bills in two to four years.*

Can whole cities in the West be retrofitted with dual water systems, using wasted low quality water and sparing free-flowing streams? Advocates of dual systems say it's feasible in many situations.

However, dual water systems run counter to the traditional development attitudes and are roiling political waters in Salt Lake City.

County water planner Jerry Kinghorn for several years has been advocating the use of water conservation techniques, including dual systems, as an alternative to the controversial Bonneville Unit of the Central Utah Project — a billion dollar water development scheme designed to supply high quality water to Salt Lake and other Wasatch Front communities.

"When I first proposed dual systems for Salt Lake," said Kinghorn, "they were well received. But when it became clear that they could largely eliminate the need for the Bonneville Unit, water developers began backing off, saying, 'look out.' "

NOT ECONOMICAL?

To test the dual water system concept, the Utah Division of Water Resources, a major promoter of the Bonneville Unit project, analyzed the costs of retrofitting the community of West Jordan. The agency concluded that it would not be economical today.

"We never dreamed we'd find the cost to be so high," said the agency's Barry Saunders. Average water bills would rise by $113 a year, the study says, and the system would only become economical if the price of water rises to $184 by 1983.

Kinghorn is unpersuaded and has sharply attacked the study. The agency's cost estimates, he said, are "very definitely inflated" and Kinghorn argues that the cost of CUP water may well exceed the cost of a dual water system.

Furthermore, Kinghorn said, new federal rules on generating electricity could make dual water systems even more attractive. By incorporating small hydroelectric generators into a dual system, communities could generate electricity to sell to the utilities, paying for construction and maintenance of the water system.

Dual water systems have received a "cautious" green light from state health officials. Gayle Smith, head of the drinking water bureau, said he's satisfied with the existing state law regulating dual systems.

But key players in any city, or county-wide retrofit effort — the water wholesalers — are not yet supporting the systems. Critics say it's because they stand to lose money in the deal.

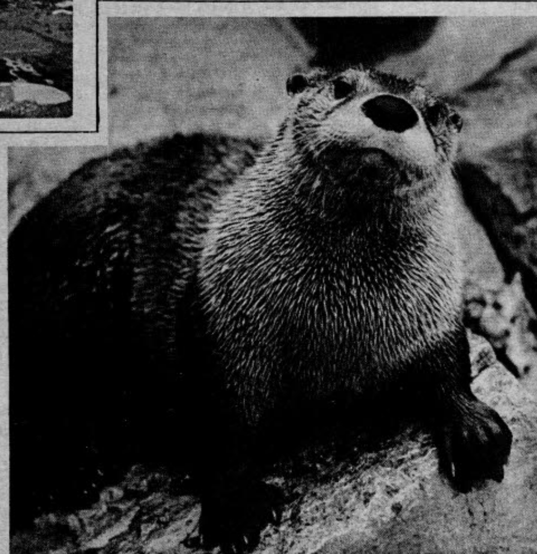
Wholesaler Bob Hilbert, head of the Salt Lake County Water Conservancy District, denies the charge. "If anything is prohibiting the development of duals in the county, I have a feeling it's because of their economics." But Hilbert also says he's remaining neutral on a dual system for Salt Lake and without the district's support, city officials cannot proceed.

For now, dual water systems in Salt Lake are stalled. Saunders says he's not sure what the division's next step will be, although he says they'll continue to analyze the system.

While Hilbert and others argue, Bountiful continues to save money. And Tuttle said he is not too worried about a drought. The supply of low quality, non-potable water for Bountiful looks pretty good.

Stover and Scott Photography

Colorado Division of Wildlife



Dick Randall, Defenders of Wildlife

Wisconsin otters try Colora

Pine martens lea

by Jim Scott

As our truck wound up the switchbacks toward the summit of one of central Colorado's mountain passes, my companion, Jerry Brinker, periodically pointed out the small, swirling tracks that crisscrossed the steep mountainside above the highway.

"The martens have been through here again," he said. "We might just be in luck."

Brinker has a vested interest in these tracks; as a professional trapper working on a six-month temporary appointment with the Colorado Division of Wildlife, it is his job to live-trap these diminutive carnivores as part of an interstate wildlife swap involving Colorado and Wisconsin.

Funded in part by the Division's nongame income tax check-off program, which allows the state's taxpayers to contribute a portion of their refund toward the protection of some of Colorado's 783 nongame species, this trade is the first of its kind involving an endangered species. In the past, the Division has paid the trapping and shipping fees for otters acquired from Oregon, Washington, Wisconsin and Newfoundland.

Specifically, this swap involves the Division supplying the Wisconsin Department of Natural Resources with pine martens — relatively abundant in Colorado but endangered in Wisconsin — in exchange for river otters, which died off in Colorado in the early 1900s as a result of trapping and placer mining pollution, but which still occur in stable numbers in Wisconsin.

Thus far, a dozen pine martens have been trapped by Brinker along the Continental Divide and shipped to Wisconsin in exchange for five river otters. Eventually, 24 martens will be traded to wildlife officials there for 12 otters.

This brings the total to 46 otters reintroduced into Colorado.

Four of the Wisconsin otters, which arrived in October, were immediately trucked to Rocky Mountain National Park, where they were released along the Colorado River near Shadow Mountain Reservoir. A fifth otter was released along the Piedra River near Pagosa Springs that same month. Three of the five animals were implanted with radio transmitters, allowing Division biologists to monitor their movements.

Recent reports indicate that at least two of the otters have taken up residence in several beaver ponds within the park's boundary.

Previous reintroductions of the river otter in Colorado have taken place in the Black Canyon of the Gunnison River and at Cheesman Reservoir on the South Platte River.

Although Brinker's traps were empty on that particular morning in December, he was not discouraged. "These animals seem to travel in cycles, passing through a particular area every five to seven days," he said. "As far as I can tell from the tracks, no martens have ever passed by one of these traps without stopping in. They'll be back."

The wire cage traps, 12" x 12" x 30", are baited with carrion, including road-killed deer and elk, rodents, and squirrels — all of which Brinker first

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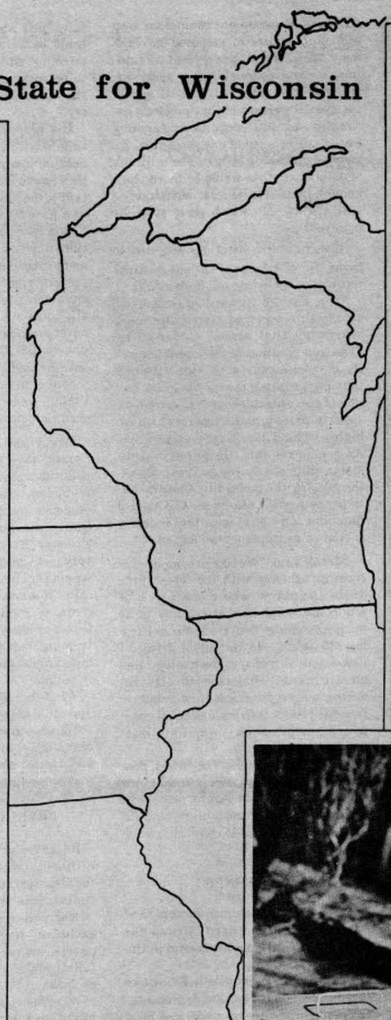
ve Centennial State for Wisconsin



tried out on captive martens. One new bait he has been experimenting with, kokanee salmon, looks promising. "They just love it," he said.

Seldom found below 9,000 feet, martens inhabit remote spruce-fir forests around the state, favoring areas of heavy timber deadfall and rockpiles. As members of the weasel family, they have pointed muzzles, rounded ears, and bushy tails.

Despite their small size — about three pounds — martens are highly efficient predators. In addition to rodents and snowshoe hares, martens dine on squirrels and birds, which they pursue through the trees using a pair of specially adapted curved front claws for climbing. Martens also eat eggs, insects, fruits, and nuts.

Otters, though of the same family as martens, are much larger, weighing up to 25 pounds and reaching a length of up to four feet including the foot-long tail. Though otters are aquatic, they may travel several miles overland to reach another lake or stream. They generally dine on fish, frogs and crayfish.

Although otters seem to be fairly abundant in Wisconsin (more than 1,000 were trapped for their pelts there last year), martens are not. Massive forest fires in the 1930s and heavy logging and trapping apparently were responsible for eliminating Wisconsin martens, according to Arlyn Loomans, the Wisconsin Department of Natural Resources wildlife biologist in charge of that end of the otter-marten swap.

"Basically, it was a matter of habitat destruction," said Loomans. "These creatures need mature spruce-fir forests in order to survive."

As the spruce-fir forest grew back, the state of Wisconsin established a marten restocking program in 1974. During the next three years, Wisconsin obtained 127 martens from game officials in Ontario, and released them in the Nicholai National Forest in north-central Wisconsin. Unfortunately, only 27 of these animals — about 21 percent — were females, a big disappointment to Loomans.

In contrast, 10 out of the 12 martens shipped from Colorado thus far have been females — a whopping 83 percent.

Importation of animals from out-of-state did not begin in the 1970s. Ring-necked pheasants that now thrive as highly-prized game birds in Colorado came originally from China decades ago.

In their native land, the pheasants were at one time used to keep otters at bay. During the Tang Dynasty (608-916 A.D.), villagers competed with otters for catches during the spring fishing runs. The villagers would drive the otters into their riverside dens by thumping the riverbanks, then fence them in using pheasant quills. When fishermen had caught their fill, the quills were removed and the otters would take their turn.

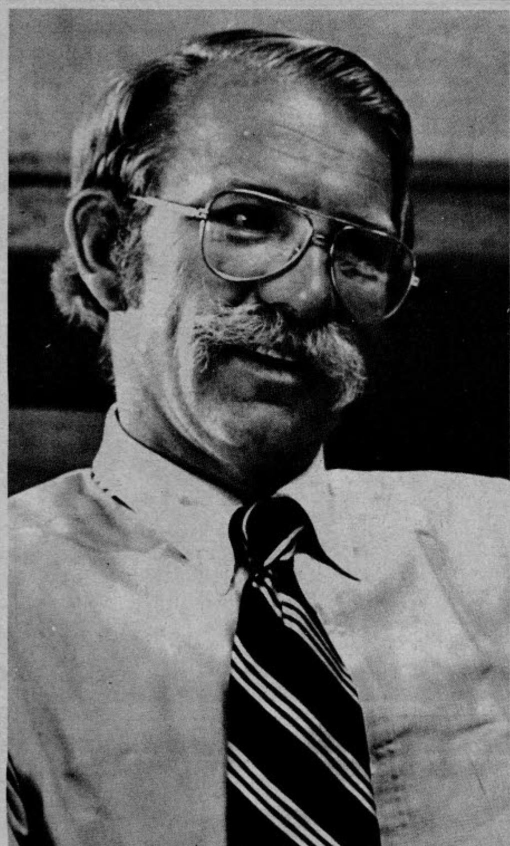
If the otter-marten swap is successful, otters will soon be seeing their old Chinese friends from the banks of Colorado rivers.

Jim Scott works for the Colorado Division of Wildlife. This article was paid for by the HCN Research Fund.

Dick Randall, Defenders of Wildlife

Colorado Division of Wildlife

Dick Randall, Defenders of Wildlife



John Baden

Baden...

(continued from page 1)

sets, including timber and land. Such a system, Baden said, would encourage "responsible behavior" and put resources to their highest use. This would result in increased productivity as well as foster environmental quality, he said.

He argues, in fact, that the interests of environmentalists would be better served if public lands and wildlife were in private hands. He contends that environmentalists who view government as the last barrier between the bulldozer and the mountain meadow should recognize that government, in effect, has subsidized the destruction of environmental quality through its land management practices.

This is a theme that Baden and his associates articulate in talks across the country at major universities and conferences.

Baden regales audiences with tales of bureaucratic incompetence that results in overgrazing, the subsidized slaughter of mountain lions and coyotes, and the harvesting of timber at an economic loss.

According to Baden's colleague Stroup, the best way to begin reversing these policies is to return to a free enterprise system, one that "works in a way that individuals have the freedom to act and are held responsible for their actions. The way this normally works best is with private and exchangeable property rights."

"Private ownership fosters good stewardship because long-run productivity considerations are captured immediately in asset prices," Stroup said. "The head of the Bureau of Land Management has very little incentive to take care of the next generation because the next generation doesn't vote now. Private rights give an incentive to look to the future, because the value of the land now, represented by its market value, reflects future productivity."

Bill Cunningham, the Wilderness Society representative in Montana, thinks Baden and Stroup misunderstand the flaws of federal stewardship. "God knows, the federal government has perpetrated deficit timber sales, sprayed the forests with pesticides and other environmental horror shows...But most of these atrocities were precipitated by pressure from the private sector."

BUREAUCRATIC PREDATION

While economists and others debate the merit of the ideas advanced by the Center, there is little argument that its proposals are often thought-provoking.

Baden, for instance, only half-facetiously has suggested organizing at the federal level a Department of Bureaucratic Predation to help cut spending.

To be funded for one year only, the DBP would assess environmental and economic effects of proposed government projects and then present its findings at congressional budget hearings. If a project was rejected, the DBP would receive 10 percent of that project's estimated cost and the sponsoring agency would suffer a cut of one percent in its general operating budget. The millions of dollars at stake would be more than enough incentive for most departments and agencies to watch their step, he believes.

Government institutions are also to blame for shortages of various natural resources, including oil, Baden said.

"The United States has organized society in a way that exacerbates most scarcities that arise," Baden said. "The key solution to these problems is the development of a set of institutions that foster entrepreneurship. The key role of the entrepreneur is to recognize opportunities to move resources to more highly valued uses in innovative ways. As a general rule, the fewer impediments imposed by the political sector, the greater the probability that the entrepreneur will perform socially useful functions. Our most important scarcity is that of entrepreneurial activity."

Stroup said, "We like to compare the energy industry with the forest products industry, where the price of crude material (stumpage) has gone up more rapidly than crude oil over the last 20 years. An incredible array of new sawmill and wood technology has quietly revolutionized the industry, reducing scarcity's impact on consumers. In wood products firms, unlike oil companies, production specialists outnumber lawyers.

Why? Stroup said, "The forest products sector is relatively unencumbered by regulations that fix prices and allocate products among users, so it innovatively responds to increasing scarcity."

WILDERNESS

Wilderness is also a question that Baden and Stroup have studied for years, both in the classroom and in the field.

Testifying late last year in Salt Lake City before a U.S. House of Representatives subcommittee on mines and mining, Baden suggested that Congress amend the Mining Law of 1872 to permit environmental groups to obtain fee-simple ownership of wilderness lands.

"In payment for title to the wilderness lands, the environmental groups would assume responsibility for reclamation of old claims at a cost of not more than, and I would prefer less than, $100 per year in labor or money for each 20 acres of wilderness they patent," Baden said in his testimony.

"Thus, they would be encouraged to apply sensitive management to the potential mix of resources available on the land they claim. Such a proposal, I believe, would indeed foster efficient multiple use."

Charles Callison, of the Public Lands Institute in Denver, called Baden's proposed revision of the 1872 Mining Law "just about as unrealistic as it could be." Callison said Baden's "interesting philosophy" was "not likely to be adopted in (Baden's) hometown, the state of Montana or the whole country."

His proposal draws little support from environmentalists, Baden said, because it would reduce the "subsidy" they now obtain. "Most people are resistant to the idea of paying for what they now have for free," he said.

However, as Stroup put it, the "subsidized destruction implicit in government decisions and the positive role of property rights" should be attractive to environmentalists and others. "After all, cattle on the Great Plains were never an endangered species, while the unowned buffalo were nearly wiped out," he said.

Stroup maintains that "every asset that's tradeable or packageable is a good candidate for the private sector."

Stroup and other members of the Center have suggested establishing pollution rights which would simplify regulations and give polluters a clear economic incentive to purify the air. Under the current system, Stroup charges, "Rules and regulations work very inefficiently to curb pollution, and we get very little bang for the buck," he said. "It comes down to not listening to company rhetoric on how impossible better pollution control is, but rather in trusting their willingness to bid for limited rights (specified by government) to pollute."

What do businessmen think of this and other suggestions?

"Businessmen like our analysis except when their own subsidies, tariffs, and special access to government resources are questioned," Stroup said.

FREEDOM COALITION

Baden is optimistic that a natural coalition between environmentalists, fiscal conservatives and freedom-loving individuals will someday emerge. "Clearly, these groups are not mutually exclusive," he said. "All of us are taxpayers, many of us are environmentalists, and some of us set a high value on freedom."

Were Baden interested in politics, he might work to forge an alliance of interests traditionally viewed as widely disparate. But it is ideas, not putting together a movement, that intrigues Baden and other members of the Center. "Over the long haul ideas and analysis matter greatly," he said.

"Our most important scarcity is that of entrepreneurial activity."

— John Baden

In the short haul, the Center is at least gaining serious attention. B. Delworth Gardner, director of the Giannini Foundation of Agricultural Economics at the University of California at Berkeley, said that the Center represents "the best collection of young professionals working on problems of property rights and public choice in the West and very possibly it is the best in the entire nation."

William C. Dennis, an associate professor of history at Denison University in Granville, Ohio admires Baden and Stroup's ability to combine scholarship and teaching with an active outdoor

Rocky Mountain life as ranchers, hikers, and skiers. "More than most academics they are able to put their principles into action in their own lives," he said.

Carried to its logical end the Center's property rights approach would result in a Yellowstone National Park parceled out to the highest bidders. Even Stroup admits that he'd want to have both sides of the argument debated before such a decision was ever made.

Still, he argued, "current federal land use patterns could hardly be more skewed against the poor and in favor of high-income consumers and large, entrenched producers. Who uses our rapidly growing wilderness preserves? Not the poor. The average wilderness user is a college graduate."

The Center sees federal grazing lands as an example of a subsidy to the entrenched. The lands "are not leased on an open market, but available at very low rates only to established users — so firmly so that bankers routinely lend money against the value of this cheap, tax-free access," Stroup said.

While granting that a private market system might be efficient, critics question whether it would be equitable, whether it wouldn't eventually result in a few possessing a great deal. If the present situation seems inequitable, they suggest, imagine what would happen if the government's regulatory curtain were lifted.

Baden, for his part, would welcome the lifting of controls.

"If we have private, firm, and enforceable property rights operating within a market context," he said, "then we've developed a socially optimal system in which individuals who are systematically 'unlucky' or who are poor managers progressively lose control of the ability to manage resources."

"Over the long run, these people are called bankrupt, and bankrupt people don't control assets. Under these circumstances, we have a continual gravitation of resources to individuals who manage efficiently and effectively," he said.

"He doesn't seem to understand," said the Wilderness Society's Cunningham, "that with all the interrelated organizations, companies and individuals seeking their own gain, there would not be **anyone** looking out for broad-range interests."

Baden uses his sheep herd and his lambing barn to bolster his arguments.

He chose sheep over cattle because sheep are "much more efficient energy converters. It takes only 40 percent as much grain to put a pound on a lamb as on a calf...It takes a lot of diesel fuel to make a steak; it doesn't take much for a lamb chop." The passive solar features on the near-completed lambing barn make economic sense, he said. "Let's say that it works," Baden said. "Then I make money and I can control more resources. That's good from society's standpoint, for others who observe this experiment will imitate it and also utilize resources more efficiently."

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Ken Western is a free-lance writer in Bozeman, Mont. This article was paid for by the HCN Research Fund.

capitol currents

R&D cuts would push synfuel firms west

by Lonnie Rosenwald

SURVEYING THE ROCKS for squeezable oil shale.

At first glance, President Reagan's plan to cut $8 billion from the government's synthetic fuels program seems no more than a small dent in a big — $89 billion — program. However, because the cuts focus on the Department of Energy's commercial demonstration projects, most of which are located in the East, they may steer the synfuels industry to Western projects.

The Reagan plan is to stop funding the Energy Department's synfuel research and development program, budgeted at $1.2 billion this year, and to rescind $6.5 billion in interim funds for the Synthetic Fuels Corporation set up by Congress in 1979. The Corporation is now authorized by Congress to provide $88 billion worth of long-term assistance. Reagan budget-cutters now expect the SFC to emphasize loans rather than grants, and to demand a higher degree of risk from private industry.

If Reagan's plan passes Congress, it would mean companies would have only one source of federal aid: the Synthetic Fuels Corporation. The Energy Department's role would be diminished to assisting small-scale pilot projects.

The catch is that the five large coal conversion projects now participating in the Energy Department's commercial demonstration program — in Kentucky, Tennessee, West Virginia, Ohio and Illinois — may not be technologically advanced enough to obtain the private financing that must accompany SFC aid. Instead nearly all of the Corporation's money could go to projects in tar sands, oil shale and other extraction processes planned in the Western states that are more technologically sophisticated.

Research and development "is a function the Synthetic Fuels Corporation has no authority to carry out," said Dick Olson, an aide to House Majority Leader Jim Wright (D-Tex.). Olson said it would require "substantial" legislative changes to give the corporation that authority.

There's a crisscross of signals right now about whether Reagan's plan to stop funding synfuels research and development will succeed. Many people who have followed the issue on Capitol Hill predict that one, two or three of the Eastern projects will survive. A staff member for the House Interior appropriations subcommittee, which oversees the Energy Department's research and development budget, says that in the past "the consensus of the subcommittee" has been to support demonstration plants.

In the Senate, the picture is cloudier, however. The synfuels corporation legislation passed with strong support there in 1979. But a number of its opponents, such as Paul Laxalt (R-Nev.) and Utah Republicans Orrin Hatch and Jake Garn, are powerful figures in the now Republican-controlled Senate.

For environmentalists, news of the proposed synfuel cuts is welcome.

"I favor the cuts with only one proviso," said Jonathan Lash, energy specialist at the Natural Resources Defense Council in Washington, "and that is that the portion of the R & D program that's preserved should include adequate funds for research on the environmental, health and safety controls that would be applied and the environmental, health and safety effects of synfuels."

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Lonnie Rosenwald reports in Washington, D.C., for the States News Service. She previously wrote for the Idaho Statesman. This article was paid for by the HCN Research Fund.

classifieds

Oil operations

Tribes to monitor leases?

by Marjane Ambler

BILLINGS, Mont. — Indian tribal leaders told a Senate committee last week that they could do a better job of monitoring oil operations on their lands than the federal government. Testimony at the one day hearing here detailed problems with U.S. Geological Survey field monitoring and "decrepit" accounting procedures that Interior Secretary James G. Watt estimates could be costing the U.S. Treasury and Indian tribes as much as $1 million a day in royalties from federal and Indian oil leases.

Sen. John Melcher (D-Mont.) called the hearing to find out whether problems on the Wind River Reservation in Wyoming are widespread on other Northern Plains Indian reservations. A federal grand jury, the Federal Bureau of Investigation and the Department of Interior's Inspector General are investigating allegations that as much as $3 billion in oil has been stolen from the Wind River Reservation during the past 20 years.

The Wind River Reservation testimony focused on the lack of field monitoring. Chuck Thomas, a former USGS employee who now works for the tribes, said one USGS inspector is responsible for 500 leases on Indian and federal land in the Wind River area. When USGS officials indicated such understaffing is not unusual, Melcher commented, "But you have 250 employees in Reston (Va.) with not an oil well in sight."

USGS Regional Manager Dwayne E. Hull described a new accounting system scheduled to go into effect next month. Obviously perturbed that it hadn't been implemented earlier, Melcher asked, "Could present USGS methods present a nationwide opportunity for theft?" Hull agreed that they could.

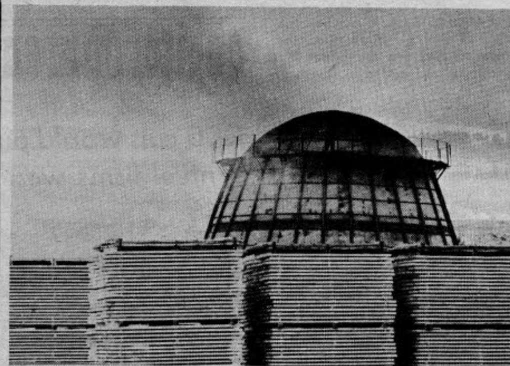
Frustrated by the federal government's inability to fulfill its trust responsibility, several tribes have implemented their own monitoring programs. The Blackfeet Tribe of Montana, for example, sent representatives of their natural resources department to the Wind River Reservation to learn from Thomas how to check oil facilities for extra piping, unauthorized storage facilities or other devices that might be depriving the tribe of royalties income.

The Council of Energy Resource Tribes has designed a monitoring program for the Ute Mountain Reservation in Colorado that includes both field monitoring and computer audits.

However, Ted Smith of CERT and Alan Talks About of the Blackfeet Reservation said USGS will not supply the production figures they need. And USGS appears reluctant to penalize companies when regulations are broken. When officials of the Fort Peck Reservation in Montana discovered that one oil company had not paid royalties for five months, USGS reportedly told them such a delay was routine and nothing to worry about. When the $200,000 in royalties was finally paid, USGS did not demand interest or penalize the company. Hull said he knew of no leases that had been cancelled in the region. He said, "Cancelling a lease triggers going to court, and no one has the time."

Wes Martel of the Shoshone Business Council said that on the Wind River Reservation, only five citations were given for noncompliance during the first nine months of 1980. However, after USGS initiated a crash inspection program, 25 citations have been issued. "Now there are USGS people all over the hills out there," he said.

Melcher is considering introducing legislation to give either tribes, the USGS, or both more authority. In addition, Interior Secretary James Watt has pledged $15 million to upgrading the USGS capacity in the next fiscal year.



Wood recycling douses tepee burners

Wood scrap tepee burners, and the smoke they spread across many western skylines, may go the way of their namesake if a new wood waste recycling scheme takes hold.

Operators of the Champion Building Co. pulp mill near Missoula, Mont., say they can use all the wood waste presently being burned in the state's 30 tepee incinerators, as well as waste from several mills in northern Idaho.

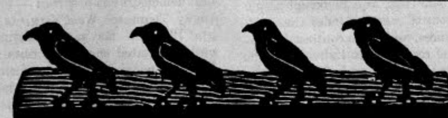
A spokesman for Champion said wood chips and sawdust can be used in their wood products, and "hog fuel" — such as bark scraps — can be burned in the steam-generating boilers that power the mill.

Most lumber milling operations presently burn wood scraps in tepees, causing emissions which seriously pollute the air, especially during winter air inversions. By investing from $25,000 to $200,000 in recycling equipment, however, mills can grind wood waste into a pulp that Champion officials say they will buy, and pay transportation costs to boot.

Champion's Bob Kelly said that new technology used in expanding the Missoula mill since Champion bought it in 1977 keeps air pollution well within federal and state limits. "As a point source emitter, we are currently around 10 to 20 percent below our limit," said Kelly, adding that additional scrap wood would not increase pollution.

Montana air quality chief Bob Raisch told the **Missoulian** that Champion's invitation to recycle could lead to the extinction of the tepee burner.

Financing the pulp-producing equipment remains a problem, however. Raisch is recommending tax incentives and other state assistance to help mills install the grinders.



Bulletin Board

A DASH OF SALT

Scientists from around the world will gather March 23-25 in Denver to attend a conference on solar desalination technology. The Department of Energy's Solar Energy Research Institute and the Saudi Arabian National Center for Science and Technology are coordinating the event, which will review current technology and develop plans for applying desalination techniques in developing countries. The conference will take place at the Stapleton Plaza Hotel, 3333 Quebec, in Denver. For more information contact Bob Jackson at (303) 231-1235.

RISKY COURSE

The University of California Extension is holding a short course for engineers, scientists and government and industry managers on assessing risks in the energy field. The course is designed to aid decision-makers weighing public safety factors against the need for energy projects, including nuclear power plants, synthetic fuels installations, and transport systems. The course will run from April 20-24 in Los Angeles. Contact UCLA Extension, 10995 Le Conte Ave., Los Angeles, Calif. 90024.

WILDERNESS CONFERENCE

The Wildlife Management Institute's 46th North American Wildlife and Natural Resources Conference is scheduled for March 21-25 in Washington, D.C. For more information contact: Wildlife Management Institute, 1000 Vermont Ave, NW, 709 Wire Building, Washington, D.C. 20005.

ROMCOE FUND-RAISING

ROMCOE, the Center for Environmental Problem Solving, is having its annual fund-raising dinner April 2 in Denver and has lined up Russell Peterson as a principal speaker. Peterson is current president of the National Audubon Society and former chairman of the Council on Environmental Quality under President Richard Nixon. Contact: Phyllis Muth, 5500 Central Avenue, Suite A, Boulder, Colo. 80301. Tickets are $100.

INVESTIGATE YELLOWSTONE

The Yellowstone Institute's new 1981 catalog is out and promises a series of low-cost, natural history and recreation seminars in the national park. Contact: Rick Reese, Director, Box 515, Yellowstone National Park, Wyo. 82190. The first course begins June 14.

WOOD FUEL

Yet another concise, timely and professional issue analysis from the Worldwatch Institute: "Wood: An Ancient Fuel with a New Future" takes 48 pages to explain how wood has recently surpassed nuclear energy as a power source in the United States and why it is likely to increase worldwide by at least 50 percent in two decades. Associated environmental problems, which the report concludes are surmountable, are also discussed. Copies are $2.00 from WI, 1776 Massachusetts Ave., NW, Washington, D.C. 20036. For more information call Nigel Smith (202) 483-3847.

DOE HAS MONEY

The U.S. Department of Energy's appropriate technology grant program has made it through the administration's budget cuts unscathed, and is accepting applications through April 17. The program has $500,000 this fiscal year for individuals, tribes, businesses, schools or government agencies to develop projects "appropriate" to local needs, skills and energy resources. For information: in Colorado, call toll free, 1-800-332-1996; elsewhere, 1-800-525-1072.

CLEAN AIR ON TV

Clean air and the national parks is the subject of a 2-hour live telecast scheduled for March 29, 3-5 p.m. (Eastern Standard Time). Sponsored by the Appalachian Community Service Network and the National Parks and Conservation Association, the show is to feature a survey of pollution-threatened parks, as well as a call-in panel discussion with environmentalists and federal officials.

LAKE MT. WILDS

The 14,000 acre Lake Mountain Wilderness Study area near Pinedale, Wyo., is being reviewed for wilderness designation by the Bureau of Land Management. Contact the BLM at P.O. Box 768, Pinedale, Wyo. 82941.

ENERGIZED SPEAKERS

Need to fill a hole in your group meeting agenda? The Solar Energy Research Institute wants to help, offering some 270 experts in solar and other renewable energy topics. Call toll free, 1-800-525-5000; in Colorado, 1-800-332-8339.

COAL TALK

Plans are underway for an underground coal gasification conference to be held near Lake Tahoe, Calif., Sept. 7-11. The symposium is being sponsored by the Department of Energy and the Lawrence Livermore Laboratory. Speakers and papers can be suggested by contacting Douglas Stephens, LLNL, P.O. Box 808, (L-367), Livermore, Calif. 94550.

DAM DATA

Almost 200 water projects are detailed in an updated data book produced by the Department of Interior's Water and Power Resources Service. The 1,462-page volume includes maps, tables, and a description of all of the agency's projects in the West, both completed and under construction. Send $21 to the agency, attention D-922, P.O. Box 25007, Denver, Colo. 80225, for a copy of **Project Data**.

WOODFUEL CO-OP

How to set up and run community-based woodfuel cooperatives will be the subject of a March 25 workshop in Pocatello, Idaho. The program, sponsored by the Western Solar Utilization Network (WSUN), a joint program of the U.S. Department of Energy and western states, will cover public land woodcutting policy, bank financing and management, among other topics. The registration fee is $25; the conference will be held in the Student Union Building at Idaho State University. For more information, or to register, write to MMC Associates, Inc., 1533 Red Oak Dr., Silver Spring, Maryland 20910.

MINING WILDLANDS

The U.S. Geological Survey has found large deposits of ore in the Indian Peaks Wilderness near Boulder, Colo., that "merit further exploration." The agency has discovered copper, gold and silver in the 130 square mile area, which is dotted with 21 patented and 700 unpatented mining claims. The agency's report, titled "Mineral Resources of the Indian Peaks Study Area," USGS Bulletin 1463, can be purchased for $5.50 from Branch of Distribution, U.S. Geological Survey, 604 South Pickett St., Alexandria, Va. 22304.

UTAH WATER

Since its creation, the Utah Division of Water Resources has helped build 81 dams, 74 wells, 119 canals, 115 pipelines, 37 sprinkler systems and 2 tunnels. These accomplishments and other Utah water developments are outlined in the agency's new report, "State of Utah Water - 1980." Eleven hydrologic areas in the state are reviewed, and such issues as cloud seeding and conservation are also discussed. Copies may be obtained from the agency at Suite 300, 231 East 4th South, Salt Lake City, Utah 84111.

NAVAJOS RESIST

The Big Mountain Support Committee has produced a pamphlet describing its effort to defend Indian rights at Big Mountain, New Mexico. Copies, 50 cents each, are available from the group at P.O. Box 7082, Albuquerque, N.M. 87194.

IDAHO WASTE STATEMENT

The Department of Energy has decided to write an environmental impact statement on the radioactive waste stored at the Idaho National Engineering Laboratory, according to an announcement in the **Federal Register**. The Transuranic waste now stored in pits and barrels at the 144-acre site in southeastern Idaho has raised fears of groundwater contamination. Officials must decide how to dispose of the waste, and how and where to process it before moving it to a new storage site. Public comment is welcomed to help DOE decide on the scope of the EIS. Comments should be addressed to Idaho Operations Office, Department of Energy, 550 W. Second St., Idaho Falls, Idaho. A draft statement is scheduled for next fall, to be followed by public comment, and, a year later, a final statement.

HUMAN MIGRATIONS

The National Park Service has published a handbook tracing the westward migrations of pioneer settlers. "Overland Migrations" is available for $3.95 from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, stock number 024-005-00772-5.

BEFORE THE WYOMING INDUSTRIAL SITING COUNCIL

NOTICE OF ANTELOPE COAL COMPANY APPLICATION FOR PERMIT TO CONSTRUCT THE ANTELOPE COAL MINE

DOCKET NO. WISA-81-2

Pursuant to provisions of the Wyoming Industrial Development Information and Siting Act (W.S. 35-12-101 through 35-12-121; Wyo. Stat. Anno., 1977) NOTICE IS HEREBY GIVEN THAT ANTELOPE COAL COMPANY, A WHOLLY OWNED SUBSIDIARY OF NERCO, INC., WHICH IS A WHOLLY OWNED SUBSIDIARY OF PACIFIC POWER AND LIGHT COMPANY, HAS FILED AN APPLICATION WITH THE INDUSTRIAL SITING COUNCIL FOR A PERMIT AUTHORIZING CONSTRUCTION OF THE ANTELOPE COAL MINE, CONVERSE COUNTY. The coal mine and processing facilities described in the application filed on February 13, 1981, will have a capacity of 6 million tons of coal per year. The Antelope mine will be a conventional surface mine operation utilizing draglines and trucks and shovels. The coal processing facility will consist of crushing facilities, storage and loadout facilities, and other ancillary facilities.

The proposed Antelope Mine will be located entirely within Converse County approximately 55 miles north of the Town of Douglas, Wyoming.

The estimated total capital cost for the Antelope Mine is $163.6 million dollars. Expenditures associated with this cost will provide for a total capacity of 6 million tons per year. The facilities can be expanded to 12 million tons per year in the future, but this permit application is only for the initial 6 million tons per year capacity. The estimated cost of the proposed Antelope Mine exceeds the cost criterion under W.S. 35-12-1022(a)(iii)(B), thereby requiring that the permit application be filed.

Contruction is planned to occur in two phases. The first phase of construction will begin in 1982 for the construction of a coal handling and support facility to produce 6 million tons per year. The second phase of construction will be to expand and upgrade the 6 million ton per year facility to a 12 million ton per year operation. The actual date of the expansion will depend upon the future marketing conditions and it is not included within this application. Construction of the Antelope Mine facility will require 18 months and is scheduled to take full advantage of two summer construction seasons. Construction employment is scheduled to commence in March, 1982 with approximately 20 construction workers and peak in May, 1983 with approximately 370 construction workers. The number of construction workers will decline rapidly through the end of 1983 as construction of the first phase of the facility is completed. The Antelope Coal Company will develop a construction worker camp near Bill, Wyoming. The camp at this location will provide approximately 150 bachelor units and 50 recreational vehicle pads less than 20 miles from the mine site.

Permanent employment for the Antelope Mine is anticipated to begin in 1982 with 8 employees. Coal delivery is scheduled to commence in December, 1983. The permanent employment will gradually increase to 320 employees by 1990.

The Antelope Coal Company considers that the local governments primarily affected by the proposed facility are limited to Converse County, the Town of Douglas, and Converse County School District No. 1.

Copies of the application have been filed with the County Clerks of Converse County, Campbell County and Weston County. Copies have also been forwarded to the Converse County Library, 300 Walnut, Douglas, WY 82633, Campbell County Library, 412 S. Gillette Ave., Gillette, WY 82716 and Weston County Library, 23 W. Main St., Newcastle, WY 82701, and are available for public inspection.

Persons desiring to become parties to the permit proceeding may do so pursuant to W.S. 35-12-112, by notifying the Office of Industrial Siting Administration in writing of their intent to become a party.

Limited appearance statements will be received in the matter in accordance with provisions at W.S. 35-12-112(c). These should be mailed to the Director, Office of Industrial Siting Administration, Suite 500 Boyd Building, Cheyenne, Wyoming, 82002.

Dated this 5th day of March, 1981.

Office of Industrial Siting Administration
Suite 500 Boyd Building
Cheyenne, Wyoming 82002
(307) 777-7368

Opinion

Footnotes in the budget debate: Solar, synfuel, rural rates

Surely no one but Ronald Reagan could have brought such shoot-em-up theatricality to one of the dullest and most complex aspects of government, the budget. His televised speech was evidently an opinion-poll success, and now the White House is working overtime to keep the audience from snoozing during the second act. Public attentiveness is important — an unwatched Congress could turn it into Theater of the Absurd.

What does it all mean? We can't give you the whole picture — the **Washington Post** has run dozens of editorials trying to sort it all out. But we do want to point out some significant cuts buried in the background papers coming out of the Office of Management and Budget. Several of them, if enacted by Congress, would have serious effects on us in the West.

Herewith, then, a potpourri of Reagan's proposed budget cuts:

— The federal government now provides direct, low-interest loans to telephone and electrical companies and cooperatives; it will raise interest rates on some and discontinue other loans by the Rural Electrification Administration and the Federal Financing Bank. On the plus side, eliminating loan subsidies may slow or inhibit all but necessary new electric generating facilities, and encourage conservation efforts by utilities. The negative side, though, is that utility rates, already high in some rural areas, would rise along with utilities' interest expenses.

— When it comes to energy conservation, the Reagan administration seems to be unilaterally declaring the war won. The OMB background papers say the American public has done a heroic job and needs no more encouragement. Therefore they want to drop most research in conservation technology, maintaining only some long-term programs. Regulatory programs that enforce efficiency standards in buildings and appliances, described by the White House as "a nightmare to administer," will be cut. Grants for public outreach programs and state energy offices will be cut; federal weatherization programs will be reduced and left to the discretion of local and state governments. Taken altogether, these program reductions are supposed to cut nearly a billion dollars out of the budget in Fiscal Year 1982. Has the usefulness of outreach programs and the energy-saving value of weatherization been evaluated thoroughly? As with so many items in the Reagan cuts, there is no way to tell.

— Water projects administered by the Army Corps of Engineers, the Water and Power Resources Service and the Soil Conservation Service will suffer budget reductions of only 11 percent over five years, and most of that will be in deferred recreational and irrigation improvements. Huge reductions could have been made in federal spending by cutting just a few of the bigger, less cost-effective water projects (see "Western Roundup") such as the Central Utah Project and the Central Arizona Project. The Reaganites apparently weren't interested.

— The federal government will get out of the business of waste water treatment, for the most part, if Congress accepts the White House proposal to cut billions in grants from the Environmental Protection Agency budget over the next few years. The new policy will keep alive only those water-cleansing projects that directly remedy serious water quality problems. This may be a worthwhile reform; according to the General Accounting Office, 87 percent of existing federally funded plants still fail to meet water quality standards. In addition, the OMB says it will lop off grants to waste water projects based not on need but on growth projections — that may help control community growth and force localities to assess the real cost of expansion.

— Synthetic fuels funding through the Department of Energy will get the axe under the Reagan proposal, while loans, loan guarantees and possibly grants from the Synthetic Fuels Corporation will continue. Here the White House is trying to apply its free market principles: The SFC will be more strict than DOE in offering its support, the logic goes, private companies will have to take more risk, and that will weed out projects that are not economically viable. For this, and any further synfuels cuts, we give an unequivocal cheer.

— Solar energy development will get a smaller share of the Reagan budget than proposed by the Carter administration. The cuts will be substantial, dropping the 1983 federal investment in solar from $650 million to $236 million. The budgeteers say they are switching their funding emphasis from near-term research to long-term research and development. The Solar Energy Research Institute will not get its new building in Colorado "until the mission of the organization is better defined." Whereas Reagan justified the synthetic fuels cuts by saying the Synthetic Fuels Corp. would take over the federal role, there is no similar fallback for federal aid to the solar industry.

In addition, the sun will set on the Solar Energy and Conservation Bank without ever rising. The bank, which had strong support from solar advocates, was set up to promote residential energy conservation and solar technology. The Reagan administration argues that existing tax credits are doing the job of encouraging solar and conservation. They have asked Congress to wipe out the bank's initial 1981 budget of $121 million.

— A federal trust fund for acquiring lands for parks and recreational uses would be eliminated under the Reagan budget. Interior Secretary James Watt is eliminating the Land and Water Conservation Fund (see "Western Roundup") and using some of its funds for improving facilities and public services in existing parks. While we applaud the improvement of park facilities, which are not in good shape in this region, such steps would now be taken only at the expense of studying further wild federal lands for possible inclusion in the public's protected recreation system. Those neglected areas could be scarred forever under the next item in this list.

— One last budget item has more to do with income: The Reagan team expects to increase federal revenues by loosening restrictions on energy and mineral development of public lands. Watch out for this one. The White House thinks it can bring in over $1 billion more than the Carter administration anticipated in 1982, $2 billion more in 1983, and so on up the scale through 1985. This will be done by hurrying a permanent oil shale leasing program, leasing more federal coal faster, and speeding oil and gas lease sales in the Alaskan National Petroleum Reserve. That means more mines, even faster population growth, and less detailed preliminary study. Further, Watt has announced his intention to hurry up resource exploration in wilderness areas; will we be asked in the next budget-cutting announcement to let the drillers into the Bob Marshall in order to knock another thousand off the national debt?

There are many more interesting elements to the Reagan plan, but this is a good place to stop, with an item that has to do both with budget-repairs and public lands. If Reagan has put most of his emphasis on the budget during the early days of his administration, that is partly because his cadre seem to feel their plans for the public lands do not need to be sold to the public. Yet they represent an equally radical shift of policy.

We are, and we think everyone should be, somewhat in awe of the revolutionary changes Reagan's team is trying to bring to government. What we fear is that in the bluster over food stamps and foreign aid, in monthly announcements of new cuts and economic twists, we lose sight of the myriad parts of the Reagan budget performance. Energy issues and public lands management are important themes in that performance. Stay awake. Act II may be a little slow compared to Act I, but the third act will have some hairy plot twists.

— GOG

"We can learn a great deal from Walt Disney's crowd management principles." — Interior Secretary James G. Watt

Richard Murphy/Jackson Hole News

Bring on water conservation, but hold the dams and sprawl

As we head towards spring with 'nary a watershed in the West getting its normal rainfall, the impending drought is spurring a fresh interest in conserving water. We're all reminded of the impressive savings to be had from placing a brick in the toilet, while larger schemes such as the dual water system described elsewhere in this issue also become more attractive.

In considering both large and small water conservation efforts, however, there are two pitfalls worth noting, and sidestepping.

First, when most traditional water planners speak of conservation, they're talking about dams and reservoirs. Indeed, water storage projects are the oldest method around. That's why new dam proposals are in the news these days, and why several dam-related voter referenda may be held during this parched summer. Backers of Wyoming's Cheyenne and Utah's Bonneville projects, to name just two, both need voter approval sometime this year. It'll take hard work to keep the facts in each case from evaporating in the summer's swelter.

The second overlooked danger of water conservation is that the act of saving could stimulate more urban growth. There is a precedent. Bountiful, Utah, has had a dual water conservation system for two decades now. When asked what the city would be like if it had not installed the waterworks, operator Merrill Tuttle said the population would be half what it is today. Such a lower growth curve, however, would not dismay everyone. Bountiful's once-famed peach tree orchards are, after all, almost a thing of the past.

The problem is that in other areas not yet having conservation programs, the lack of water has been the key argument against continued sprawl. No water, no more housing developments, city officials have been told many times by growth control advocates, ranging from local planners to the U.S. Environmental Protection Agency.

The underlying philosophy to that argument — living within our natural resource constraints — is sound. But most often of late the questions, "Do we really want to grow and how fast?" have dropped in favor of the more immediate water supply issue. The result is that most people in the West are still shaping a future with a recipe that reads: for more growth, add more water. Water conservation efforts may serve only to dish up that missing ingredient.

If we consider only our centuries-long efforts to overcome the constraints of our natural resources, then any sort of water conservation is desirable. But the West is settled in now, the quality of life is a subtle new factor in the equation, and it's time to start rethinking the recipe.

— MM

letters

PLANNING FOR FORPLAN

Dear HCN,

I was very glad to see Louisa Willcox's article on forest planning (HCN 2-20-81).

The computerization of forest planning may or may not make planning more accessible to the public, depending on whether or not citizen activists can understand FORPLAN, the new Forest Service computer program system, well enough to have a meaningful say about its use. While a linear program like FORPLAN can be a useful tool in planning because it displays options so readily, its demands for certain sorts of economic efficiency and quantifiability may misleadingly substitute technical "best solutions" to multiple use conflicts for the traditional arts of bargaining and compromise mandated by the National Forest Management Act. Should FORPLAN be implemented as

letters continued

presently designed, we are likely to see litigation that would cripple the new forest planning process, as well as legislation that would further limit Forest Service professional discretion.

Why would a traditionally decentralized, biologically-based agency like the Forest Service bring such things on itself? The "objectivity" provided by FORPLAN may be a cover for the Forest Service's deep and troubling uncertainty about the values of professional foresters in an era of increasing specialization and sophistication in planning, a time of ever-mounting, conflicting, and intensely controversial demands on the National Forest System.

If its limitations and assumed values were acknowledged, FORPLAN could become a powerful aid in forest planning. I am working on an ethical supplement to the highly technical user's guide to FORPLAN. The goal of the **Guide** is to provide Forest Service decisionmakers and the general public with a clear and concise way to identify the ethical assumptions built into the various disciplines, especially economics and computer science, that drive FORPLAN. Then Forest Service personnel could improve their ability to rationally choose and where desirable change their personal and professional values, thus making as clear as possible the differences between assessment of forest resources (what "is") and management prescriptions (what "ought to be").

I would be grateful to any **HCN** readers who could send me ideas and information useful in writing the **User's Guide to FORPLAN**. I am particularly interested in the experiences of anyone who has been exposed to the Forest Service's efforts to educate the public in the meaning and use of FORPLAN.

Tom Wolf
516 N. Frey
Ft. Collins, Colo. 80521

COPPER STORY ALL WET

Dear **HCN**,

The article on page 12 of **HCN** 1-9-81 presents a false picture of groundwater use by the copper industry in Arizona. Your statement that "The state's copper industry, producing one-half of the country's output, has long been tagged as a major villain in the groundwater crisis," cannot be reconciled with the fact that the entire mining industry in Arizona uses only about 2.7% of all the water consumed (Source: Arizona Water Commission).

Although Arizona groundwater overdrafts of more than 2 million acre-feet per year have occurred, as you reported, the Water Commission found that the mining industry in Arizona uses only about 131,000 acre-feet per year. Almost two-thirds of U.S. copper is produced in Arizona and from 1970-1979 the industry directly or indirectly contributed almost $49 billion to the state economy.

The water required for copper mining [illegible] many ity often contribute significantly to the difficulties in revegetating mining wastes. We also irrigate extensively with sewage effluent to conserve water in our revegetation work.

Some recent articles in **HCN**, particularly those supported by the HCN Research Fund, have shown a bent toward objective reporting. I hope these are more typical of future efforts.

E.F. Haase
Land Use and Reclamation Coordinator
Phelps Dodge Corp.
Douglas, Ariz.

ENVIRONMENTALISTS' DAMAGE

Dear HCN,

Betsy Bernfeld's article ("Park stirs up soil on trampled Teton lakeshore," **HCN** 2-6-81) brought to mind a point that many people overlook, especially those concerned with **preservation** of our wilderness lands. Within the next decade the controversy of man as a destructive force in the wilderness will mushroom into an even more important issue.

For many years now wilderness advocates have made it known that items such as recreational vehicles, livestock and mineral development are a detriment to wilderness lands. However, these same environmentalists have failed to point out the damage caused by excessive public use of our wilderness lands. As Ms. Bernfeld points out, high country campgrounds have been devastated by campers, hikers, fishermen, etc. Do you suppose any of these people causing this damage were environmentalists? I'll bet there were more than a few.

The creation of the Vibram-soled hiking boot in conjunction with increased resource use have caused many problems comparable to mineral development and livestock use. Impacts left by hikers and campers include soil erosion, plant defoliation, and deep furrows along many of the trails and campgrounds that are inaccessible by vehicle.

What I am trying to point out by this commentary is that no matter in what category man has put himself, whether it be pro-mineral development, pro-livestock or preservationist-environmentalist, he can be destructive down to the shoes he wears. The issues involved are not going to be solved at the present rate of progress. The conflict of extremism between environmentalists and development people is actually a detriment to the resource. As in nature, any plant or animal that is restricted to one niche (or, in our case, one philosophy) is headed for extinction, while those having flexibility survive.

John Pallesen
Golden, Col.

books

Soil Conservation Policies: An Assessment
Soil Conservation Society of America, Ankeny, Iowa; 1980; 154 pages; $6.50.

Review by Michael Moss

Sustained yield. In the complex business of managing natural resources, those words ring with sweet simplicity — you take only as much, only as fast, as the earth can give.

With trees, the cycle can be 40 years or shorter, and if you cut and replant the forest with that maxim in mind, the harvest is non-declining, or sustainable. The problem, of course, is that there's a great temptation to cut corners. In the short of it, a quicker harvest schedule means more timber, more profits, more jobs and cheaper lumber.

That same motivation applies to farming and causes the single greatest problem facing our farmland today — soil erosion. The soil cycle varies, but as a rule of thumb topsoil accumulates no faster than half a ton per acre per year.

The government, however, wants more food (it's an international weapon these days), the consumer wants smaller food bills, the farmer wants a decent income, and so the corners are cut and the cycle is pushed beyond a sustain[illegible] give, and as in forestry, the results are devastating.

Remember the Dust Bowl of the 1930s? Soil scientists who do say that today we are losing soil faster than during the Depression. One out of every two acres of farmland in the country is suffering from erosion. In the Rocky Mountain region, some 3.5 million acres of cropland in 1977 were eroded by rain at a rate faster than the soil reaccumulated, with loss rates as high as 10 tons per acre per year. In the Northern Plains, 16 million acres were damaged. The wind, meanwhile, cut into over a million acres in the region during last November and December alone; Montana took nearly a third of that beating.

The problem is not for lack of a technical fix. Proven erosion control techniques include mulching, terracing and contour furrowing. No, the problem is political and the problem solvers are, for the most part, politicians.

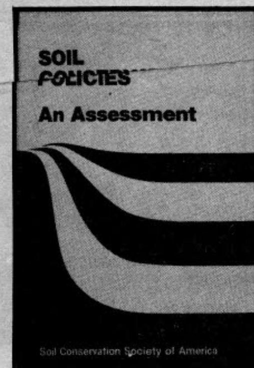
Soil Conservation Policies: An Assessment, presents 20, largely political, perspectives on soil erosion, neatly lumped into the themes of how did we get in this mess, where do we want to go, and how do we get there.

While a number of regul[illegible] coercion based on a 1979 court ruling that upholds the government's right to insist on soil conservation practices on private farms, several essayists agree that the solution lies in guiding, not forcing, the farmer's plow.

Tony Dechant of the National Farmers Union in Denver persuasively argues that the farmer is caught in a squeeze, making but two-thirds of the average working person's income, "hardly a situation in which farmers can make conservation investments on which there is no short-term return."

Sen. John Culver of Iowa suggests that farmers be offered a menu of incentives, including tax credits for conservation controls and, most interestingly, a set-aside program that would pay farmers to hold erosion damaged land out of production for a season until they have time to take preventative measures.

On this point, the book is unfortunately dated. Soil erosion is one of those quiet crises that go uncared for until, in this case, the blown soil dust coats Capitol Hill, as happened during the



Dust Bowl years. Federal funding, even during the New Deal era, was hard to come by; now, there's even a tighter purse in Washington, and John Culver is no longer a senator.

Given that void, the only solution is erosion control paid for by higher food prices. If that's unsettling, it may be necessary to recall that car oil filter ad: "You can pay me now, or you can pay me later."

by Mary Back

Just after those bitter days of the early February storm from the north, the Wind River's blue-gray water is massed with cream-gray, jostling ice cakes. A hundred feet or so upstream from where I stand a bunch of Barrow's Goldeneyes are on the ice and in the water, busy with morning grooming, paying no attention to me. I count four males — chunky ducks with black heads, backs and tails, white necks and breasts, white crescents in front of their eyes, and golden eyes.

There are eleven females — hey! one female sports an orange beak! I check with care — three have orange beaks. Year after year, that's my first sign of spring on upper Wind River: the female Barrow's Goldeneye beak turns from dark brown to orange. An amazing sight on a zero morning: spring will really come.

I climb down the steep bank for a closer look, and see a Common Goldeneye just on my side of the river. Common Goldeneyes look much like Barrow's except that where Barrows' have the white crescent in front of the eyes, Commons have a round white spot. They are much less common here than Barrow's, and this one looks a little lonely. He gives me one quick glance over his shoulder, then refocusses on the Barrow's across the creek. He is swimming upstream slowly, a glint of orange foot showing once in a while. He changes course, aiming for the Barrow's group, crosses the river diagonally, dodging ice-cakes, and comes to a stop just below the bunch of ducks. He waits. They look at him. A female with a dark brown bill (I expected orange, implying a stronger sexual urge, but no) slips down the current toward him, looks him over, and swims back up into the flock.

The Common follows her. Before long he is right in the middle. The birds get back into the grooming routine, waving wings, shaking tails, rearranging coverty feathers. There is Common Goldeneye, sitting back on the edge of the shore ice, reflected in the water. Orange feet are gripping bumps of ice as he vigorously scratches chest and belly, repeatedly running his black head and beak down the white feathers. His tail is sticking straight out as he tenses his muscles. I creep closer, until suddenly I am too close. With a whistle of wings the Barrow's take off, flying close to the water downstream and round the bend.

Common Goldeneye is again alone. He looks around, slides into the water and paddles downstream, using the open band of blue-gray ripples, near shore and away from the ice-cakes.

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